



BOC ACTIONS
WEDNESDAY, MARCH 14, 2018

1. Call to order - Mayor Cahoon called the meeting to order at 9 am – he thanked Board members for their flexibility in moving the Board meeting from last week so he could travel to Washington DC.
2. Agenda – The Board approved the March 14th agenda as presented.
3. Recognition - Police Chief Brinkley introduced Police Officer First Class David (Shane) Allen who recently completed the School Resource Officer Certificate Program and was congratulated by the Board.

Fire Chief Zorc introduced Master Firefighter Cody McKinney who received a Bachelor of Science in Health Promotion from Appalachian State University and was congratulated by the Board.

4. Presentation - National Parks of Eastern North Carolina - David E. Hallac, Superintendent Superintendent Hallac provided a 2017 Year In Review for the three National Park units: Cape Hatteras National Seashore, Wright Brothers National Memorial, and Fort Raleigh National Historic Site.

5. Presentation - Outer Banks Children at Play Museum – Robin L. Holton, Executive Director Director Robin Holton provided a summary of the Children at Play Museum organization and the many things it does for children/families of the Outer Banks. She asked the Board of Commissioners for any amount of sponsorship possible. Mayor Cahoon thanked Ms. Holton for her work for the organization and especially for the organization's work with special needs children.

6. Public Comment – Perry White, Nags Head resident, spoke on behalf of the League of Women Voters and provided copies of the 2018 Citizens Guide to Board members; he summarized the commitment of the organization to the community's voters.

7. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Consideration of Budget Adjustment #9 to FY 17/18 Budget

Consideration of Tax Adjustment Report

Consideration of Tax Delinquent List to be advertised

Approval of minutes

Adoption of consensus items from January 18-19, 2018 Board Retreat

Consideration of Tax Exempt Reimbursement resolution re: FEMA Beach Nourishment Restoration Project

Request to apply for FEMA Fire Prevention and Safety Grant Program

Request for Public Hearing - zoning amendments in R-2 District as relates to paper streets and setbacks

Update to Fixed Asset Policy

Consideration of Offer To Purchase And Contract

8. Public Hearing – to consider a Conditional Use/Site Plan Application submitted by Outer Banks Hotel, LLC to construct a 6-unit, 24-bedroom Cottage Court upon the property located at 7222 S. Virginia Dare Trail – The Board passed a motion to recuse Mayor Cahoon from this discussion as his firm (Cahoon & Kasten) worked on the project. The Board discussed its concerns about pool discharge and its affect on adjoining properties and the congestion of a hotel, retail, and restaurant in one area. The Board then

passed a motion to approve the conditional use/site plan application as presented - with the required three findings of fact and with the addition of right-in, right-out signage.

9. Public Hearing - to consider amendments to the Town Code as it pertains to a lot coverage exemption for shared driveways and stormwater management – The Board passed a motion to adopt the lot coverage exemption ordinance as presented.

10. Project Update – FOCUS Nags Head Technical Committee – Unified Development Ordinance (UDO) – Planner Holly White summarized her monthly report for Board members.

11. Town Manager Ogburn – Landscaping/buffering - Town Manager Ogburn asked for Board direction to the Planning Board and to staff concerning landscaping/buffering. It was Board consensus that staff/Planning Board maintain a priority list of sites not in compliance with the current landscaping/buffering ordinance and to work with those most out of compliance to get the sites into compliance as much as possible without going back to what was originally in place.

12. Request for Closed Session - The Board passed a motion to enter Closed Session to receive confidential information to consider the appeal of a taxicab driver denial - The time was 10:40 a.m.

13. Open Session – The Board re-entered Open Session at 10:48 a.m. The Board passed a motion to uphold the denial by Police Chief Brinkley of Elizabeth Cullipher's taxicab driver application.

14. Comr. Siers – Stormwater Committee – Comr. Siers attended the Monday, March 12th Stormwater Committee meeting; costs for the proposed stormwater projects are expected to be received from the consultant for discussion during the CIP Workshop on Friday, March 16th.

15. Comr. Renee Cahoon – Government and Education Access Channels Committee – she reported being unable to attend a committee meeting earlier this year due to attending a Board meeting and, in her absence, she was appointed chair of that committee.

16. Gull Street Century Link building – The Board passed a motion to approve the new ground lease agreement with Century Link for the lease of the Gull Street building as presented.

17. Town Auditor – The Board passed a motion to approve Teresa Osborne, CPA, of Dowdy & Osborne, LLP as Town Auditor for FY 17/18 through FY 19/20 as requested.

18. Septic Loan Policy – The Board passed a motion to approve the changes to the Septic Loan Policy as presented.

19. Comr. Siers – The Board passed a motion to excuse Comr. Siers from the remainder of the meeting.

20. Arts and Culture Committee – Dep Planning Director/Zoning Administrator Kelly Wyatt provided a brief summary of the Town Arts and Culture Committee whose members were appointed by the Board in 2016. Presenting an update to the Board were Peggy Saporito, Kerry Oaksmith-Sanders, and Leslie Ericson. Board members spoke in favor of the presentation and the ideas presented; It was Board consensus that staff move forward with the request for a part-time seasonal person to assist with the Farmer's Market at Dowdy Park as requested.

21. Town Hall generator – It was Board consensus that after the bid process (utilizing both natural gas and diesel fuel) for the generator replacement, the results be returned to the Board for consideration.

- 22.** Town Manager Ogburn – CIP Workshop Friday, March 16th - Town Manager Ogburn stated that he has several sheets to be added to the Board's CIP notebooks pertaining to Stormwater Project Conceptual Designs and 800 MHz Radio.
- 23.** Town Manager Ogburn – Sanitation/Recycling - Town Manager Ogburn presented a verbal update on the status of sanitation/recycling pickup – a full report/presentation is scheduled to be provided at an upcoming budget workshop to include the planned process for switching from side load to front load dumpster pickup. Included in his report will be information pertaining to rental house bedrooms/number of carts and confirmation that current rules for number of required carts are adequate.
- 24.** Town Manager Ogburn – Little Bridge - It was Board consensus to approve the funds from Powell Bill line item for the NCDOT Wireless Bollard Activation System for installation at the Little Bridge pedestrian crossing as requested.
- 25.** Town Manager Ogburn – Beach Nourishment - Town Manager Ogburn reported that bids for the 2018 Beach Nourishment Project will be opened tomorrow, March 15th at 2 pm; the Town has received the required CAMA Permit but does not yet have the Army Corps of Engineers (ACOE) permit. Town Engineer David Ryan stated that the consultant, CS&E, has a high level of confidence that at least four bids will be received; the ACOE has informed him that the Town should receive the permit the first of next week; a report will be provided to the Board at the April Board meeting for further direction.
- 26.** Town Manager Ogburn – Coyotes - Police Chief Brinkley provided an update on coyote trapping – 17 coyotes have been trapped by the Town's hired licensed trapper during the recent season which ended the end of February.
- 27.** Town Manager Ogburn – Waiver of building permit fees – The Board passed a motion to adopt the resolution authorizing the waiver of building permit fees after the recent Winter Storm Riley as presented.
- 28.** Comr. Renee Cahoon – The Board passed a motion to approve the 2018-2019 Government and Education Access Channels Committee budget as presented.
- 29.** Comr. Renee Cahoon – The Board passed a motion to adopt the resolution opposing the action taken by the Marine Fisheries Commission concerning commercial fishing definition as presented.
- 30.** Comr. Fuller – Facility Fees – Comr. Fuller reported that there is a draft bill in the Senate that would repeal facility fees in Dare County; Town Manager Ogburn stated that a meeting with Sen. Cook is being scheduled to work with him on this issue.
- 31.** Comr. Fuller – Tents with signage – It was Board consensus that Attorney Leidy provide an update to include a recommendation after further research on the issue of the regulation of tents with signage on the beach – for discussion/consideration at the April 4th Board of Commissioners meeting.
- 32.** Mayor Cahoon – Town Boards/Committees - Scheduled for the April 4th Board agenda are the appointment/reappointment to the Planning Board for a member whose term expired this month, and an appointment to the Arts and Culture Committee to replace Mayor Cahoon due to his election to the Board.
- 33.** Mayor Cahoon – Offshore oil drilling - Mayor Cahoon briefly summarized his Washington, DC trip to meet with legislatives in opposition to offshore oil drilling – in his group were persons with very different world views and who used different reasoning to get to the same point - this was reinforcement that he and the group were in the right place.
- 34.** Adjournment - The Board passed a motion to adjourn. The time was 12:28 p.m.