



BOC ACTIONS
REGULAR MEETING / BUDGET PLANNING WORKSHOP (VIRTUAL)
WEDNESDAY, FEBRUARY 3, 2021 AT 9 AM

1. Call to order - Mayor Cahoon called the virtual Feb 3rd Board meeting to order at 9 am.
2. Agenda - The Board approved the Feb 3rd agenda as presented.
3. Recognition

On behalf of the Board, Mayor Cahoon recognized Town Customer Service Representative/Cashier Shannon Krzyzanowski for her assistance to a Town Hall neighbor.

Public Works Director Terry Haugen introduced Facilities Maintenance Supervisor Ed Hawley who was recognized by the Board for 15 years of service.

Dep Town Manager Andy Garman introduced Finance Director Amy Miller who was recognized by the Board for five years of service.

Presentation - Annual Report from Jennette's Pier Executive Director Mike Remige - Director Remige presented the annual report from Jennette's Pier; he introduced George Bonner of the NC Renewable Ocean Energy Program of the Coastal Studies Institute who is working with the Dept of Energy on a project to create another renewable energy center on the east coast. The reports were well received by the Board.

Presentation - Findings from iFlood app - Rachel Housego, Joint Program Student, provided a presentation on the iFlood program which is used to analyze groundwater measurements provided by citizens on the Outer Banks. The app is a Citizen/Science app where citizens can report on flooding situations they observe which are then stored and evaluated. Ms. Housego's presentation was well received by the Board.

4. Public Comment - Mayor Cahoon briefly reviewed an email from Porter Graham of the Outer Banks Association of Realtors (OBAR) which expressed concern that the Beach Nourishment Project (Alternative #2) has not been adequately reviewed by the Board and that it poses potential for overlapping debt service obligations, would forfeit \$3.3 million in FEMA assistance (available under Alternative #1), and could see permitting delays that may prevent the Board's objective of coordinating the project schedule with those of the northern towns; It is OBAR's understanding that Alternative #1 would achieve a project lifetime similar to that of Alternative #2 for much less - the Board was asked to reconsider.

5. Consent agenda - The Consent agenda was approved as presented and consisted of the following:

Budget Adjustment #10 to FY 20/21 Budget
Tax Adjustment Reports
Request to advertise delinquent taxes
Approval of minutes
Updated Vehicle Use Policy re: cell phone use while driving
Request to apply for Assistance to Firefighter Grant
Updates to the Town of Nags Head Vegetative Planting Guidelines

6. A Public Hearing was held to consider text amendments to the UDO pertaining to nonconforming hotels and accessory uses in association with preexisting fishing piers. The Board passed a motion to continue the Public Hearing, and to consider Planning Board comments concerning these text amendments - to the Mar 3rd Board meeting.

Comr. Fuller requested a white paper on when/why hotels were eliminated from the CR District.

7. Planning Director - Planning Director Michael Zehner summarized his monthly update for the Board.

8. Review of Town Outdoor Lighting Regulations - It was Board consensus that staff review the commercial lighting issue that brought this lighting matter forward, research new lighting technology, and prepare proposed ordinance amendments for Board consideration.

9. Committee Reports

Gov-Ed meeting - Comr. Renée Cahoon reported that the Gov-Ed Committee recently met, welcomed a new member from the Town of Duck, hired a new assistant, determined the Committee's budget was in good shape, and approved several grant applications.

Dare County Tourism Board (DCTB) - Comr. Fuller reported that there is movement re: DCTB taking some action concerning paying the Town for its share of the Event Site. In addition, he noted that the Event Site Development Committee will be meeting again soon.

Soundside Road/Jockey's Ridge Committee - Mayor Pro Tem Siers reported that this Committee continues to meet and work on the issues in preparation of a report to the Board.

10. Appointments/Reappointments - The Board passed motions to reappoint Megan Vaughan to the Planning Board for another three-year term, pending her acceptance, and to reappoint Tina Adderholdt as an Alternate on the Board of Adjustment for another three-year term, pending her acceptance.

11. Town Attorney - Town Attorney John Leidy stated that he had nothing new to report at this time.

12. Beach Nourishment Project

Municipal Service Districts

The Board passed a motion to direct staff to prepare the maps/study/report to implement the following municipal service districts (with "Whalebone Junction" changed to "Gulfstream Street"):

- From Gulfstream Street to Bonnett Street, to include all properties east of US 158
- From Gulfstream Street to the southern town limits, to include all properties in South Nags Head
- From Bonnett Street to Eighth Street, to include all properties east of US 158
- From Bonnett Street to Eighth Street, to include all properties east of NC 12

Beach Nourishment Project - Alternative #1

The Board passed motions to authorize the Beach Nourishment Project, Alternative #1, which involves a FEMA project supplemented with Coastal Storm Damage Mitigation (CSDM) fund grant revenue. The total sand placement would be 567,000 cu/yds located in reaches 2, 3, and 4. The motions authorized staff to proceed with the actions listed in paragraphs 2, 4, 6, 7, and 8 as described in Attachment #2 as follows:

- 2** Action to authorize staff to proceed forward with the planning, design, permitting, bidding and construction administration for an approximate 567,000 cy Post-Dorian beach nourishment project along Reaches 2, 3, and 4.
 - 4** Action to authorize staff to modify the existing Coastal Storm Damage Mitigation (CSDM) Grant application to include the FEMA Public Assistance request sand volume of 508,070 cy, CSDM grant award amount of \$1,408,247.19.
 - 6** Action to authorize staff to modify the existing FEMA Category G, Public Assistance application to include the FEMA Public Assistance request amount of 508,070 cy, CSDM grant award amount of \$1,408,247.19.
 - 7** Action to authorize the Interim Town Manager to execute a contract change order in the amount of \$195,855 with Moffat & Nichol for the performance of additional offshore borrow area; investigation for vibrocore sampling collection and geotechnical reporting as for environmental permitting of a beach replacement/maintenance project with an approximate volume of 1,472,500 cy. At this current time, it is uncertain whether the Division of Coastal Management (DCM) will require supplemental geotechnical investigation for permitting of the offshore borrow source. If it is determined the hydrographic survey and analysis is sufficient for permitting needs, no action will be taken on the proposed contract amendment.
 - 8** Additional funding of \$220,000 is requested from the beach nourishment capital reserve fund balance due to the uncertainty of the need for additional geotechnical investigation within the beach nourishment project borrow area. Since timing is the critical path for this project, staff is notifying the Board of this future request to authorize the Interim Town Manager to execute a change order to the existing Moffat & Nichol contract for an amount not to exceed \$220,000. As necessary, this authorization will permit the change order process to be expedited and reduce potential delays to the project schedule. If the funds are not required, staff can submit a request at a future meeting for an amendment to return the funds to the Beach Nourishment Maintenance Capital Project Fund.
- The Board passed a motion to adopt Amendment #1 to the Beach Nourishment Maintenance Capital Project Ordinance as presented.
- The Board passed a motion to adopt Budget Amendment 10.3 to move funds as needed for the Beach Nourishment Project geo-technical investigation as presented.
- 13.** Comr. Fuller - It was Board consensus that staff review and discuss John CeCe's sand fencing suggestions at an upcoming Board of Commissioners meeting.
 - 14.** Comr. Fuller - Interim Manager Sparks stated that he would address Village POA President Milton Jernigan's request for an extension of the multi-use path in a section of the Village during the Board's Budget Planning Workshop later today.
 - 15.** Mayor Cahoon - It was Board consensus that the Town Manager recruitment ad/brochure be modified to require the Town Manager position to live within the confines of the Town and to allow a reasonable amount of time to make that transition. Interim Manager Sparks is to follow-up with Developmental Associates.
 - 16.** Recess for lunch - The Board recessed for lunch at 12:17 p.m. and reconvened at 1:34 p.m.

17. Budget Planning Workshop

Interim Town Manager Greg Sparks explained that the pre-budget planning workshop is provided so that Board members can let staff know of any specific/additional priorities. In addition to projects such as the Employee Compensation Study; Public Works Master Plan; Building Security Plan; and a CIP project to address multi-use path extensions, Board members mentioned the following:

Public Works improvements; Discussion of departmental requests that were cut last year for COVID; Decision re: removing/keeping the AEC; Working toward completion of some of the stormwater projects; Working toward a more up-to-date vehicle replacement and maintenance schedule; and a schedule that includes implementation of a project, and not just planning, when the budget is prepared.

18. Adjournment - The Board recessed to a mid-month meeting on Wednesday, Feb 17, 2021 at 9 am at the Doug Remaley Fire Station #16 to allow for a more COVID-safe meeting. The time was 2:16 p.m.