



**MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
WEDNESDAY, SEPTEMBER 3, 2025**

The Nags Head Board of Commissioners met at the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, September 3, 2025 at 9:00 a.m. for a Regular Meeting.

Board Members Present: Mayor Ben Cahoon; Mayor Pro Tem Michael Siers; Comr. Bob Sanders; and Comr. Megan Lambert

Board Members Absent: None (One vacancy)

Others Present: Town Manager Andy Garman; Attorney John Leidy; Amy Miller; Kelly Wyatt; David Ryan; Perry Hale; Randy Wells; Chris Montgomery; Nancy Carawan; Joe Costello; Roberta Thuman; Karen Snyder; Shane Hite; Katie Anzalone; Michael Alvarez; Christian Aguirre; Greg South; Steven Anderson; Mary Kelley; Duke Geraghty; Megan Vaughan; Hilary McCubbins; Molly Harrison; and Town Clerk Brittany A. Phillips

Mayor Cahoon called the meeting to order at 09:01 a.m. A moment of silence was followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

MOTION: Comr. Sanders moved to approve the September 3rd Agenda as presented. The motion was seconded by Mayor Pro Tem Siers, which passed unanimously.

RECOGNITION

TEN YEARS – Police Chief Perry Hale introduced Master Police Officer (CID) Michael Alvarez who was recognized by the Board for ten years of service.

PROCLAMATION – Septic Smart Week – September 15 – 19, 2025

Planning Director Kelly Wyatt introduced this proclamation highlighting the Todd D. Krafft Septic Health Initiative.

Mayor Cahoon read the Proclamation for Septic Smart Week as follows:

"WHEREAS, proper septic system use and routine care are vital to protecting public health and preserving our highly valued groundwater and surface waters; AND

"WHEREAS, proper septic system maintenance will preserve the function, performance, and longevity of systems thereby avoiding costly repairs that can result from neglect; AND

"WHEREAS, nearly 85 percent of homes and most businesses in the Town of Nags Head rely on septic systems to treat wastewater; AND

"WHEREAS, the Todd D. Krafft Septic Health program established by the Town of Nags Head provides education to its property owners about the need for proper septic system use and routine maintenance; AND

"WHEREAS, the Todd D. Krafft Septic Health program encourages proper maintenance by offering free inspections of conventional septic systems and a \$250 water bill credit each time the system tank is pumped; AND

"WHEREAS, if a conventional system is found in need of repair or replacement, the town offers low interest loans to assist in replacing all or a portion of the septic system; AND

"WHEREAS, residents and the environment of the Town of Nags Head benefit from properly designed, installed, operated, and maintained septic systems.

'NOW THEREFORE BE IT RESOLVED, that the Town of Nags Head Board of Commissioners does hereby proclaim the week of September 15 – 19, 2025 as Septic Smart Week in the Town of Nags Head and urges all citizens to join us in this special observance by considering what they can do to properly maintain their septic system."

MOTION: Mayor Pro Tem Siers moved to approve the Septic Smart Week Proclamation as presented. The motion was seconded by Comr. Lambert, which passed unanimously.

PROCLAMATION – Diaper Need Awareness Week – September 15 – 21, 2025

Mayor Cahoon presented the proposed Children & Youth Partnership proclamation emphasizing the importance of providing diapers to those in need.

Mayor Cahoon read the Proclamation for Diaper Need Awareness Week as follows:

"WHEREAS, diaper need, the condition of not having a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy, can adversely affect the health and well-being of babies, toddlers, and their families; and

'WHEREAS, the latest study from the National Diaper Bank Network reports that one in two families struggles with diaper need, an increase from previous studies done in 2010 and 2017; and

'WHEREAS, purchasing enough diapers to keep a baby or toddler clean, dry, and healthy can consume 14 percent of a low-wage family's post-tax income, making it difficult to obtain a sufficient supply; and

'WHEREAS, a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in child care programs and quality early-education programs; and

'WHEREAS, without enough diapers, babies and toddlers risk infections and health problems that may require medical attention, and may prevent parents from attending work or school, thereby hurting the family's economic prospects and well-being; and

'WHEREAS, the Nags Head community recognizes that diaper need is a public health issue, and addressing diaper need can lead to economic opportunity for our families and community and improved health for children, thus ensuring all children and families have access to the basic necessities required to thrive and reach their full potential; and

'WHEREAS, the Town of Nags Head is proud to be home to trusted community-based organizations including Children & Youth Partnership for Dare County, that recognize the importance of diapers in ensuring health and providing economic stability for families and thus distribute diapers to families through various channels.

'WE, THE TOWN OF NAGS HEAD, do hereby proclaim the week of September 15 – 21, 2025 as DIAPER NEED AWARENESS WEEK.

'We thank Children & Youth Partnership, their staff and donors for their service through CYP's Diaper Bank and encourage the citizens of our community to support CYP's Diaper Bank to help ensure that all Dare County children and families have what they need to thrive."

MOTION: Comr. Sanders moved to approve the Diaper Need Awareness Week proclamation as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

PROCLAMATION – National Night Out – October 7, 2025

Police Chief Perry Hale summarized the upcoming National Night Out activities scheduled for October 7th at Dowdy Park. He noted that many people visit Nags Head to attend National Night Out and enjoy the activities each year; he is looking forward to this year's event and appreciates the Board's support and participation.

Mayor Cahoon read the Proclamation for National Night Out as follows:

"WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program called "National Night Out" which is celebrated by communities in August and in early October; AND

'WHEREAS, the Town of Nags Head, the Nags Head Community Watch Association, and the Nags Head Police Department are celebrating National Night Out on Tuesday, October 7th, 2025; AND

'WHEREAS, the Annual National Night Out provides a unique opportunity for the Town of Nags Head to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; AND

'WHEREAS, the Nags Head Community Watch Association plays a vital role in assisting the Nags Head Police Department through joint crime, drug and violence prevention efforts in the Town of Nags Head and is supporting "National Night Out 2025" locally; AND

'WHEREAS, it is essential that all citizens of the Town of Nags Head be aware of the importance of crime programs and the impact that their participation can have on reducing crime, drug and violence in the Town of Nags Head; AND

'WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

'THEREFORE, I do hereby call upon all citizens of the Town of Nags Head to join the Nags Head Community Watch Association, the Town of Nags Head Police Department, and the National Association of Town Watch in supporting the 42nd Annual National Night Out on October 7th, 2025.

'FURTHER, Let it be resolved that I, Ben Cahoon, do hereby proclaim Tuesday, October 7th, 2025 as "National Night Out" in the Town of Nags Head, Dare County, North Carolina."

MOTION: Mayor Pro Tem Siers moved to approve the National Night Out Proclamation as presented. The motion was seconded by Comr. Lambert, which passed unanimously.

PUBLIC COMMENT

Town Attorney John Leidy opened Public Comment at 09:15 a.m.

Mary Kelley - Nags Head Resident - commended Town employee Paige Griffin for her work at Dowdy Park. She praised Paige's organizational skills, communication skills, professionalism, and thoroughness. She noted the Dowdy Park Farmer's Market vendors' respect for Paige.

Hilary McCubbins - spoke about the potential benefits of concrete medians on the bypass, HWY 158. She referenced the town survey from about two years ago and suggested implementing medians from 8th Street light to the Villa Dunes neighborhood, and from the hospital light south past the fire department. Mrs. McCubbins noted that concrete medians could decrease driving down the center lane, prevent people from sitting in the center lane waiting to turn, and improve pedestrian safety by providing a safe place to pause when crossing. She acknowledged that while the medians might be annoying in the off-season, residents would get used to them, and they could address public safety concerns during the busy summer months.

There being no one else present who wished to speak, Attorney Leidy concluded Public Comment at 09:21 a.m.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Consideration of Budget Amendment #2 to FY 25/26 Budget
- Consideration of Tax Documents
 - FY 25/26 Tax Adjustment Reports (New Year and Year to Date)
- Approval of Minutes
- Consideration of Personnel Policy Update
- Consideration of Resolution Authorizing the Town Manager to Enter into a Contract with the North Carolina Department of Environmental Quality (NC DEQ) for the North Carolina Resilient Coastal Communities Program (RCCP) Phase 4 Funding
- Consideration of Resolution Authorizing Execution of a North Carolina Department of Environmental Quality Grant Contract for Replacement of the Hargrove Street Beach Access
- Request for Public Hearing for a Text Amendment to the Unified Development Ordinance, Mandated by Changes to State Law, Requiring Local Governments to Reduce the Minimum Width of a Parking Space

MOTION: Mayor Pro Tem Siers moved to approve the Consent Agenda as presented. The motion was seconded by Comr. Sanders, which passed unanimously.

Budget Amendment #2, as approved, is attached to and made a part of these minutes as shown in Addendum "A".

The tax documents to include the FY 25/26 New Year Reports and the Year to Date Adjustment Reports, as approved, are attached to and made a part of these minutes as shown in Addendum "B".

The minutes from the August 6, 2025, Regular Session were approved by the Board and are on file in the Town Clerk's office and on the Town's website.

The summary sheet for the Consideration of Personnel Policy update read in part as follows:

"One of the key objectives for the Police Department this year is to implement a police officer wellness benefit, aligning with the town's broader goals to address mental health and wellness. Law enforcement is an evolving field, with officers constantly adapting to mandated training, policy changes, and the ongoing challenges associated with their duties. The nature of police work including irregular hours, time away from family, managing non-compliant individuals, responding to incidents involving violent crime, and handling traumatic situations such as fatalities, all under mounting public pressure and scrutiny, can take a significant toll on an officer's mental and emotional well-being.

'In response to these challenges, staff proposes the development of a Police Officer Wellness Leave program, designed to provide additional leave based on an officer's longevity with the department. The goal of the wellness leave benefit would allow an employee to be removed from the work environment for a minimum of five consecutive days, and is to provide employees with dedicated time to focus on their well-being and mental health. This initiative can help in several ways:

1. Stress Reduction
2. Improved Mental Health
3. Increased Productivity
4. Retention and Job Satisfaction
5. Prevention of Long-Term Health Issues

'The structure of the Police Wellness Leave would include the following milestones: 6, 11, 16, 21, and 26 years of service. The total lifetime wellness leave an officer would obtain, assuming they remain with the department from start to retirement, would be 60 days based on 8.56 hours a day for non-exempt law enforcement officers or 8 hours a day for exempt law enforcement officers, allocated as follows:

- Year 6: 5 days
- Year 11: 10 days
- Year 16: 15 days
- Year 21: 15 days
- Year 26: 15 days

'In an era where attracting and retaining qualified personnel is increasingly difficult, it is essential to explore innovative ways to incentivize and support our officers. By implementing a wellness leave program like this, we aim to not only set our department apart from comparable agencies but also offer our officers an essential opportunity to balance the demands of their profession with their personal and family lives.

'Staff is requesting approval to update the Personnel Policy to include the new Police Wellness Leave Policy. This is similar to a program offered by the City of Burlington. I appreciate Police leadership for researching and bringing forward a proposal that is tailored to their needs/circumstances and recognizes emerging trends in their profession."

No additional funding is requested for this program. If the leave is not used, it will not be paid out, and it will not be rolled over to vacation or sick leave.

The personnel policy, as approved, is on file in the Town Clerk's office and on the Town's website.

The Resolution Authorizing the Town Manager to Enter into a Contract with the North Carolina Department of Environmental Quality (NC DEQ) for the North Carolina Resilient Coastal Communities Program (RCCP) Phase 4 Funding, as adopted, read in part as follows:

"WHEREAS: The Town of Nags Head (the "Town") has been awarded a coastal resiliency grant in completing the construction work towards a living shoreline at the Harvey Sound Site, selected in the Estuarine Shoreline Master Plan. The project will restore approximately 500 linear feet of shoreline and will include sills and wave attenuators to protect against wave-induced erosion and promote the accumulation of sediment landward of the living shoreline structures; and

'WHEREAS: The Town is advised that a proposed contract between the Town and the North Carolina Department of Environmental Quality (DEQ) for Resilient Coastal Communities Program grant funds is being presented for the project known as Phase 4 project to construct a living shoreline and install native plantings at the Harvey Sound Access to mitigate marsh and shoreline erosion; and

'WHEREAS: That, under the terms of the said contract, the total project cost is \$1,009,362; and

'WHEREAS: There is a cash contribution of \$550,000 from the NC Land and Water Fund and the Outer Banks Visitors Bureau towards the total project costs; and

'WHEREAS: The total grant assistance requested is \$459,362.00;

'BE IT THEREFORE RESOLVED, as follows:

1. That a contract between the Town of Nags Head and the North Carolina Department of Environmental Quality be and the same is hereby approved.
2. That the Manager is hereby authorized to sign and execute the said contract for and on behalf of the Town of Nags Head and forward the same to the North Carolina Department of Environmental Quality.
3. That upon final execution, a copy of said contract be filed with the minutes."

The Resolution Authorizing Execution of a North Carolina Department of Environmental Quality Grant Contract for Replacement of the Hargrove Street Beach Access, as adopted, read in part as follows:

"WHEREAS, The Town of Nags Head (the "Town") has been awarded a public access grant for the Hargrove Street Public Beach Access construction and improvements; and

'WHEREAS, The Town is advised that a proposed contract between the Town and the North Carolina Department of Environmental Quality (DEQ) for Public Beach and Coastal Waterfront Access grant funds is being presented for the project known as Hargrove Street Public Beach Access Improvements, and discussed; and

'WHEREAS, That, under the terms of the said contract, the total project cost is \$834,665; and

'WHEREAS, The total cash contribution is \$418,665 and local in-kind contribution is \$16,000 as the Town's share of the total project costs; and

'WHEREAS, The total grant assistance requested is \$400,000.

'BE IT THEREFORE RESOLVED as follows:

1. That a contract between the Town of Nags Head and the North Carolina Department of Environmental Quality be and the same is hereby approved.
2. That the Manager is hereby authorized to sign and execute the said contract for and on behalf of the Town of Nags Head and forward the same to the North Carolina Department of Environmental Quality.
3. That upon final execution, a copy of said contract be filed with the minutes."

The Request for Public Hearing for a Text Amendment to the Unified Development Ordinance, Mandated by Changes to State Law, Requiring Local Governments to Reduce the Minimum Width of a Parking Space, as approved, read in part as follows:

"The North Carolina General Statutes now require local governments to reduce the maximum width of a standard parking space to no greater than 9 feet, unless the space is designated for handicap, parallel, or diagonal parking. To maintain consistency with state law, the Town must amend the Unified Development Ordinance (UDO) to reflect this requirement.

'Historically, the town's parking space standard has been 10 feet wide by 20 feet long. This larger dimension has served the town well given our status as a beach town, with a high volume of visitors arriving in larger vehicles such as SUVs and trucks, often carrying vacation equipment including luggage, bicycles, coolers, kayaks, surfboards, and watercraft. The additional width has also accommodated the realities of high-turnover parking areas, where visitors are frequently loading and unloading gear, cargo boxes, roof racks, equipment, event groceries. The Town's previous 10- foot standard was an intentional planning choice, reflecting local conditions, visitor expectations, and the trend toward wider vehicles, particularly those with towing mirrors, roof-mounted cargo, etc.

'Schedule Public Hearing for October 1, 2025.

'Staff recommends approval of this item in order to be compliant with state law"

PUBLIC HEARINGS

Public Hearing to Consider a Text Amendment Request Submitted by TW's Outdoor Outfitters, LLC to Amend Section 10.86.2.4.2 of the Unified Development Ordinance to Reduce the Required Building Separation from 20 feet to 10 feet for Buildings Serving as Accessory to the Principal Commercial Use on the Site
Notice of the Public Hearing was published in the Coastland Times on Wednesday, August 20, 2025 and on Wednesday, August 28, 2025 as required by law.

Attorney John Leidy opened the Public Hearing at 09:21 a.m.

Planning Director Kelly Wyatt summarized her report which read in part as follows:

"Consideration of a text amendment submitted by Chris Greening of TW's Outdoor Outfitters, LLC to amend Section 10.86.2.4.2 of the Unified Development Ordinance (UDO), specifically the Commercial Design Standards related to Building Size/Dimensions. The proposed amendment would reduce the minimum required building separation on properties with multiple buildings from twenty (20) feet to ten (10) feet when the building serves as an accessory use to the principal commercial use on the same site.

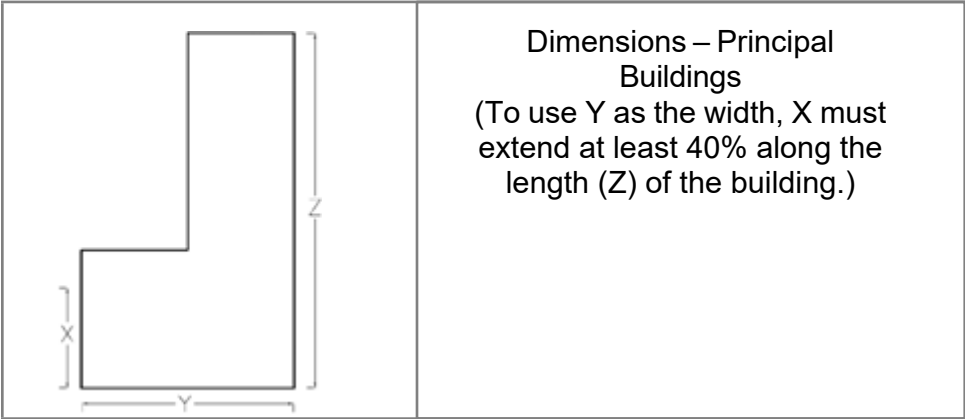
'Section 10.86.2.4.2 is part of the broader Commercial Design Standards established to guide the appearance and form of commercial development in the Town of Nags Head. The entirety of the Towns Commercial Design Standards can be reviewed [HERE](#). The specific section reads:

Section 10.86 - Building Size/Dimensions

10.86.2. Standards.

10.86.2.4. To prevent the appearance of large, disproportionate, and/or "strip" style buildings, the following standards shall apply:

10.86.2.4.1. The length of a principal building shall not exceed three times the width of the building. The length shall be considered the longest dimension of the structure to include porches and open decks. The width shall be considered to be the widest consistent dimension through at least forty percent (40%) of the length of the building, which may be interrupted; for example, if a building has a width of twenty-two (22) feet for 20% of its length, reduces to a width of 18' for 60% of its length, and then widens to a width of 20' for 20% of its length, the building shall be determined to have a width of 20' and shall have a length of no more than 60'.



- 10.86.2.4.2.** Properties with multiple buildings shall have each building separated by at least twenty (20) feet and shall not have the appearance of being one structure. For example, multiple buildings may appear to be one structure where there is a continuous roofline over the main structure that carries between two buildings.
- 10.86.2.4.3.** Buildings shall be connected using exterior pedestrian walkways. Covered walkways are allowed; however, the roof covering the walkway shall be generally limited to the walkway itself.

'BACKGROUND

The Town adopted its first Commercial Design Standards in May 2004, with the intent of promoting development that is consistent with the community’s architectural character and scale. The standards emphasize smaller-scale structures and discourage long, linear, or strip-style buildings.

From a historical perspective:

- 1977 Zoning Ordinance: While there was no 3:1 length-to-width limitation at that time, group developments were permitted by conditional use, with a requirement that buildings be separated by no less than 20 feet.
- 1983 Zoning Ordinance: Introduced language limiting the length of principal residential and commercial structures to three (3) times their width.
- 1987–1988 Ordinances: Carried forward both the 3:1 length-to-width ratio and the 20-foot separation requirement for group developments and shopping centers.

This language and intent remained consistent through subsequent zoning ordinance updates and was ultimately incorporated into the UDO’s Commercial Design Standards in 2019.

This longstanding emphasis on separation and scale reflects the town’s desire to preserve its character, promote pedestrian-scale development, and avoid the visual monotony of large, uninterrupted commercial facades.

While text amendments apply broadly and are not site-specific, it is helpful to understand that this request is driven by the applicant’s intent to develop a retail complex that includes both principal retail space and accessory storage space within a single structure. However, the existing 3:1 length- to-width limitation and the 20-foot minimum building separation standard present design challenges for the proposed configuration. The applicant has indicated that reducing the required building separation to 10 feet may allow the project to move forward in a manner consistent with their goals.

It is worth noting that in October 2024, the applicant successfully requested a rezoning of the subject property from C-3, Commercial Services to C-2, General Commercial, stating the desire to pursue constructing uses such as retail that were not permitted in the C-3, Commercial Services District. The C-3 District has historically been exempt from these dimensional limitations due to its intended use for higher-intensity, utility-oriented, or light industrial land uses that are generally incompatible with residential and commercial districts.

'COMPREHENSIVE LAND USE PLAN CONSIDERATIONS

LU-1:Ensure that the character of Nags Head is preserved as a single-family residential beach community with ties to its natural environment. This character is defined by:

- Development that blends with the landscape, preserving natural vegetation, open spaces, and environmental quality.
- Buildings with a residential scale and appearance with low heights and small footprints that are designed to reflect the heritage of Nags Head.
- Commercial development that serves the needs of residents and visitors but respects the goals of the community related to design and appearance.

LU-15:Promote architectural standards for commercial development in keeping with the Nags Head style

architecture.

- LU-15a: Examine buildings constructed since the architectural requirements were established and determine if the regulations have created the desired scale and appearance for commercial development. Identify examples of favorable design projects and determine how the regulations or guidelines should be modified to achieve this.

LU-24: Support land use compatibility and business development through flexibility in the application of design standards that achieve project goals and preserves the overall spirit and intent of the town's ordinances and land use goals.

In support of Land Use Policy LU-15 of the Town's Comprehensive Land Use Plan, which encourages the Town to "*examine buildings constructed since the architectural requirements were established and determine if the regulations have created the desired scale and appearance for commercial development.*" "*Identify examples of favorable design projects and determine how the regulations or guidelines should be modified to achieve this.*"

Staff reviewed aerial imagery and GIS data to evaluate several larger, strip-style commercial developments within the town. The purpose of this review is to compare the year of construction with the implementation of applicable design standards, particularly the 3:1 length-to-width limitation and the 20-foot minimum building separation requirement, and assess general compliance and visual outcomes.

Below is a summary of the findings:

- Outlets Nags Head (Developed 1990):
Appears to generally comply with the 3:1 length-to-width ratio. Building separations vary between approximately 40 and 60 feet; however, the continuous roofline may create the visual impression of a single, uninterrupted structure when viewed from the roadway.
- Outer Banks Mall (Developed 1983):
Constructed prior to the adoption of many of the current architectural standards.
- Croatan Center (Developed 1996):
It seems to meet the 3:1 length-to-width ratio, and the buildings are separated by 20 feet. Despite this, the shared continuous roofline reduces the visual distinction between buildings, giving the development the appearance of a single, extended structure.
- Surfside Plaza (Developed 1978):
Constructed prior to the adoption of many of the current architectural standards but does meet the 20-foot separation which was in place in 1977.
- Pirates Quay (Developed 1984):
Constructed shortly after the adoption of the 3:1 requirement. Based on available imagery, the structure does not appear to meet the 3:1 length-to-width ratio.
- South Beach Plaza (Developed 2007–2008):
Developed under the Group Development use provisions. The buildings comply with both the 3:1 length-to-width requirement and the 20-foot separation standard. This development demonstrates more compliance with the Town's Commercial Design Standards and offers a more articulated and visually separated form.

'STAFF ANALYSIS

Staff does not support the proposed text amendment to reduce the required building separation from 20 feet to 10 feet for accessory-use buildings. The current standard is not just about function but is fundamentally about the visual form and character desired within the town. The 20-foot separation achieves several objectives:

- Maintains the desired architectural style and visual breaks along commercial corridors, helping to prevent the appearance of large or strip-style buildings.
- Enhances pedestrian and public realm experiences, creating a more human-scale environment with a sense of space and openness.
- Promotes environmental benefits, including better air circulation and natural light penetration between structures.
- Improves fire safety and building access, ensuring that emergency personnel and equipment can adequately access areas between buildings. While this request is for a text amendment, it is important to note that such amendments are not site-specific. Although the applicant may have a particular development design in mind, any future site plan would be subject to applicable building and fire codes, which may impose additional requirements related to building separation, fire suppression, emergency access routes, and overall accessibility. These elements are not evaluated through the text amendment process. Should the applicant proceed with development, detailed review by the relevant departments would be required during the Technical Review phase, prior to Site Plan Review by the Planning Board and Board of Commissioners.

'Allowing a reduced building separation, even if the secondary structure is an accessory in use, compromises the intent of the standard. From a visual standpoint, the reduced distance with roof overhangs, etc. would likely convey as a single structure, particularly when viewed from US Highway 158 or neighboring properties. The accessory function of the interior space does not mitigate the exterior visual effect.

'As noted by the applicant, properties in the C-3 district are exempt from these dimensional requirements, which is consistent with that district's intended use for utility and light industrial purposes. However, the subject property is now zoned C-2, General Commercial, where compatibility with surrounding development and architectural standards is expected.

'It is important to note that the requested amendment would revise the Commercial Design Standards and would affect all commercial development within the Town, not just the site the applicant is interested in developing. This would represent a departure from a long-standing policy direction maintained since at least the mid-1980s.

'If the Board of Commissioners is inclined to adopt this proposed text amendment, please reference Appendix A for the Statement of Consistency with the Town's adopted Comprehensive Land Use Plan requirements (attached).

'Staff believes that the requested text amendment to the UDO is inconsistent with the Town's adopted Comprehensive Plan and would recommend denial of the proposed amendment. The town's development pattern has consistently favored smaller-scale, visually distinct structures with adequate building separation to support aesthetic quality and community character. The current 20-foot separation contributes to improved environmental elements, including enhanced air flow, light access, and opportunities for stormwater infiltration and landscaping between structures. These are all factors that contribute to the town's integrity, sustainability and resiliency. Reducing the building separation requirement would undermine these objectives and could set a precedent inconsistent with the overall goals of the Commercial Design Standards as well as the Comprehensive Plan.

'PLANNING BOARD RECOMMENDATION

At their July 15, 2025 meeting, the Planning Board voted unanimously to recommend denial of the text amendment.

'Conduct the Public Hearing for the requested text amendment."

Comr. Lambert asked if this town-wide text amendment could be reversed in the future if approved. Director Wyatt confirmed that due to the down-zoning bill, it would be difficult to tighten the requirements back after loosening them.

Mayor Pro Tem Siers questioned whether accessory structures to a primary use were being evaluated differently than structures that are part of the 3-to-1 requirement. Director Wyatt clarified that the commercial design standards apply to any accessory building greater than 500 square feet, and that the 20-foot separation requirement applies to all buildings, not distinguishing between principal and accessory structures.

Commissioner Sanders asked about fire and public safety considerations. Ms. Wyatt responded that her analysis was specific to zoning requirements, though she noted that any development would also need to meet building and fire code standards.

Mayor Cahoon asked how staff would assess whether a second building was truly an accessory versus just a second primary building. Director Wyatt explained that accessory use is defined as subordinate in size and purpose to the principal use and for the comfort and convenience of the principal use. Mayor Cahoon further noted that theoretically, two developers on adjacent properties could each place buildings with 5-foot setbacks on their shared property line, resulting in structures 10 feet apart even without this amendment.

Mayor Cahoon noted that he is not fundamentally opposed to a 10-foot separation in certain circumstances, such as a T-shaped configuration with the secondary building behind it as it does not do the same thing visually. He believes the fire code deals with building separation adequately and appreciated that this was approached from an aesthetic standpoint.

Mayor Pro Tem Siers doesn't think this text amendment may be the right approach. He recommended that the Planning Board may need to look at the Unified Development Ordinance to see if more clarification on this could be added. With the absence of the applicant to state their case, he suggested voting with the staff and Planning Board.

MOTION: Comr. Lambert moved to deny the text amendment as presented. The motion was seconded by Mayor Pro Tem Siers, which passed unanimously.

REPORTS AND RECOMMENDATIONS FROM THE PLANNING BOARD AND THE PLANNING AND DEVELOPMENT DIRECTOR

Update from Planning Director

Planning Director Kelly Wyatt summarized her report which read in part as follows:

"This memo provides an overview of selected Planning and Development Department activities, projects, and initiatives. If requested, staff will be prepared to discuss any of this information in detail at the Board of Commissioners meeting on Wednesday, September 3, 2025.

'Monthly Activity Report

Attached for the Board's review is the Planning and Development Monthly Report for July 2025. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, staff were involved in the following meetings or activities of note during the month of August:

- Friday, August 1st - CRS Submittal of Elevation Certificates
- Tuesday, August 5th - Technical Review Committee Meeting
- Wednesday, August 6th - Board of Commissioners Meeting
- Thursday, August 7th - ESMP Stakeholder and On-Site Meetings, Villa Dunes & Soundside Road
- Wednesday, August 13th - Committee for Art & Culture Meeting
- Thursday, August 14th - Board of Adjustment Meeting (Sim Variance)
- Tuesday, August 19th - Planning Board Meeting
- Wednesday, August 20th - Board of Commissioners mid-month (not scheduled)
- Dowdy Park Farmers Market - August 7th, 14th, and 21st
- Summer Concert Series - August 6th, 13th, 20th, and 27th

'Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, August 19th, 2025. The following items were on the agenda:

- Attorney Lauren Arizaga-Womble provided a training workshop for the Planning Board members.
- Consideration of text amendments to the Unified Development Ordinance to comply with Session Law 2023-137, which requires local governments to reduce the minimum width of a standard parking space from 10 feet to 9 feet, with the length remaining at 20 feet. The Planning Board voted unanimously to recommend adoption of the text amendment as presented, recognizing potential concerns that may arise as a result. This item is on the Board of Commissioners' September 3rd Consent Agenda with an anticipated Public Hearing to be held on October 1st.
- Continued discussion and evaluation of the Commercial Outdoor Recreation Overlay District. The Planning Board continued its discussion and evaluation of the Commercial Outdoor Recreation Overlay District. Staff presented an animation highlighting opportunities identified in the recent district report, including a potential boardwalk connection from the Soundside Event Site to Outlets Nags Head, incorporation of public art, enhanced access and connections to the sound, additional shade trees along the multi-use path corridor, and a thoughtful blend of outdoor recreation, retail, and other mixed commercial uses. As a next step, the Board will invite the Tourism Board and property owners within the overlay district to its September meeting to provide an update on the Soundside Event Site boardwalk concept and to facilitate an open dialogue on strategies to enhance and support the district moving forward.

'The Planning Board's next meeting is scheduled for Tuesday, September 16, 2025. The agenda is expected to include:

- Consideration of proposed text amendments to Section 7.58, Supplemental Regulations for Designated Public Events Site as it relates to proposed updates to the Town's Crowd Gathering Permit process.
- Consideration of a map amendment request submitted by Chris Greening of Coastal Bluewater Capital, LLC, to rezone the property located at 0 W. Satterfield Landing Road, Lot 2a-1r of the Charles Sineath Subdivision, (Parcel # 005618002) from C-2, Commercial Services to C-3, General Commercial. This is the vacant property west of TW's Bait and Tackle.
- The Board will also continue its review of the Commercial Outdoor Recreation Overlay District. This will include an update from the Outer Banks Visitors Bureau on the Soundside Event Site boardwalk, along with a collaborative discussion between property owners within the district and the Planning Board on strategies to strengthen and enhance the CORD. Topics will focus on supporting and expanding existing businesses, implementing measures to preserve soundside views and access, improving wayfinding and the overall sense of place, enhancing pedestrian and bicycle connectivity, and revisiting a variation of the previously considered Soundside boardwalk concept.

'Board of Adjustment – Recent and Pending Applications

At its August 14, 2025 meeting, the Board of Adjustment considered a variance request submitted by Mark Martin of Sandmark Custom Homes, Inc., on behalf of property owners Stephanie and Greg Sim. The request sought

relief from several sections of the Unified Development Ordinance (UDO) to allow demolition of an existing nonconforming single-family dwelling and construction of a new home at 8725 S. Old Oregon Inlet Road. The Board voted to grant the variances needed to facilitate the property's redevelopment.

'Additional Updates

- DWMP/Septic Health Advisory Committee - The next quarterly meeting of the Septic Health Advisory Committee is scheduled for October 2025. Planning staff are currently compiling the necessary documents to submit to the Division of Water Infrastructure, requesting approval of the Town's proposed project scope for administering the no-interest loan program for septic repair. In preparation, staff are also planning a workshop with local septic repair contractors to review the funding requirements, including Davis-Bacon prevailing wage rates and American Iron and Steel provisions, as well as the associated paperwork and documentation needed to ensure compliance. This workshop is anticipated for mid-September.

'Similarly to last year, the Planning Department will also host an intern from UNC through the Outer Banks Field Site Program. Isabelle Pala, a rising junior majoring in Environmental Studies and Public Policy, will join the team beginning Wednesday, September 3rd. She will assist intermittently each week through mid-November, supporting initiatives related to the Septic Health Program and water quality monitoring.

- Estuarine Shoreline Management Plan - Deputy Planning Director Joe Costello will present an update on the current status of the Estuarine Shoreline Management Plan, including key outcomes and highlights from the stakeholder and public engagement sessions held in early August. (Item G-2)
- Hargrove Street CAMA Access Grant - Staff were recently notified that the Town has been awarded \$400,000 through the NC Public Beach and Coastal Waterfront Access Grant program to support improvements at the Hargrove Street Public Beach Access.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture - The Committee for Art and Culture met on August 13th, 2025. In addition to receiving an update from Event Coordinator Paige Griffin on recent events and activities, the committee began discussing ways to celebrate and honor the life and influence of Kerry Oaksmith Sanders within the town and community. These conversations will continue at the committee's next meeting on September 10th.

'The 2025 Dowdy Park Farmers Market season has concluded. The final market was rescheduled a day earlier due to Hurricane Erin, resulting in fewer vendors; however, it was still well attended and well-received. Both visitors and vendors expressed appreciation for the effort to hold the event rather than cancel because of the weather.

'The Summer Concert Series is ongoing, with the following performances scheduled:

- Wednesday, September 3rd - Manteo Murphy
- Wednesday, September 10 - Pier Pressure
- Thursday, September 18th - Shelli Gates and The Keepers

'Staff are also preparing for upcoming Friday night Movies in the Park:

- September 5th - Toy Story (selected through a community poll on social media)
- October 3rd - Hocus Pocus (input from NHES, same day as the NHES Pumpkin Fair)
- November 7th - TBD, community voting coming soon.

'Fitness Fridays have concluded for the season, but Tuesday morning Yoga continues through the end of October and remains very well attended.

'Looking ahead, Event Coordinator Paige Griffin is working on the Holiday Events Calendar, including exploring some fresh ideas for this year's Tree Lighting Ceremony.

'Finally, the Art Mast Project remains active. Two local artists are currently developing new panels, and additional artists have been identified for the next cycle. The original masts are showing some wear and tear, so staff are coordinating as needed to get replacement banners in preparation for next season.

'Upcoming Meetings and Other Dates

- Tuesday, September 2nd - Technical Review Committee Meeting
- Wednesday, September 3rd - Board of Commissioners Meeting
- Wednesday, September 10th - Committee for Art and Culture Meeting
- Thursday, September 11th - Board of Adjustment Meeting (no hearings at this time)
- Tuesday, September 16th - Planning Board Meeting

- Wednesday, September 17th - Board of Commissioners mid-month (if scheduled)
- Summer Concert Series - September 3rd, 10th, and 18th"

Comr. Lambert expressed interest in attending the September Planning Board meeting regarding the Outer Banks Visitor's Bureau boardwalk discussion and encouraged other board members to attend as well, noting it would be a good opportunity to start discussions with property owners and residents about the project.

Manager Garman reminded the Board of the Town's Boardwalk Committee that was formed in 2013 to work on recommendations and a proposed alignment for the development of a soundside boardwalk. Recent discussions about the boardwalk resulted in waiting to see what the OBVB did with their property first before the Town made any decisions. We've learned that their boardwalk project is moving forward, and the project funding is on today's Dare County Board of Commissioners agenda. Mayor Pro Tem Siers confirmed that the OBVB project costs came in approximately \$500,000 under budget and that the total project is just under 5 million. Their project should be completed by spring of 2026 if it is approved today.

Mayor Cahoon praised Event Coordinator Paige Griffin's work at the Farmer's Markets, noting that she has built a community of vendors who support one another and that the market has become more than just a market but a community gathering.

Comr. Sanders added similar praise for the Wednesday night concert series, which has grown significantly with hundreds of attendees, including children playing on the playground while parents listen to music.

Deputy Planning Director Costello provided a detailed presentation on the possibilities for enhancing the Commercial Outdoor Recreation Overlay District. He showcased an animation that illustrated opportunities such as potential boardwalk connections from the sound side event site to Outlet Nags Head, which could help create a more cohesive and pedestrian-friendly environment. Costello discussed some of the recommendations from a recent staff report, such as allowing group developments and adding outdoor recreation uses as principal uses. He also highlighted ideas like public art installations, enhanced sound side access, shade trees, and wayfinding signage to create a sense of place and support existing businesses.

The CORD presentation is attached to and made a part of these minutes as shown in Addendum "C".

Mayor Cahoon then mentioned the potential collaboration with NC State University to bring fresh perspectives to various town projects. He suggested that involving students in such initiatives could provide innovative ideas that the town might not have considered otherwise, enhancing the community experience.

The Board thanked Deputy Planning Director Costello for his animation work to bring the boardwalk idea together.

Update on Estuarine Shoreline Management Plan and Harvey Living Shoreline Project

Deputy Planning Director Joe Costello introduced this item. The summary sheet read in part as follows:

"Estuarine Shoreline Management Plan - Several public meetings were held on Thursday, August 7th to review the preliminary schematic designs with stakeholders and property owners.

'Approximately 40 people were in attendance. We also held a site visit to view pilot site 1.

'Attached to this staff report is a summary document that gives detailed information on who attended, what was presented and the feedback received.

'Since the stakeholder meeting, the design team are in the process of altering designs to align with stakeholder feedback. This month, an initial feedback meeting with the regulatory community on the preliminary schematic design will take place to further understand the 'fatal flaws' from a regulatory perspective before coming back to stakeholders with updated designs.

'This pilot project is an innovative attempt to better manage the estuarine shoreline at a community scale rather than an individual scale. The living breakwaters are an attempt to implement a holistic solution to reducing erosion, improving water quality and habitat and providing some storm protection. The adopted Estuarine Shoreline Management Plan calls for large-scale interventions at these pilot sites. This is not a traditional living shoreline project and was never a 'slam dunk,' as the project requires consensus among numerous private property owners and the need to meet specific design requirements as specified within the RCCP grant. There are also complex legal and permitting considerations when considering the implementation of these large living breakwater structures, including protecting private property owner's riparian rights of navigation, and accretion, as well as avoiding disturbing sub-aquatic vegetation in the placement of these structures.

'The current grant funds pay for 60% of design documents and permitting coordination. Staff applied for a NFWF Grant on July 17th for additional funds to go from 60% to final design documents for the Villa Dunes Drive and W. Soundside Road sites. These sites were priority sites one and two in the ESMP.

'For the Harvey Estuarine Site/OBVB site, staff has finalized the contract with NCLWF for the \$500k funding awarded for design and construction. McAdams has provided a scope of work for both design and construction.

Due to rising material and installation costs, additional funding is needed to complete the project. Staff applied for a phase 4 RCCP Grant for the gap in funding to deliver the project. The town was notified on July 22nd that we had received an additional \$459,362 which funds the project through construction. The town had our kickoff meeting on August 27th, and next steps include data collection and drafting of conceptual designs."

The Board thanked Deputy Planning Director Costello for his efforts.

Manager Garman added that while they refer to it as the "Harvey site project," the majority of the living shoreline will be on the Outer Banks event site, which is largely owned by the Tourism Board. He emphasized the need to coordinate with the Tourism Board on the design, as they will ultimately inherit it. A consultant will present concepts at the Tourism Board's September meeting, and a working group will ensure that activities like kite surfing and sailing won't be disrupted by the design.

Consideration of Designating the Primary and Secondary Agents for the Upcoming Hazard Mitigation Grant Program Applications for Acquisition/Elevation of Threatened Oceanfront Structures

Deputy Planning Director Joe Costello introduced this item. The summary sheet read in part as follows:

"At the September 3rd Board of Commissioners meeting, the Board will consider authorizing Town Manager Garman as the Designated Agent and the Deputy Planning Director Costello as the Town's secondary agent for the submission of Hazard Mitigation Grants for acquisition and elevations.

'The town received two applications from Nags Head property owners for acquisition under HMGP DR-4827-NC (Tropical Storm Helene). The Town must submit letters of interest as a sub-applicant to the state of NC for further consideration. In order to proceed, the Board of Commissioners must approve a designated agent and secondary agent from town staff.

'The HMGP is a FEMA-funded program designed to reduce or eliminate future damage and loss following a disaster. Currently, there are HMGP funds available under disaster declaration DR-4827, which is related to Tropical Storm Helene. Although much of the damage occurred in the western part of the state, funds are available across the state for qualifying properties. The types of projects funded through the hazard mitigation grant program include:

- Home elevations above the base flood and to the local elevation standard, in special flood hazard areas
- Acquiring/demolishing homes and keeping the flood-prone area as open space
- Generators that protect critical facilities such as shelters, hospitals and emergency response locations, (funding limited)
- Projects that mitigate the risk of a natural hazard to public infrastructure

'Projects are funded 75% with FEMA funds and 25% with state funds – it doesn't cost the local government or the private property owner anything.

- Home elevation projects are to elevate homes above the base flood and to the local elevation standard in special flood hazard areas. Homes receiving an HMGP elevation grant must maintain flood insurance once the project is complete.
- Home acquisition projects include acquiring the property, demolishing the structure and keeping the flood-prone area as open space into perpetuity through a deed-restriction. Acquisition projects are based on the fair market value of the property the day before the disaster. Grant money is available for properties located in a SFHA or if they are a repetitive loss property outside the floodplain. The offer includes the costs to acquire, close and demolish the structure.
- This is a voluntary program and requires voluntary participation from the property owner.
- Primary homes are prioritized, but the state expects available funding will be sufficient to extend beyond priority one project types and counties.
- Second homes and commercial properties can be mitigated by this grant, pending available funding.
- The program does not have an income requirement and is intended to assist all of those impacted by the disaster.

'The Town has formally asked Dare County to process elevation grants letters of interest submitted to them by Nags Head property owners and to manage the Town of Nags Head's elevation grants awarded through the HMGP. This is a service Dare County provides to other towns in Dare County as well. The state-centric program is administered through the North Carolina Division of Emergency Management and authorizes the NCDEM staff to manage bidding, procurement, and project management, for grant-awarded elevation and acquisition projections. Dare County won't manage the town's acquisition projects as this would result in the county owning open-space areas within the towns. Dare County participates in the state-centric administration program and utilizes it to elevate properties across the county and is pursuing it to acquire properties in areas such as Rodanthe.

'To take advantage of the streamlined process for both homeowners and staff, the Town of Nags Head submitted opt-in paperwork and is now taking advantage of the state-centric administrative program. The Town is now considering submitting two letters of interest for the acquisition of the properties located at 117 E Oregon Street and 119 Pioneer Street. Both of these homes are located east of the first line of stable natural vegetation, and it would be in the interest of the town to acquire, demolish, and retain the properties as public open space as required under the auspices of this grant.

'If a qualified project is submitted and eventually awarded by FEMA, and the grant offer is accepted by the property owner, the state would then obtain the contractors, oversee all project work, pay all invoices and close out the projects on the town's behalf. The state will also direct contractors to hire locally when possible, so funds are directed into our community. The state will still provide management costs to the town for any work staff does to assist the state. This partnership with the state is a win-win for everyone because the state will use its contracting powers to complete work quickly. Since the state will be managing the contracts, the town will not need to budget money to pay contractors and won't have to wait for reimbursements. The state will do all the project management, reducing project management burdens on staff. The town will still be reimbursed as necessary for staff time dedicated to the project.

'Authorize Town Manager Garman as the Designated Primary Agent and Deputy Planning Director as the Secondary Agent to submit acquisition grant Letters of Interest under the Hazard Mitigation Grant Program Application Requirements for 117 E Oregon Dr and 119 Pioneer Street.

'Staff recommends granting authorization to the Town Manager and Deputy Planning Director as requested."

MOTION: Mayor Pro Tem Siers moved to grant authorization to the Town Manager Garman as the Designated Agent and Deputy Planning Director Joe Costello as the Secondary Agent as requested. The motion was seconded by Comr. Lambert, which passed unanimously.

NEW BUSINESS

Committee Reports

Comr. Lambert – Reported on the Government Education Access Channel meeting. The committee approved two LPDI grants and met Brenda, who would be starting in a new part-time position.

Mayor Pro Tem Siers – noted that they had discussed the Tourism Board updates earlier in the meeting, and that Manager Garman would cover the Housing Task Force in his update.

Comr. Sanders – Acknowledged the ESMP report given by Deputy Planning Director Costello.

Mayor Cahoon – Reported he had been involved with legislative activity and correspondence but deferred his report to Manager Garman who is giving a legislative update to the Board.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

Attorney Leidy noted that he had nothing to present today.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

Update on Status of Legislative Efforts

The summary sheet for this item read in part as follows:

"In early 2025, the Town compiled a series of legislative policy and appropriations requests to submit to our local delegation. Since that time, Town officials have made several visits to Raleigh to meet with legislators. The legislature adjourned earlier this summer and agreed to meet for short sessions once a month for the remainder of the year.

'At the September 3, 2025 Board of Commissioners meeting, Manager Garman will provide an update on what to expect for the remainder of the year and how we can continue to pursue our agenda."

Manager Garman explained that it has not been a productive year in the legislature due to disagreements over tax policy, which has prevented progress on the budget. The legislature adjourned at the end of June with a resolution to meet once a month for a few days through the rest of the calendar year, but the August meeting was canceled. The next meeting is scheduled for September 22nd, with additional meetings planned for October 16th and dates in November and December yet to be determined.

Regarding the down-zoning provisions that have concerned local governments, Manager Garman reported that despite promises to fix these provisions, no corrective legislation has been adopted. The earliest possible fix might come in the spring, but there is no guarantee. He advised that the town should stay vigilant and be prepared to advocate when necessary, whether through letters, emails, organizing support, or returning to Raleigh.

Mayor Cahoon mentioned that there has been discussion among local mayors about a broader statewide effort to get small communities to weigh in together on the down-zoning legislation, but noted that timing would be crucial, as letters written now would likely be forgotten by spring when the legislature might actually address the issue. He

thanked the Board for retaining a legislative liaison, which has proven valuable even in a year when the legislature has been less productive.

Discussion of Beach Nourishment Planning/Schedule

The summary sheet for this item read in part as follows:

"Planning for the Town's next beach nourishment project is underway. We are currently in permitting and ready to enter the bidding phase of the project. We have also been discussing cost and the steps for project financing. It is likely that the approval of the financing and award of the contract will need to occur in the next six months with approval of the construction contract at the Board's January meeting.

'At the upcoming meeting, staff will present milestones and key meeting dates for Board approval of this project.

'No action at this time - for information purposes and public awareness"

Town Manager Garman provided an update on beach nourishment planning, noting that the town has applied for permits for the next project, with a permit decision expected around September 20th. The project will be put out for bid on September 29th, with bids due on November 13th. All permits are expected to be in hand by December 1st.

On December 3rd, staff will present information to the newly seated Board, though no decisions will be expected at that meeting. A workshop is planned for December 17th to discuss project costs, details, and funding options. Manager Garman explained that until bids are received, they won't know whether current MSD and town-wide taxes would fully cover project costs.

Manager Garman outlined a timeline for either a 2026 or 2027 project. On January 7th, the Board would approve the construction contract, an interlocal agreement with Dare County for funding, and a capital project ordinance. For a 2026 project, financing would need to be arranged immediately, while a 2027 project would allow more time before financing decisions would be needed.

Mayor Cahoon clarified that regardless of whether it's a 2026 or 2027 project, in January they would award the bid and take initial actions to lock in contractor pricing, with financing to follow later.

The preliminary project calendar as presented is attached to and made a part of these minutes as shown in Addendum "D".

NEW BUSINESS CONTINUED

Recess to Groundbreaking for Wellness Center/Employee Housing -Time Specific 10:30 a.m.

The summary sheet for this item read in part as follows:

"This project was included as phase I of the town's Town Hall Campus Master Plan as well as in the FY 2025/26 CIP and adopted budget. Construction is expected to begin on September 15th.

'At the September 3rd Board of Commissioners meeting, the Board will recess to the Groundbreaking ceremony for the new Employee Wellness Center/Employee Housing at 10:30 a.m. This will be held at 5401 S. Croatan Highway (Town Hall) on the south side of the main drive entrance near the cell tower.

'Staff is appreciative of the Board's support for this project. Our design committee will be in attendance for the groundbreaking!"

MOTION: Comr. Sanders moved to recess the September 3, 2025, Board of Commissioners meeting at 10:26 a.m. to attend the Groundbreaking Ceremony. The motion was seconded by Mayor Pro Tem Siers, which passed unanimously.

The Board along with staff present walked to the site of the new Wellness Center. We were joined by Wellness Center committee members, architects, and contractors. They donned hard hats, vests, and held gold shovels for the groundbreaking photo.

The Board reconvened in the Board of Commissioner's room at 10:42 a.m.

Upon returning, Mayor Cahoon delivered the following remarks in part as follows:

"Thank you for being here today. We are here to celebrate the groundbreaking of our new wellness facility and employee housing building, which is phase I of the Town Hall campus master plan the Board completed last year.

'As many of you know, Nags Head has had an employee wellness center for many years. Two years ago, we closed the original building due to ongoing mold and moisture issues. That concrete block building (on the town campus where the new one will go) was a poor candidate for rehabilitation. In the interim the center was housed in the former bank building across from Town Hall.

'In recent years we have enhanced our efforts to recruit and retain qualified staff. We have an employee total rewards strategy. Along with the basics like good insurance and retirement, the wellness center is an important

component of this. Good health and reduced injuries reduce lost productivity and make for a happier more productive workforce. We have about 120 employees. Roughly half of these employees are public safety. We also have 50 ocean rescue staff in peak season. We know this is something our staff really cherishes, and we did not want to see it go away. We are making a commitment to our employees today, to provide them with the best facilities, which are an important part of their training and fitness regimes, but also something that will enhance their overall quality of life and work experience here at the Town of Nags Head.

'Around the same time we knew the old building had to be replaced, the town was pursuing options to construct housing for ocean rescue staff. This has been a long-standing strategic plan initiative.

'We are nearing completion of a duplex we will use for ocean rescue housing on the site of the community care clinic. We expect this to house up to 16 staff. We are now pursuing a second project along with the fitness facility to house about that many more staff.

'With these two projects, we will meet several goals: 1) providing housing for about 2/3 of our seasonal staff and 2) replacing the wellness center.

'The fitness center and staff housing have been part of our public budget discussions for about two years and this combined wellness center is in the budget. We have received bids that are surprisingly well within our budget. We are finalizing financing of the facility and expect construction to begin in September. Combining the facilities is much cheaper than building them separately."

He then thanked the staff, the Board, and all of those dedicated to the town for their support of employees and efforts in building a positive organizational culture.

Manager Garman thanked staff members who contributed to the design, acknowledging their effort, knowledge, and expertise. He mentioned those present including Skyla Lamberto-Egan, Trey Simmons, and Brandon Stallings from the Fire Dept., Vicky Wright from Administrative Services, Christian Aguirre from the Police Dept., and Seth Gray from the Water Dept. He noted involvement from Town Engineer Ryan, Police Chief Hale, and Deputy Fire Chief Hite. He also acknowledged those not present that helped with the design: Ben Jadoff, Chad Motz, and Jan Mielke. He also gave thanks to the Board for supporting this effort.

Town Engineer David Ryan recognized the design team from Oakley Collier Architects, represented by Frank B. Joyner, their construction administrator, along with Tim Oakley, David Griffin, Amanda Ryder, and consultants from Scalene Design and Atlantech Engineers (now IMEG). He also acknowledged A.R. Chesson, represented by company President Al Chesson and Site Superintendent Chandler Klontz, who would be handling the construction.

Mayor Cahoon stated that the Board is looking forward to another successful project and recognized Engineer Ryan's work on the coordination of the Town's construction projects.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER CONTINUED

Update on Our State, Our Homes - Dare County Housing Task Force

The summary sheet for this item read in part as follows:

"At the September 3, 2025 Board of Commissioners meeting, Manager Garman will provide an update on the Our State, Our Homes program, which he is involved in through his role on the Dare Community Housing Task Force."

Town Manager Garman reported on Nags Head's participation in the Dare Community Housing Task Force and the Our State, Our Homes program through UNC Chapel Hill. Dare County was one of 14 communities selected for this program, which involves five forums at UNC Chapel Hill to discuss housing issues and solutions.

Manager Garman highlighted recent work on community land trusts, noting that Donna Creef, project manager of Dare County's Our State, Our Homes team and Chairperson of the Dare Community Housing Task Force, is working to create a nonprofit that would use the community land trust model to develop housing. Mrs. Creef has donated her project manager stipend funds from the Our State, Our Homes program to hire an attorney to help create this nonprofit, which is currently developing articles of incorporation and bylaws. Once established, the nonprofit will form a board, and the Town of Nags Head is expected to have a seat on it.

It was explained that the community land trust model allows groups to develop housing while keeping costs down by using donated or purchased land with ground leases for tenants. Homeowners pay a ground lease as part of ownership, and appreciation/equity is capped through deed restrictions to maintain affordability. While at the Our State, Our Homes forum, the team was shown land trust examples from other NC communities, including Burlington, Raleigh, Watauga, and Durham.

Mayor Pro Tem Siers, who serves on the Housing Task Force and one of its subcommittees on planning projects, added that they have identified county property for the land trust to make housing affordable. He emphasized that the goal is to build sustainable workforce housing through ownership rather than rental property, as ownership leads to greater investment in the community.

ADJOURNMENT

MOTION: Mayor Pro Tem Siers moved to adjourn. The motion was seconded by Comr. Lambert, which passed unanimously. The time was 10:55 a.m.

Date Approved: October 1, 2025

Mayor: Benjamin Cahoon

Brittany A. Phillips, Town Clerk