



BOC ACTIONS
WEDNESDAY, JULY 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 adopt the July 6th agenda as presented.
3. Recognition - New employees Zoning Administrator Margaux Kerr and Code Enforcement Officer Ed Snyder were introduced.

Public Information Officer Roberta Thuman was recognized for fifteen years of service.

The Proclamation declaring August 2nd as National Night Out was adopted as presented.

4. Public Comment – Louis Toth, Village at Nags Head resident; he stated that a woman in Wanchese was bitten by a coyote trying to rescue a feral cat; he is aware of many people who have seen coyotes; he asked the Board to help get them out of the area before something more serious happens.

Public Comment - Beverly Boswell; she spoke in favor of continuing efforts to open Fresh Pond for all families to enjoy; there would be no ill effect to provide access to this resource for recreation.

Public Comment - Jamie LaViere; he supported Ms. Boswell's comments concerning opening Fresh Pond for all families to enjoy.

Public Comment - Matthew Byrne, Kill Devil Hills resident; he urged the Board to continue efforts re: opening Fresh Pond; a draft proposal has been prepared by the Nature Conservancy and the Town of Kill Devil Hills is supportive of the project by providing fencing costs.

Comr. Ratzenberger encouraged those interested to view the video on the Town's website re: coyotes presented by NC Wildlife Resources Commission District 1 Biologist Chris Turner.

5. Presentation – Gail E. Sonnesso, Executive Director of the GEM Adult Day Services, provided a powerpoint presentation and two (2) videos summarizing services provided re: dementia. She reported that there will be a fund raising dance marathon on November 18th to be hosted by Kelly's Restaurant.

6. Consent Agenda – The Board adopted the Consent Agenda which included the following items:

- Tax Adjustment Report
- Approval of Minutes
- "Housekeeping" updates to Town Code Chapter 12 to incorporate Town registration fee
- Modified Town Investment Policy
- Request for Public Hearing – to remove the requirement for an attendant at car wash facilities
- Request for Public Hearing – to consider Preliminary Plat for Elliott Estates, II, Lot 25

- 7.** Public Hearing – The Board adopted the ordinance to consider zoning ordinance text amendments to exclude municipally owned boardwalks, walkways, sidewalks and multi-use paths from lot coverage and minimum yard requirements – as presented.
- 8.** FOCUS Nags Head - Planner Holly White presented the updated Vision Statement – Board comments were incorporated – It was Board consensus that any additional comments to the Vision Statement be forwarded to the Advisory Committee for review. A Gantt chart is to be included in future updates.
- 9.** Sea Level Rise (SLR) - Planner Holly White presented an update – Sea Grant (with staff assistance) will be merging all three diagrams into one diagram – Staff is to provide minutes of the SLR meetings.
- 10.** Dowdy Park Project Update – The re-bid opening of the Dowdy Park Project is scheduled for July 12th – the results will be reported at the July 20th mid-month meeting.
- 11.** New Flood Maps – Dep Town Manager Andy Garman presented an update on the new flood map review and adoption process - Comr. Cahoon noted that there are a lot of changes in the Town; she also noted that insurance agencies are already asking a lot of questions about the new maps.
- 12.** Planning Board - Planning Board Chair Mark Cornwell summarized the June 21st Planning Board meeting discussions to include:
 - Zoning Ordinance text amendment for a commercial car wash without a full-time attendant
 - Request for a two-lot subdivision just east of Cotton Gin which includes two subdivision waivers
 - Continued discussion of cottage courts – which should be finalized at the July meeting.
- 13.** Sign ordinance – (from the June 1st Board meeting) – The Board adopted the ordinance which was modified to ensure content neutral language/regulations pertaining to residential freestanding signage.
- 14.** Committee Reports - Comr. Cahoon reported that the Coastal Resources Commission (CRC) is scheduled to meet next week and one item it will be dealing with are sandbag rules – she noted that some of the rules look pretty extreme.
- 15.** Debris removal/monitoring – The Board passed a motion to authorize the Town Manager to execute FY 16/17 contracts with Crowder Gulf for debris removal services and with Johnson Environmental & Disaster Consulting Services for debris monitoring services, as recommended by staff.
- 16.** Town Attorney - Town Attorney Leidy thanked the Board for allowing his associate Attorney Robert Hobbs to fill in for him at the last two (2) Board of Commissioners meetings.
- 17.** Town Attorney - Town Attorney Leidy summarized the process to remove unsafe structures – in accordance with state statute.
- 18.** Town Attorney – Town Attorney Leidy requested a Closed Session to provide an update of ongoing Beach Nourishment Project condemnation litigation.
- 19.** Town Manager - Town Manager Ogburn was authorized to advertise the lease of the former Outer Banks Medical Center (OBMC) building [with Community Care Clinic] per state statute.
- 20.** Town Manager – It was Board consensus to authorize Town Manager Ogburn to schedule a meeting with NCDOT and the Outer Banks Visitors Bureau to discuss traffic-related matters at the Soundside Event site.

- 21.** Town Manager - Town Manager Ogburn received Board consensus to schedule a meeting with NCDOT and all responsible parties to establish a plan of action to address stormwater issues that occur in the area of Seven Sisters Subdivision through Elliott Estates, Town Hall and across the street to the Village Golf Course.
- 22.** Town Manager - Town Manager Ogburn thanked the Board for authorizing this year's Fourth of July fireworks display and he thanked Public Safety and Public Works for keeping everyone safe. Mayor Edwards also thanked Andy and Lovie McCann for the use of their Nags Head Fishing Pier.
- 23.** Comr. Cahoon - Comr. Cahoon inquired about permits received from the State to shoot a coyote – and if such permits would be in violation of the Town's ordinance against discharging a firearm within Town limits. Police Chief Kevin Brinkley responded that they would – but if threatened would be acceptable. Mayor Edwards stated that issues concerning coyotes may need to be followed-up on and discussed again.
- 24.** Comr. Cahoon – Comr. Cahoon thanked the Police Dept for their enforcement of the traffic rules (stop signs, crosswalks, and the 25 MPH speed zone) in the highly congested Whalebone area.
- 25.** Comr. Demers – Comr. Demers commended Fire Dept, Ocean Rescue, and all involved for their efforts re: beach litter as there are now very few personal items left overnight on the beach.
- 26.** Mayor Edwards - It was Board consensus to schedule a Retreat to focus on short-term goals/priorities for September 29-30 (to hopefully be finished in one day); In addition, a January 26-27 Retreat will focus on long-term goals/priorities.
- 27.** Closed Session – The Board entered Closed Session to confer with the Town Attorney to preserve attorney/client privilege and to discuss the Town's pending actions against the Richardsons and the other Beach Nourishment Project condemnation cases. The time was 11:10 a.m.
- 28.** Open Session – The Board re-entered Open Session at 11:47 a.m.
- 29.** Adjournment – The Board recessed to the Dowdy Park site for the 12:00 noon groundbreaking and to the Board's mid-month meeting on July 20th at 7 pm. The time was 11:50 a.m.