



**TOWN OF NAGS HEAD
BOC ACTIONS
WEDNESDAY, JANUARY 21, 2015**

1. Call to order - Mayor Edwards called the meeting to order at 5:30 p.m.
2. Agenda – The Board approved the January 21st agenda as presented.
3. Audience Response – Richard Murphy, South Nags Head resident and former Planning Board Chair; he wanted to set the record straight and clear any allegations that were made against him; He provided the chain of events that led to allegations that were made against him that he feels were made without a detailed investigation; he was asked for his resignation from the Planning Board by the Mayor and a week later he met with the Mayor and the Town Manager; he would never have said that he didn't need permits because he is a member of the Planning Board – he stated that the Mayor still did not acknowledge making a mistake in asking for his resignation; he was never trying to get around the law and certainly he has done nothing that should have warranted the Mayor asking him to resign. He tried to find out the reason for the Mayor wanting him off the Planning Board – Mr. Murphy stated that he confirmed with former Planning Director Elizabeth Teague that the Mayor has a different agenda and it did not include him. Mr. Murphy said that he is taking the high road and he is going to forgive Mayor Edwards, however, his Irish blood will not let him forget. Mr. Murphy wants everyone to know that he forgives the Board of Commissioners and that he wants a retraction of the request for his resignation from the Planning Board. After careful consideration he said that he respectfully requests that his name be moved from the list of nominees to serve on the Planning Board because he will not serve under a Mayor who is willing to put his goals before the Town's. He thanked Town Manager Ogburn and his staff and his fellow Planning Board members and especially the Planning staff.
4. Consent agenda – The Consent Agenda, approved as presented, consisted of the following items:
 - Consideration of Budget Adjustment #6 to FY 14/15 Budget Ordinance
 - Consideration of request to advertise delinquent taxes
 - Consideration of Fire Dept Career Progression job descriptions:
Driver/Operator and Master Firefighter
5. Outer Banks Event Site MOU – The Board approved the Outer Banks Event site MOU as presented.
6. Regional Hazard Mitigation Plan – The Board approved the Regional Hazard Mitigation Plan, with the modifications to the Goals and Implementation Activities, as presented.
7. Red Flag Ordinance – The Board adopted the Red Flag Ordinance to allow for high performance body boarders to enter the ocean during periods of red flags flying as presented.

8. Town Attorney - Attorney Leidy requested a Closed Session at the appropriate time to confer with the Board re: Sansotta litigation and to preserve the attorney/client privilege.
9. Mayor Pro Tem Walters – She reported that on Tuesday, January 27th at 5:30 pm a Dowdy Park Workshop/Public Information Session will take place in the Board Room. The purpose will be to review concepts of the Dowdy Park development and to receive comments from the community.
10. Mayor Pro Tem Walters – She reported on actions of the Dare County Tourism Board:
 - The Town received \$120,000 for the west side multi-use path continuation –
 - At the meeting on January 15th a new director (Tim Cafferty) a new Vice-Chair (Mayor Pro Tem Walters) as well as several other new officers were sworn in -
 - The new Superintendent of the National Park Service Outer Banks Group, Dave Hallac, had a very positive exchange with DCTB members; Mayor Pro Tem Walters stated that the Park Service is looking at Off-Road Vehicle (ORV) legislation; the Park Service will fully fund lifeguards at their beaches seven days/week this summer -
 - Some upcoming events: the Governor’s Conference in Tourism at Pinehurst in March, the St. Patrick’s Day Parade in March, and a ribbon cutting for the Outer Banks Event site in May –
11. Comr. Cahoon - Comr. Cahoon reported that the Walter B. Jones Memorial Awards were recently announced. The *Coastal Steward of the Year* award went to Spencer Rogers of NC Sea Grant and the *Excellence in Local Government* award went to Currituck County.
12. Comr. Ratzenberger – He attended a recent Albemarle Rural Planning Organization (ARPO) meeting with Dep Town Manager Andy Garman. Some highlights include:
 - The County of Currituck will receive \$100 million to be used for transportation projects because they are planning to toll the planned mid-Currituck Bridge.
 - Regulatory changes will be incorporated that will allow NCDOT to use snow and ice funds for sand removal which will save some money for those communities further south on NC 12.
 - A study is being done for a passenger only, reservation only, ferry route to Ocracoke Island. Ocracoke Island has taken a hit because of reduced runs; if successful, it also could expand to other areas. Comr. Cahoon confirmed with Comr. Ratzenberger that the study is to include how to get people from the ferry dock to the village in Ocracoke. In response to Mayor Edwards, Comr. Ratzenberger said that they are bringing a ferry from New England to try out as part of the study – the ferry is expected to hold 150 people per trip.
 - NCDOT brought up a possible problem with the resolution the Town and other municipalities adopted in support of a new Alligator River Bridge. The planning is so far along on DOT’s project to widen US 64 which includes repair of the Alligator River Bridge that it may be best to split the bridge from the project. Comr. Ratzenberger stated that NCDOT has indicated that they will reorganize their work so they do not have to start all over on the bridge work.
13. Mayor Edwards - Board members scheduled the following dates:
 - Capital Improvement Plan (CIP) Workshop – March 20th at 9 am
 - Budget Workshop – May 20th at 1:30 pm
 - Budget Workshop – May 27th at 1:30 pm

It was Board consensus for Comr. Ratzenberger to forward the spreadsheet version of the budget he prepared last year for use in place of the "big budget books" usually prepared - to Town Manager Ogburn for review by staff and possible utilization for the FY 15/16 Budget process.

- 14.** Comr. Ratzenberger - Comr. Ratzenberger pointed out the email he forwarded to Board members from a citizen concerned about the amount of dog waste not being picked up by dog owners. It was noted that dog waste receptacle stands are placed at beach accesses – not on the beach. Staff is to check out the stands that the Village at Nags Head utilizes for comparison. Mayor Edwards directed staff to make sure all areas have supplies and to look at some type of education in the spring.
- 15.** Closed Session - The Board entered Closed Session pursuant to GS 143-318.11(a)(3) to confer with the Town Attorney re: Sansotta litigation and to confer with the Town Attorney to preserve the attorney/client privilege. The time was 6:33 p.m.
- 16.** Open Session - The Board re-entered Open Session at 7:41 p.m. Attorney Leidy reported that during Closed Session the Board conferred with the Town Attorney re: Sansotta litigation and the Town Attorney was given some authority. The Board also discussed the matter concerning attorney/client privilege and no action was taken.
- 17.** Adjournment - Mayor Edwards recessed the Board meeting to the Board of Commissioners Retreat at 8:00 a.m. tomorrow, Thursday, January 22, 2015 at the Villas Club House on Villa Dunes Drive. The time was 7:42 p.m.