



**BOARD ACTIONS
WEDNESDAY, APRIL 6, 2016**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board passed a motion to approve the April 6th agenda as presented.
3. Recognition:
 - Officer Mark Hager was welcomed to Town employment
 - Firefighters/EMTs Matthew Swain and Cody McKinney were recognized for five years of service
 - Police K-9 Officer Matthew Huntingford was recognized for five years of employment
 - Dep Finance Officer Kim Blankenburg was recognized for her recent Finance Officer Certification
4. NOAA Proposed Expansion of Marine Sanctuaries - Mr. David Alberg, Maritime Archeologist Supervisor with NOAA provided a brief report on proposed expansion of the marine sanctuaries. Mr. Alberg invited the Board to spend an afternoon at any of the marine sanctuaries to get a more hands on view of what they do and what their vision is for the proposed expansion of the sanctuaries. Mayor Edwards said that the concern from fishing locals is any adverse effect on the fishing industry. Mayor Edwards said that he will be in touch with Mr. Alberg to set up a more detailed sit-down discussion.
5. Proclamation – The Board adopted the Proclamation declaring April 2016 as Child Abuse Prevention month.
6. Public Comment – Lucas Munn, Seagull Drive property owner; he asked the Board to decide in favor of the Seagull Drive property owners and not close Seagull Drive or at least delay until other arrangements can be made; he also expressed concern about trash pickup and emergency services.

Public Comment – Teresa Jones, Seagull Drive property owner; they rely on their property's rental income; working out access for the Seagull Drive properties would be a great opportunity to work together; she looks forward to working out a mutual agreement for the property owners and the Town.

Public Comment – Bob Oakes, Nags Head resident/property owner; 1) He expressed concern that Mondays are not a trash pick-up day for oceanside properties – it is a problem now with trash overflowing by the time it is picked up on Tuesdays; 2) He thanked the Board for suspending the nourishment tax for one year; 3) It does not make sense to keep Seagull Drive open – property owners have been informed of what could take place for a long time; 4) People have contacted his Village Realty business that they do not want to vacation in North Carolina because of the House Bill 2.

Public Comment – Elizabeth Munn, Seagull Drive property owner; she reviewed a statement on behalf of her neighbors, Jay and Donna Fohs who were not able to be in attendance; their main concern is that their rental agency has already blocked off their calendar and not allowed them to rent their house due to the road closure; many distasteful things can happen on a roadway that is closed.

Emails received will be entered into the official minutes of the meeting.

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

Consideration of Budget Adjustment #8 to FY 15/16 Budget Ordinance
Consideration of Tax Adjustment Report
Approval of Minutes
Approval of Board/Committee Policy per January 2016 Retreat
Consideration of employee health/dental insurance proposal for FY 16/17
Request for Public Hearing to consider zoning amendment re: municipally-owned recreation facilities

8. Project Update – Dowdy Park – Town Engineer David Ryan presented a Dowdy Park project update and reported that the project's planning phase has been completed – the project is made up of Planning, Design, and Construction phases. It was Board consensus to schedule a Dowdy Park review of site plans - to be forwarded to Trillium Health Services - for Friday, April 22nd at 1:30 pm.

9. Project Update – FOCUS Nags Head – Planner Holly White presented a FOCUS Nags Head project update – she is to include the project's most current calendar on the website.

10. Planning Board - Planning Board Chair Mark Cornwell provided a summary of the most recent Planning Board meeting where freestanding signage was discussed. In addition he reported that there was a vote to approve a zoning ordinance change to make Dowdy Park a permitted use in its C-2 district. The subcommittee created to review regulations for freestanding signs has made recommendations.

11. PARTF Grant for Dowdy Park Project – The Board passed a motion to authorize staff to move forward with a PARTF Grant application for Phase 2 of the Dowdy Park Project as requested.

12. Seagull Drive – The Town Attorney is looking into remedies Seagull Drive property owners can utilize/pursue on their own so that they can maintain the roadway. The Board passed a motion to adopt the Resolution of Intent to close Seagull Drive as presented. Comr. Cahoon verified that a discussion of options will be included on the Board's May 4th agenda.

13. Committee Reports

Mayor Pro Tem Walters – Dare County Tourism Board (DCTB) – Mayor Pro Tem Walters is Chair of the DCTB and she reported that several grants were approved at their March 17th meeting to include the Town's request for fireworks; \$75,000 for Nags Head Woods was approved for a Conservation Center renovation; \$8,800 grant request was approved for the NEST organization; A lot of event grants were approved and she noted a good schedule of events at the Outer Banks Event Site; the National Park Service reported that on the same day as Wilbur Wright's centennial birthday will also be a naturalization ceremony at the Wright Brothers Memorial site.

Comr. Cahoon – Local Business Committee – will meet this month on April 21st and will skip the May meeting; Store managers/business owners that have a stake in ordinance revisions re: outside display of store items are scheduled to come to this April 21st meeting and provide feedback.

Comr. Ratzenberger – Community Watch – Nags Head Community Watch now has a Facebook page; the next meeting will be Tuesday, April 12th at 6:30 pm – Coffee With A Cop at Waveriders Restaurant.

Comr. Ratzenberger – Dare County Veterans – Comr. Ratzenberger reported that Sgt. Billy Brown and his wife have done a lot for veterans on the Outer Banks – he has brain cancer and a fundraiser event was held in Manteo last week; Comr. Ratzenberger asked that Sgt. Brown be kept in everyone's thoughts.

Mayor Edwards – Nursing Home Committee – The committee met with Peak Resources this month; they are behind schedule for renovations; work on the 200 Hall has been permitted by the Town and is moving forward as is the outside work; the committee will be meeting on a monthly basis.

14. Facility fees ordinance modification – The Board passed a motion to adopt the ordinance amending Chapter 10 re: facility fees as presented.

15. Board position on seismic testing – The Board passed a motion that a cover letter be prepared to forward the Board's April 2, 2014 resolution re-emphasizing the Board's position opposing seismic testing to all affected parties, the State legislature, representatives in Washington, D.C., the Governor, as well as supportive organizations.

16. House Bill 2 – is entitled *An Act to provide for single-sex multiple occupancy bathroom and changing facilities in schools and public agencies and to create statewide consistency in regulation of employment and public accommodations* - The Board passed a motion to authorize Mayor Edwards, Town Manager Ogburn, and Town Attorney Leidy to prepare a letter strongly opposing House Bill 2 and asking for true openness in government in North Carolina – and to agree to Comr. Ratzenberger's friendly amendment that the letter take the high road and not purposely inflame the other side.

17. Town Manager Ogburn - Town Manager Ogburn reported that State legislation has been proposed that would do away with Municipal Service Districts. He, Mayor Pro Tem Walters, and Dare County Vice Chair Overman spoke in opposition to the legislation at a recent hearing in Raleigh. Mayor Edwards noted that NC League of Municipalities will be staying on top of this issue and will report back.

18. Town Attorney Leidy - Attorney Leidy's request for Closed Session to confer with the Board re: ongoing litigation was deferred by Mayor Edwards to the end of the meeting.

19. Town Manager Ogburn - Town Manager Ogburn issued a huge thank you to the Nature Conservancy, the Town's Fire Dept, many other Outer Banks Fire Depts, and the NC Forestry Service for taking care of the fire at Nags Head Woods. Fire Chief Zorc reported that there were no firefighter injuries and no structure damage. He reported that the fire was determined to be a human-started fire and he asked anyone with information to contact the Nags Head Police Dept.

20. Mayor Pro Tem Walters - In response to Mayor Pro Tem Walters, Planner Holly White reported that she has spoken with the State Floodplain Mapping Office – an official letter is being prepared and the Town's maps are expected to be released officially June 30, 2016.

21. Comr. Ratzenberger - Comr. Ratzenberger noted that he did provide online comments to the Monitor/Marine sanctuary expansion proposal.

22. Mayor Edwards - Mayor Edwards reported that the request for Closed Session to consider Jul – Dec 2015 Closed Session minutes was postponed to the May 2016 Board meeting.

23. Closed Session - The Board passed a motion to enter Closed Session to confer with the Town Attorney re: Richardson litigation and to preserve attorney/client privilege - The time was 11:32 a.m.

24. Open Session - The Board re-entered Open Session at 11:55 a.m.

25. Adjournment - Mayor Edwards recessed the meeting to a CIP Workshop and then to a Dowdy Park Workshop on Friday, April 22, 2016 at 1:30 pm in the Board Room. The time was 11:59 a.m.