



**BOC ACTIONS
WEDNESDAY, APRIL 1, 2015**

1. Call to order – Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board adopted the agenda as presented.
3. Recognition - Dep Police Chief Tom Gilliam introduced Police Sergeant Perry Hale who was recognized by the Board for five years of service.
4. DCTB Presentation - Dare County Tourism Board (DCTB) Chair Tim Cafferty and Outer Banks Visitors Bureau Executive Director Lee Nettles thanked the Board for their partnership of the Outer Banks Event site and provided an update on tourism activities.
5. OBSE Presentation - Outer Banks Sporting Events (OBSE) Director Lynda Wood and Race Director Jenny Ash thanked the Board for the police protection and partnership shared over the past nine (9) years and provided an update of upcoming events/races.
6. Public Comment - Mayor Edwards reported that Town volunteer and supporter Josephine Fessler was injured from a fall last week and was in his thoughts and prayers.
7. Public Comment – Mayor Edwards reported that last weekend he received several disturbing emails concerning comments that he supposedly made at a Dare County Board of Commissioners meeting. Mayor Edwards reported that he was not in attendance at the Dare County Board of Commissioners meeting and he wanted to clarify for the public that he supports the ongoing maintenance/dredging of both Oregon and Hatteras Inlets. In addition he expressed his strong support of the importance of boaters to the Outer Banks and to Nags Head.
8. Public Comment – Louis Toth, Village at Nags Head resident; the past two (2) years he has trapped feral cats in order to get them neutered, and rabies shots; he reported that he has also been to Colony Ridge and has been able to trap the feral cats in that location in his efforts to get the cat population under control. He also expressed his support of the Town's efforts to maintain, continuously, the Colony Ridge facility.
9. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Adjustment #8 to FY 14/15 Budget Ordinance
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Consideration of Outer Banks Event site MOU
 - Five (5) requests for public hearings (to be held at the May 6th Board meeting)

10. Report from Planning Board Chair - On behalf of Planning Board Chair Mark Cornwell, Dep Town Manager Andy Garman provided a report of the March 17th Planning Board meeting.

11. Joint beach driving program – It was Board consensus to move forward with the request for a reciprocal agreement with the Town of Kill Devil Hills for a joint beach driving program.

12. Westward sand migration (sand relocation) - Town Manager Ogburn reported on the status of the westward sand migration/sand relocation and staff's efforts to assist property owners. He stated that staff has another month to try and remove sand for property owners as much as possible. He commended Todd Krafft for his work in assisting property owners. He explained that to date the Town has received about 132 permits of which about 80 have been processed.

Comr. Cahoon confirmed with Town Manager Ogburn that after the upcoming Easter holiday, work will be allowed to take place on Saturdays in addition to the Monday to Friday schedule in order to facilitate getting all the work done.

13. Committee Reports

Comr. Demers - Albemarle Regional Solid Waste Management – Budgets were reviewed and in good shape, officers were re-elected, the audit was positive, the next meeting in June is for budget approval, adding Washington County to the Authority is proceeding.

Comr. Cahoon - Town Promotion/Business Committee – They meet every two weeks until May and then will meet once/month; a lot of ideas are coming forward and there is a lot of enthusiasm in the group.

Comr. Ratzenberger – Dare County Beach Nourishment Committee – the budget is being presented to the Board in April for approval, the next meeting has not yet been scheduled.

Comr. Ratzenberger – Albemarle Rural Planning Organization (ARPO) – new NC transportation map is out and available at numerous places, the next meeting will include TAC and TCC meetings and is scheduled for April 22nd in the Manteo Admin Bldg. from 11 to 2 pm.

Comr. Ratzenberger – YMCA - the YMCA Board met in March with discussions of advertising/promoting YMCA activities; the next meeting is on April 9th with the new YMCA Director.

Mayor Edwards – Town Hall Day – at last month's Town Hall Day, Mayor Edwards met with legislatures and discussed several issues of concern including SB 360 occupancy tax and SB 369 sales tax redistribution; Mayor Edwards stated that Governor McCrory indicated he would veto the sales tax bill; He also attended the Resort Towns Conference the day after Town Hall Day and the consensus of the group is to continue with short-term goals which will be discussed at the Managers Conference in Wilmington.

14. Town Auditor – The Board passed a motion to authorize/approve the contract with Martin Starnes & Associates as Town auditor for FY 14/15 through FY 16/17.

15. Banking contract – The Board passed a motion to approve contracting with Southern Bank for Town banking for an additional three (3) years.

16. Reallocation of current fiscal year CIP program funds:

Bollard lighting – The Board deferred the expenditure of bollard lighting for the Beach Road multi-use path until there is more information concerning exactly what is needed and where – and to conduct an in-house study – It was confirmed that the \$40,000 goes back to the Beach Road multi-use path maintenance fund.

Funds for west side multi-use path – The Board approved \$10K from Contingency to be used as needed for the west side multi-use path as requested.

Resurface mulched path at Whalebone Park – The Board approved the transfer of \$14,000 from the disc golf course funds for the resurfacing of the mulched path at Whalebone Park.

Sand fencing/sprigging project – The Board passed a motion to approve the request to use funds from the sand fencing/sprigging project for an additional \$18,000 worth of sand fence/sprigging. Staff was directed to provide a report – a year from now – to compare how the Town's report of the success of its sand fencing/sprigging project compares with the CS&E report.

Kayak Launch project – The Board approved the request for an upcoming budget adjustment with funds to come from the Soundside Boardwalk project (Planning Professional fees) now being held in abeyance in the amount of \$6,487 for the kayak launch elevation adjustments at the Causeway Estuarine Access - in accordance with NCDENR CAMA requirements.

Powell Bill street work - Project Engineer David Ryan provided a report on the status of the Gray Eagle Powell bill street work – an upcoming budget adjustment will include an additional \$485 transferred to this project for construction stakeout services - about 95% of the drainage infrastructure is now in place.

17. Town Attorney – Town Attorney Leidy requested a Closed Session to confer with the attorney and to preserve the attorney/client privilege; he also reported that the Sansotta lawsuit has been dismissed and the money has been disbursed. The Board passed a motion to defer entering Closed Session until the end of the scheduled agenda.

18. Town Manager – It was Board consensus that the naming of the path north of Fire Station 20 be brought back to the Board for discussion/consideration. Board members noted: Modify Town ratification date to read June 14, 1961; Use the historic marker format instead of the current district sign format; Add verbiage about why the “Founders Way” marker is important to the Town; Discuss location for the sign – Town Hall, on Fire Station 20 building, or a separate standalone marker.

19. Town Manager - Town Manager Ogburn requested a Closed Session to discuss the possible acquisition of real property – located at 10211 E. Seagull Drive.

20. Comr. Cahoon – The Board passed a motion to approve the Government Access Channel Committee (CACC) Budget as presented. The Board also passed a motion to approve the Interlocal Agreement as presented.

21. Mayor Pro Tem Walters – The Board passed a motion to send a letter or resolution expressing the Town's opposition to SB550 re: religious restoration act to the bill sponsors and our legislature. The motion passed 3 – 2 with Comr. Ratzenberger and Comr. Demers casting the NO votes. The resolution, when prepared, is to be forwarded to Board members.

22. Comr. Ratzenberger – the recent Community Watch meeting was very worthwhile with a report from the Dare County Drug Task Force – Comr. Ratzenberger is to check with the organization to see about scheduling a presentation (and a Board resolution celebrating their ten-year anniversary) for the June Board meeting.

23. Comr. Ratzenberger – reported that Nags Head residents Steve and Sarah Downing recently moved to Asheville – Ms. Downing was his Outer Banks History Center point of contact and she was the

author of the Town's 50th Anniversary Cookbook. Comr. Ratzenberger noted that currently the Outer Banks History Center has the Coast Guard in North Carolina on display.

24. Comr. Ratzenberger – Youth Aviation Day 2015 is May 9th from 10 – 4 pm at the Dare County Airport.

25. Comr. Ratzenberger confirmed with Town Clerk Carolyn Morris that the Board-adopted Rules of Procedure have not yet been added to the Town's web site.

26. Comr. Ratzenberger – It was Board consensus to ask the Planning Board to review/determine if there is an interest in modifying the Town Code to require rental signs to be posted 100' from the roadway.

27. Mayor Edwards – The Board passed a motion to adopt the resolution in opposition to Senate Bill 369 re: sales tax distribution as revised.

28. Mayor Edwards - It was Board consensus to move the Budget Workshop from May 20th to May 19th at 9:00 a.m.

29. Mayor Edwards - The Board passed a motion to prepare a resolution in support of the Dare County local bill (House Bill 388) requesting to enact a quarter cent sales tax increase for use in the dredging of Oregon and Hatteras inlets.

30. Closed Session - The Board passed a motion to enter Closed Session to confer with the Town Attorney to preserve attorney/client privilege and to discuss the possible acquisition of real property located at 10211 E. Seagull Drive in accordance with GS 143-318.11(a)(3) and (5). The time was 12:03 p.m.

31. Open Session - The Board re-entered Open Session at 12:56 p.m.

32. Adjournment - The Board passed a motion to recess to Wednesday, April 8, 2015 at 1:00 p.m. The time was 12:58 p.m.