



**TOWN OF NAGS HEAD
BOC ACTIONS
WEDNESDAY, MARCH 1, 2017**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – the Board adopted the agenda as amended – with an additional Public Comment period during the Sanitation/Recycling agenda item.
3. Recognition – New employee - Police Chief Kevin Brinkley introduced Police Officer Eddie Mann who was welcomed by the Board to Town employment.
4. Presentations - College of the Albemarle Hospitality/Tourism Certifications – Dare County Campus Dean, Tim Sweeney, reported on a new program to train for successful careers in the tourism industry. Dean Sweeney said that he is working toward the goal of a Hospitality/Tourism Associates Degree.

First Flight High School Civics Class – Isabell Eckard, sophomore at First Flight High School along with her team: Kenan Reeder, Macy Googe, Chloe Schubert, and Ashley Forbes – presented a slideshow presentation proposing a Farmers Market at Dowdy Park – the presentation was well received.

YMCA Annual Report – Ryan Henderson, Executive Director, provided a summary of programs offered; he detailed highlights from 2016; he is proudest of the swim team which has become very popular. Comr. Ratzenberger encouraged everyone to check out the YMCA programs that are provided.

5. Public Comment – Bob Oakes, Nags Head resident; hospitality has been the economy for a long time and affects everyone; he is interested in a clean, useable bike path and efficient collection of trash; Monday mornings is the time to collect the most trash from the Beach Road and clear up the bicycle path for the week; Property managers want to work with the Town - he encouraged returning to Monday trash pick up.

Jim Selckmann, Nags Head resident; he reiterated what Mr. Oakes' stated re: trash and cited an example when his daughters were greeted with someone else's trash when they rented a high-end house last summer.

Dan Hardy, President of Joe Lamb, Jr. and Associates; he pleaded with the Board to support the property managers and change trash pick-up to Mondays.

John Juswiak, member of Recycling Committee; the committee spent hours discussing the problems and the possible solutions of trash carts; overall consensus was for the Town to modify the ordinance to hold property owners responsible to the amount of time carts can stay in the right-of-way; he urged adoption of the proposed Solid Waste Management ordinance as presented.

Meade Gwinn, resident of Village at Nags Head and president of Village Property Owners Association; one of the problems is you can't rely on renters to roll out or to bring the carts back; attach a roll-out schedule first and then pick-up; at least provide Board support for the first part to roll out trash then put financial responsibility on to the owner of that rental property.

Monica Thibodaux, Carolina Designs; this issue needs to be considered carefully – Monday makes a lot of sense for trash pickup; if the Board does make requirements pertaining to the trash issue, she hopes that a financial solution is also brought forward.

David Pergerson, Carolina Designs; as a member of the Sanitation Committee, he said that there was not a consensus – the two property managers on the committee were railroaded by a couple of the other committee members; he said that trash carts are not tracked so no one knows whose cart they have; he feels that an ordinance should not be on the books if it cannot be enforced; there will be a reduction in trash on the roadway when trash pickup is moved to Mondays.

Wilko Kelly, on behalf of the Outer Banks Association of Realtors; when visitors come here they pay an occupancy tax based on their impact on the Outer Banks community and it is used for many purposes; she asked the Board to reconsider this issue and to consider using some of that occupancy tax to resolve the trash cart problem instead of penalizing the property manager/property owner.

6. Consent Agenda – the Consent Agenda was approved as presented:
Budget Adjustment #7 to FY 16/17 Budget
Tax Adjustment Report
Tax Delinquent List to be advertised
Approval of Minutes
Consideration of updated Fixed Asset Policy
Consideration of updates to the Consolidated Fee Schedule
Request for Public Hearing – site plan to construct a seven-unit Cottage Court at 8201 SOOIR
Request for Public Hearing to consider text amendment to clarify use of the static vegetation line

7. Public Hearing to consider a conditional use/vested right/site plan amendment - the Board passed a motion to approve the conditional use/vested right/site plan amendment for the site improvements to Kitty Hawk Water Sports as presented with the following conditions: Updated approval received from the Dare County Health Department, Approval of a CAMA Major Permit received prior to any zoning or building permit issuance, and with the understanding of the three (3) required affirmative findings of fact.

8. From Feb 15th Board meeting - Shoreline Management – It was Board consensus to schedule the dates/times for the Beach Renourishment Project public informational meetings for Saturday, April 15, 2017 at 10 am and Wednesday, April 19, 2017 at 5:30 pm in the Board Room.

9. Project Updates – Dowdy Park - Town Engineer David Ryan reported on the progress of the Dowdy Park Project - he stated that the countdown has begun to the grand opening scheduled for May 13th.

FOCUS Nags Head and Sea Level Rise – Planner Holly White provided updates.

10. Planning Board – Chair Mark Cornwell reported on the February 21st meeting: the Planning Board approved a seven-unit cottage court, they are working on the prohibited uses text amendment, and they recommended adoption of a text amendment re: static vegetation line.

11. From Feb 15th Board meeting – Consideration of resolution re: FEMA Flood Maps – The Board adopted the resolution concerning the FEMA Flood Maps as amended – with “coastal model” to read “coastal models” and with “insurance premium” to read “insurance premium increases”. The resolution is to be forwarded to all legislatures.

12. From Feb 15th Board meeting - Consideration of amendments to Town Code Chapter 30 Solid Waste Management, sanitation collection schedule, and the letter to property owners:

Town Code – The Board adopted the ordinance amending Solid Waste Management Town Code Chapter 30 with additional verbiage to Sec. 30-4(g) authorizing the public works director to determine number and type of refuse receptacles needed for any situation not covered by the schedule set forth, and with a modification to Sec. 30-6(e) re: carts are to be stored in a location adjacent to a building.

Sanitation collection schedule – The Board passed a motion that the Town pick up trash on the Beach Road on Monday and Friday with recycling pick-up on Friday – and ask property management companies to have their crews roll back carts on Saturday morning - and for now to make no changes to the Nags Head Cove and Village Subdivision schedules. The motion passed 4 – 1 with Mayor Pro Tem Walters casting the NO vote.

Mayor Pro Tem Walters commented that while she fully supports trash pickup on Monday and on Friday on the Beach Road, with recycling pickup on Friday, she expressed concern about removing service from the Beach Road where the most recycling tonnage takes place, and maintaining current/additional service for the Village and Cove Subdivisions which she feels is not warranted and not fiscally responsible. She emphasized, however, that she fully supports resolving the Beach Road issues re: trash pickup as a priority at this time.

13. Lunch – The Board recessed for lunch at 12:55 p.m. and reconvened at 2:00 p.m.

14. CONTINUED - Letter to property owners – Several changes were made to the letter to property owners concerning the sanitation collection schedule and it was Board consensus that staff return the letter for final review/approval later in the Board meeting.

15. Committee Reports/Appointments/Reappointments – The Board reappointed John Mascaro / Angelina Lowe to the Board of Adjustment - and Perry White / Saundra Futrell to the Personnel Grievance Panel.

16. Comr. Cahoon – The Board approved the proposed FY 17/18 Gov-Ed Budget as presented.

17. Comr. Cahoon – Mattie Midgett Store - Comr. Cahoon reported that her advice to Dorothy Hope, one of the caretakers of the Mattie Midgett Store/Museum was to become a 501(c)(3) (non-profit) in order to obtain corporate help to purchase property and move the museum to another location.

18. Mayor Pro Tem Walters – DCTB – She reported on economic figures received for the end of calendar year 2016 to include a gross occupancy increase of 4.9% for Nags Head over the previous year – and she reported on some of the upcoming events at the Soundside Event site to include a free, live concert series on May 25th, June 1st, and June 8th. In addition, the DCTB has hired a social media advertiser.

19. Comr. Demers – Comr. Demers reported that the Albemarle Solid Waste Management Authority annual budget meeting is scheduled to take place in March – a specific date has not yet been set.

20. Comr. Cahoon – The Board recently opposed the petition that was forwarded to the Marine Fisheries Commission to designate special secondary nursery areas and reduce bycatch mortality in coastal fishing waters. The petition which was subsequently approved by Marine Fisheries is expected to severely limit shrimp trawling – with a detrimental effect on commercial fishing – Comr. Cahoon urged Board members to write to the Rules and Review Commission to protest. Town Manager Ogburn is to research this process and include the link to this Commission on the Town's web site for the public to view and take action if desired.

21. Mayor Edwards - Mayor Edwards stated that he and Town Manager Ogburn met recently with Peak Resources and reported that the building renovations appear to remain on schedule.

22. CONTINUED – Letter to property owners – The Board approved the proposed letter to property owners concerning the sanitation collection schedule as presented with two amendments re: "This practice is necessary" - and - "carts must be removed".

23. Adjournment – The Board adjourned at 2:28 p.m.