



**TOWN OF NAGS HEAD
BOC ACTIONS
February 6, 2013**

1. Call to order - Mayor Oakes called the meeting to order at 9:00 a.m. He announced that Comr. Cahoon was not present as she was attending a CRC meeting; and he announced that Comr. Walters was awaiting the birth of her first grandchild and would be leaving early.
2. Agenda – The Feb 6th agenda was adopted with closed session scheduled after Consent Agenda.
3. Audience response - Dr. Christine Avenarius, Professor of Anthropology from ECU, reported on her stormwater drainage project and her interviews with Nags Head Acres residents.
4. Relay for Life – Dabni Shelton presented information on the 2013 Relay For Life Program – scheduled for May 18-19; the Board adopted a proclamation in support of the program.
5. Recognition – Fire Dept Office Assistant Jackie Hart was recognized for 10 years of service; Fire Captain John Harris was recognized for 15 years of service.
6. Consent agenda – The Consent Agenda was approved with the removal of the Whalebone Park contract item - The Consent Agenda consisted of the following items:
 - Budget Adjustment #8; Tax Adjustment Report; Approval of minutes; Request to advertise delinquent taxes; Request to apply for NCLM Wellness Grant.
7. Closed/Open Session – The Board entered Closed Session to confer with Town Attorney and to preserve Attorney/Client privilege and re-entered Open Session at 9:42 a.m. No actions taken.
8. Comr. Walters – The Board excused Comr. Walters from the remainder of the meeting.
9. Whalebone Park contract – The Town Manager was authorized to spend funds up to \$157,000 and to waive the performance bond for the Whalebone Park project.
10. Cingular Wireless lease agreement – The Board approved the First Amendment to the Cingular Wireless lease agreement as presented for installation of a generator at the Town Hall cell tower.
11. Community Rating Service – Planning Angela Welsh summarized the Town's Community Rating Service program and stated that the Town has a very favorable "6" rating.
12. Committee reports
 - Comr. Sadler – Dare County Tourism Board meeting
 - New members were welcomed; Comr. Sadler was voted as DCTB Chair

- In process of hiring a company to prepare a plan for the Windmill Point property
- OBSE presented report on upcoming events – such as the Storm The Beach program
- Adopted a resolution in support of funding for Oregon Inlet dredging
- Grant was approved for the March Kelly's St. Patrick's Parade
- The Feb DCTB meeting is to be held at Kitty Hawk Town Hall

Comr. Sadler - Chamber of Commerce luncheon

- Barry Hobbs from NCDOT updated over 100 attendees on bridge repairs, closings, etc.

Mayor Oakes – Colony Ridge Advisory Committee

- Meeting was cancelled at their request – this meeting will be rescheduled

Town Manager Ogburn on behalf of Comr. Walters – Jennette's Pier Advisory Committee

- Outgoing founding chair Bob Muller and member Comr. Sadler were thanked
- New officers for 2013 – Michael Halminski, Chair and Ray White, Vice-Chair
- The Pier is no longer a subsidiary of Roanoke Island Aquarium – it is separate entity with pier manager Mike Remige reporting directly to State Division Director David Griffin
- New for 2013 are exhaust fans in bath house, path mats to increase handicapped accessibility, and continued collaboration with UNC-CSI organization

13. SNH Elevated Tank – The Board approved Change Order No. 1 to the South Nags Head Elevated Tank Contract as presented.

14. Town Attorney – Town Attorney Leidy provided an update on pending litigation to include the following: Cherry, Inc; Sansotta; Fisher; Board of Adjustment challenges: On Trading Corp (Dairy Queen), Hi-Impact Marketing (mobile billboards), and Osborne (two appeals).

15. Cross Connection ordinance – The Board's motion to adopt the Cross Connection ordinance failed - The ordinance will return for a second reading at the Mar 6th Board meeting.

16. Town Manager Ogburn – Tax Collector Becky Huff presented a well-received update on the Debt Setoff Program. The program assists with the recovery of delinquent tax debts by offsetting debtors' NC State Tax refunds and Education Lottery winnings.

17. Town Manager Ogburn – The Board adopted a resolution in support of extension of the Red Drum Ocean Outfall as presented.

18. Town Manager Ogburn – Stormwater update - The cleaning out and reshaping of ditches/swales was reported; NCDOT equipment at the 7-11 Store is to be used for sand and debris removal from the ditches/swales in South Nags Head; Dep. PW Director Barile also provided an update.

19. MPT Remaley – The Board approved the application for a \$20,000 non-matching grant from the Gov-Ed TV - Local Development Initiative - for upgraded Board Room video equipment – with modified grant application verbiage. Also approved were additional funds of \$506.73 to come from Gov Body Contracted Services. An updated Board Room Use Policy, to include clarification of the use of equipment, is to be included on the Mar 6, 2013 Board agenda for review/approval.

20. MPT Remaley – He stated that before any concerns are filed about the dates for the Alligator River Bridge closing for repairs, the Town should find out the exact dates of the bridge closure.

- 21.** Comr. Sadler – Comr. Sadler emphasized her concern that all Board members should be present for discussions/votes on ordinances and Board/Committee appointments. She asked that the Cross Connection Ordinance be considered again when all Board members are present.
- 22.** Mayor Oakes – requested a Closed Session for Board review/approval of Closed Session minutes.
- 23.** Mayor Oakes – Town Manager Ogburn/PIO Roberta Thuman distributed CIP books to Board members. Board members scheduled CIP/Budget Workshop dates/times.
- 24.** Mayor Oakes – The Board ratified the actions from the Jan 24th Board Retreat as presented.
- 25.** Mayor Oakes - Mayor Oakes announced that he would not be running for re-election this year.
- 26.** Closed/Open Session – The Board reviewed/approved/opened as listed the Jul – Dec 2012 Closed Session minutes. The Board also conferred with the Town Attorney on the Sansotta litigation.
- 27.** Adjournment - The Board recessed to a mid-month meeting on Feb 20, 2013 at 7:00 p.m. Mayor Oakes reminded Board members of the workshop to evaluate the Town Manager on Feb 20, 2013 at 4:00 p.m. The time was 12:24 p.m.