



**TOWN OF NAGS HEAD
BOC ACTIONS
March 17, 2010**

1. Call to order - Mayor Oakes called the meeting to order at 7:30 p.m.
 2. Agenda - The Board passed a motion to adopt the March 17th agenda as amended – with removal of item #3 – Request from Wellness Committee for day off w/pay for Biggest Loser weight loss winner.
 3. Audience response - No one spoke during Audience Response.
 4. Consent - The Board passed a motion to approve the Consent Agenda as presented (item #3 re: Wellness Committee request was removed). The Consent Agenda consisted of the following: Second reading - Traffic Control Map ordinance for beach access hours for night fishing Sep - Feb.
 5. Public Hearing - to consider text amendment to allow residential cluster housing (initiated at March 3rd Board meeting) - The Board passed a motion to adopt the ordinance to allow residential cluster housing as a permitted use (deleting the conditional use requirement) to include the Planning Board's recommendation.
 6. Public Hearing - to consider text amendment to allow rooftop wind energy facilities in residential zoning districts (initiated at the March 3rd Board meeting) - The Board passed a motion to adopt the ordinance, adding the requirement that wind turbines be commercially-manufactured.
 7. Village identification sign - Public Hearing held at March 3rd BOC meeting; the Board passed a motion to recuse Mayor Oakes from participation in this item - as president of Village Realty, the applicant Courtney Fowler is his employee.
- It was Board consensus that staff bring back for Board consideration the Town Code text amendment concerning signage in the Village that would allow a modified version of the signage requested by Mr. Argaman in 2009. Mr. Wilson explained that the Town still requires evidence of Village architectural committee approval.
- It was Board consensus that staff meet with the Village HOA requesting that they streamline their signage covenants to the Town Code of Ordinances – rather than the Town streamlining the Town Code of Ordinances to the Village signage covenants.
8. Building mounted antenna - Public Hearing held at March 3rd BOC meeting; the Board passed a motion to deny the applicant's zoning ordinance text amendment proposal concerning building mounted antennas. The motion passed 3 - 1 (Mayor Oakes cast the NO vote/Comr. Sadler was not present.).
 9. NH Pond speed limit- this item was withdrawn by the NH Pond Homeowners Association.
 10. Resolution - the Board passed a motion to adopt the resolution which opposes naming Cape Hatteras National Seashore as a National Marine Protected Area as presented.
 11. TM Ogburn - The Board passed a motion to authorize staff to apply for the fire assistance grant from the Dept of Commerce, for the purchase of six (6) hand-held radios for use with the 800 MHZ system.

- 12.** Comr. Cahoon - Comr. Cahoon stated that the Town will soon be going through its budget process; she recently received news that health insurance premiums for her business would be increased 35% for the upcoming year.
- 13.** Comr. Cahoon - It was Board consensus that Town Manager Ogburn speak with CSE consultant Tim Kana to arrange an informal question/answer session on beach nourishment for late March/first week in April. Dare County and local Town officials are to be invited.
- 14.** Mayor Oakes - The Beach Plan and Beach Road Committees met recently and both were well attended. Minutes were forwarded to all committee members as well as the Board of Commissioners.
- 15.** Mayor Oakes - Mayor Oakes reported that at the recent Shoreline Commission meeting both Nags Head and Kill Devil Hills beach nourishment proposals were discussed.
- 16.** Mayor Oakes - It was Board consensus to authorize Mayor Oakes to contact the Dare County Health Dept to pursue modification of the State regulations to not allow septic tanks to be installed on the beach - east of the vegetation line.
- 17.** Mayor Oakes - Mayor Oakes expressed concern over the return of the purple martins; he is concerned that the wind turbines may drive the birds away.
- 18.** Mayor Oakes - Mayor Oakes stated that he would like to see the Town permitting the larger wind turbines - the difference in power generated is from 4% to 40% from the small to the larger turbines. It was Board consensus that staff research the possibility of permitting the large wind turbines in the Town – to allow for significantly more power to be generated. Fall zones for the turbines were also discussed.
- 19.** Adjournment - Mayor Oakes adjourned the Board of Commissioners meeting at 8:54 p.m.