



**BOC ACTIONS**  
**WEDNESDAY, JUNE 7, 2023**

1. Call to order - Mayor Cahoon called the meeting to order at 9 am. and recognized former commissioners Anna Sadler, John Ratzenberger, and Buster Nunemaker, as well as former Mayor Bob Muller in the audience.
2. Agenda - The Board approved the June 7<sup>th</sup> agenda as presented.
3. Introduction of lifeguards - Ocean Rescue Director Chad Motz introduced the lifeguards for the 2023 summer season via a video where each lifeguard introduced themselves. The introductions were well received and the Board wished them well.
4. Introduction of new employees - Police Chief Perry Hale introduced Police Officers Lyle Coutts and Joseph Tatterson; Public Services Director Nancy Carawan introduced Water Distribution Tech Kevin Nelson.
5. Lifesaving Award - Police Chief Perry Hale introduced Police Officer JC Mitchell who responded to the Outlets Mall involving an unconscious male in the parking lot. Officer Mitchell used the Automated External Defibrillator (AED) and continued lifesaving efforts until Dare County EMS arrived. Officer Mitchell signifies the best in his field; on behalf of the Board, Mayor Cahoon presented him the Lifesaving Award.
6. Town Lightkeeper and Nags Header Awards

Mayor Cahoon introduced the Town Lightkeeper Award – This award is given to someone who made significant contributions to the Town through their time and actions which ultimately elevated the profile of Nags Head. On behalf of the Board, Mayor Cahoon presented the Lightkeeper Lantern to Austin Seafood business owner, Sandra Austin.

Mayor Cahoon introduced the Nags Header Award – This award honors Dick and Jo Fessler because of both the personal and public lives they led. On behalf of the Board, Mayor Cahoon presented the Nags Header Award to Dick and Jo Fessler's daughter Kathy Clarkin.

**7. Public Comment**

Buster Nunemaker, Nags Head resident, he thanked the commissioners and Town Manager Andy Garman for repaving the streets in Nags Head Acres; it looks great and was desperately needed.

Billy Moseley, with Lauren Nelson and Ann Cabell-Baum - members of the Friends of Jockey's Ridge, a nonprofit group that supports and protects Jockey's Ridge; they are in the process of campaigning for a NC specialty license plate for Jockey's Ridge State Park – this new initiative promotes the Park and the Town; you can apply on the Jockey's Ridge website for the plate; Board members wished them well in the campaign.

8. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:  
Consideration of Budget Amendment #15 to FY 22/23 Budget  
Consideration of Tax Adjustment Report  
Approval of minutes

Annual write-off of uncollectible water accounts

Consideration of amendment to Town Code Sec 44-35 to rename "Cut-off Tag fee" for consistency

Request for Public Hearing – UDO amendments re: dewatering activities such as installation of inground pools

Request for Public Hearing – UDO amendments re: "Restaurant, Drive Through" use as a permissible use

**9.** Public Hearing to consider citizen comment on the Town Manager's proposed operating budget for July 1, 2023 – June 30, 2024, proposed CIP requests, and updated Consolidated Fee Schedule – the Board tabled consideration of the FY 23/24 Operating Budget and related documents to the June 21<sup>st</sup> mid-month meeting.

**10.** Public Hearing to consider text amendments to Unified Development Ordinance as it pertains to the supplemental regulations associated with "Fueling Stations" within the Town – the Board adopted the ordinance related to regulations associated with Fueling Stations as presented.

**11.** Planning Director – Planning Director Kelly Wyatt presented her monthly report. Comr. Renée Cahoon questioned if the Town requires a de-watering plan from pool owners. Ms. Wyatt explained that the code is to be modified requiring a plan to be presented and approved prior to a pool permit being issued in the future.

**12.** From Apr 5<sup>th</sup> Board meeting – It was Board consensus that staff continue discussions with the Nature Conservancy concerning an easement and what would be included/excluded in it.

**13.** Committee Reports

Comr. Sanders – he thanked the Town for pursuing a National Fish & Wildlife Foundation grant which should pay for the Estuarine Shoreline Management Plan survey, engineering, and design of the three prioritized sites.

Comr. Brinkley – he attended the recently held Jennette's Pier Advisory Group meeting; summer camps are decreasing significantly due to staffing; however, visitation is trending upward.

Comr. Renée Cahoon – the Gov-Ed Committee met in May – its director vacancy is being advertised; the Coastal Resources Commission (CRC) subcommittee will meet in June for a LPDI land requirement discussion.

Mayor Pro Tem Siers – the Dare County Tourism Board (DCTB) was told by Dare County that there are no funds for the event site at this time and they will not be moving forward; Mayor Pro Tem Siers also stated that Dare County would like to donate the Pamlico Jack restaurant structure to the Town for fire training.

**14.** Town Board/Committee appointments/reappointments

- The Board reappointed David Elder to another three-year term on the Planning Board.

- The Board tabled Board of Adjustment appointments to the July Board meeting to allow for additional advertising for candidates.

- The Board reappointed Jean Flanigan, as a regular member rather than an alternate member, to the Personnel Grievance Panel (PGP).

It was Board consensus that staff advertise for both Board of Adjustment and Personnel Grievance Panel vacancies.

**15.** Attorney Leidy – The Board approved the revised attorney contract as presented.

**16.** 2023 Town Fireworks display - Dep Fire Chief Shane Hite presented an update on the upcoming July 4<sup>th</sup> fireworks show at the Nags Head Fishing Pier at 9:25 a.m. The rain date is scheduled for July 5<sup>th</sup>.

**17.** Beach driving report - Dep Town Manager Amy Miller summarized the results of the past beach driving year and compared it with previous years. In addition, Police Chief Hale noted the few warnings/tickets issued – he also noted the better conditions of the beach compared to previous years.

**18.** Jockey's Ridge State Park soundside access - Manager Garman confirmed that the Town is awaiting documentation from the State concerning expiration of its joint lease. It was Board consensus that some type of agreement with the State would be needed to address issues such as tour buses and other concerns with the Soundside Road park access.

Mayor Cahoon confirmed with Dep Fire Chief Shane Hite that the Town would respond in an emergency, but has no jurisdiction over their buildings. Board members agreed that staff sending a letter to the Office of the State Fire Marshal concerning maintenance by Jockey's Ridge State Park of a fire lane for emergency access into the soundside access area/parking lot would be worthwhile.

**19.** Request from Village at Nags Head – The Board approved the Village at Nags Head POA request to remove the Town's Open Space Easement for use for a mailbox facility – the Mayor was authorized to sign the request with the condition that the property not be used for any other use than a mailbox.

**20.** FY 2023 Project Review - Town Engineer David Ryan summarized the projects and initiatives the Town has undertaken over the past 12 months. The presentation is included on the Town's web site also.

**21.** Public Services Facility Project – Town Engineer David Ryan provided an update on the Public Services Facility Project.

**22.** Villa Dunes Drive traffic signal – Manager Garman reported on a request for a traffic signal at Villa Dunes Drive – It was suggested to prepare all areas that may or may not be problem areas so the Town can request studies of NCDOT of all such areas at one time. Town Manager Garman said that staff has been talking to NCDOT concerning issues with traffic signals. Board members had no objection to staff moving forward.

**23.** Town website update - Public Information Officer Roberta Thuman presented a brief update on the Town's website redesign, displaying several new website pages for the Board's review. Ms. Thuman noted that in the past year there have been 350,000 hits to the town's website and it has been overdue for a redesign. The new design is scheduled to be launched on June 13, 2023.

**24.** Comr. Brinkley - Comr. Brinkley spoke about the recent emails the Board received from many people concerning the soccer fields at Satterfield Landing Park. He also expressed his appreciation to Town Manager Andy Garman for his response to the emails and for meeting onsite with many of those expressing concern.

Mayor Cahoon explained that the property is Town-owned property that the County maintains and operates through an agreement with the Town. He said that anything going on inside the fence is the responsibility of Dare County; he feels that everyone is going to do the best possible to accommodate everyone. He questioned if a group from all the Towns would consider getting together to work on a resolution.

**25.** Mayor Cahoon – Roanoke Island Historical Association – The Board adopted the resolution in support of the Roanoke Island Historical Association's long-standing production of The Lost Colony as presented.

**26.** Closed/Open Session – The Board entered Closed Session to consider a personnel matter and to consult with the Town Attorney re: matters protected by attorney/client privilege to include the case of Town v 205 W Baltic, LLC. The time was 12:02 p.m. The Board re-entered Open Session at 12:32 p.m.

**27.** Adjournment – The Board recessed to a June 21<sup>st</sup> mid-month meeting in the Board Room at 9 am. The time was 12:34 p.m.