



**BOC ACTIONS**  
**WEDNESDAY, AUGUST 3, 2016**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board adopted the agenda as presented.
3. Mayor Edwards - thanked Police and all involved in last night's well-attended National Night Out.
4. Recognition - Police Officer "JC" Mitchell was welcomed by the Board to Town employment.
5. Public Comment – No one spoke during Public Comment.
6. Consent Agenda - The Consent Agenda was approved and consisted of the following:
  - Budget Adjustment #1 to FY 16/17 Budget
  - Year end / New year Tax Adjustment Reports /Annual charge Tax Collector / Tax Settlement Rpt
  - Approval of Minutes
  - Updated Town Consolidated Fee Schedule
  - Resolutions authorizing the following surfing tournaments:
    - Nags Head Surf Fishing Club's Annual Invitational Surf Fishing Tournament, October 5<sup>th</sup>-7<sup>th</sup>
    - Fraternal Order of Eagles Second Annual Surf Fishing Tournament, October 15<sup>th</sup>-16<sup>th</sup>
    - Outer Banks Association of Realtors Annual Surf Fishing Tournament, October 28<sup>th</sup>
7. Public Hearing – to consider amendment to conditions associated with "Car Wash" as a Conditional Use within the C-2 District - The proposed ordinance was sent back to the Planning Board for further review:
  - Setbacks/buffering in consideration of nearby/adjoining residential community
  - Review of placement of building(s) on site
  - Review of traffic flow / access only from US 158
  - Clean up signage requirements
  - Define "areas of vulnerability"
  - Review of personal vulnerability and location of security cameras
  - Security cameras to cover the entire site
  - Pros/Cons of operating 24/7 vs 9 to 9
  - Review decibel levels / sound of vacuum cleaners
8. Public Hearing - to consider Preliminary Plat for Elliott Estates, Phase III, Lot 25 with request for subdivision waiver regarding access – The Board tabled consideration of the Preliminary Plat - to their September 7<sup>th</sup> meeting – so that information that was submitted to staff the day before the Board meeting (Aug 2<sup>nd</sup>), as well as some language re: the 30' easement maintenance agreement – can be provided.
9. FOCUS Nags Head Update – A detailed schedule was discussed; staff is to concentrate more on prioritizing; another bullet should be added to the schedule so that the Board has enough time to review the material. Board members agreed that the most important thing is the end product and that it be accurate.
10. Sea Level Rise Update - Staff has continued to work with NC Sea Grant Staff to merge the three diagrams developed at the meetings in the winter into one diagram. The final (single) combined diagram is to be circulated to the committee this week.

**11.** Dowdy Park Update – Staff will be coordinating with construction companies to make sure students can safely walk to NHES; the Board authorized Town Manager Ogburn to execute the contract amendment with Hatchell Concrete (for pavilion and parking lot lights); and with Carolina Parks and Play, Inc. (for inclusion of a portion of the poured in place playground material surface).

**12.** Report from Planning Board Chair - Dep Town Manager Garman summarized the Planning Board meeting of July 19<sup>th</sup> (Chair Mark Cornwell was out of Town): Cottage courts were discussed; Staff provided presentations on updated flood maps and Zoning Ordinance changes re: uses that are and are not allowed. Mayor Edwards asked that notice be provided to the public concerning the schedule for flood map meetings.

**13.** Committee Reports

Comr. Cahoon – Coastal Resources Commission meeting – The Commission voted to file an amicus brief in support of the Town of Emerald Isle’s legal fight (vs Nies); the Commission refused to allow an unlimited extension on sandbags – they kept it to the eight-year timeframe that runs with the property.

Comr. Ratzenberger – Town Shoreline Management Committee meeting – The committee is included on the Town’s web site - on-line tabs display purpose, committee membership, etc. The committee meets monthly and is now focused on 2018 – the proposed timeframe for the Beach Renourishment Project.

**14.** Traffic Control Map – The Board adopted the ordinance amending the Traffic Control Map to add a No Parking – Tow Away Zone for the area 40’ east and west of the driveway at 111 E Gulfstream Street.

**15.** Jockey’s Ridge – The Board approved the Jockey’s Ridge Sound Access Lease as presented.

**16.** Town Attorney Leidy - Mayor Edwards confirmed with Attorney Leidy that it was acceptable to defer Attorney Leidy’s request for a Closed Session to the end of the meeting.

**17.** Town Attorney Leidy – He has filed a brief on behalf of the Town re: Nies vs Emerald Isle; Emerald Isle posted a press release on their web site concerning the fight to preserve the public’s right to use the beaches - issue is now pending in the NC Supreme Court.

**18.** Town Manager Ogburn – The Board adopted the resolution in support of allowing terminal groins/jetties in North Carolina as presented.

**19.** Town Manager Ogburn – The Board authorized the advertisement of the ordinance directing the Building Inspector to tear down the Ayers house, located at 8320 S Old Oregon Inlet Road, as presented.

**20.** Comr. Ratzenberger - He thanked Police and all of those involved in last night’s National Night Out.

**21.** Mayor Edwards – He asked Board members to let him know, within the next few weeks, of any suggestions for the September Retreat agenda so staff can prepare backup. Agenda items are as follows:

|                             |                                 |                        |
|-----------------------------|---------------------------------|------------------------|
| Non-profit funding          | Trash                           | Bulk/brush pickup      |
| Recycling                   | Front-loader / dumpster screens | Priority List          |
| Naming rights to Dowdy Park | Red light cameras               | Town smoke-free campus |
| Big Box Stores              | Communication                   |                        |

**22.** Closed Session – The Board entered Closed Session to discuss the Richardson/Granby litigation cases within the attorney/client privilege - The time was 12:30 p.m.

**23.** Open Session/Adjournment – The Board re-entered Open Session - and adjourned at 12:38 p.m.