



**TOWN OF NAGS HEAD
BOC ACTIONS
JUNE 11, 2014**

1. Call to order – Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – A motion was passed to adopt the June 11th agenda as presented. [Comrs. Cahoon and Demers were not present.]
3. Lifeguards – The 2014 lifeguards each introduced themselves to the Board.
4. Audience response – Kristen Bernard; works in the therapy department of Colony Ridge; she asked about the future of the nursing home; in response Mayor Edwards assured her that the nursing home will not be shutting down.
5. Audience response – Dennis Rose; local attorney from Rose, Harrison and Gilreath; he spoke on behalf of Richard Murphy and asked the Board to consider the grievance against Mr. Murphy in Closed Session; he asked the Board to table the matter in order to give Mr. Murphy an opportunity to respond.
6. Audience response - Richard Murphy; South Nags Head resident and property owner for over 35 years; he is Chairman of the Planning Board; he spoke concerning allegations about him removing the mounds of sand blocking the beach access at his residence/subdivision; he displayed photographs of the sand on the screen; Mr. Murphy stated that he is a huge proponent of transparency in government and feels that appointed officials must be held to a higher standard; he spoke in support of the truth.
7. Recognition - Sanitation Equipment Operator Mike Flowers was recognized for his years of service and presented with a retirement plaque.
8. Recognition - Facilities Maint. Tech Janis Farmer was recognized for fifteen years of service.
9. Consent agenda - The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Adjustment #13 to FY 13/14 Budget Ordinance
 - Consideration of Tax Adjustment Report / Tax Settlement Report
 - Annual write-off of Uncollectible Water Accounts
 - Consideration of resolution appointing Tax Collector
 - Approval of Minutes
 - Consideration of resolution to surplus town equipment
 - Update to Consolidated Fee Schedule
 - Request to apply for FEMA Hazard Mitigation Grant
 - Consideration of FY 2014 holiday dates
 - Request to apply for NCLM Wellness Grant

Request for Public Hearing to consider zoning ordinance text amendment submitted by Eddie Goodrich to add a new use category, "Group/Cluster Housing" to R-2 and C-2 Districts

Request for Public Hearing to consider rezoning request submitted by Harry Baum Jr. to extend western boundary of Recreation Overlay District approx. 2,400 feet to Washington Baum Bridge

Request for approval of letter to Planning Board Chair

10. Public Hearing – to consider citizen comment on the Town Manager’s proposed operating budget for FY 14/15 and proposed CIP requests - Town Manager Ogburn reviewed the changes to the original recommended budget. Mayor Edwards deferred action/adoption of the budget until the June 18th mid-month meeting. The changes to the budget as presented are to be added to the web site.
11. Public Hearing - to consider zoning ordinance text amendment to clarify how permeable pavement/Turfstone usage is calculated - Board members agreed that the Residential Lot Coverage Calculations form needs clarifying information. The Board passed a motion to adopt the ordinance as presented. The required second reading was scheduled for the June 18th mid-month meeting.
12. Public Hearing - to consider a conditional use site plan amendment application submitted on behalf of Outer Banks Hospital for construction of a new surgery unit and relocation of the mobile MRI area. The Board passed a motion to make the following required three findings of fact:
 - a. The applicant has met the requirements of the Town of Nags Head Zoning Ordinance, Subdivision Ordinance and other applicable ordinances,
 - b. The use will not materially endanger the public health and safety if located where proposed and developed according to the plan as submitted, and
 - c. The use as proposed will not overburden the fire fighting capabilities and the municipal water supply capacity of the Town.and to approve the site plan amendment as presented.
13. Traffic Control Map amendments – to accommodate changes in signage related to Nags Head Promotion goal – The Board passed a motion to adopt the ordinance amending the Traffic Control Map as presented – A required second reading will take place at the June 18th mid-month meeting.
14. Committee report - Comr. Ratzenberger – Albemarle Commission - Rural Planning Organization – Comr. Ratzenberger explained the point process that DOT is using for project funding – he said that the point process will probably mean that the Town will not receive funds to complete its west side multi-use path; most projects that receive enough points for funding will involve airports or ferries.
15. Committee report - Mayor Pro Tem Walters – Dowdy Park Committee – The Dowdy Park Committee met and narrowed down the wish list to include activities that will make Dowdy Park a park for all ages; once the Town’s budget is approved, Dep. Planning Director/Zoning Administrator Kelly Wyatt will forward an RFP to park consultants to begin the design phase; the next meeting of the Dowdy Park Committee is scheduled for July 10th at 4:30 p.m. at Town Hall.
16. Committee report - Mayor Edwards – Colony Ridge /Nursing Home Committee – The Committee continues to work with several vendors interested in Colony Ridge; Mayor Edwards said that he hopes to formalize an agreement with a new operator sometime in the not too distant future.
17. Committee report - Mayor Edwards – Town Hall Day in Raleigh – All but one Board member along with the Town Manager attended last week’s Town Hall Day in Raleigh; Mayor Edwards stated that they

spoke with Rep. Tine and Sen. Cook and learned that not everything that will be affecting the Town in the upcoming State budget will be positive.

18. Appointments – It was Board consensus to appoint Dep. Planning Director/Zoning Administrator Kelly Wyatt to serve on the following Committees:
 - Albemarle Rural Planning Organization - Transportation Coordination Committee
 - NC DOT Pedestrian Plan Steering Committee
 - Soundside Boardwalk Steering Committee
19. Gov-Ed residual funds – The Board passed a motion to authorize staff to apply for the use of the residual funds from the Government Education Local Programming Development Initiative grant – to be used for equipment to videotape meetings in the South Wing of Fire Station #16.
20. Town Attorney - Attorney Hobbs thanked the Board for the opportunity to sit in for Attorney Leidy.
21. Town Manager – Jennette’s Pier - Town Manager Ogburn reported that the State House is trying to include the sale of Jennette’s Pier in its upcoming budget. Rep. Tine is proposing an amendment that would allow the pier to only be sold for the higher of either fair market value or the total invested in its development – It was Board consensus that a letter be prepared for the Mayor’s signature to Rep. Tine and Sen. Cook as well as Budget Committee Chairs opposing the sale. Planning staff was directed to review Town ordinances to see which were modified to allow pier construction.
22. Town Manager – July 4th Fireworks - Deputy Fire Chief Shane Hite summarized details for the upcoming July 4th Fireworks Display at Nags Head Fishing Pier. The fireworks are scheduled for July 4th at 9:25 p.m. He noted that the Dowdy Park site may be a good parking area to view the fireworks.
23. Town Manager – Closed Session - Town Manager Ogburn requested a Closed Session, at the appropriate time, to discuss personnel matters with Board members.
24. Closed Session – The Board passed a motion to enter Closed Session at 10:20 a.m.
25. Open Session – The Board re-entered Open Session at 10:50 a.m. Attorney Hobbs reported that no action needed to take place in Open Session as a result of the Closed Session.
26. Strategic Goal Stormwater Management - On behalf of Comr. Demers, Project Engineer/Manager David Ryan presented a slide presentation entitled *Drainage Infrastructure Improvements - Year in Review 2013 – 2014*. Mr. Ryan highlighted some of the drainage improvements in the Town and summarized upcoming drainage improvement projects.
27. Comr. Ratzenberger – Community Watch - Comr. Ratzenberger reported on last night’s Community Watch meeting. Officer Lora Gilreath and Police Chief Kevin Brinkley were present. The annual National Night Out has been scheduled for Tuesday, August 5th. All interested were invited to get involved.
28. Adjournment – The Board passed a motion to adjourn; the Board passed a second motion to recess to the Board’s mid-month meeting on Wednesday, June 18th at 7 p.m. - The time was 11:12 a.m.