



**TOWN OF NAGS HEAD
BOC ACTIONS
September 1, 2010**

1. Call to order - Mayor Oakes called the meeting to order at 9:00 a.m. Rev. Rick Lawrenson provided the prayer followed by the Pledge of Allegiance.
2. Mayor Oakes – Updates provided:
 - Comr. Remaley was attending a Hurricane Earl meeting as DC Fire Marshal and would be in later.
 - Comr. Sadler was out of Town and would not be in attendance.
 - Mayor Oakes praised staff for looking into grants opportunities as noted in Consent Agenda.
 - Mayor Oakes emphasized that the Town has not discussed restricting anyone's access to the beach. The Town of Oak Island turtle habitat was included in their funding for a beach nourishment project.
 - Mayor Oakes reported that funding for special assessment mailings would not be provided by the Town.
3. Agenda – The Board approved the September 1st agenda as presented.
4. Audience Response – Sarah Downing and Susie Walters – spoke representing the Town's 50th Birthday Committee and provided an update on events; they encouraged others interested in serving on the Committee to contact chair John Ratzenberger.
5. NC Aquarium Society – NC Aquarium Director David Griffin introduced Aquarium officials; Pier Manager Mike Remige provided an update on the Jennette's Pier Project construction.
6. Comr. Remaley - Comr. Remaley arrived at 9:13 a.m.
7. Recognition - Police Chief Brinkley introduced Police Officer Vince Hopson who was recognized by the Board for completion of the Traffic Enforcement and Investigation Certificate Program.
8. Consent Agenda – The Consent Agenda was approved as presented:
 - Consideration of Budget Adjustment #2 to FY 10/11 Budget Ordinance
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Exemption from Formal Bid process – Purchase of 800 MHZ Radios for Public Safety
 - Request for Town to submit Walmart Community Contribution form on behalf of Shop With A Cop Pgm
 - Request for Town to submit DCTB grant application on behalf of Kelly's St. Patrick's Day Parade
 - Request to apply for SAFER Grant for recruitment and retention of reserve firefighters

9. Vehicles For Hire – The proposed Vehicles For Hire Ordinance was adopted as amended with an effective date of 2, 2010.
10. Segway ordinance – The Board tabled discussion/vote on the ordinance prohibiting the use of segways on the Town’s multi-use paths until the first meeting in October 2010.
11. The Board denied Harold R. Powers’ appeal of his taxi-cab driver application denial.
12. Town Attorney - Requested a Closed Session to update the Board on nuisance structure litigation/issues.
13. Town Manager - Town Manager Ogburn summarized the recent report from Coastal Science and Engineering (CS&E) Tim Kana and said that the federal permit for the beach nourishment project is now in the Division Engineer’s hands to review/approve. A decision is expected to be issued within the next few weeks.
14. Town Manager – The Town Clerk is preparing an RFP for the Beach Nourishment Project benthic monitoring process which will then be reviewed by the Town Attorney.
15. Town Manager – The Board gave Town Manager Ogburn the authority to renew the Coastal Science & Engineering contract on a month-to-month basis.
16. Town Manager – The Board authorized acceptance of the Budnik property, if offered to the Town.
17. Town Manager - Discussion with NC Dominion Power and NPS has taken place concerning an upcoming clearing project in South Nags Head and notification of the property owners.
18. Town Manager – Town Manager Ogburn reported that the Town’s occupancy tax share for July 2010 was up 16.20% over July 2009.
19. Town Manager - Town Manager Ogburn reported that Town staff met yesterday to confirm preparations for Hurricane Earl.
20. Comr. Remaley - Comr. Remaley said that he has been directly involved in several cases during a very busy ocean rescue season; he commented on the outstanding job Public Safety has done. He also mentioned the great job done by the Fire Dept Chaplain.
21. Mayor Oakes – Due to Hurricane Earl, Mayor Oakes may not be attending the September 2nd CRC conference on sandbags; it was noted that the conference may be postponed due to the hurricane.
22. Mayor Oakes – The Board initiated the zoning ordinance amendment process allowing pervious concrete instead of turfstone in zoning districts in addition to the C-2 District where it is currently allowed.
23. Closed Session – The Board entered Closed Session to confer with the Town Attorney concerning nuisance structure litigation/concerns. The time was 10:07 a.m.
24. Open Session - The Board re-entered Open Session at 10:46 a.m. Attorney Leidy reported that nuisance structure litigation/concerns were discussed and he received direction from the Board – no action was taken during Closed Session.
25. Adjournment – Mayor Oakes recessed the Board meeting to a mid-month meeting on Wednesday, September 15, 2010 at 7:30 p.m. The time was 10:47 a.m.