



**TOWN OF NAGS HEAD
BOC ACTIONS
OCTOBER 1, 2014**

1. Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda adoption – The Board adopted the October 1st agenda as amended – The Public Hearing re: request for text amendment to allow new use “Residential Group Housing” was moved to the November 5, 2014 Board of Commissioners meeting agenda.
3. Recognition - Finance Officer Kim Kenny introduced Tax Collector Linda Bittner and Customer Service/Cashier Brittany Strickland who were welcomed by the Board to Town employment.

Proclamations - Fire Prevention Week and Big Sweep Day Proclamations were adopted.

4. Audience Response – Gwen White - Spoke on behalf of the NC Lions Visually Impaired Persons Fishing Tournament which is scheduled for October 20-22, 2014; 525 blind and their guests along with 350 volunteers will be on the Outer Banks.

Audience Response – Perry White, Nags Head resident; questioned details of agenda items E-4, E-5, and E-7; he is hoping to be allowed to comment on the parking ordinance when it is discussed and he hopes final vote on that ordinance will be postponed.

Audience Response - Mark Jerkowitz, Nags Head resident and new owner of the Outer Banks Sentinel newspaper; he wanted to introduce himself and explain that his goal for his paper is to make it more of a part of the community and a more palpable presence on the Outer Banks.

Audience Response - Richard Murphy, Nags Head resident; he stated that he is grateful to Mayor Edwards who sent him a letter trying to force his resignation as Planning Board Chair; Mr. Murphy said that after two visits to the School of Government in Chapel Hill he now has a superior understanding of the laws elected officials are required to adhere to.

5. Consent agenda – Consent Agenda was approved as presented – it consisted of the following:

Consideration of Budget Adjustment #2 to FY 14/15 Budget Ordinance

Consideration of Tax Adjustment Report

Approval of Minutes

Consideration of amendment to the Traffic Control Map re: Admiral Street

Consideration of notice to Town of Kill Devil Hills re: joint fire station interlocal agreement

Stacey Mann Hazard Mitigation Grant exemption from NCGS 143-64.31 - engineering services

Request to write off National Park Service - Fire Service debt

Request for Public Hearing to amend Town Code Section re: standards for fishing piers

6. Public Hearing – Creation of two-lot subdivision - Mayor Edwards noted a request from Ray Meekins on behalf of applicant Shirley Weeks - the Board tabled the Public Hearing for creation of a two-lot subdivision to the November 5th Board of Commissioners meeting.
7. Public Hearing – Horseback Tours – The Board denied the applicant’s request for a zoning ordinance amendment that would allow a new use - horseback tours – in the Recreational Uses Overlay District. The Board passed a separate motion to find that the denial of the applicant's request was consistent with the Land Use Plan.
8. Public Hearing – Freeboard regulation – The Board adopted the ordinance amending the Town Code to establish a “freeboard” of one foot above the Base Flood Elevation (BFE) as presented.
9. Renaming Fire Station #16 – The Board unanimously approved renaming Fire Station #16 – Douglas A Remaley Fire Station #16.
10. Closed Session - The Board entered Closed Session to receive confidential information concerning an appeal of denial of a taxicab driver permit - The Board re-entered Open Session and passed a motion to grant the appeal and to approve the application for a taxicab driver permit.
11. Committee reports - Comr. Ratzenberger – Dare County Beach Nourishment meeting – the meeting focused on the northern and southern beaches - next meeting is tomorrow, October 2nd.

Mayor Pro Tem Walters – Dare County Tourism Board – they met on September 18th in Avon and approved nine event grant requests to include five first-time requests.

Mayor Pro Tem Walters - Dowdy Park – Artists Marcia Cline and Kerry Saunders are painting on the side of the existing on-site building; Nags Head Elementary School students in grades three to five have painted their visions on cedar shakes which have been applied to a side of the building. Saturday, October 4th at Dowdy Park is a community day in combination with NHES Pumpkin Fair from 10 am to 3 pm.

Mayor Pro Tem Walters – Walk to School Day – Nags Head Elementary School (NHES) Walk to School Day is Wednesday, October 8th from 7:00 to 7:30 a.m.

Mayor Pro Tem Walters – Outer Banks Seafood Festival – Scheduled for October 18, 2014 at the Outer Banks Event Site – this is the third annual festival event.

Mayor Edwards – YMCA – Mayor Edwards, Comr. Ratzenberger, and Town Manager Ogburn met with YMCA Executive Director Katie Burgess; Mayor Edwards has asked Ms. Burgess to attend the Board’s February 2015 meeting to provide an update on the YMCA Master Plan. He also noted that on an interim basis Comr. Ratzenberger will be serving as the Town’s representative.

12. Board/Committee Appointments – It was Board consensus that Webb Fuller be appointed to serve in the regular position on the Board of Adjustment. It was Board consensus that Susan Boncek be appointed to serve in the alternate position.

Town Manager Ogburn said that Raymond Foote, currently serving on the Personnel Grievance Board, is moving; he requested to bring applications for replacing Mr. Foote to the November Board meeting; Board members concurred.

13. NCLM Business Meeting – The Board passed a motion to appoint Mayor Edwards as the voting member at the NCLM Annual Business Meeting scheduled for October 13, 2013.

Mayor Edwards asked Board members to provide him their opinion of the NCLM goals, forwarded recently by Town Manager Ogburn.

14. Parking Ordinance - It was Board consensus to schedule a joint workshop with the Parking Ordinance Committee and the Planning Board for October 20th at 5:30 pm to discuss the ordinance in detail. Comr. Cahoon requested parking at banks be one of the items highlighted for discussion.

15. Annual Water Quality report - George Wood, Environmental Professionals, Inc., provided his annual presentation summarizing his analysis of the Town's water quality. He stated that what he found was consistent with what was found in the past – the importance of maintaining the dog dispensers throughout town was also discussed by Board members.

16. Town Attorney - It was Board consensus to defer the Closed Session to confer with the Town Attorney about the Colony Ridge Rehabilitation Center to the end of the agenda.

17. Town Manager – Town Manager Ogburn introduced Planning Director Andy Garman and Albemarle & Associates John DeLucia who is contractor along with VHB Engineering for the Dowdy Park design. The Dowdy Park design scope of services was presented to Board members.

18. Town Manager – The Board passed a motion to extend the current recycle agreement [with Outer Banks Hauling] until January 1, 2015.

19. Board of Commissioners

Comr. Ratzenberger – Provided an update on State Transportation information – The Governor has a 25-year plan which breaks the State into four areas; the plan can be found online.

Spreadsheets from NCDOT - Stock 4.0 asks for comments on how to improve the Albemarle Rural Planning Organization (ARPO) process – The town's resolution last month will be used for the Town's comments.

Mayor Edwards said that he would invite NCDOT representative Malcom Fearing to an upcoming Board of Commissioners meeting to provide an update.

20. Mayor Edwards - It was Board consensus that Thursday/Friday, January 22 – 23, 2015 be reserved for the Board of Commissioners Retreat. Facilitator Madeleine Henley is to be contacted.

21. Closed Session – The Board entered Closed Session to confer with the Town Attorney to preserve attorney/client privilege concerning Colony Ridge – After re-entering Open Session, Attorney Leidy reported that during Closed Session the Board conferred with the Town Attorney and no action was taken.

22. Adjournment – The Board passed a motion to recess to Monday, October 20, 2014 at 5:30 p.m. in the Board Room [for a workshop discussion of the Parking Ordinance]. The time was 12:29 p.m.