



**MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
WEDNESDAY, OCTOBER 1, 2025**

The Nags Head Board of Commissioners met at the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, October 1, 2025 at 9:00 a.m. for a Regular Meeting.

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

Board Members Absent: Comr. Bob Sanders; (One vacancy)

Others Present: Town Manager Andy Garman; Attorney John Leidy; Amy Miller; Kelly Wyatt; David Ryan; Randy Wells; Chris Montgomery; Nancy Carawan; Joe Costello; Roberta Thuman; Karen Snyder; Shane Hite; Anthony Dillon; Scott Hooper; Trey Simmons; Chris Day; Sara Sampson; Mark Edwards; Wayne Kidd; Mark Disharoon; Nia Lawson; Jackie Hart; Paulette Mathews; Donna Creef; Phil Wolfe; Elisia Wolfe; Ben Jadoff; Steven Anderson; Ben McSparren; Paige Griffin; Duke Geraghty; Megan Vaughan; Molly Harrison; Isabelle Pala; Christian Aguirre; Michael Alvarez; Beth Sciaudone; Vega Sproul; Katie Anzalone; and Town Clerk Brittany A. Phillips

Mayor Cahoon called the meeting to order at 09:00 a.m. A moment of silence was followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

MOTION: Mayor Pro Tem Siers moved to approve the October 1st agenda as presented. The motion was seconded by Comr. Lambert, which passed 3 – 0 (Comr. Sanders was excused.).

RECOGNITION

NEW EMPLOYEE – Deputy Police Chief Chris Montgomery introduced Police Officer Ben McSparren who was welcomed by the Board to Town employment.

TEN YEARS – Deputy Police Chief Chris Montgomery introduced Police Sergeant Ben Jadoff who was recognized for ten years of service.

TWENTY YEARS – Deputy Police Chief Chris Montgomery introduced Police Lieutenant Steven Anderson who was recognized for twenty years of service.

TWENTY YEARS – Fire Chief Randy Wells introduced Fire Captain Chris Day who was recognized for twenty years of service.

TWENTY YEARS – Fire Chief Randy Wells introduced Fire Captain Wayne Kidd who was recognized for twenty years of service.

TWENTY YEARS – Fire Chief Randy Wells introduced Fire Captain Phil Wolfe who was recognized for twenty years of service.

PROCLAMATION – Fire Prevention Week – Oct 5 – 11, 2025

Deputy Fire Chief Shane Hite reported on the upcoming Fire Prevention Week, scheduled for October 5 – 11, 2025. He noted that - Charge into Fire Safety: Lithium-Ion Batteries in Your Home – is this year's theme. He invited everyone to attend the Fire Prevention Open House scheduled for Thursday, October 9th starting at 5:30 p.m. at Douglas Remaley Fire Station #16. Mayor Cahoon read the proclamation as follows:

"WHEREAS, the Town of Nags Head is committed to ensuring the safety and security of all those living in The Town of Nags Head and visiting; and

'WHEREAS, fire remains a serious public safety concern both locally and nationally, and the presence of lithium-ion batteries in many household devices introduces unique fire risks; and

'WHEREAS, most of the electronics used in homes daily — including smartphones, tablets, laptops, power tools, e-

bikes, e-scooters, and toys — are powered by lithium-ion batteries, which if misused, damaged, or improperly charged, can overheat, start a fire, or explode; and

'WHEREAS, the National Fire Protection Association® (NFPA®) reports an increase in battery- related fires, underscoring the need for public education on the safe use of lithium-ion batteries; and

'WHEREAS, residents should follow three key calls to action: Buy only listed products, charge batteries safely, and recycle them responsibly to prevent battery-related fires; and

'WHEREAS, lithium-ion batteries store a large amount of energy in a small space, and improper use, such as overcharging, using off-brand chargers without safety certification, or exposing batteries to damage, can result in fire or explosion; and

'WHEREAS, the proper disposal and recycling of lithium-ion batteries helps to prevent environmental hazards and reduce fire risks in the home and community; and

'WHEREAS, The Town of Nags Head's first responders are dedicated to reducing the occurrence of fires through prevention, safety education, and community outreach; and

'WHEREAS, the 2025 Fire Prevention Week™ theme, "Charge into Fire Safety™: Lithium-Ion Batteries in Your Home," serves to remind us of the importance of using, charging, and recycling lithium-ion batteries safely to reduce the risk of fires in homes and communities.

'NOW, THEREFORE, BE IT RESOLVED that I, Ben Cahoon, Mayor of the Town of Nags Head, do hereby proclaim October 5 – 11, 2025, as Fire Prevention Week. All Town residents and visitors are invited to attend the annual Nags Head Fire & Rescue Open House, held at the Douglas A Remaley Fire Station 16 on Thursday, October 9, 2025, from 5:30 to 8:00 p.m."

MOTION: Mayor Pro Tem Siers moved to approve the proclamation identifying October 5 – 11, 2025 as Fire Prevention Week as presented. The motion was seconded by Comr. Lambert, which passed 3 – 0 (Comr. Sanders was excused.).

PUBLIC COMMENT

Town Attorney John Leidy opened Public Comment at 09:21 a.m. There was no one present who wished to speak during Public Comment.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Consideration of Tax Documents
- Approval of Minutes
- Consideration of Capital Project Ordinance Updates
- Request for Public Hearing for Proposed Text amendments to the Unified Development Ordinance Related to the Town's Crowd Gathering Permit Process

MOTION: Comr. Lambert moved to approve the Consent Agenda as presented. The motion was seconded by Mayor Pro Tem Siers, which passed 3 – 0 (Comr. Sanders was excused.).

The Tax Adjustment Report, as approved, is attached to and made a part of these minutes as shown in Addendum "A".

The minutes from the September 3, 2025, Regular Session meeting were approved by the Board and are on file in the Town Clerk's office and on the Town's website.

The Capital Project Ordinance Amendment #9, as adopted, is attached to and made a part of these minutes as shown in Addendum "B".

The summary sheet for the Request for Public Hearing for Proposed Text amendments to the Unified Development Ordinance Related to the Town's Crowd Gathering Permit Process, as approved, read in part as follows:

"At the August 6, 2025, Board of Commissioners meeting, the Board directed staff to review Chapter 4 of the Town Code (Crowd Gatherings, Picketing, Parades, Outdoor Amusements, and Group Demonstrations). This is due to our observations where certain events have had a much greater impact on the Town than the specific activities that were permitted. In some cases, these events have resulted in activities that inherently violate the Town Code or other state laws (i.e. noise and traffic laws) and may also impact private property owners. In addition, with the growing demand for Dowdy Park and continued requests for larger events at the Soundside Event Site, staff is evaluating ordinance provisions, resource needs, and park policies, with the intent of completing updates by year-end for implementation in 2026.

'To ensure consistency, staff has also drafted a Unified Development Ordinance (UDO) amendment that:

- Clarifies that “Designated Public Events Site” applies only to the Soundside Event Site, as originally intended.
- Aligns UDO submittal timelines with Chapter 4 permit deadlines, so large events subject to both processes meet the same requirements.
- Preserves hours-of-operation language currently in Chapter 4 by incorporating it into the UDO.
- Updates the definition of “Place of amusement and entertainment” by removing outdated and duplicative language while keeping a clear, general description of the use.

'A public hearing on the proposed amendments is scheduled for the November 2025 BOC meeting. The remaining sections related to Crowd Gathering, which do not require a public hearing, will also be presented to the Board at that time.

'PLANNING BOARD RECOMMENDATION

At their September 16, 2025, meeting, the Planning Board voted unanimously to recommend adoption of the proposed text amendments as presented.

'Staff recommends approval of the proposed text amendments."

PUBLIC HEARINGS

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

Notice of the Public Hearing was published in the Coastland Times on Wednesday, September 17, 2025 and on Wednesday, September 24, 2025 as required by law.

Attorney John Leidy opened the Public Hearing at 09:22 a.m.

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

"The North Carolina General Statutes now require local governments to reduce the required minimum 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 for commercial development and 10 feet wide by 18 feet long for residential development. 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.

'STAFF RECOMMENDATION

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

'PLANNING BOARD RECOMMENDATION

At their August 19, 2025, meeting, the Planning Board voted unanimously to recommend adoption of the proposed UDO text amendment as presented."

Mayor Cahoon confirmed with Attorney Leidy that the Town has no discretion on this matter.

MOTION: Mayor Pro Tem Siers moved to adopt the ordinance amending residential and commercial parking space width as presented. The motion was seconded by Comr. Lambert.

It was noted that this was the NC Legislature passing a blanket bill that is not conducive to our town.

MOTION CONTINUED: The motion passed 3 – 0 (Comr. Sanders was excused.).

The ordinance, as adopted, is attached to and made a part of these minutes as shown in Addendum "C".

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, October 1, 2025.

'Monthly Activity Report

Attached for the Board's review is the Planning and Development Monthly Report for August 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 September:

- Tuesday, September 2nd — Technical Review Committee Meeting
- Wednesday, September 3rd — Board of Commissioners Meeting
- Wednesday, September 10th — Committee for Arts 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

'Planning Board — Pending Applications and Discussions

'The Planning Board's most recent meeting was held on Tuesday, September 16th, 2025. The following items were on the agenda:

'Consideration of text amendments to the Unified Development Ordinance regarding updates to the Town's Crowd Gathering Permit process. The Planning Board reviewed the proposed amendments and voted unanimously to recommend adoption as presented. This item is included on the Board's October 1, 2025, consent agenda, with a public hearing scheduled for November 5, 2025.

'The Planning Board continued its review of the Commercial Outdoor Recreation Overlay District (CORD), including an update from the Outer Banks Visitors Bureau on the Soundside Event Site Boardwalk and discussion with property owners on strategies to strengthen and enhance the district. Executive Director of the Outer Banks Visitor's Bureau, Lee Nettles, briefed the Board on the status of the Soundside Event Site Boardwalk. Bryan Wilson, owner of Miller's Restaurant and Outer Banks Adventures Watersports, and Johanna Tucker, Property Manager for Outlets Nags Head, attended and expressed support for efforts to enhance the overlay district and the potential for a future pedestrian boardwalk. Deputy Planning Director Joe Costello will provide a more detailed update on this item at the Board's October 1, 2025 meeting (Item G-5).

'Staff initiated preliminary discussions on the potential to allow multi-family housing in conjunction with existing commercial development. For example, could an existing shopping center add a detached multi-family building or construct second-story residential units to help provide workforce housing? Staff provided background on the Town's current multi-family ordinance for both small- and large-scale developments and shared draft concepts using floor area ratio (FAR) as a way to determine how additional residential units might be accommodated on-site within existing density limits. Staff emphasized that this is the beginning of the conversation and asked Planning Board members to review previous materials in preparation for a more detailed discussion at upcoming meetings. The Planning Board will continue this discussion at its October 21 meeting.

'The Planning Board's next meeting is scheduled for Tuesday, October 21, 2025. The agenda is expected to include:

'Consideration of Special Use Permit/Site Plan Amendment submitted by Albemarle & Associates, Ltd. On behalf of Nags Head Church for expansion of the parking lot. The property is zoned R-2, Medium Density Residential and is located at 105 W. Soundside Road, Nags Head.

'Consideration of Site Plan Amendment submitted by Albemarle & Associates, Ltd. On behalf of Golasa Holdings and Outer Banks Sports Club for expansion of the fitness gym to include a new two-story addition, outdoor gym area, and tennis court. The property is zoned C-2, General Commercial and is located at 2423 S. Croatan Highway, Nags Head.

'Consideration of Site Plan Amendment submitted by Albemarle & Associates, Ltd. On behalf of Coastal Bluewater Capital, LLC and TW's Outdoor Outfitters for expansion of storage space between the existing retail store and the existing storage building. The property is zoned C-2, General Commercial and is located at 2230 S. Croatan Highway, Nags Head.

'Consideration of text amendments to the Unified Development Ordinance and Flood Damage Prevention Ordinance to revise and clarify the Town's elevation standards and required freeboard.

'The Board will also continue its review of the Commercial Outdoor Recreation Overlay District. Next steps include working with the Planning Board to refine potential text amendments that would provide greater flexibility within the district in alignment with the Comprehensive Plan, as well as continued evaluation of a potential soundside boardwalk extending the Outer Banks Visitors Bureau's existing boardwalk south toward the Outlets Nags Head.

'Board of Adjustment – Recent and Pending Applications - There were no items for the Board of Adjustments' consideration in September 2025.

'Additional Updates

- DWMP/Septic Health Advisory Committee — The next quarterly meeting of the Septic Health Advisory Committee is scheduled for October 13, 2025. Planning staff are finalizing the Town's proposed project scope for administering the no-interest septic repair loan program and will submit the required documentation to the Division of Water Infrastructure by October 1, 2025.

To prepare local contractors for participation in the program, staff have scheduled a workshop for Thursday, October 2, 2025, from 5:30–6:30 p.m. in the Board Room. The session will review funding requirements, including Davis-Bacon prevailing wage rates and American Iron and Steel provisions, and outline the paperwork and documentation needed for compliance.

The Planning Department is also hosting an intern from UNC's Outer Banks Field Site Program. Isabelle Pala, a rising junior majoring in Environmental Studies and Public Policy, is assisting weekly through mid-November with initiatives supporting the Septic Health Program and water quality monitoring.

- Estuarine Shoreline Management Plan — Deputy Planning Director Joe Costello will provide an update to the Board of Commissioners on the current status of the Estuarine Shoreline Management Plan, including key outcomes and highlights from the Harvey Sound Access Living Shoreline kickoff meeting, as well as updates shared with the Dare County Tourism Board. (Item G-4)
- Sand Relocation and Dune Management Cost Share Program – Staff are preparing for the upcoming Sand Relocation season which will begin on November 17th, 2025. We will begin accepting applications for sand relocation on November 1st for review purposes only. An educational presentation and Q&A session will be provided on Monday, October 13th for all equipment operators, property owners, and other interested parties wishing to participate in the sand relocation and dune management cost share program this year.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture — The Committee for Art and Culture met on September 10th, 2025. Event Coordinator, Paige Griffin shared several updates:
 - Art Mast Project: The art panels have been removed for the season. The four original art panels are showing some wear and will be replaced next season, with two new masts to be created by local artists Noah Snyder and Brent Nultemeier.
 - Farmers Market: A survey was distributed to both regular and rotating Farmers Market vendors. Results are being presented to the Board of Commissioners at this meeting, and an after-action session will be held with vendors to review findings and encourage additional discussion.
 - Holiday Markets & Tree Lighting: Planning is underway for the 2025 Holiday Markets, with some exciting new features planned to refresh the annual Tree Lighting on Saturday, November 29. Holiday Markets will take place Saturdays from 9 a.m. to noon on November 8, November 29, and December 13. Vendor applications will open online for a limited window on Wednesday, October 15, from 8 to 10 a.m., with details available on the Town's website.
 - New Ideas: The Outer Banks Women's Club proposed installing a Free Little Art Gallery (FLAG) at Dowdy Park; the Committee expressed strong support for the concept.
 - Ongoing & Upcoming Events: Tuesday Morning Yoga continues through October 28, and a free Movie in the Park featuring Hocus Pocus is scheduled for Friday, October 3, in partnership with the Nags Head Elementary Pumpkin Fair.

'Upcoming Meetings and Other Dates

- Wednesday, October 1st — Board of Commissioners Meeting
- Thursday, October 2nd — Septic Repair Contractor Workshop, 5:30–6:30pm in Board Room
- Friday, October 3rd — Movie in the Park, Hocus Pocus at 7pm
- Tuesday, October 7th — Technical Review Committee Meeting
- Thursday, October 9th — Board of Adjustment Meeting (no hearings at this time)
- Monday, October 13th — Septic Health Advisory Committee (SHAC) Meeting
- Monday, October 13th — Sand Relocation Contractor Workshop, 5:30–6:30pm in Board Room
- Wednesday, October 15th — Board of Commissioners Mid-Month (if scheduled)
- Tuesday, October 21st — Planning Board Meeting"

The Board thanked Director Wyatt for her efforts.

Update on On-Site Wastewater Loan - Establishment of Zero Percent Interest Septic Loan Program Planning

Director Kelly Wyatt introduced this item. The summary sheet read in part as follows:

"Earlier this year, the Town was awarded up to \$500,000 in Clean Water State Revolving Fund (CWSRF) loan funds at 0% interest to launch a no-interest loan program for the repair and/or replacement of residential conventional septic systems. The program will help homeowners in high- risk, environmentally sensitive areas repair failing or compromised systems, an important step in protecting groundwater and surface waters.

'Over the past several months, staff has worked closely with the Septic Health Advisory Committee (SHAC) to develop a methodology for identifying high-risk properties. These are parcels adjacent to waterbodies, including soundfront, canalfront, drainage ditches, marshes, and wetland areas. Properties with documented septic maintenance in recent years and elevations greater than three (3) feet mean sea level were removed from the list.

'As a pilot program, our first major milestone, as outlined in the Letter of Intent to Fund from the Division of Water Infrastructure, is to submit a Scope of Work package for their review and approval. That submittal is due October 1st, 2025.

'Scope of Work Highlights

- Administrative Framework: Defines program structure and staff roles. The Planning and Development Department will lead outreach to those properties identified as "high-risk" and will oversee the application and compliance process. The Finance Department will manage loan disbursement and recordkeeping.
- Targeting High-Risk Properties: Uses permit history from Dare County Environmental Health, geographic risk factors, and field verification to ensure funds are focused on where water quality impacts are greatest.
- Federal Compliance: Staff has prepared clear contractor and homeowner guidance for Davis- Bacon Prevailing Wage and American Iron and Steel requirements, including wage determinations, certified payroll templates, and documentation protocols.
- Contractor Engagement: A local septic repair contractor workshop is scheduled for Thursday, October 2nd, 2025 to explain the program requirements, gauge interest, and pre-qualify interested septic repair contractors to ensure we have a reliable pool of compliant contractors before homeowners begin applying for this loan.
- Loan Process: Homeowners will be able to apply for up to \$20,000 per property, zero- interest, up to 60 months repayment. Funds will be paid directly to the pre-qualified contractors after verified completion and compliance documentation.

'Next Steps

- Submit the Scope of Work package to the Division of Water Infrastructure for review by October 1, 2025. We anticipate review and approval by December 1, 2025.
- Conduct the septic repair contractor workshop on Thursday, October 2, 2025, to build a pre- qualified contractor list for interested homeowners to select from.
- Following DWI approval, finalize the homeowner application process and launch targeted outreach to high-risk properties in early 2026.
- Report any major program adjustments or funding back to the Board of Commissioners prior to launching the program.

'No action is required at this time. Staff will provide a brief presentation at the Board's October 1, 2025, meeting summarizing the Scope of Work submittal."

Director Wyatt reported that 11–13 contractors had expressed interest in attending the workshop for septic repair contractors. The compliance requirements will be reviewed during the workshop.

Mayor Cahoon expressed hope that contractors would not be deterred by the Davis-Bacon requirements and suggested that if one contractor became a champion for the program, it may help get others on board. He also inquired about the town's responsibilities for monitoring contractor compliance, to which Director Wyatt explained that contractors would need to certify their compliance, but the town would need to keep the documentation verifying materials are American- made and review certified payroll sheets.

Mayor Pro Tem Siers asked if there would be a list of certified contractors for the program, similar to what exists for beach replenishment. Director Wyatt confirmed they are planning to create a list of pre-qualified contractors. Comr. Lambert mentioned that she had spoken with a septic contractor who was excited to attend the upcoming meeting.

The Board thanked staff for their efforts.

Presentation of Market Vendor Survey Results and Next Steps

Planning Director Kelly Wyatt introduced this item. The summary sheet read in part as follows:

"Following the conclusion of the 2025 Dowdy Park Farmers Market season, staff created and distributed a vendor survey to gather feedback on vendor satisfaction, market operations, and opportunities for improvement. The

survey was sent to full-time and rotating vendors from this past season. Of the 70+ recipients, we received 28 responses. The intent of the survey was to ensure that vendors had a structured, and anonymous, opportunity to provide input and guide staff and the town in making informed decisions for future market operations.

Staff will provide a presentation of responses at the Board's October 1st, 2025 meeting. However, some key findings are included below.

'Overall Experience

- 71% of vendors reported being very satisfied with their market experience.
- 18% reported being satisfied
- Only 1 vendor was dissatisfied and 2 were very dissatisfied.
- This indicates that a strong majority had a positive experience with the market.

'Communication & Expectations

- 93% of vendors felt expectations, policies, and updates were communicated clearly.
- This reflects positively on staff efforts to provide consistent and transparent information.

'Customer Base

- 50% of respondents reported their customers were an even mix of locals and visitors.
- 46% reported "mostly visitors" with very few indicating "mostly locals."
- This suggests the market continues to be both a community event and a draw for visitors.

'Operational Areas (from rating questions)

Vendors were asked to rate areas such as market organization, staff professionalism, communication, and parking. Results indicate a high satisfaction with organization and staff interactions, with parking and access noted as an area of concern.

"While the survey confirms that the Farmers Market is operating successfully and vendors are generally satisfied, it provides an opportunity to review the logistics of parking and access and explore enhanced communication tools to ensure all vendors are informed. Staff also intends to host a vendor "after action" session to share these survey results, allow additional feedback, discuss challenges and identify opportunities to make future markets even stronger."

A follow-up meeting with vendors is scheduled for October 9th at 10am to review the survey results and work on improvements together. The Committee for Art and Culture has been invited to attend to increase vendor awareness of who serves on the committee.

Mayor Cahoon appreciated the survey initiative and suggested making it an annual practice. He noted that vendor goals largely aligned with town goals, though some issues like parking limitations would be difficult to address. He also cautioned that addressing some vendor concerns about duplication might mean fewer vendors could participate.

Director Wyatt's presentation is attached to and made a part of these minutes, as shown in Addendum "D".

Update on Estuarine Shoreline Management Plan and Harvey/Soundside Event Site Living Shoreline Project

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

"Estuarine Shoreline Management Plan (ESMP) — As the Board is aware, several stakeholder meetings were held on Thursday, August 7th to review the preliminary schematic designs and obtain community feedback. Approximately 50 people were in attendance.

"The initial designs presented at the stakeholder feedback meeting were based on concepts developed as part of the Estuarine Shoreline Management Plan and an innovative attempt to better manage the estuarine shoreline at a community scale rather than an individual scale. The living breakwaters, as designed and presented at the community meeting, aimed to provide a holistic solution to reducing erosion, improving water quality and habitat as well as providing some storm protection.

"Since the stakeholder meeting, the design team has been considering how best to alter designs to align with stakeholder feedback. The goal is to have an implementable project that meets the needs and desires of the community and adjacent property owners, and aligns with the spirit of the Estuarine Shoreline Management Plan. The project designs must also meet the requirements stipulated by the RCCP grant.

"For the Soundside Road project area, the Town is looking to come back with a revised berm and stormwater management solution along Soundside Road. For the Villa Dunes/Nags Head Woods area, staff is exploring creating a 'toolkit' that would instead provide a menu of options, tailored to the area, for private property owners in this area who want to incorporate additional living shoreline protections. Staff may recommend not moving forward with some of the living breakwaters based on feedback received.

'Harvey Estuarine Site/Soundside Event Site — the project kickoff meeting took place on August 27th. Data collection was finalized, and concept designs drafted over the course of September. Conceptual level designs were presented to the Tourism Board on September 18th. Afterward, there was a stakeholder feedback session which included kiteboarders, the sailing community, and nearby operators on the conceptual layout. Discussion focused around watersports corridors, safety, aesthetics and site use. Next steps include engineering and development of schematic design drawings. The designs are still under revision and will require feedback from the Town and the Tourism Board before the permit application phase."

Mayor Cahoon inquired about the timeline for construction, to which Deputy Planning Director Costello replied that contracts must be in place by the end of June, with construction taking place in fall 2026. When asked about the size of the user group that provided feedback, Costello noted there were three participants: Brad Carey, who owns the Adventure Park, Robert Netsch, representing kiteboarders, and Billy Moseley, representing the sailing community.

Update on Commercial Outdoor Recreation Overlay District and Boardwalk

Deputy Planning Director Joe Costello introduced this item. The summary sheet read in part as follows: "To support planning efforts regarding the CORD, staff invited property owners within the CORD to the September Planning Board meeting. Staff's intent was to host an open conversation with property owners about what they like and don't like about the area, to explain the town's goals for development in this area as defined in the Town's Comprehensive Plan, and to determine whether they support these goals. The intent was also to gauge their interest in a future boardwalk, which could connect properties in the district with the new boardwalk being constructed at the Soundside Event Site.

'The Tourism Board's representatives, Lee Nettles and Diane Bognich gave an update on the construction of the boardwalk at the Soundside Event Site. This project has received permits and construction is underway with the goal to complete the project by Spring of 2026.

'The property manager for the Outlets at Nags Head, Johanna Tucker, spoke in favor of the boardwalk extension and the recommendations in the CORD report previously developed by staff (see attached). Johanna noted many often park at the Outlets for events at the Soundside Event Site and it would be appropriate to have a more direct connection between the two destinations. Staff has also received written support of the project from Beth Godfrey, representative from the Outlets at Nags Head (The Keith Corporation). Brian Wilson, owner of Miller's Restaurant, and Outer Banks Adventures and Watersports, attended and also spoke in favor of the boardwalk extension. He mentioned the beauty of the area being a major draw and then spoke to benefits of creating the right atmosphere for the success of area businesses and for the enjoyment of visitors and locals. Since the meeting, staff has spoken with a representative of Jurassic Putt, Mr. Robert Collector, who is family to property owner Evelyn Munden. Mr. Collector spoke in favor, at least in concept, of a boardwalk extension to the outlets and improved UDO flexibility.

'Next steps include further discussing appropriate text amendments with the Planning Board to increase development flexibility in the area in alignment with the Comprehensive Plan. The Board also discussed engaging the North Carolina State College of Design to assist with planning and visualization efforts for the CORD. Staff would also ask the board whether there is a desire to include a plan for a boardwalk in a future CIP."

Comr. Lambert, who attended the stakeholder meeting, suggested holding a workshop with the Board of Commissioners and the Planning Board to generate more attendance and feedback.

Deputy Planning Director Costello agreed this could be beneficial after more preparation.

RECESS/RECONVENE

The Board took a brief recess at 10:05 a.m. and reconvened at 10:13 a.m.

NEW BUSINESS

Presentation of Summer Beach Monitoring Survey — Moffatt & Nichol Time Specific - 10:30 a.m.

Town Engineer David Ryan summarized the agenda summary sheet which read in part as follows:

"Annually, the Town subcontracts surveying and engineering services to perform an annual beach condition survey and engineering data analysis in accordance with the Town's Beach Monitoring & Maintenance Plan. The survey scope of work includes the baseline nourishment project area data acquisition in conjunction with additional transect data acquisition both north and south of the project area. Results of the beach surveys aid in determining nourishment triggers and initiating planning for the next beach nourishment maintenance project. The main body of the monitoring report describing the findings of the June survey is attached for your review. A hard copy of the full report will be distributed at the meeting.

'Beth Sciaudone, Ph.D., PE and Ayse Karanci, PhD, PE from the consulting firm of Moffatt & Nichol will present the findings of the condition surveys and will be available to answer questions from the Board."

Town Engineer Ryan introduced Beth Sciaudone, Ph.D., PE from Moffatt & Nichol. He noted that hard copies of the annual report had been distributed to Board members. Dr. Sciaudone presented her report slides which are attached to and made a part of these minutes as shown in Addendum "E".

Dr. Sciaudone stated that it was a fairly stable year for the town's beaches. Key takeaways from the presentation

include:

- The 2024-2025 monitoring period had lower than usual wave heights and more waves from the east-southeast. This likely contributed to milder than usual volumetric changes.
- In Reach 1 and in South Nags Head (Reaches 3N, 3S, and 4), there have been volumetric losses in the dry beach and dune. Material remains in the system in the outer bar and nearshore.
- Losses have occurred in the deeper elevations beyond -19 ft NAVD88, possibly due to alongshore processes. Once material moves out beyond -19 it is less likely to return to the dry beach.

The 2026 or 2027 Beach Nourishment Project, which will aim to restore the level of protection where needed and provide an advance fill berm for the next six years, is in its planning stage. The project was advertised on September 30th, with bids due November 13th. The Board will review bids in a December workshop, with a potential award in January 2026. Permits from the Park Service and for water quality certification have been received, with the Army Corps of Engineers permit expected soon.

Mayor Cahoon questioned the potential impact of Nags Head's sister towns planning nourishment projects in 2027 on the bidding process. Dr. Sciaudone noted that bidding two seasons provides flexibility and that having the bid out early gives Nags Head an advantage. The Mayor also inquired about better understanding the longshore processes affecting sand in deeper water, to which Dr. Sciaudone suggested numerical modeling might provide insights, though the processes are complex.

Mayor Cahoon acknowledged that while the town is in good shape and preparing for a significant project despite not fully understanding some sand loss mechanisms, the absence of major storms and the condition of unnourished beaches to the south justify proceeding with the project. He also expressed appreciation to Dave Hallac and the National Park Service for working out the taper arrangement on the south end, which will help protect properties at that end of town.

Comr. Lambert recognized the delicate nature of the project.

Mayor Pro Tem Siers questioned how the town should allocate the additional 200,000 cubic yards of sand if the need arose. Dr. Sciaudone suggested prioritizing the wider recreational beach while retaining flexibility to focus on any problem areas threatening protection.

The Board thanked Dr. Sciaudone for her presentation.

Committee Reports

Comr. Lambert – reported on the Government Education Access Channel meeting. They approved two LPDI grants, including one awarded to the Town of Nags Head for a short film. She also acknowledged Planning Director Wyatt's update on the Septic Health Advisory committee which will meet again October 13th.

Mayor Pro Tem Siers – noted that the Tourism Board projects, including the Boardwalk and Estuarine Shoreline, had been discussed earlier in the meeting, and that he will cover the Housing Task Force under his agenda.

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 Classification and Compensation Study

Human Resources Director Jan Mielke introduced this item. The summary sheet read in part as follows:

"The Town of Nags Head will be conducting a Classification and Compensation Study beginning in October. Following a competitive request for proposal selection process, the Town selected The Archer Group to lead the study (see attached proposal and scope of work).

'The primary objectives of this effort are to evaluate our total rewards program to:

- Promote internal equity
- Ensure market competitiveness
- Establish clear and consistent position classifications
- Align our total rewards with current best practices

'We anticipate presenting recommendations to the Board in the spring for consideration as part of the Fiscal Year 2027 budget implementation."

It was stated that the town received 16 proposals in response to the RFP and selected the Archer Group from Raleigh to conduct the study. The Archer Group has completed similar studies for other NC municipalities like Asheville and Greenville and stood out for their approach to employee engagement throughout the process.

The Board thanked HR Director Mielke for her efforts.

BOARD OF COMMISSIONERS AGENDA

MPT Siers - Consideration of Appointment of a Representative to Serve on the Dare Housing Foundation Board

Mayor Pro Tem Siers introduced this item. The summary sheet read in part as follows:

"The Dare Community Housing Task Force is working to create a nonprofit known as the Dare Housing Foundation (DHF) to further housing goals in Dare County. Attached is a presentation given by Donna Creef at the Dare County Housing Task Force's September 23rd meeting which outlines recommendations of the Task Force, one of which includes creating the DHF. The proposed composition of the DHF Board includes representatives from each of the towns. The draft bylaws provide for these appointments to be elected officials, Town staff, or a community member with experience or knowledge that will be beneficial to DHF. It is requested that Nags Head discuss participation in the DHF at their October meeting and select a representative for the DHF board. Once the DHF is established, the DHF board will hold its first organizational meeting before the end of the year."

MOTION: Mayor Pro Tem Siers recognized Town Manager Garman's dedication to this process and moved to nominate him as the Town representative on the Dare Housing Board. Mayor Cahoon confirmed with Manager Garman that he was willing and able to serve. The Mayor noted that the position is changeable and, in the future, could be an elected board member or staff member.

MOTION CONTINUED: The motion was seconded by Comr. Lambert, which passed 3 – 0 (Comr. Sanders was excused.).

Mayor Pro Tem Siers also addressed last month's public comment concerning traffic on Highway 158, particularly the misuse of the center turn lane. He reported meeting with Tess Judge, our NC Board of Transportation representative, who herself had been involved in an accident in the center turn lane. Representative Judge is reactivating the study for a corridor project to make Highway 158 more of a boulevard and requests a letter of support from the town.

It was the consensus of the Board to have staff draft and send a letter of support to Tess Judge, Division 1 Representative on the NC Board of Transportation, requesting completion of a corridor study to consider safety improvements to Highway 158, including possible addition of medians, and conversion of the roadway to a boulevard cross section as outlined in the Dare County Comprehensive Transportation Plan.

MAYOR'S AGENDA

Discussion of Community Care Clinic Grant Support Letter and Possible Lease Extension

Mayor Cahoon introduced this item, the summary sheet read in part as follows:

"At the October 1, 2025, Board of Commissioners meeting, the Board will discuss a request from the Community Care Clinic for a letter of support to accompany an upcoming Outer Banks Visitor's Bureau grant request. The Community Care Clinic is applying for grant funds to make improvements to the building and would like some reassurance that their lease, if the grant is awarded, could be extended beyond its current expiration of December 31, 2030. They intend to add a fourth dental treatment room since they provide services to 1000's of local tourism/hospitality workers. The renovation will also involve moving/adding security, including lockable glass doors in hallways, revamping both the dental and medical reception areas for efficiency, relocating the dental staff breakroom, and upfitting the fourth dental treatment room.

'If the grant is awarded, it is likely the Board will be asked to extend the lease at a future meeting.

'Staff does not object to drafting a letter of support; however, it is unclear at this time how long we may be asked to extend the lease or if there are any other changes the board will need to consider to accommodate this request. Other than the recent site improvements to add Ocean Rescue Housing, the town does not have any other planned activities for the site."

Mayor Cahoon noted that while the town has considered other uses for the property in the past and recently constructed lifeguard housing on the site, there was no need to discuss specific lease terms at this time. He asked if there were objections to providing a letter of support for the clinic's grant application.

Mayor Pro Tem Siers expressed support, praising Ms. Jenkins for her work at the clinic. Comr. Lambert echoed this support.

It was the consensus of the Board to have staff draft and send a letter of support to the Dare County Tourism Board on behalf of the Community Care Clinic for its grant application, with funds to be used for building improvements.

OTHER BUSINESS

Manager Garman reminded everyone about upcoming events:

- National Night Out at Dowdy Park on October 7th from 5:00-7:00 pm
- Fire Department Open House at Station 16 on October 9th

The Mayor mentioned he would be in the dunking booth at National Night Out before attending the League of Women Voters Candidate Forum at 7:00 pm on October 7th in the Nags Head Board of Commissioners Room.

ADJOURNMENT- RECESS TO RIBBON CUTTING AT OCEAN RESCUE HOUSING PROJECT

MOTION: Comr. Lambert moved to recess to Ribbon Cutting at the Ocean Rescue Housing Project. The motion was seconded by Mayor Pro Tem Siers, which passed unanimously. The time was 10:54 a.m.

Date Approved: November 5, 2025

Mayor: Benjamin Cahoon

Brittany A. Phillips, Town Clerk