



**TOWN OF NAGS HEAD
BOC ACTIONS
Thursday - July 5, 2018**

1. Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m.
2. Agenda – The Board adopted the July 5th agenda as presented.
3. Recognition

Dep Fire Chief Shane Hite introduced new firefighter/EMT Tyree Hughes who was welcomed to Town employment.

Finance Officer Amy Miller introduced Dep Finance Officer Kim Blankenburg who was recognized for five years of service.

Fire Chief Kevin Zorc introduced Dep Fire Chief/Safety Officer Shane Hite who was recognized for fifteen years of service.

Police Chief Kevin Brinkley summarized details of National Night Out which is scheduled for Tuesday, August 7, 2018 at the Ark Church from 5 to 7 pm. The Board adopted the Proclamation declaring National Night Out as presented.

4. Town Manager Ogburn – He expressed his appreciation to Public Safety and Fire/Police personnel in addition to Public Works staff for their work on a successful Fourth of July Fireworks event.

5. Consent Agenda - Mayor Cahoon requested two corrections to the Board minutes:

- June 11th Budget Workshop – Modify sentence on first page to read: “Board members discussed their interest with completion of Dowdy Park in moving forward with neighborhood multi-use path connectivity.”

- June 20th Recessed Session – Modify sentence on last page under Mayor’s Agenda re: offshore oil drilling to read: “He noted that we have been fighting against it for the past 20 years and he will continue to fight.”

The Consent Agenda was approved as presented with the minutes as amended and consisted of the following items:

- Budget Adjustment #1 to FY 18/19 Budget
- Tax Adjustment Report
- Approval of minutes
- Modification to Use of Dowdy Park Policy
- Two financing reimbursement resolutions for FY 18/19
- Request for Public Hearing – conditional use/site plan review for 6 dwelling cottage court with pool
- Request for Public Hearing – conditional use/site plan review for 4,258 sq. ft. indoor assembly area
- Request for Public Hearing – zoning amend to allow second freestanding sign for shopping centers

6. Public Hearing – to consider a Conditional Use Application submitted by Thomas and Patricia Bonday to construct a private dock – The Board approved their request for a private dock on Lot 8 of the Lone Cedar Village Subdivision as presented with the required findings of fact.

7. Public Hearing – to consider zoning ordinance text amendments pertaining to the regulation of Small Wireless Facilities. Board members expressed the following concerns:

- Does state law allow the town to require a non-exclusive franchise fee?
- Years ago the town was not permitted to install bollards on the poles – Can the town now install bollards on the pole structures?
- Placement on the poles and possible interference with the Town’s multi-use paths
- Timing – Emphasis on no activity on the multi-use paths during the summer season

The Board passed a motion to table the Small Wireless Facilities regulation ordinance to a future meeting after obtaining answers concerning what can and cannot be done on the pole structures. Answers from either the attorney or the manager are to be brought back from Virginia Power in written form.

8. Chapter 44 Utilities - System Development Fee Analysis ordinance amendments – The Board adopted the ordinance as presented. In addition, staff was directed to obtain information concerning how the Town of Kill Devil Hills attained their System Development Fee Analysis whose results allow them to retain most of their water impact fees.

9. Closed Session - It was Board consensus that the request for Closed Session from Attorney Leidy to discuss the Richardson litigation be moved to the end of the meeting.

10. Comr. Renée Cahoon – Board members concurred that the amount of \$50 for a parking ticket on the multi-use path does not deter anyone from illegal parking and that the cost needs to be reconsidered.

11. Mayor Pro Tem Walters - Mayor Pro Tem Walters thanked Police, Fire, and Public Works staff for last night’s fireworks presentation. She especially wanted to thank Andy and Lovie McCann for the use of their Nags Head Fishing Pier.

12. Comr. Fuller - Comr. Fuller spoke in favor of Comr. Renée Cahoon’s comments on the need to revisit ticket charges for illegal multi-use path parking and expressed his appreciation for Andy and Lovie McCann’s use of their pier for the Town’s fireworks display.

13. Comr. Fuller - It was Board consensus to agree to Comr. Fuller’s request that staff provide two proposed ordinances concerning tents on the beach (one to limit signage on tents on the beach to 144 square inches and only be allowed on two sides of the tent with an effective date of Jan 1, 2019) and one that would only allow tents on the beach with no signage) for consideration at the Aug 1st Board meeting.

14. Comr. Fuller - Comr. Fuller asked if information concerning the proposed water rate increase and the reason for it is provided in advance to the public. He felt it would be a good idea to get in front of the issue. Town Manager Ogburn said that he would be notifying those on the list of top water users in the Town and would make sure information is included on the Town’s web site and social media pages.

15. Closed Session - The Board entered Closed Session to discuss Richardson litigation as well as other Beach Nourishment Project easement condemnation cases. The time was 10:20 a.m.

16. Open Session – The Board re-entered Open Session at 11:12 a.m.

17. Adjournment – After a break, the Board adjourned to a Comprehensive Plan into Unified Development Ordinance (UDO) Workshop at 11:40 a.m.