



**BOC ACTIONS
WEDNESDAY, JUNE 7, 2017**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda adoption – The Board adopted the June 7th agenda as presented.
3. 2017 Lifeguards – Each lifeguard introduced themselves; Board members wished Ocean Rescue Captain Chad Motz and the 2017 lifeguards well this season.
4. Recognition - Public Works Director Ralph Barile introduced new employees Water Service Technician Dustin Buchanan and Facility Maintenance Technician Kris Hoffman.

Dep Planning Director Kelly Wyatt introduced Planning Administrative Assistant Kim Thompson who was recognized by the Board for fifteen years of service.

Public Works Director Ralph Barile introduced Facilities Maintenance Custodian Robin Taylor who was recognized by the Board for twenty years of service.

5. Firemen's Relief Fund - Chair Bob Muller summarized the history of the Firemen's Relief Fund and its purpose; he explained how the Board of Trustees invest the monies and how the funds are used; he thanked the Board for its support over the years and for the opportunity to provide this overview. The Board thanked Chair Muller and the Relief Fund Board of Trustees for the good work they do.

6. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
Budget Adjustment #10 to FY 16/17 Budget
Tax Adjustment Report
Approval of Minutes
Request for extension of storm debris monitoring / removal contracts
Public Hearing Request for text amendment from Mighty Wind Methodist Church to list "Community Garden"

7. Public Hearing – to consider citizen comment on the town manager's proposed FY 2017-2018 recommended operating budget and FY 2018-2019 financial plan, as well as the proposed CIP requests for FY 2017-2018 through FY 2021-2022 and updated Fee Schedule; Town Manager Ogburn presented a summary.

Bob Oakes, former Mayor and Nags Head resident; implementation of the Municipal Services District and the continuing costs are his main concern; he would rather the work be done and then provide the true cost.

Mayor Edwards noted that action by the Board will be taken on the upcoming budgets at the June 21st mid-month meeting.

8. Public Hearing – to consider a zoning ordinance amendment to the Town Code in C-2, General Commercial Zoning District to add the following uses: life coaching, hypnosis, metaphysical wellness services including energy healing, and intuitive readings such as psychic, tarot and oracle card readings - The Board adopted the conditional use ordinance adding the requested uses with the following changes:

- Delete the sentence from Section 48-407(c)(33) (r) (2) (ii) which begins: "In addition, each application" and ends: "or state laws or regulations."

- Delete "which shall be final" from Section 48-407(c)(33) (r) (2) (iv) from the following sentence: "Within a reasonable time after the hearing, the Chief of Police, or his designee, shall render his decision which shall be final."

9. Project Update – FOCUS Nags Head - Presentation was by Dale Holland of Holland Consulting Planners regarding the Scope, Schedule and Citizen Participation Plan for the Code Revision Portion of the FOCUS Nags Head Project - The Board endorsed the scope, schedule, and Citizen Participation Plan schedule as presented.

10. Project Update – Sea Level Rise - Planner Holly White provided an update - Comr. Ratzenberger asked to be kept posted as to the timeline of the VCAPS Study/revisions as he will be using it for his upcoming Shoreline Management Committee discussions.

11. Project Update – NFIP/Flood Mapping – Planner Holly White reported that she and the Lenoir County EMS Director were asked to speak on their respective NFIP/flood maps and their importance to the local community – she spoke briefly with US Senate Finance Banking Committee staff. Town Manager Ogburn said that staff will provide additional information re: flood map appeal process at the July Board meeting.

12. Project Update – NC Sea Grant/NOAA Case Study – Planner Holly White explained that Nags Head has been asked by NC Sea Grant and NOAA to participate in a case study for its work on sea level rise and coastal resiliency on the NOAA climate study tool kit. She explained that right now, Nags Head is an editor with NOAA doing most of the paperwork on the project. Because of the current staff workload, before providing formal approval, the Board directed staff to obtain additional information on what is required of staff to participate - for Board consideration at the June mid-month meeting.

13. Report from Planning Board – Chair Mark Cornwell summarized the May 16th Planning Board action items: they welcomed new member David Elder; they reviewed the request from the Mighty Wind Methodist Church for a Community Garden and recommended it as a conditional use. Staff was asked to review water-dependent docking facility definitions – this includes a new commercial pier definition. Staff is to return with an amendment at the next Planning Board meeting.

14. Committee Reports

Mayor Pro Tem Walters - Dare County Tourism Board (DCTB) – She reported that the Restricted Fund is frozen until more is known as to what actions the legislature is going to take, specifically House Bill 531.

Mayor Pro Tem Walters – Jennette’s Pier Advisory Committee – She noted that the Executive Director position is still in the proposed State budget to be eliminated.

Comr. Ratzenberger – Albemarle Rural Planning Organization (ARPO) will be meeting soon and project prioritizations will be discussed.

Mayor Edwards – Peak Nursing Facility - Town Manager Ogburn reported that the facility is on target for June 23rd as the date of substantial completion; Board members spoke positively about the facility and the work that has been done.

15. Personnel Grievance Panel – The Board appointed Jean Flanigan to a three-year term.

16. Board of Adjustments – The Board appointed Don Milbrath to a three-year term as an alternate.

17. Firemen Relief Fund Board – The Board reappointed Annette Ratzenberger to another term on the Firemen Relief Fund Board of Trustees (Comr. Ratzenberger requested and was recused from the discussion.).

18. Closed Session – The Board entered Closed Session to discuss the Richardson litigation at 10:53 a.m. The Board re-entered Open Session at 11:24 a.m.

19. Town Manager – Fourth of July Fireworks update - Fire Chief Kevin Zorc reported on upcoming plans for the Fourth of July celebration, scheduled for July 4th at 9:25 p.m. at the Nags Head Fishing Pier.

20. FOCUS Nags Head – Public Hearing was held to receive comments on the FOCUS Nags Head Draft Comprehensive Plan - Planner Holly White presented a brief history of the Project and Dep Town Manager Andy Garman presented the Implementation and Action Matrix. The next step is to create a working matrix with the policies and actions already developed that can be periodically reviewed with the Board as a working document. Ben Cahoon, Garry Oliver, and Bob Muller provided comments.

Board members spoke very highly of the Plan and thanked everyone who worked on it - they also emphasized the importance of continuing to keep the Plan local and to not use outside influence.

21. Comr. Cahoon – House Bill 56 – The Board authorized the Mayor to write a letter to appropriate officials/legislatures opposing House Bill 56 which is entitled *Amend Environmental Laws*.

22. Comr. Cahoon – Roadway striping – Board members concurred with Comr. Cahoon that staff research an agreement with NCDOT authorizing the Town to paint/identify pedestrian walkways in the road - where there is adequate room – to assist with safety. Jennette's Pier, Gallery Row, other areas could be affected.

23. Comr. Ratzenberger – Trimming shrubbery - Comr. Ratzenberger asked that staff look at the intersection of Seachase Drive and NC 12 – east to west toward the Village Beach Club – where shrubbery on the northwest corner should be trimmed for safety. It is a dangerous corner for pedestrians/vehicles alike.

24. Adjournment - Mayor Edwards recessed the meeting to the June 21, 2017 mid-month Board meeting at 7:00 p.m. in the Board Room – when the upcoming budget will be adopted. The time was 12:15 p.m.