



**BOC ACTIONS**  
**WEDNESDAY, OCTOBER 4, 2023**

1. Call to order - Mayor Cahoon called the Board meeting to order at 9 a.m.
2. Agenda – The Board approved the October 4<sup>th</sup> agenda as presented.
3. Recognition

Police Officer Davis Bradley, Dep Planning Director Joe Costello, and Firefighter/EMT Jose Ramirez were welcomed by the Board to Town employment. Firefighter/EMT Trey Simmons was congratulated by the Board for ten years of service.

4. Proclamation – The Board adopted the proclamation declaring October 8 – 14, 2023 as Fire Prevention Week as presented.

5. Public Comment

DAVID BRAGG, Nags Head resident, spoke concerning Sec 24.8(a) of the State Budget adopted last week which is detrimental to the Town and would mean there is no representation in zoning regulations for affordable building structures; this week at the Dare County Board meeting he spoke concerning this issue; afterward, he received an email from Dare County Board Chair, Bob Woodard, concerning Nags Head Mayor Ben Cahoon and Woda Cooper affordable housing; Mr. Bragg expressed his concern about a conflict of interest and asked the Mayor to send a message of explanation to the public.

BASIL BELSCHES, Nags Head resident; stated that he spoke Monday at the Dare County Board meeting; there was plenty of back/forth between the Board and the public; it was never stated where the Section 24.8(a) in the Budget Bill derived from but the Dare County Board did deny it; Mr. Belsches said that he would be happy to volunteer his time to serve on the task force proposed by the County to be made up of representatives of all the towns.

DEBBIE CARRERA, Nags Head resident; appreciates the time the Board puts into these meetings; it would be nice to have some regular citizens on the County Task Force; the legislators have not represented the citizens of Dare County; she would like to see the legislators be better represented by our area.

SHELLY BLACKSTONE, Nags Head resident; the Dare County Task Force should have a broader representation of those who live in Nags Head; if the Town continues to add hotels etc. there should be a commitment from the developer to include workforce housing otherwise the problem will just continue to get worse; Dare County denies they had anything to do with the legislation but they also skirted the issue that they would do any type of correction to the budget bill; she would like to see the Town continue to pursue action.

MOLLY HARRISON, Nags Head resident; representing herself and her neighbors on Lakeside Street; they are concerned about the hotel proposed to be built at the end of their street and the traffic flow; she feels it is very unfair to their neighborhood that residents, along with the hotel and the existing gas station to all be entering/exiting via their small, narrow Lakeside Street; she would like the Board to look at the site plan carefully and try to push for a traffic signal or a crosswalk, etc. In addition, she questioned where will the hotel

employees live as there is no workforce housing; she asked the Board to consider her neighborhood when reviewing the site plan for the hotel.

**6.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

- Consideration of Budget Amendment #4 to FY 22/23 Budget
- Consideration of Tax Adjustment Report
- Approval of minutes

**7.** Public Hearing - Public Hearing to consider text amendment to Sections 6.5, Classification and Review of Unlisted Uses, Section 66, Table of Uses and Activities, and Article 7, Supplemental Regulations as it pertains to listing Pawn Shops and Pawn Brokers as expressly prohibited uses within the Town and listing the appraisal and purchase of precious metals as an acceptable accessory use to retail jewelry shops - The Board adopted the ordinance re: pawn shops and pawn brokers as presented. It was Board consensus to direct staff to continue to review and find a way to address the additional uses to be offered.

**8.** Update from Planning Director - Planning Director Kelly Wyatt summarized her report for the Board; she also provided an update on the construction in the parking lot of the Outer Banks Mall where EV Chargers are being installed; it is a permitted use and will be for Tesla chargers as well as those with adapters that can use them for other vehicles also.

**9.** Site Plan - submitted by House Engineering, P.C. for construction of a four-story, 90-unit Hotel (Inn at Whalebone). The property is zoned SPD-C, Village Hotel is located within the Hotel Overlay District and is located at 6632 W. Pheasant Avenue – The Board approved the site plan with the condition that the existing roadway is to be expanded to accommodate three (3) lanes of traffic, and the three (3) lanes should extend to the most westward entrance of the hotel off Lakeside Street.

**10.** Beach Nourishment Master Plan – Moffatt & Nichol representatives Dr. Beth Sciaudone and Brian Joyner presented – they provided an update and requested Board feedback about alternatives.

For a 2026 Beach Nourishment Project Mr. Joyner would like to start permitting next summer 2024. They would need to know the Town's plans before that – by spring 2024 for the first draft of the Beach Nourishment Master Plan. Manager Garman confirmed with Finance Officer Amy Miller that the last debt payment on the previous project has been made. The Board authorized staff to proceed with a fall/winter survey at an amount not to exceed \$75,000. Engineer Ryan clarified beginning of year to report back (Jan/Feb 2024 timeframe) with both survey reports. By then more info should be known about what the County will provide financially and be able to discuss more of the Board's intent.

**11.** From Aug 2<sup>nd</sup> Board meeting – Permanent closing of a portion of Old Nags Head Woods Road – The Board adopted the resolution to permanently close a portion of Old Nags Head Woods Road, as identified.

**12.** Fire Staffing Analysis Working Group – The Board appointed the following to the Fire Staffing Analysis Workshop Group: Comr. Brinkley as Board liaison, Bob Muller, and Meade Gwinn.

**13.** Comr. Renée Cahoon – Gov-Ed Committee – A brief meeting was held with the Gov-Ed Committee and the new chair was introduced. Mayor Cahoon and Comr. Renée Cahoon complimented all on the great job with the Ash Wednesday Storm video to include the Committee and Town Public Information Officer Roberta Thuman.

- 14.** Appointment - The Board appointed Rob Crawford as a member of the Town's Septic Health Advisory Committee, pending his acceptance.
- 15.** Old Nags Head Place Drainage Project - The Board approved the bid for the Old Nags Head Place Drainage Project and to authorize the Manager to execute the contract with Envirotech Unlimited Construction Services, LLC, as presented.
- 16.** Attorney Leidy – He requested a Closed Session at the appropriate time.
- 17.** Town Manager - Town Engineer David Ryan provided an update on the Public Services Facility construction project. The construction schedule remains intact – the Administration Bldg fell behind but all other buildings are on time; the Vehicle Storage Building is expected to begin construction on/around January 1, 2024.
- 18.** Town Manager - The Board authorized the Manager to execute the Interlocal Agreement with Dare County to work together on the EMS/Fire Station Project – and to execute the Lease Agreement at the appropriate time when a site plan has been prepared.
- 19.** Town Manager – The Board approved the Earl Murray Jr Employee of the Year Policy as presented; It was noted that all nominations, to include email format, will be forwarded to Board members in the agenda backup the Friday before the November 1<sup>st</sup> Board meeting. Nominees will be presented and the Board will award the Employee of the Year at the November 1<sup>st</sup> Board meeting; so no need for nominees to return at the December Board meeting.
- 20.** Town Manager - Public Services Director Nancy Carawan presented an update on the Town's bulk collection program.
- 21.** Town Manager - Public Services Director Nancy Carawan summarized the upcoming Community Cleanup Day which is scheduled for Saturday, October 28<sup>th</sup> at 9 am – at Dowdy Park.
- 22.** Town Manager - Comr. Renée Cahoon suggested speaking to the State Director of Parks concerning an alternative access to get to the soundside access. The Board approved moving forward the Jockey's Ridge Memorandum of Understanding, as presented.
- 23.** Town Manager - Town Manager Garman provided an update on the results of the recent Community Survey. Approximately 1,136 responses have been received – that's a 36% response rate. A draft report from the consultant is to be presented to the Board at its November 1<sup>st</sup> meeting.
- 24.** Adoption of CFS amendment - The Board approved the amendment to the Consolidated Fee Schedule as presented in agenda item #F-1 re: appraisal and purchase of precious metals as an accessory use to retail jewelry shops.
- 25.** Comr. Brinkley – He thanked the Police Dept for an outstanding job at last night's annual National Night Out event which was very well attended.

**26.** Comr. Brinkley – He recently attended the dedication of the Jockey’s Ridge State Park Mountains To Sea Trail.

**27.** Comr. Brinkley – After viewing the Dare County Board meeting on Monday, October 2<sup>nd</sup> – He said that he was excited to hear about a Task Force to be formed to address the affordable housing issue and he commended the County Board for taking this action. Comr. Renée Cahoon would like to see the Mayor and Mayor Pro Tem both be a part of that Task Force.

**28.** Mayor Cahoon – He summarized the process of the State’s Appropriation Budget Bill of 2023; he became aware that the Sec 24.8(a) re: Dare County Affordable Housing was added to the Budget Bill two days before the budget was voted on. Mayor Cahoon said that he and Manager Garman spoke to others and were quickly able to obtain a consensus that something needed to be done.

Mayor Cahoon - He spoke to clarify several items that had been said about him at the Monday, October 2<sup>nd</sup> Dare County Board meeting and today’s Board meeting: He is not aware of the County ever contacting him to work with the towns on the affordable housing issue; he emphasized that he would never make promises on behalf of his Board without receiving consensus first. As to transparency to his conversations with Woda Cooper, Mayor Cahoon stated that he addressed this last year at the Nags Head September 2022 Board meeting; in addition, he always recuses himself when his firm is involved in any Town business. He also pointed out that he has not and will not work for Woda Cooper.

**29.** Closed Session - The Board entered Closed Session at 12:11 a.m.

**30.** Open Session - The Board re-entered Open Session at 12:41 p.m. Mayor Cahoon noted that Comr. Brinkley had left the meeting for a scheduled appointment.

**31.** Lease amendment - The Board approved the amendment to the Village Realty building lease of the former BB&T building terminating the lease effective October 6, 2023.

**32.** Adjournment – The Board recessed to a mid-month meeting on October 18<sup>th</sup> at 9 am in the Board Room. The time was 12:42 p.m.