



**TOWN OF NAGS HEAD
BOC ACTIONS
NOVEMBER 3, 2021**

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

Human Resources Manager Jan Mielke was welcomed by the Board to Town employment.

Deputy Town Clerk Michelle Gray was congratulated and presented a plaque for 25 years of service.

Senior Environmental Planner Kate Jones was congratulated for becoming a Licensed Landscape Architect.

Dept Heads presented their Earl Murray Jr 2021 Employee of the Year nominees as follows:

Administrative Services - Amy Miller introduced Brittany Phillips
Fire Dept - Randy Wells introduced Matthew Swain
Planning and Development - Kelly Wyatt introduced Steve Szymanski
Police Dept - Phil Webster introduced Paul (Trey) Lipscomb
Public Works - Eric Claussen introduced Conner Twiddy

4. Public Comment - No one present spoke during Public Comment.
5. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Approval of minutes

Consideration of modification to Consolidated Fee Schedule

Consideration of resolution authorizing exchange of equipment between Town/Manns Harbor Fire Depts

Request for Public Hearing to consider modifications to the stormwater ordinance

Request for Public Hearing to consider text amendment re: alt design stds in Soundside Res Overlay District

6. Public Hearing - Mayor Cahoon was excused from this hearing/discussion. (His associate Mark Kasten worked with the applicant). The Board adopted the text amendment to add "Beach Recreation Equipment Rentals & Sales" as a permitted use within the C-4, Arts and Culture Zoning District as presented.
7. Break - Board members went outside for a photo opportunity with those recognized at today's meeting.
8. Presentation from Decentralized Wastewater Management Plan Committee - Environmental Planner Kylie Shephard, Tetra Tech representative Holly Miller (via Zoom) and Decentralized Wastewater Management Plan Advisory Committee member Bob Muller presented an update on the status of the Management Plan which was well received by the Board.

9. Public Hearing - The Board adopted the text amendment to the Unified Development Ordinance allowing temporary accommodations for outdoor dining.

10. Update from Planning Director - Interim Director Wyatt presented her monthly Planning Dept update for Board review. She highlighted specific items for the Board: A review of residential stormwater regulations (on today's consent agenda as a Request for Public Hearing). Another item for discussion with the Board is from the Planning Board meeting re: a request from engineer Jay Overton concerning alternative design standards in the Soundside Residential Overlay District. The proposal would allow land disturbing activities to occur on up to 70% of the total lot area of a property. Mayor Cahoon confirmed with Ms. Wyatt that she is asking for Board input on Fill and Lots with unique topography; Board members commented that Fill should not injure neighboring Lots.

Mayor Cahoon confirmed that the Board would be considering these items during the two Public Hearings scheduled for the December 1st Board meeting and would provide guidance at that time.

11. Site Plan - The Board passed a motion to approve the site plan as submitted by Tom and Donna Haddon at 3620 S Old Nags Head Woods Road for the removal of trees with a caliper of 16 inches or greater as required within the SED-80 Special Environmental District.

12. Update on sidewalk/crosswalk projects - Sidewalk projects - Board members concurred with Town Engineer David Ryan's update re: sidewalk projects (E Bonnett/W Barnes/Seachase) and asked that the property owners be made aware of the scheduled sidewalk construction projects ahead of time.

Crosswalk projects - Board members concurred with Public Works Director Eric Claussen's update re: crosswalk projects - He indicated that staff is to meet with NCDOT within the next two weeks to review two traffic studies (US158/Gray Eagle and NC12/SOOIR) as well as the reimbursement agreement for the lighted pedestrian pushbutton sign at Seachase/SVDT and to ask NCDOT to proceed with the advanced pedestrian features (crosswalk treatments) as previously presented to the Board. Director Claussen said that he will emphasize the importance of expediting the agreement process so work is completed, hopefully, by March 2022. Director Claussen was also aware of the S Nags Head (June St) crosswalk striping mis-match and will have NCDOT fix.

13. Speed limit on Seachase Drive - Public Works Director Claussen would like to see a speed study done just to understand the traffic on this road; Comr. Renée Cahoon agreed but said that timing is not correct as it needs to be done during the summer season but that it could be done at Thanksgiving and at Christmas. The Board adopted the ordinance amending the Traffic Control Map as presented – modifying the speed limit from 25 to 20 MPH.

14. From October 6th Board meeting - The Board appointed Alice Coffey as a regular member of the Board of Adjustment. Mayor Pro Tem Siers said he believes that there is one person serving on three separate Town Boards/Committees. Staff is to check on this and locate any policy or past practice, and to bring forward any duplicates on current Boards/Committees for discussion at the December Board meeting.

15. Committee Reports:

Comr. Fuller – DCTB – he had asked for full grants for the Town's beach access requests – he encouraged all to look at the Soundside boardwalk plan which is moving forward rapidly and includes the Harvey site.

Comr. Brinkley - Jennette's Pier Advisory Committee met on October 27th - they are going to request appropriation from the General Assembly in order to better perform maintenance at the Pier to include on

their restrooms. Comr. Brinkley also noted that the national competition Waves To Water is scheduled for April 2022 at the Pier.

Mayor Cahoon - North Carolina Beach, Inlet and Waterway Association - Mayor Cahoon will be attending the NCBIWA Conference Thursday and Friday of this week.

Comr. Renée Cahoon - Current TV/Gov-Ed – She reported that there is an opening available with the resignation of Skip Wallace.

Mayor Pro Tem Siers - He has been working with builders and staff on an updated stormwater ordinance - to be presented next month.

Mayor Cahoon - Environmental Lawsuit - Mayor Cahoon reported to the Board concerning a lawsuit filed against the Corps re: dredging in the summer in the southern part of the State. Mayor Cahoon noted that he wrote to Congressmen Burr and Tillis with information that the Town dredges in the summer out of necessity and that many efforts are put into place in order to protect wildlife.

16. Post-Dorian Beach Nourishment Project - A report was provided on the recent bid opening; at the December 1st Board meeting Engineer David Ryan will return with a request for the Board to approve the Notice of Award for the recommended contractor (Great Lakes Dredge and Dock) and for authorization for the Town Manager to execute the construction contract. Bryan Joyner of Moffat & Nichol provided additional details of the three bids that were received.

17. Recess/Reconvene - The Board recessed for lunch at 12:08 p.m. and reconvened at 1:30 pm.

18. Annual Beach Condition Survey Report - Bryan Joyner of Moffat & Nichol presented the Annual Beach Condition Survey Report.

19. Town Manager Garman - Project Updates

a. "One Water" Plan Framework – Town Engineer David Ryan presented information concerning the "One Water" program which evaluates interconnected resources via a holistic approach; it develops a mindset that all water has value. He explained that this is a first look at this initiative.

b. Review of Water Distribution System Standard Specs - The Board approved the Water Distribution System Standard Specifications as presented.

c. Multi-use path ordinance discussion - Town Manager Garman feels that the Town's multi-use path ordinance needs to be updated with new definitions to include electric bicycles. Board members discussed hazards on both the path and the Beach Road. Director Claussen explained that he will present specifics to mitigate these and other issues at the December Board meeting.

d. Beach driving and Utility Terrain Vehicles - The Board passed a motion to adopt the ordinance amending the Beach Driving Ordinance re: Utility Terrain Vehicles as presented.

e. Memorial Avenue improvements - The Board passed a motion to award Hatchell Concrete the contract for the Memorial Avenue improvements in an amount not to exceed \$356,480, to authorize Alt #1 and to authorize the Town Manager to execute the contract.

f. Strategic Plan – The Board passed a motion to approve the Strategic Plan as presented.

- 20.** Comr. Fuller - He congratulated Mayor Cahoon, Mayor Pro Tem Siers, and Bob Sanders for their win in yesterday's election; he thanked staff for all the work they've done. Comr. Fuller said that he has had a wonderful ride and a lot of good times and that this marks the end of his public service - he has been happy to be able to serve Nags Head. He did confirm that he would be at the December 1st Board meeting.
- 21.** Comr. Brinkley - Comr. Brinkley congratulated those who won in yesterday's election.
- 22.** Comr. Renée Cahoon - She congratulated those who won in yesterday's election. She thanked Comr. Fuller for all his years of good service to include the 20 plus years he served as Town Manager.
- 23.** Comr. Renée Cahoon - The Board appointed the Interim Planning Director as the Unified Development Ordinance Administrator.
- 24.** Mayor Pro Tem Siers - He congratulated all those who won in yesterday's election and specifically thanked those who voted. He also thanked Comr. Fuller for his years of service.
- 25.** Mayor Pro Tem Siers - He asked about including a requirement for sidewalks in commercial site plans. Town Manager Garman stated that when this was brought up previously, it was thought that a facility fee adjustment would be necessary. Staff is to bring this issue back for Board discussion.
- 26.** Mayor Cahoon - He thanked Comr. Fuller for his four years of service as a commissioner. He noted that Comr. Fuller has helped the Town Board a lot during the past four years and said that he will miss Comr. Fuller's perspective on various issues.
- 27.** Mayor Cahoon - He asked NCDOT to help with facilitation of east-west traffic such as doing a better job with the timing of traffic signals; he feels that the Town has done and continues to do its part with sidewalks, etc. to safely move people but not enough help is coming from NCDOT.
- 28.** Mayor Cahoon - Retreat - Board members concurred with Mayor Cahoon that with a new Board member and with staff working on a new budget calendar to better implement the strategic plan/budget process, there was no need for a Board Retreat in January. He scheduled a workshop after the January 5th meeting to bring the new commissioner up to speed.
- 29.** Mayor Cahoon - The Board approved the proposed 2022 Calendar Year schedule with the change that all mid-month meetings start at 9 am.
- 30.** Closed Session - The Board entered Closed Session to consider the acquisition of real property and for the purpose of considering the 2021 Earl Murray Jr Employee of the Year Honorarium at 2:55 p.m.
- 31.** Open Session/Adjournment - The Board re-entered Open Session and adjourned at 3:28 p.m.