



**TOWN OF NAGS HEAD  
WEDNESDAY, MARCH 5, 2014  
BOC ACTIONS**

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Adoption of agenda – The Board passed a motion to approve the March 5<sup>th</sup> agenda as presented.
3. Audience Response – Mike Kelly

Mike Kelly, Kelly Hospitality Group; Mr. Kelly stated that the Planning Board at their February 2014 meeting was sent direction by the BOC to look at the Recreation and Hotel Districts; staff did an excellent job of presenting options – he feels that this is an important issue to discuss in a workshop; a review of the commercial zones in the town to assess their actual use at present and their zoning designation should also be included in a workshop discussion.

Mike Kelly, Nags Head property owner and resident; he thanked the Board for the Carolinian Circle paving project; now there are six lots that are developable on a very useable street; he praised staff for going above and beyond.

Mike Kelly, Nags Head property owner, business owner, and resident; the upcoming Kelly's Parade is the 25<sup>th</sup> Annual Parade – they expect approximately 8 – 10,000 people along the parade route; in conjunction with the parade is a 10K Run and this year the Taste of the Beach is tied into the parade weekend – he thanked the Board for its support of these events.

4. Proclamations – the following proclamations were unanimously approved and adopted:
  - Proclamation in support of Sunshine Week
  - Proclamation in support of Dare County Relay For Life
  - Proclamation in support of Multiple Sclerosis Awareness Week
5. Consent Agenda – The Board approved it as presented which consisted of the following:

Consideration of Budget Adjustment #10 to FY 13/14 Budget Ordinance  
Consideration of amendment to Beach Nourishment Project Ordinance  
Consideration of Tax Adjustment Report  
Consideration of Tax Delinquent Listing to advertise  
Approval of Minutes  
Request to apply for Fire Prevention and Safety Grant

6. Public Hearing - to consider Offer To Purchase and Installment Finance contracts for the Dowdy Park site located at 3006 S Croatan Highway – The Board approved both contracts - both included authorization for the Town Manager and the Town Attorney to negotiate the non-material terms.
7. Planning Director report – Overlay District discussion – The Board passed a motion to direct the Planning Director and the Town Manager to arrange a workshop before the Board's April 2014 mid-month meeting (mid-month meeting scheduled for 7:00 p.m. on April 16<sup>th</sup>) and in addition to

providing public notice for the general public to also send an individual invitation to all property owners in both the Outdoor Recreation and Hotel Overlay Districts. Purpose will be to discuss the future of these districts. The motion also included an RSVP in the invitation process.

8. Committee reports – Mayor Pro Tem Walters – reported on a recent Dare County Tourism Board meeting – the Town’s fireworks grant request was approved; funding for phase I of the Outer Banks Event Site Master Plan was approved; occupancy in Nags Head was up over 5% in 2012; the Outer Banks Visitors Bureau Facebook page has a contest underway with the winner receiving a week-long getaway.

Comr. Cahoon – reported on a recent Gov-Ed Committee meeting – upcoming budget to be considered at Board’s April 2<sup>nd</sup> meeting will include a request for staff position for technical work.

Comr. Cahoon – reported on Coastal Resources Commission meeting last week where sand mitigation was discussed; NCDOT’s request for variance for Red Drum ocean outfall was approved.

Comr. Ratzenberger – reported on the American Shore and Beach Preservation Association conference attended in Washington DC by him, Town Manager Ogburn, and Mayor Pro Tem Walters; purpose was to receive an award for the best Beach Nourishment Project; the trip provided an opportunity to meet with representatives from Jones, Burr, and Hagan offices; request was made to FEMA for more credit for having done the project; Comr. Ratzenberger would like to be involved in a similar organization in Norfolk which may benefit the Town.

9. Revised Board/Committee application and Candidate tracking chart – It was Board consensus to change the “date-of-birth” field to read “age-range” on the application and to utilize it for standing committees only. There was discussion re: utilizing the application for both standing and ad-hoc committees. The Board/Committee Policy will be reviewed in October 2014.
10. Review of draft Committee meeting minutes to be posted to web site - It was Board consensus that the template presented be utilized for all board/committee draft meeting minutes for inclusion on the Town’s web site – with the addition of the specific actions taken.
11. Pond Island waterline extension – The Board approved the Pond Island waterline extension – Option B – as presented. The motion to approve passed 4 – 1 with Comr. Demers casting the NO vote. Comr. Demers said that while he is in favor of providing potable water to as many as possible, he was hesitant doing it at cost to property owners who do not support it.
12. Town Attorney – Update on Osborne litigation - Town Attorney Leidy provided status of the Osborne cases – they have been forwarded to the NC Court of Appeals – he expects a decision by the middle of June 2014.
13. Town Manager – Pilot Recycling Project - It was Board consensus to extend the Pilot Recycling Project to July, August, and September 2014; to include recycle pickup twice/week, and to provide same day trash/recycle pickup. Cost figures for additional recycle carts and for other options of pickup are to be discussed at the April 2<sup>nd</sup> Board meeting.
14. Town Manager – Dune migration - The Board passed a motion to adopt the text amendment to Town Code Sec. 8-7 *Beach bulldozing prohibited* as presented (which allows beach bulldozing when authorized by the Town) and to authorize appropriate modification to the Beach Nourishment CAMA Permit. It was noted that the exemption letter to be forwarded to property owners is to indicate that work is only to take place Mon through Fri from 8:30 am to 5:00 pm.

- 15.** Town Manager – 2014 Fireworks – The Board passed a motion to accept the DCTB fireworks grant and to proceed with the July 4, 2014 Town fireworks display. Comr. Ratzenberger confirmed that staff will continue with efforts to combine with another entity for the display.
- 16.** Mayor Pro Tem Walters – Update on Parks & Rec - Mayor Pro Tem Walters summarized the work she has done thus far for the Parks & Recreation – Dowdy Park. She stated that when the Committee meets end of March the process will begin with development of a plan for the park.  
  
The Board passed a motion to appoint the following Dowdy Park ad hoc Committee members – as presented by Mayor Pro Tem Walters: Isabel Cooper, Tyler Dunsmore, Teresa Kerber, David Elder, Kerry Sanders, Chad Stewart, Ben Cahoon, and Lisa Strydom.
- 17.** Comr. Cahoon – Nags Head Promotion - The Board passed a motion to approve the addition of local businesses to the Town’s Facebook page. It was noted that the Town’s website policy may need to be modified.
- 18.** Comr. Ratzenberger – Shoreline Management goal - Comr. Ratzenberger reported that information on the Shoreline Management goal, as well as the other Board goals, can be found on the right hand side of the Town’s web site – home page.
- 19.** Comr. Ratzenberger – Yard Sales vs Open Houses – He summarized his concern in an email which was provided - He stated that those he spoke with were concerned about the yard sale directional signs not being allowed and the ten spaces required for parking. The Board passed a motion to initiate the text amendment to begin the Planning Board process.
- 20.** Comr. Demers – Stormwater Management goal - Comr. Demers reported that he has initiated work with staff on his goal which is Stormwater Management. He stated that he has no committee work yet as he first wants to work neighborhood to neighborhood rather than meet with a committee.
- 21.** Mayor Edwards - Notification - It was Board consensus that Board members issue a notice of absence if they are to be out of town overnight – Notification is to be provided to the Mayor, Mayor Pro Tem, the Town Manager, and the Clerk.
- 22.** Mayor Edwards – Upcoming meetings – On March 7<sup>th</sup> at 5:30 pm at Jennette’s Pier he and Town Manager Ogburn will meet with environmental journalists to discuss, among other issues, the Town’s Beach Nourishment Project. On March 7<sup>th</sup> at 10:00 am the Nursing Home Evaluation Committee is scheduled to meet at Town Hall.
- 23.** Mayor Edwards - Solid Waste & Recycling Goal - Mayor Edwards stated that so far only one person has volunteered to serve on his Solid Waste & Recycling Committee.
- 24.** Comr. Ratzenberger - Rural Planning Organization (RPO) meeting - Comr. Ratzenberger stated that he will be attending his first RPO meeting on Monday, March 10<sup>th</sup>.
- 25.** Adjournment
  - A March mid-month meeting was not scheduled.
  - Staff is to include off-shore seismic testing on the April 2<sup>nd</sup> Board meeting agenda.
  - The Board adjourned at 1:13 p.m.