



**TOWN OF NAGS HEAD
BOC ACTIONS
WEDNESDAY, AUGUST 2, 2023**

1. Call to Order - Mayor Cahoon called the meeting to order at 9 a.m. He noted that Comr. Brinkley was excused from today's meeting.
2. Agenda – The Board approved the August 2nd agenda as presented.
3. Recognition - Public Services Director Nancy Carawan introduced Facilities Maintenance Technician Bruce Erickson who was congratulated by the Board for five years of service.
4. Public Comment

Stephanie Powers, Nags Head resident; she spoke concerning e-bikes and the safety of those that use them; she is concerned if she's not able to use the multi-use path and has to use the roadway with vehicles as her e-bike has no brake lights or turn signals and goes a maximum of 20 MPH; she offered suggestions to make it safer for all to share the multi-use path; she would be glad to participate on a committee to help find solutions.

Donna Creef, Outer Banks Association of Realtors (OBAR) Government Affairs Director; the OBAR Board of Directors has adopted a resolution requesting that the State support the recently-introduced bill concerning the National Flood Insurance Reauthorization and Reform Act of 2023; OBAR is requesting that the Town adopt a similar resolution.

5. Consent Agenda – The Consent was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #2 to FY 22/23 Budget
 - Consideration of Tax Documents
 - FY 22/23 Year End Tax Adjustment Reports
 - FY 22/23 Year End Tax Settlement Report
 - Approval of minutes
 - Sand Relocation and Dune Management Cost Share Program
 - Request for Public Hearing to consider text amendments to the UDO re: "Restaurant, Drive Through"
 - Request for Public Hearing to consider Special Use Permit/Site Plan Amendment for a Starbucks Café

Mayor Cahoon pointed out that the End of Year Tax Collection Report indicated a tax collection rate of 99.992% and applauded the Tax Collector for her work.

6. Public Hearing - to consider application for NC Division of Coastal Management (DCM) Public Beach and Waterfront Access and Grant Program – the Board approved the application for the NC Division of Coastal Management Public Beach and Waterfront Access grant as presented.
7. Public Hearing – to consider the permanent closing of a portion of Old Nags Head Woods Road identified as "All that portion of Old Nags Head Woods Road that crosses Lot 3 'Division for Ralph Buxton, et al' owned by Stanford M. White, south of the 15' access easement, which is approximately 130 feet north of the southern

lot line, and that portion of Old Nags Head Woods Road that crosses Lot 4 'Division for Ralph Buxton, et al' owned by Louisa Farr" – The Board tabled consideration of the resolution to permanently close a portion of Old Nags Head Woods Road until after the survey has been completed.

8. Planning Director – Planning Director Kelly Wyatt presented a Planning Dept update; she noted that the Septic Health Advisory Committee presentation would take place at the September Board meeting. Comr. Renée Cahoon thanked Ms. Wyatt and her staff for the successful Dowdy Park Markets and stated that she is looking forward to upcoming farmers markets and holiday markets.

9. From July 5th Board meeting – Discussion of e-bikes on the multi-use paths – After discussion, the Board took no action concerning e-bikes.

10. Traffic Control Map – The Board adopted the ordinance amending the Traffic Control Map designating *No Parking Between Signs – Tow Away Zone* 100' north and south of the intersection with SR 1243 in the vicinity of 8810 S Old Oregon Inlet Road as presented.

11. Debris monitoring contract – The Board passed a motion authorizing the Town Manager to execute an agreement with DebrisTech, LLC for debris monitoring services through June 30, 2024 as presented.

12. Discussion with NCDOT - Maintenance Engineer Marshall Gill reviewed the following issues of concern with Board members:

- Malfunctioning pedestrian push button at Bonnett Street light
- Traffic signals are slower than before the paving project
- Flashing "signal ahead" system at Bonnett Street – requested due to extended activity at Bonnett Street
- Malfunctioning pedestrian push button at Hollowell Street light
- Time period of 18 seconds to cross US 158 - 18 seconds is not long enough
- Replacement of damaged traffic signal arms – Tanger Outlet, Village Food Lion, Adams Lane after summer
- The 7-11 Triangle - no left turn leaving SNH onto NC12 – a workable plan needs to be developed.
- Reduce speed limit on US 158 – Will need to be reviewed
- Completion of US 158 paving work – Scheduled for after summer

13. Discussion with Moffatt & Nichol re: Beach Nourishment - Beach Nourishment Plan Consultant Moffatt & Nichol presented a Beach Nourishment Master Plan report and recommendations; Engineer David Ryan distributed a hard copy of the document entitled "Multi-Decadal Beach Nourishment Master Plan". Final recommendations:

- Annual monitoring
- Six-year nourishment cycle
- 5/10 year phased approach
- Structures have more disadvantages than advantages and are not recommended

Board members are to review the Multi-Decadal Beach Nourishment Master Plan and provide comments by the end of September; The Monitoring Plan is anticipated to be ready for Board presentation at the November Board meeting.

14. Planning Board Workshop - The Board entered into a workshop with the Planning Board to discuss multi-family development at 11:15 a.m. This was followed by lunch. The Board re-entered the Regular Board meeting at 1:20 p.m. Comr. Sanders left for a previously scheduled engagement and was not present for the remainder of the Regular Board meeting.

15. Amendments to Chapter 40 Telecommunications and Chapter 44 Utilities for utility work conducted in Town Rights-of-Way – The Board adopted the ordinance removing Chapter 40 Telecommunications as

presented. The Board also adopted the ordinance amending Chapter 44 Utilities, with the removal of the Town Manager's name and email address from Sec. 44-222.

16. Fishing tournament resolutions – The Board passed a motion to adopt the three resolutions authorizing Fall 2023 surf fishing tournaments for the following organizations: Nags Head Surf Fishing Club, Fraternal Order of Eagles, and the Outer Banks Associations of Realtors, as presented.

17. Town Manager Garman - Update on new Public Services Facility - Board members spoke highly of the ongoing construction of the new Public Services Facility. Engineer Ryan explained that they hope to be able to make up the time from a two-week delay. Board members thanked Engineer Ryan for his presentation/update.

18. Town Manager Garman - Discussion of Dare County's plans for Nags Head EMS Station - It was Board consensus to agree with Manager Garman's requests to move forward by working with Dare County on plans for a Nags Head EMS Station to include the following:

- Developing a proposal for design, financing, and leasing arrangements
- Working with the quilt business property owner behind the Fire Station
- Begin negotiating with Village Realty on the lease of the former BB&T building so the Town is in a position to allow Dare County to begin construction next year

19. Town Manager Garman - Consideration of policies - The Board passed motions approving both the Parental Leave and the Light Duty policies as presented.

20. Comr. Renée Cahoon - Trash pickup on a windy day – She thanked Manager Garman and staff who walked around recently picking up trash that had blown out of trash carts. She said it was very much appreciated.

21. Mayor Cahoon – Fall Retreat - Mayor Cahoon stated he has been working on goals for discussion at a Fall Retreat; he also noted that this is an election year and that at least one new Comr. is known. It was Board consensus for a full day Retreat on Nov 16th and a half day on Nov 17th. Manager Garman will clear these dates with Comrs. Brinkley and Sanders.

22. Adjournment – The Board adjourned at 2:10 p.m.