



BOC ACTIONS
WEDNESDAY, NOVEMBER 2, 2016

1. Call to order – The Mayor called the meeting to order at 9 a.m.
2. Agenda – The Board adopted the November 2nd agenda with two additions:
 - To Public Comment - Dare County Motorcycle Toy Run presentation
 - To Consent Agenda - Request for Public Hearing to consider a text amendment to require new commercial structures 15,000 sq ft or greater be permitted via conditional use process
3. Recognition - Fleet Mechanic Ron Watson was recognized by the Board for ten years of service.

Department Heads presented their nominees for 2016 Earl Murray Jr Employee of the Year. Nominees are: Melissa Siems, Todd Krafft, Mike Norris, Chris Braddy, and James Moseman.

4. Public Comment - Dare County Motorcycle Toy Run representatives described the event which brought together hundreds of bikers to provide toys to make sure underprivileged children in Dare County have a Merry Christmas - Police Chief Kevin Brinkley was thanked with a certificate and plaque for his law enforcement assistance with traffic control during this year's event.
5. Consent Agenda - The Consent Agenda was approved and consisted of the following items:
 - Consideration of Budget Adjustment #4 to FY 15/16 Budget
 - Consideration of Tax Adjustment Report
 - Consideration of resolution for lease/purchase of front-loader sanitation truck
 - Approval of Minutes
 - Request for Public Hearing to consider text amendment to require new commercial structures in the C-2 District 15,000 square feet or greater be permitted via conditional use process
6. Public Hearing - to consider a request from Outer Banks Hospital to amend the Town Code to establish requirements for the development of buildings for outpatient services as an accessory use to the principal use of "Hospital" within the Village at Nags Head – The Board adopted the ordinance modifying the maximum building height from 30' to 35'.
7. Public Hearing - to consider zoning ordinance text amendments to permit "Cottage Courts" as an allowable use within the Town – The Board recused Comr. Cahoon as her family owns a cottage court – The Board adopted the cottage court ordinance as presented with the following amendment:

Modify Section 48-378(m) to read as follows: "Cottage courts shall operate under a single, unified management operation which arranges for reservations and attends to guest needs. There shall be a uniform key entry system operated by management staff."
8. Resolution – requesting State Highway Patrol provide traffic control assistance – the Board adopted the resolution as presented. The item was presented by Dare County Comr. Wally Overman.
9. Project Updates – Planner Holly White presented updates on the FOCUS Nags Head Project and the Sea Level Rise Project.

Town Engineer David Ryan presented an update on the Dowdy Park Project – a powerpoint presentation displayed the progress of the project which included the following projects under construction: Wavy walkway, Pavilion, Parking lot, and the Playground - the project is approx. 30 days ahead of schedule.

10. Planning Board – Planning Board Chair was out of Town and Dep Town Manager Andy Garman reported on the October meeting: the Planning Board considered the zoning ordinance text amendment re: commercial structures 15,000 square feet or greater be permitted via conditional use process - staff was asked to go back and look at some of the verbiage and a revised ordinance will be presented to the Planning Board at their November meeting. In addition, the cottage court ordinance was discussed and was included on today's Board of Commissioners agenda.

11. Update on Flood Maps - Dep Town Mgr Andy Garman provided an update - It was Board consensus that he prepare a resolution concerning the flood map issues to include something concrete with the resolution – such as a map - for consideration at the December 7th Board meeting.

12. From Sep 7th Board meeting – Resolution of Intent to Close Remaining Portion of Seagull Drive – The Board adopted the resolution (scheduling the Public Hearing for the Dec 7th Board meeting)].

13. From Sep 7th Board meeting – Arts and Culture Policy and associated ordinance amendments – The Board adopted the policy with the following modifications:

Under *Purpose and Intent* – replace the fifth objective with the following:

- To encourage development of Nags Head as a destination for arts and culture.

Under *Committee Role and Responsibilities* – replace first activity with the following:

- To provide suggestions to the town staff to support public art projects, cultural activities, and events.

and they adopted the ordinance modifying the Town Code as presented. Comr. Ratzenberger cast the NO vote as he preferred that staff return with a revised policy prior to consideration.

14. From Sep 29th Board Retreat – Discussion of Sanitation/Recycle Committee and associated ordinance amendments - It was Board consensus to agree to the proposed committee member positions as listed for the Sanitation/Recycle Committee. A list of committee members as well as the proposed ordinance are to return for Board consideration at the December 7th meeting.

15. Committee reports:

Comr. Demers – NC Stormwater Association – the Town receives financial and legislative updates and Comr. Demers feels that the Town should continue with its membership.

Mayor Pro Tem Walters – Dare County Tourism Board meeting – occupancy, meals, and retail sales are up so far this year.

Comr. Ratzenberger - Shoreline Management Committee – The October meeting was cancelled due to Matthew – the committee will next meet on November 7th at 3 pm in the Conference Room.

Comr. Ratzenberger - YMCA – The YMCA waived guest fees after Hurricane Matthew to allow people to clean up, etc. as necessary.

Mayor Edwards – NC League of Municipalities Annual Conference – he attended the annual Resort Towns/NCLM meetings; there was discussion of the redistribution of sales tax; he attended the goal-setting meeting where Nags Head's eight #1 goals made it into the League's 15 goals – over 600 people attended the conference.

Mayor Pro Tem Walters – Jennette’s Pier Advisory Committee - Visitation was down slightly this past year, however in the last five years there were 515 rentals – mostly weddings; the Aquarium Society is a partner to Jennette’s Pier, contributes greatly to the Pier, and is working on a membership drive which is up 15%; the Pier’s Gift Shop out-performs all the other Aquarium Gift Shops.

16. Lunch – The Board recessed for Lunch at 12:25 p.m. and reconvened at 1:30 p.m.
17. Closed Session – The Board entered Closed Session to discuss the Richardson beach nourishment easement litigation, other matters within the attorney/client privilege, and an employee honorarium. The time was 1:30 p.m.
18. Open Session – The Board re-entered Open Session at 2:17 p.m.
19. Town Manager – Hurricane Matthew – Town Manager Ogburn thanked staff and particularly Public Works staff for the quick clean up of the Town after Hurricane Matthew; he also said that he appreciated Board members attending the Matthew Community Debriefing last week. One of the things he would like to do is get more information out to the public such as who has what responsibilities after a storm.
20. Town Manager - Police Chief Kevin Brinkley invited the Board to attend the second annual Police Academy graduation on Tuesday, November 8th at 6:00 p.m.
21. Town Manager – Veterans Day - Town Manager Ogburn invited everyone to attend the November 11th Veterans Day Ceremony at Town Hall – the ceremony begins at 11:00 a.m.
22. Mayor Pro Tem Walters – Dowdy Park - Dep Town Manager Andy Garman spoke of the Art is the Heart Committee; Saturday, May 13, 2017 is tentatively scheduled as the park’s grand opening; It was Board consensus to concur with partnering with the Dare County Arts Council for the park’s grand opening.
23. Comr. Demers - He thanked Mayor Edwards and Town Manager Ogburn for mentioning the Town Stormwater Committee (at the Hurricane Matthew Community Debriefing in October) that Comr. Demers chairs with an invitation to those interested in serving to contact him.
24. Mayor Edwards – Retreat dates - Due to scheduling issues, the January 26-27, 2017 Retreat dates will not be modified - Comr. Demers had requested a date change if possible.
25. Mayor Edwards – Hurricane Matthew State of Emergency – It was Board consensus to include the end date for the Town’s State of Emergency proclamation of November 8, 2016 – which is the last day for Town pickup of hurricane storm debris.
26. Resolution – The Board adopted the resolution authorizing the upset bid process for the Peak Resources site. Attorney Leidy explained that Peak Realty submitted an offer to purchase the site and the resolution adopted sets forth the start/end dates and terms of the upset bid process.
27. Adjournment – Mayor Edwards recessed the Board meeting to Wednesday, November 16, 2016 at 5:30 p.m. in the Board Room. The time was 2:40 p.m.