



BOC ACTIONS
WEDNESDAY, FEBRUARY 3, 2016

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board adopted the Feb 3rd agenda as presented.
3. Recognition
Finance Officer Amy Miller was welcomed by the Board to Town employment.
Sanitation Equipment Operator Tony Windham was recognized by the Board for ten years of service.
Facilities Maintenance Supervisor Eddie Hawley was recognized by the Board for ten years of service.
Police Sergeant Chris Braddy was recognized by the Board for ten years of service.
4. Public Comment
Mark Cornwell, Nags Head resident; congratulated all who were involved in the execution of the Town's recycling program which appeared seamless in his view.
Louis Toth, Village at Nags Head resident; introduced Clayton Grinnage, Village at Nags Head resident; Mr. Grinnage walks his small dogs near the Village golf course and on several occasions in the past few weeks was stalked by coyotes and at one point a pack of coyotes; he feels something needs to be done.
Carl Reiber, Nags Head Resident; he lives in the recycle green zone – he has trash schedule pickup concerns – he applauds the program and can accept one trash pickup in the winter but during the summer season he is concerned that not picking up more than once/week may pose a health hazard.
5. YMCA - The Outer Banks Family YMCA Executive Director Dana Ensley presented a powerpoint presentation on the highlights of the past year at the YMCA.
6. Jennette's Pier - Jennette's Pier Executive Director Mike Remige presented a powerpoint presentation on the highlights of the past year at Jennette's Pier.
7. Consent Agenda - The Consent Agenda was approved and consisted of the following items:
Consideration of Budget Adjustment #7 to FY 15/16 Budget Ordinance
Consideration of Tax Adjustment Report
Request to advertise delinquent taxes
Approval of Minutes
Amendment to Town Code Sec 44-35 re: clarification of payment of water bills
Consideration of Capital Asset surplus resolution
Consideration of updated Review Officers resolution
Consideration of updated banking service officials resolution
Request for Public Hearing to consider unmanned aircraft ordinance
8. Public Hearing – The Board passed a motion to adopt the zoning ordinance text amendments re: the Town's landscaping and buffering ordinances.
9. Public Hearing – The Board passed a motion to adopt the ordinance amending Chapter 22 Flood Damage Prevention to define "free and clear of obstruction" as presented – without the modification changing the 300 square feet to 299 square feet – Staff is to get clarification from the Community Rating Service re: would the Town receive 100 points if the ordinance were effective only for new construction. It was Board consensus for staff to prepare diagrams depicting the 18" free and clear of obstruction for clarification purposes.

10. Project update – Planner Holly White provided an update on the FOCUS Nags Head Project.
11. Project update – Project Coordinator David Ryan provided an update on the Dowdy Park Playground Construction project.
12. Planning Board - Chair Mark Cornwell summarized the Jan 19th meeting – sign ordinance/residential freestanding signs were discussed and workshop with property mgmt reps held.
13. Committee reports

Comr. Ratzenberger – Albemarle Rural Planning Organization (ARPO) - the Board of Transportation amended the 2016-2025 STIP and several projects are accelerated two years; in addition, the Town's two projects for scoring – Sidewalk from Jennette's Pier to Gull Street and the Multi-use path from Gull St to Baymeadow Drive – are not yet on the P4 scoring chart.

Comr. Cahoon – Local Business Committee – the Committee met last week and did make recommendations re: signage to the Planning Board – next meeting is March 24th.

Mayor Pro Tem Walters – Dare County Tourism Board meeting – Mayor Pro Tem Walters was elected Chair and Ervin Bateman was elected Vice-Chair – this year is the 100th anniversary of NPS and there will be events throughout the year - Nags Head collects 25.9% of the county occupancy tax.

Comr. Demers – Albemarle Solid Waste Management Authority – Comr. Demers reported that it has been two years since the coal ash spill at the Dan River and a lot of work has been done to prevent this from happening at other sites; Comr. Demers stated that there is no current threat to the landfills we depend upon but more information is forthcoming.

Mayor Edwards – Park Service meeting – Mayor Edwards, Town Manager Ogburn and Dep Town Mgr Garman met with NPS staff; NPS recognizes that the ditch behind the SNH Fire Station is a choke point and the Town will be requesting a permit amendment so more work can be done in the ditch; NPS was amenable to the next Beach Nourishment Project encroaching onto their property if needed as an "anchor".

14. Appointments

Board of Adjustment - The Board passed a motion to reappoint Margaret Suppler to a regular seat, Bobby Gentry and Gary Ferguson to alternate seats. The Board also passed a motion to reappoint Jack Cooper and Margaret Suppler as Chair and Vice-Chair respectively.

Planning Board - The Board passed a motion to reappoint Mark Cornwell.

Firemen's Relief Fund Board - The Board passed a motion to reappoint Jo Fessler.

15. Town Attorney - Attorney Leidy provided a brief review of the procedures to take in order to remove a junked motor vehicle. He indicated that the Town's ordinance is consistent with the General Statutes. It was Board consensus to take no action at this time. Town Manager Ogburn said that he would lay out a course of action should a situation occur.

16. Town Attorney - Town Attorney Leidy reported that a resolution has been reached in the condemnation lawsuit of Reed/June Fisher. The Fishers were among property owners in 2010 seeking to prevent the Town from obtaining easement rights for the Beach Nourishment Project.

- 17.** Town Attorney - Town Attorney Leidy requested a Closed Session and Mayor Edwards concurred and deferred the Closed Session to later in the meeting at the appropriate time for three items: Land acquisition, Richardson Beach Nourishment Project easement litigation, and Closed Session minutes.
- 18.** Town Manager – The Board passed a motion authorizing the Town Manager to issue the Request for Qualifications for Professional Services for the Town’s Beach Re-Nourishment Project.
- 19.** Closed Session – The Board entered Closed Session to confer with the Town Attorney concerning the Richardson case - to review and approve Closed Session minutes - and to consider the potential acquisition of property located at 7411 S Virginia Dare Trail. The time was 12:24 p.m.
- 20.** Open Session - The Board re-entered Open Session at 12:43 p.m.
- 21.** Town Manager – It was Board consensus to authorize two presentations for the March 2nd Board meeting: **1)** NC Wildlife Resources Commission District 1 biologist – how to handle private property issues with coyotes, and **2)** NCDOT - concerning denial of the Town’s request to reduce the speed limit on US 158 – Jason Davidson of NCDOT responded that the speed limit reduction is not warranted.
- 22.** Town Manager – The Board passed a motion to authorize up to \$7,500 for Better Beaches OBX and for Town Manager Ogburn, Project Coordinator David Ryan, and Comr. Ratzenberger to work with Better Beaches OBX representative Donny King for locations to plant beach grass.
- 23.** Town Manager – He thanked and congratulated the Board for initiating a Town-wide recycling project. Comr. Cahoon asked Town Manager Ogburn to follow up on public comment speaker, Carl Reiber, who spoke about his concerns at the removal of one trash pickup in his subdivision.
- 24.** Comr. Ratzenberger - Comr. Ratzenberger invited everyone to attend the Community Watch meeting next Tuesday (February 9th) at 6:30 pm in the first floor Police Training Room.
- 25.** Comr. Ratzenberger – The Citizen’s Police Academy program came from Community Watch. The next academy program begins February 16th and more attendees are needed.
- 26.** Comr. Cahoon - Comr. Cahoon thanked Administrative Services staff members Kim Blankenburg and Kim Thompson who have done a remarkable job in the absence of a Finance Officer.
- 27.** Comr. Demers - Comr. Demers reported on a Chamber of Commerce sponsored Energy Forum he and Town Manager Ogburn attended at Jennette’s Pier. Comr. Demers stated that it was an excellent program that focused on advances in the future concerning electricity.
- 28.** Mayor Edwards - Mayor Edwards reported that he and Comr. Demers attended a meeting last night at Jennette’s Pier where a cancer researcher spoke about some very innovative cancer treatments.
- 29.** Mayor Edwards - It was Board consensus to schedule the following workshops:
Wed, Mar 30th at 9 am – BOC Workshop re: Strategic Goals – Police Training Room
Wed, Mar 30th at 2 pm - Health Insurance proposal – Board Room
Tue, Apr 5th at 9 am – CIP Workshop – Board Room
Fri, May 13th at 9 am - Budget Workshop – Board Room
Mon, May 23rd at 9 am - Budget Workshop – Board Room (Reserve if needed)
Thu, Jun 2nd at 9 am - Budget Workshop – Board Room
- 30.** Adjournment - The Board adjourned at 1:22 p.m.