



**TOWN OF NAGS HEAD
BOC ACTIONS
September 7, 2011**

1. Call to order - Mayor Oakes called the meeting to order at 9 a.m. Rev. Glick from St. Andrews By The Sea provided a moment of silence and prayer followed by Pledge of Allegiance.
2. Agenda – The Board passed a motion to adopt the Sep 7th agenda as presented.
3. Audience Response - No one spoke during Audience Response.
4. Recognition – Facilities Maintenance Supervisor Doug Huff, Police Officer/CID Greg South, and Police Officer Paul "Trey" Lipscomb were recognized by the Board for years of service.
5. Resolution – The Board adopted the Sep 11th Remembrance resolution as presented.
6. Mayor Oakes – noted that Comr. Remaley was not in attendance as he was engaged today as Dare County Fire Marshal to continue working on Hurricane Irene recovery.
7. Mayor Oakes - invited everyone to give blood today from 12 to 6 pm at St. Andrews By The Sea Church.
8. Consent agenda - The Consent Agenda consisted of the following items:
 - Consideration of Budget Adjustment #3 to FY 11/12 Budget Ordinance
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Consideration of 1% discount on \$17 automated cart roll-back fee
 - Request to write off computer loan from former Town employee
 - Resolution in support of September 24th as Nags Head Big Sweep 2011 Day
 - Resolution in support of DCTB/TNH real property use

The Board passed a motion to approve the Consent Agenda with the removal of agenda item #10 re: Resolution for Big Sweep 2011 Day.

9. Resolution – The Board passed a motion to adopt the resolution in support of September 24th as Nags Head Big Sweep 2011 Day as presented.

10. Public Hearing – The Board passed a motion to adopt the zoning ordinance text amendment on behalf of Church of the Outer Banks, to allow the use of Religious Complexes in the C-3 District.

11. WCU fee schedule change – The Board passed a motion to approve the Water Consumption Unit fee change as presented – proposal targets 3 – 4,000 square footage structures.

12. Cell tower purchase/lease – The Board passed a motion to table discussion/decision of the proposal received for the monopole tower purchase and cell companies lease for further review at an upcoming Board meeting.

13. Committee reports – Comr. Sadler – Dare County Tourism Board (DCTB) meeting – RFP’s have been submitted for use of the Windmill Point property – Town Manager Ogburn stated that there is interest in interviewing two of the respondents.

Comr. Sadler said that the Steering Committee has started discussion of a boardwalk – from Tanger Mall to the most northern property on Windmill Point; she reminded residents/visitors of the Soaring 100 events scheduled for October 21 – 24 - the first event is at Jockey’s Ridge State Park and covers the impact soaring has had on aviation.

14. Appointments – The Board passed a motion to reappoint Susan Boncek to the Board of Adjustment. The Board passed a motion to appoint Debbie Shephard, Chris Janush, and Richard Lipsky to three of the four vacancies on the Citizens Advisory Committee. Dangerous Animal Appeal Board - Staff is to ask current members if they would like to continue serving.

15. Town Attorney - Attorney Leidy provided an update on pending litigation:

- Fishers and others - beach nourishment project easements
- Cherry Inc. cottage – nuisance cottage on Seagull Drive
- Matthews/Ruiz cottage – nuisance cottage on Seagull Drive
- Sansotta I and II litigation – Seagull Drive cottages

16. Town Manager – Tim Kana from Coastal Science and Engineering (CS&E) presented images that summarized impacts to the Beach Nourishment Project as a result of Hurricane Irene; approx. 25% of the on-shore sand shifted offshore – Dr. Kana stated that he won’t know exactly how much sand has been shifted until the weather permits him and his staff to evaluate offshore.

Comr. Cahoon – confirmed with Dr. Kana that the southern end of town is to taper and is not meant to look like the rest of the town. Dr. Kana pointed out that a lot of the sand loss from Irene went north instead of south to the inlet.

17. Town Manager - Town Manager Ogburn thanked Town staff for a job well done - before, during, and after Hurricane Irene. The Town is currently in the storm debris pickup stage via a contract with RPC Contracting.

18. Town Manager - Saturday, September 24th is the 25th annual Big Sweep to clean the beach. Additional information may be found at the Outer Banks Surfrider website.

19. Comr. Sadler - In response to Comr. Sadler, Town Manager Ogburn explained that Hurricane Irene storm debris will be deposited in various locations; Public Works Director Dave

Clark reported that some of the debris will be deposited in the landfill at Stumpy Point with the ultimate location being the Bertie County landfill.

20. Comr. Cahoon - Comr. Cahoon thanked Town staff for their efforts related to Hurricane Irene and she thanked those outside cleaning up debris in the current mosquito conditions.

21. Comr. Sadler - Comr. Sadler thanked Town staff for their efforts related to Hurricane Irene. She pointed out that Dare County is scheduled to aerial spray for mosquitoes; Public Works Director Dave Clark noted that wherever Sound water went, there is now mosquito hatching.

22. Comr. Sadler - Comr. Sadler confirmed with Town Manager Ogburn that any homeowner that has experienced damage to their property, street, etc. due to the contractor working on the Beach Nourishment Project is to contact either Town Manager Ogburn or PIO Roberta Thuman.

23. Comr. Sadler - Comr. Sadler confirmed with Town Manager Ogburn that if a property owner's area has beach nourishment, sand fencing can be installed. Town Manager Ogburn stated that certain areas in Reach 3 are already scheduled to receive sand fencing.

24. Comr. Sadler – Comr. Sadler received Board consensus to allow Planning Board members to use the laptops currently being used by the Board of Commissioners during Board meetings.

25. Mayor Oakes - Mayor Oakes encouraged everyone to install sand fence.

26. Mayor Oakes – Mayor Oakes asked that everyone keep those recovering from Hurricane Irene in their thoughts.

27. Mayor Oakes - Mayor Oakes invited Jim Selckmann of Pond Island to speak; Mr. Selckmann said that the current mosquito problem is a public health/safety issue for the entire community; he asked the Town to coordinate addressing the problem with county/federal agencies.

Mr. Selckmann stated that his home on Pond Island has experienced erosion because of the rocks placed next to his property by the Town years ago; he would like to prevent additional damage and asked that someone from the Town get back to him; Mayor Oakes told Mr. Selckmann to speak with Town Manager Ogburn concerning his issues.

28. Closed Session – The Board passed a motion to enter Closed Session for a detailed update from the Town Attorney on ongoing litigation re: Sansotta and condemnation cases – and real property acquisition- The time was 11:28 a.m.

29. Open Session - The Board re-entered Open Session at 12:04 p.m. Attorney Leidy reported that during Closed Session the Board discussed the status of the Sansotta I and II litigation as well as pending condemnation actions. No actions were taken during Closed Session and no real property acquisitions were discussed.

30. Adjournment - Mayor Oakes recessed the meeting to a mid-month Board meeting on September 21, 2011 at 7:30 p.m. in the Board Room. The time was 12:05 p.m.