



**TOWN OF NAGS HEAD
BOC ACTIONS
Wednesday, December 5, 2018**

1. Call to order – Mayor Cahoon called the meeting to order at 9:00 a.m. A moment of silence was held on this Day of Mourning for the recent passing of President George H. W. Bush.
2. Agenda – The Board adopted the December 5th agenda with the removal of agenda item #8 re: the reimbursement resolution for advanced money used for the Doug Remaley Fire Station 16 HVAC renovations – for discussion.
3. Public Comment – David Pergerson – Carolina Designs Realty – he thanked the committee that worked on the Beach Tent ordinance and spoke in favor of the proposal to be discussed later in the meeting.
4. Recognition

Presentation - Interim Fire Chief Shane Hite introduced Nags Head firefighters and Dare County EMS personnel who saved the life of a toddler who almost died after drowning in a rental house pool on the morning of August 9, 2018. The Board adopted the resolution requesting stronger legislation for rental home swimming pool safety to be forwarded to legislators.

Presentation – Dare County Motorcycle Toy Run – Terry Gray spoke of this year’s Motorcycle Toy Run event which raised just under \$32,000 to help children in Dare County. Mr. Gray provided a brief background on the 501(c)3 organization which has partnered with the First Flight Society and which this year won the Governor’s Award of Excellence for Volunteerism.

Presentation – The Carolinas Regional Adaptation Leadership Award plaque was presented to Planner Holly White recognizing her as a leader in the climate change adaptation field.

New Employees – The following new employees were welcomed by the Board to Town employment:

- Facilities Maintenance Technician Preston Twiddy
- Water Service Technician Seth Gray
- Engineering Technician Kate Jones
- Firefighter/EMT Trever Tilley

Five Years - Police Officer/Animal Control Officer Jimmy Pierce was recognized for five years of service.

Fifteen Years - Water Plant Superintendent Nancy Carawan was recognized for fifteen years of service.

Retirement - Fire Chief Kevin Zorc was recognized by the Board with a plaque for his recent retirement from the Town and thanked for his 34 years of service.

Earl Murray Jr Employee of the Year Presentation - On behalf of the Board, Mayor Cahoon recognized all the 2018 Earl Murray, Jr. Employee of the Year Award nominees: Police Department, Ben Jadoff; Fire Department, Tanner Mann; Administrative Services, Kim Blankenburg; Public Works Department, Karen Heagy; Planning & Development, Ed Snyder; and announced this year’s award winner – Administrative Services, Kim Blankenburg.

5. Consent Agenda - The Consent Agenda consisted of the following items:
 - Consideration of Budget Adjustment #6 to FY 18/19 Budget
 - Consideration of Tax Adjustment Report

- Approval of minutes
- Consideration of lease/purchase financing resolution FY 18/19 vehicles & equipment
- Consideration of resolution authorizing the waiver of building permit fees relating to Hurricane Michael
- Consideration of amendment to Government Education Access Channel Interlocal Agreement

- Request for Public Hearing to consider a resolution authorizing Installment Purchase Contract to finance the Doug Remaley Fire Station 16 HVAC renovations and Stormwater Construction Projects.

- Consideration of reimbursement resolution for the Doug Remaley Fire Station 16 HVAC renovations

- Request for Public Hearing to consider a zoning ordinance text amendment to allow docking facilities with transient boat slips in the Commercial-Outdoor Recreational Uses Overlay Zoning District

- Consideration of US Dept of Justice (NC Governor's Crime Commission) Grant compliance

The Board approved the Consent Agenda as amended [with the previous removal of agenda item #E-8]. It was clarified that the amended motion is to include the removal, for further discussion, of both agenda items #E-7 (Request for Public Hearing for financing of Fire Station HVAC renovations and stormwater projects) and #E-8 (Consideration of resolution to reimburse the Town for advanced funds used for the HVAC renovations).

6. Public Hearing – to consider changes to Town Code Chapter 34 Stormwater Ordinance pertaining to simplified stormwater management applications – The Board adopted the ordinance as presented.

7. Public Hearing – to consider changes to Town Code Sec 48-371 Commercial Design Standards in response to recommendations from the FOCUS Technical Committee to allow for a modified process and design standards pertaining to commercial structures. The Board adopted the ordinance as presented.

8. Project updates – FOCUS Technical Committee – Planner Holly White provided an update on the FOCUS Technical Committee UDO which is scheduled to be distributed to Board members on December 18th. Mayor Cahoon added to the Retreat agenda a discussion of the draft FOCUS UDO document.

9. Project updates – Stormwater Projects – Town Engineer David Ryan reported on the status of the Capital Improvement Drainage Projects: the three (3) projects were advertised for bid last week and a pre-bid meeting is scheduled for next week with bids scheduled for opening on December 20, 2018. The projects are: Gallery Row, Nags Head Acres, and the Village at Nags Head.

10. From November 7th Board meeting – Proposed ordinance re: tents on the beach - a beach equipment definition and the 50' non-tent open area around lifeguard stands were added to the ordinance.

The Board adopted the beach equipment ordinance as presented. The motion passed 4 – 1 with Mayor Pro Tem Walters casting the NO vote. It was noted that when someone applies for a crowd gathering permit, staff needs to emphasize that tents strung together to form a “wall” is not allowed.

11. Consent agenda items #E-7 and #E-8 – removed for discussion – Item #E-7 concerned the Request for Public Hearing for financing of Fire Station HVAC renovations and stormwater projects – and #E-8 concerned a resolution to reimburse the Town for advanced funds used for the HVAC renovations.

The Board approved agenda item #E-7 as presented. The Board approved agenda item #E-8 as presented with Comr. Renée Cahoon casting the NO vote. Staff was asked to widen the scope for advertising for projects – in order to reach a broader audience.

- 12.** Committee reports – Comr. Renée Cahoon reported that a manager has been hired for the Government Education Channel; Skip Wallace has been promoted which leaves an assistant opening.
- 13.** Budget Ordinance modification – The Board adopted the amendment to authorize the Town Manager to approve amendments to contracts, up to \$50,000, as presented.
- 14.** Attorney Robert Hobbs – Attorney Hobbs reported that he has been working with the Town Engineer in support of the Town’s ongoing stormwater drainage projects.
- 15.** Town Manager Ogburn - Public Information Officer Roberta Thuman presented an update on the upcoming 2019 Beach Nourishment Project which was well received.
- 16.** Town Manager Ogburn – At 12:40 p.m. the Board entered Closed Session to consider the acquisition of real property located at 2620 Bridge Lane and at 205 Cutty Sark Lane in accordance with GS 143-318.11(a)(5) – the Board re-entered Open Session at 1:28 p.m. Attorney Robert Hobbs reported that no action was taken by the Board re: Bridge Lane and direction was given to him to further negotiate the terms of the purchase of the Cutty Sark Lane property.
- 17.** Recess - The Board recessed for lunch at 1:30 p.m. and reconvened at 2:34 p.m.
- 18.** Comr. Fuller – Allowable items in areas outside of building setback such as tents, signage, and equipment storage were discussed.

Dep Town Manager Garman summarized the issue and the Local Business Committee discussions on this issue. Board members felt it was not a major problem at this time – Mayor Cahoon placed this for further discussion on the January 2019 Retreat agenda to include: what does the Board have in mind for what the Town should look like – what is an acceptable level of items to be left out in this setback/open area? Mayor Cahoon asked Dep Town Manager Andy Garman to email the presentation provided previously to the Planning Board, which includes overhead images, to Board members.
- 19.** Mayor Cahoon – Mayor Cahoon invited Board members to add to the proposed January 2019 Retreat Agenda. Already added was Town appearance with the slides prepared by Planning – and discussion of the FOCUS UDO document. Also added were Beach Nourishment tax districts.
- 20.** Mayor Cahoon - The 2019 Board of Commissioners meeting calendar was approved as presented – keeping the January 2nd Board meeting date. In addition, because of the upcoming holidays, staff was directed to provide the January 2nd agenda/backup materials to them no later than Friday, December 21st.
- 21.** Mayor Cahoon – It was Board consensus that the letter in opposition to seismic testing prepared by Mayor Cahoon and Dare County Chair Woodard be forwarded to State and Federal representatives.
- 22.** Mayor Cahoon – Employee appreciation - It was Board consensus to approve gift cards for all employees in the amount of \$100.
- 23.** Town Manager Ogburn – The Board approved the Budget Transfer from appropriated fund balance to Nags Head Leasing and the Interfund Loan Agreement as presented.
- 24.** Adjournment - The Board adjourned to a Recycling Workshop. The time was 3:10 p.m.