



BOC ACTIONS
WEDNESDAY, OCTOBER 5, 2016

1. Call to order – Mayor Edwards called the mtg to order at 9 am – Agenda was approved as presented.
2. Recognition – Police Sgt. Trey Lipscomb and Firefighter/EMT John Wilkinson were recognized for ten years of service. Office Assis/Dep Town Clerk Michelle Gray was recognized for 20 years of service.
3. Proclamation – declaring October 9-15 as Fire Prevention Week was approved as presented.
4. Public Comment - Stephanie Westheiden, Southridge; she distributed a petition signed by more than 80 Southridge property owners requesting that the next phase of the multi-use path be Deering to Danube; this would connect two soundside neighborhoods and would make Deering/US 158 intersection safer.
5. Consent Agenda – was approved as presented and consisted of the following items:
 - Consideration of Budget Adjustment #3 to FY 16/17 Budget
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Request for Public Hearing to consider text amendment for Outer Banks Hospital buildings
6. Public Hearing – to consider a request to amend conditions associated with “Car Wash” as a conditional use in C-2, General Commercial District - The Board adopted the ordinance as presented with the alternative language provided by Attorney Leidy for paragraph “j” as follows: Car washes may have specified hours of operation as necessary to minimize the impacts on any adjacent residential uses.
7. Public Hearing – to consider text amendments to permit “Cottage Court” as an allowable use – the Board recused Comr. Cahoon as her and her family own a cottage court. The Board then tabled the discussion until the Board’s December 7th meeting to allow time for attorney/staff to work on issues noted to include individual cottages can’t have pools, size of accessory structures, and on-site management.
8. Mayor Edwards – The Board excused Mayor Edwards in order to attend an 11 am Dare County Control Group meeting concerning Hurricane Matthew. The time was 10:30 am.
9. CS&E presentation - Town Engineer David Ryan introduced Dr. Haiqing Kaczowski of Coastal Science and Engineering who presented the *2016 Beach Condition and 5 Year Summary of the 2011 Nourishment Project* – the full report can be found on the Town’s web site. Dr. Kaczowski displayed with photos some of the dune growth that has taken place.
10. Planning Board Chair - Planning Board Chair Mark Cornwell reported on the two items from the September 20th meeting: 1) they revisited the seven conditions associated with the car wash text amendment, and 2) the Outer Banks Hospital request for new use of medical buildings was reviewed.
11. FOCUS Nags Head - Planning Director Andy Garman updated the Board on FOCUS Nags Head - January 12, 2017 at 9 am is the best date/time so far from responses they have received for the joint Board of Commissioners, Nags Head FOCUS, Planning Board Workshop.

12. Dowdy Park - Town Engineer David Ryan provided a brief update on Dowdy Park: The Chalk Wall, the Poured-In-Place Dune, and the Log Stepping Path are under construction.

13. Committee reports

Comr. Ratzenberger – Comr. Ratzenberger and Dep Town Manager Andy Garman attended the Albemarle Rural Planning Organization meeting last week – neither of the Town's bike/ped path projects scored. Mr. Garman reported that he forwarded the Town's crash data to NCDOT SPOT for recalculation. Comr. Ratzenberger noted that they will be revisiting the Bike and Pedestrian Plan and will be addressing priorities for the multi-use path – for discussion during the next Town budget process.

Comr. Cahoon – Coastal Resources Commission met recently in Wilmington; Legislation has mandated that every CAMA rule will expire unless it is readopted; Comr. Cahoon reported that staff is going through all CAMA rules for re-evaluation/re-adoption.

Comr. Demers – He reported no meetings in the past month but the Stormwater Association of North Carolina is scheduled to meet October 17th.

14. October 2016 NCLM Annual / Advocacy Goals Conferences – The Board approved Mayor Edwards as voting delegate at both the NCLM Annual and Advocacy Goals Conferences in October 2016; the listing of goals as ranked by Board members, was also provided.

15. Amendment to Town Code Chapter 8 *Beaches and Waterways* re: Seagull Drive – the Board approved the amendment to allow beach driving – with the following addition: “from using the Town's former right of way on Seagull Drive to access their property”.

16. Mayor Edwards – returned to the meeting at 11:40 am. Attorney Leidy requested a Closed Session.

17. Closed Session – At 11:45 am the Board entered Closed Session to confer with the Attorney re: Richardson beach nourishment easement litigation and other matters within attorney/client privilege.

18. Open Session – The Board re-entered Open Session at 12:14 pm.

19. Town Manager – The amendment to Town Code Chapter 46 *Vehicles for Hire* re: taxicab drivers was approved with the following verbiage:

(d) If any of the above do apply, the chief of police will be authorized to utilize any additional resources including a probationary report to determine the applicant's suitability for permit issuance.

20. Comr. Cahoon – She noted that the trash pickup schedule changed from two to one pickups per week - she asked that staff take into consideration holidays when reconfiguring trash schedules for 2017.

21. Mayor Edwards – Mayor Edwards recently attended a Bureau of Ocean Energy Management meeting – he wanted to make sure the lease agreement did not include Nags Head – he also requested that BOEM make sure they include tourism as part of their environmental study.

22. Mayor Edwards – Mayor Edwards reported that he recently, as a private citizen, attended a Dominion Power meeting and spoke against a proposed rate increase.

23. Mayor Edwards – The Board approved the letter to the President, to include a note that Nags Head has already provided resolutions – reaffirming the Board's vote against off-shore seismic testing.

24. Adjournment - Mayor Edwards recessed the meeting to Oct 10th at 1 pm – time was 12:27 pm.