



**TOWN OF NAGS HEAD  
BOC ACTIONS  
WEDNESDAY, DECEMBER 3, 2014**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The agenda was adopted with the following modification:  
Move Consent agenda item E-7 (Local Water Supply Plan), and item E-8 (Town Hazard Mitigation Plan) to New Business for individual discussion/action.

3. Recognition –

IT Coordinator Allen Massey and Dep Police Chief Tom Gilliam introduced IT Assistant Chris Midcap and Police Officer Gage McDonald respectively; both were welcomed to Town employment by the Board.

Fire Chief Kevin Zorc introduced Firefighter/EMT Charles Thuman who was recognized by the Board for five years of service.

Town Manager Cliff Ogburn introduced IT Coordinator Allen Massey and Fire Chief Kevin Zorc who were recognized by the Board for 15 and 30 years of service respectively.

NCBIWA Award Presentation - Mayor Edwards, on behalf of the Board, presented Comr. Renee Cahoon with the NC Beach Inlet and Waterway Association (NCBIWA) Award.

Douglas A Remaley Fire Station 16 Dedication/Resolution – The Board adopted the resolution renaming Fire Station 16 the Douglas A Remaley Fire Station 16, as presented.

PRESENTATION of the 2014 Earl Murray, Jr. Employee of the Year Award: Nominees were awarded Certificates of Appreciation and were identified as follows: Dep Fire Chief Shane Hite, Water Distribution Supervisor Raymond Schoonmaker, Accounting Supervisor Kim Blankenburg, Dep Dir of Planning/Zoning Administrator Kelly Wyatt, and Office/Systems Manager Lisa Ward.

Mayor Edwards announced the winner for 2014 and presented the Plaque to Dep Dir of Planning/Zoning Administrator Kelly Wyatt.

4. Audience Response - Louis Toth, Nags Head resident; provided some good news re: feral cats; the Roanoke Island Animal Clinic has a successful kitten adoption program and so far this year over 60 kittens have been adopted; Mr. Toth's neighbor took 36 feral cats with her when she moved recently to Virginia.
5. Consent agenda – the Consent Agenda was adopted as amended and consisted of the following:

Consideration of Budget Adjustments #3A and #4 to FY 14/15 Budget Ordinance  
Consideration of Tax Adjustment Report  
Approval of Minutes  
Request to apply for an Assistance to Firefighters Grant  
Consideration of modification to Personnel Policy – Longevity Pay process

Consideration of extension of recycle franchise agreement to Jun 30, 2015

Request for Public Hearing - to consider time limits on re-reviewing text amendment applications

Request for Public Hearing - to consider "Fishing Piers" in the CR, Commercial Residential Zoning District

Request for Public Hearing to consider text amendments to the Town's Parking Ordinance

**6.** Public Hearing – to consider a zoning ordinance text amendment as it relates to setbacks for pools and pool decks as accessory structures - the Board adopted the ordinance amendment as presented.

**7.** Planning Board Chair - Vice Chair Mark Cornwell summarized the November Planning Board meeting; Planning Board Chair Richard Murphy was unable to attend.

- Whalebone Surf Shop request for restaurant – Tabled to December Planning Board meeting
- Text amendment re: re-review of apps – Planning Board agreed with 12-mo waiting period
- Text amendment re: fishing piers – Planning Board approved revisions
- Text amendment re: parking ordinance – Planning Board approved revisions
- Lot fill item – Tabled to December Planning Board meeting

**8.** CWMTF grant – The Board authorized staff to make application to the Clean Water Management Trust Fund grant program for the purchase of property on the Nags Head/Manteo Causeway.

**9.** NCDOT CTP – NCDOT Dare County Comprehensive Transportation Plan (CTP) – The Board adopted the resolution adopting the Plan as presented - Planning Director Andy Garman is to discuss with NCDOT that the Nags Head and the Kill Devil Hills Plans do not match where the multi-use paths end.

**10.** Committee reports -

Outer Banks Seafood Festival Board – Webb Fuller was appointed to a two-year appointment.

Mayor Pro Tem Walters – Provided an update on DCTB award of contract to Barnhill for the Outer Banks Event Site project – initial work is to take place through the end of March 2015.

Mayor Pro Tem Walters – Dare County Tourism Board – provided highlights of the recent DCTB meeting.

Mayor Pro Tem Walters – Update on Dowdy Park progress - The second public forum to gather community input provided lots of good comments; the next day the design charrette with the company was very productive; Comr. Demers confirmed that senior citizen input is being heard.

**11.** NCLM LAC proposed goals - Board members weighed in on their priorities for Legislative, Regulatory, and Federal Goals – for discussion and voting on at the December 11<sup>th</sup> NCLM Legislative Action Committee meeting. Mayor Edwards was voted to represent the Town and serve as voting delegate.

**12.** CRC request for comments on beach static line rules – It was Board consensus concerning the static line rules as follows: Maintain the static line – oppose the development line - raise fill to 1.5 million sq. feet, make it uniform (not a town by town decision), and allow for graduated setbacks.

**13.** From Consent Agenda – Item E-7 Consideration of resolution to approve local water supply plan - The Board adopted the resolution approving the 2012 Local Water Supply Plan with a footnote to the 2012 and 2013 documents to reflect a more realistic figure for water usage – somewhere between the seasonal and year-round water usage figures.

**14.** From Consent Agenda – Item E-8 Consideration of Town Hazard Mitigation Plan Implementation Status Report - Planning Director Garman is to verify the dates in the red type in the document as it was noted that some were incorrect.

Comr. Demers felt that since a reasonable facsimile of the updated stormwater information is in other parts of information that was reviewed today – and will be provided in a report by Town Engineer David Ryan later in today's meeting – that this would be adequate to approve the submission of the Hazard Mitigation Report along with the updated stormwater changes. His motion was not passed.

The Board instead passed a motion to move the Community Rating Service (CRS) process forward and approve the submission of the Hazard Mitigation Report as presented – without the updated stormwater information as this updated information had not yet been provided for the public on the Town's web site.

15. Recess for lunch - The Board recessed for lunch at 12:01 p.m. and reconvened at 1:21 p.m.
16. Town Attorney – Congratulations - Attorney Leidy congratulated Comr. Cahoon on receipt of the NCBIWA award and he congratulated Dep Planning Director/Zoning Administrator Kelly Wyatt on receipt of the 2014 Earl Murray, Jr Employee of the Year award.
17. Town Attorney – Closed Session - Attorney Leidy requested to enter Closed Session at the appropriate time to confer with the Board re: Sansotta litigation.
18. Comr. Demers – S Nags Head ditch – The Board passed a motion to proceed with and amend the FY 14/15 Budget to cover remaining surveying services of the S Nags Head ditch in the amount of \$15,700 - this amount is to come from the Stormwater Fund balance.
19. Comr. Cahoon – She reported on the parking violations of SAGA Construction on the Town's multi-use path – It was Board consensus that Town Manager Ogburn prepare a letter to be forwarded to SAGA Construction/any contractor that is seen violating the multi-use path regulations.
20. Comr. Ratzenberger – The Board approved a market adjustment for Town employees in the amount of \$100 in honor of Doug Remaley.
21. Town Manager – Eighth Street – Staff summarized discussions with the Town of KDH concerning repaving/widening of Eighth Street. The KDH staff is to present their recommendation to their Board next week. Each Town is to be responsible for the east/west sides of Eighth Street. Board members spoke positively of the improvements. Staff will return to the Board to request funding at a future meeting.
22. Town Manager – Sea level rise study - Town Engineer David Ryan reported that a meeting has been scheduled with NC Sea Grant, Dr. Jessica Whitehead, to discuss sea level rise and climate change. Dr. Whitehead will be in the Town Hall Conference Room tomorrow (Thursday, December 4<sup>th</sup>) at 1:00 p.m. Both Comrs. Ratzenberger and Demers indicated that they were interested in attending.
23. Town Manager - Mayor Edwards directed staff to include a discussion of Fund Balance Policy on the upcoming January 2015 Board Retreat agenda.
24. Town Manager - Town Manager Ogburn requested a Closed Session to discuss a personnel issue.
25. Closed Session – The Board entered Closed Session to preserve attorney/client privilege while discussing Colony Ridge / Sansotta litigation - and to discuss a personnel issue. The time was 2:05 p.m.
26. Open Session - The Board re-entered Open Session at 3:43 p.m.
27. Adjournment – The Board adjourned at 3:45 p.m.