



AGENDA

**TOWN OF NAGS HEAD BOARD OF COMMISSIONERS
NAGS HEAD MUNICIPAL COMPLEX - BOARD ROOM
WEDNESDAY, DECEMBER 6, 2023 9:00 A.M.**

A. CALL TO ORDER / MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA

C. RECOGNITION

1. RECOGNITION

NEW EMPLOYEE - Public Services - Facilities Maintenance Technician Taylor
Midgett - Oct 30, 2023

FIVE YEARS - Public Services - Water Distribution Technician Alan Beatty - Nov 5,
2018

FIVE YEARS - Public Safety - Fire Lieutenant Trever Tilley - Nov 19, 2018

RETIREMENT - Dep Town Clerk Michelle Gray

Documents:

[12 C RECOGNITION SUMMARY.PDF](#)

D. REORGANIZATION OF THE BOARD

Report on Results of Election

Oaths of Office

BREAK

Selection of Mayor Pro Tem and Oath of Office

Documents:

[12 D REORG OF BOARD SUMMARY.PDF](#)

[12 D REORG OF BOARD ELECTION RESULTS.PDF](#)

E. PUBLIC COMMENT

F. CONSENT AGENDA

1. Consideration Of Tax Adjustment Report

Documents:

[12 F1 TAX ADJ REPORT SUMMARY.PDF](#)

[12 F1 TAX ADJ TOWN-WIDE REPORT.PDF](#)

[12 F1 TAX ADJ MSD REPORT.PDF](#)

2. Approval Of Minutes

Documents:

[12 F2 MINUTES SUMMARY.PDF](#)
[12 F2 MINS NOV 1 2023 MINS.PDF](#)

3. Consideration Of Adopt-A-Bench Policy / Updated Fee Schedule

Documents:

[12 F3 BENCH POLICY FEE SCHED UPDATE SUMMARY.PDF](#)
[12 F3 BENCH POLICY MUP POLICY.PDF](#)
[12 F3 BENCH POLICY FEE SCHED.PDF](#)

4. Consideration Of Trafera Computer Lease Agreement

Documents:

[12 F4 TRAFERA COMPUTER LEASE SUMMARY.PDF](#)
[12 F4 TRAFERA COMPUTER LEASE.PDF](#)

5. Consideration Of Resolution Authorizing Entering Into A Contract With NCDEQ
for a Public Beach & Coastal Waterfront Access Grant

Documents:

[12 F5 DEQ GOVERNOR PUBLIC BCH GRANT SUMMARY.PDF](#)
[12 F5 DEQ GOVERNOR PUBLIC BCH GRANT RES.PDF](#)

6. Consideration Of Resolution Approving
Municipal Accounting Services, Cybersecurity and Technical Assistance
Memorandum of Agreement

Documents:

[12 F6 NCLM CYBER SECURITY SUMMARY.PDF](#)
[12 F6 NCLM CYBER SECURITY MOA AND RES.PDF](#)

7. Consideration Of Resolution Accepting An Offer Of Funding
and to make the applicable assurances contained therein - American Rescue Plan
funding from the
State Fiscal Recovery Fund in the amount of \$244,000 for an Asset Inventory and
Assessment (AIA) Study

Documents:

[12 F7 ARP FUNDING SUMMARY.PDF](#)
[12 F7 ARP FUNDING RES.PDF](#)
[12 F7 ARP FUNDING LETTER.PDF](#)

8. Consideration Of Annual Appointment Of Director On Nags Head Leasing Board

Documents:

[12 F8 NHL BOARD APPOINT SUMMARY.PDF](#)

G. PUBLIC HEARINGS

1. Public Hearing To Consider A Subdivision Waiver
submitted by Quible and Associates, PC on behalf of Ronald and Sabrina Mikita, for
one (1) proposed two-lot
Minor Subdivision of Parcel 007323000, PIN 071811556240. The requested waiver is
from Section 10.47 of the
Unified Development Ordinance as it pertains to limiting access to US 158, US
64/264, NC 12, and SR 1243.

Documents:

[12 G1 PH MIKITA SUB WAIVER SUMMARY.PDF](#)
[12 G1 PH MIKITA SUB WAIVER NOTICE PN.PDF](#)
[12 G1 PH MIKITA SUB WAIVER MEMO.PDF](#)

2. Public Hearing To Consider Text Amendments To The Unified Development Ordinance
as it pertains to including the use of “Restaurant, Drive Through” as a permissible
use within Commercial Mixed-Use
Developments, as well as amending the supplemental regulations associated with
this use

Documents:

[12 G2 PH REST DRIVE-THRU SUMMARY.PDF](#)
[12 G2 PH REST DRIVE-THRU NOTICE PN.PDF](#)
[12 G2 PH REST DRIVE-THRU MEMO.PDF](#)
[12 G2 PH REST DRIVE-THRU APP A.PDF](#)

3. Public Hearing To Consider Text Amendments To Sections 6.5
Classification and Review of Unlisted Uses, Section 6.6, Table of Uses and Activities,
and Article 7,
Supplemental Regulations as it pertains to the appraisal and purchase of precious
metals and antiques
and collectibles as an acceptable temporary and accessory use to retail jewelry
shops

Documents:

[12 G3 PH PREC METALS SUMMARY.PDF](#)
[12 G3 PH PREC METALS PURCHASE NOTICE PN.PDF](#)
[12 G3 PH PREC METALS PURCHASE MEMO.PDF](#)
[12 G3 PH PREC METALS PURCHASE APP A.PDF](#)

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

1. Update From Planning Director

Documents:

[12 H1 PLANNING DIR SUMMARY.PDF](#)
[12 H1 PLANNING DIR REPORT.PDF](#)

I. NEW BUSINESS

1. Committee Reports

Documents:

[12 I1 COMMITTEE REPORTS SUMMARY.PDF](#)

2. Appointment To Town Planning Board

Documents:

[12 I2 BOARD-COMM SUMMARY.PDF](#)
[12 I2 BOARD-COMM CURRENT.PDF](#)
[12 I2 BOARD-COMM CANDIDATE.PDF](#)

3. Consideration Of Resolution Authorizing Water Resources Development Grant

Documents:

[12 I3 WATER RES DEV GRANT SUMMARY.PDF](#)
[12 I3 WATER RES DEV GRANT RES.PDF](#)

J. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

K. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

1. Update On Public Services Facility

Documents:

[12 K1 TM PUBLIC SVCS FAC UPDATE SUMMARY.PDF](#)

2. Request For Approval Of Town Hall / Fire Station Properties Master Plan

Documents:

[12 K2 TM TOWN HALL COMPLEX MASTER PLAN SUMMARY.PDF](#)
[12 K2 TM TOWN HALL COMPLEX MASTER PLAN PROPOSAL.PDF](#)

3. Discussion Of Onsite Wastewater Legislation Update

Documents:

[12 K3 TM WASTEWATER REGULATIONS UPDATE SUMMARY.PDF](#)

L. BOARD OF COMMISSIONERS AGENDA

M. MAYOR'S AGENDA

1. Consideration Of 2024 BOC Meeting Calendar And FY 24/25 Budget Calendar

Documents:

[12 M1 MAYOR 2024 BOC MTG-BUDGET CAL SUMMARY.PDF](#)
[12 M1 MAYOR 2024 BOC MTG SCHEDULE.PDF](#)
[12 M1 MAYOR 2024-2025 BUDGET CAL.PDF](#)

N. CLOSED SESSIONS

1. Mayor Cahoon – Request For Closed Session
to consider Closed Session minutes from Jan - Nov 2023 pursuant to GS 143-318.11
(a)(1)

Documents:

[12 N1 CLOSED SESSION SUMMARY.PDF](#)

2. Attorney Leidy – Request For Closed Session
for the Board to consult with the Town Attorney regarding matters protected by
the attorney/client privilege
and to preserve that privilege, including the pending litigation re: Dare County
municipalities vs the State of NC
zoning authority pursuant to GS 143-318.11(a)(3)

Documents:

[12 N2 CLOSED SESSION SUMMARY.PDF](#)

O. OTHER BUSINESS

P. ADJOURNMENT

5401 S. Croatan Hwy, Nags Head, NC 27959
252-441-5508