



**BOC ACTIONS
WEDNESDAY, NOVEMBER 16, 2016
RECESSED SESSION**

1. Call to order - Mayor Edwards called the meeting to order at 5:30 p.m.
2. Agenda – The Board passed a motion to adopt the November 16th agenda as presented.
3. Public Comment - No one spoke during Public Comment.
4. Peak Resources Rehabilitation Center upset bid results – Town Manager Ogburn stated that the upset bid process closed at 5:00 pm today. No other bids were received. Peak Resources submitted an offer to purchase the nursing home facility. The Board passed a motion to accept the offer from Peak Resources as presented.
5. Consideration of resolution for improved health care for veterans – The Board adopted the resolution for improved health care for veterans with amendments.
6. Consideration of resolution exempting the design and construction of upcoming Town projects from the Mini-Brooks Act – The Board passed a motion to adopt the resolution as presented.
7. Town Attorney – Town Attorney John Leidy reported that the Supreme Court of North Carolina has scheduled oral arguments in the Nies v Emerald Isle lawsuit case for December 14th at 9:30 am at the Supreme Court building.
8. Town Attorney - Mayor Edwards agreed with Attorney Leidy's request for a Closed Session to discuss re: Richardson beach nourishment easement litigation in accordance with GS 143-318.11(a)(3).
9. Town Manager - Town Manager Ogburn requested to add possible land acquisition of 3115 S Old Nags Head Woods Road in accordance with GS 143-318.11(a)(5) to the Closed Session discussion.
10. Closed Session – At 5:53 pm the Board entered Closed Session in accordance with the purposes allowed by GS 143-318.11(a)(3) and (5).
11. Open Session – The Board re-entered Open Session at 6:10 pm. During Closed Session attorney/client issues were discussed and the potential land acquisition of 3115 S Old Nags Head Woods Road. No actions were taken.
12. Town Manager - Consideration of revised definition of "Demotion" in Article IV Pay Plan of the Town Personnel Policy. After discussion, the Board passed a motion to approve the revision 4-1 with Comr. Demers casting the NO vote. The Mayor asked the Town Manager to revisit this item in the policy. Town Manager Ogburn stated that the entire Personnel Policy will be reviewed and brought back to the Board for approval.

- 13.** Comr. Ratzenberger – Comr. Ratzenberger attended a Village Sewer Plant Conference on November 11th. He reported that the odor studies were completed off-site and hydrogen sulfide was excluded as the source of the odor problem; he noted that other chemicals may be the cause. As a result of the study, Carolina Water has determined that the basins need to be covered.
14. Comr. Ratzenberger – Comr. Ratzenberger reported on the NC Beach Inlet Waterways Association conference that he, Mayor Pro Tem Walters and Town Engineer David Ryan attended this past week.
- 15.** Adjournment - The Board passed a motion to adjourn – the time was 6:33 p.m.