



**TOWN OF NAGS HEAD
BOC ACTIONS
January 16, 2013**

1. Call to order - Mayor Oakes called the meeting to order at 9:00 a.m. and welcomed new videographer Corey Godwin.
2. Agenda – The Board adopted the Jan 16th agenda as presented.
3. Audience Response – Lewis Toth, Village resident; Mr. Toth reported on the Village ditch blockage which the Town has assisted him in getting cleared; he asked for the Board's help in getting the Golf Links ditch cleared; he also asked for the Town to change its policy re: feral cats to be more cat-friendly.
4. Audience Response - Wilo Kelly, Nags Head resident; she is Chair of the Coastal Studies Institute Board of Directors; she thanked the Board of Commissioners for its support of the Institute; the CSI Open House is scheduled for Sat, Feb 2nd.
5. Audience Response - Patty McKenna of Outer Banks Relief Foundation; she is the Dare 2-1-1 Coordinator; she thanked Comr. Sadler for the connection to the Town to introduce the 2-1-1 number - which is a non-emergency help line in Dare County.
6. Audience Response – Perry White, Nags Head resident; he asked the Fire Chief to highlight the upcoming NH Woods prescribed burn which is on today's agenda; he spoke in support of the resolution for stormwater mitigation issues to be considered today; he spoke in support of the resolution for creation of a NC Coastal Caucus; and he urged the Town to advertise the importance of adding lights in fog.
7. Audience Response – Richard Murphy, Nags Head resident; this is the first meeting of the year and he commended the Board on the Beach Nourishment Project that is working.
8. Recognition – New Building Inspector Steve Szymanski was welcomed to Town employment.
9. Recognition - Majid Elbers summarized the *For The Joy Of It* Christmas Decorating Contest program and introduced the winners of the 2012 contest.
10. Consent Agenda – The Board approved the Consent Agenda as presented:
 - Consideration of Budget Adjustment #7 to FY 12/13 Budget Ordinance
 - Consideration of Tax Adjustment Report
 - Approval of Minutes

- Annual Certification of Firefighters
 - Request to apply to DCTB for 2013 Fireworks grant
 - Appointments of Town representative to the Albemarle RPO
 - Prescribed burn in Nags Head Woods scheduled
 - Request to apply for NC Gov Crime Comm grant for Police video equipment
- 11.**Public Hearing - to consider adoption of a Zoning Ordinance Text Amendment re: lighting of outdoor amusements - The Board passed a motion to adopt the ordinance to include the following modifications:
- Outdoor amusement rides below 35' in height are exempt from the lighting ordinance – between 9 am - 11:30 pm and between May 15 – Sep 15
 - One outdoor amusement over 35' in height is allowed and is exempt from the lighting ordinance – between 9 am - 11:30 pm and between May 15 – Sep 15
- This exemption expires on and is to be reviewed by Nov 6, 2013
- 12.**Public Hearing – to consider adoption of a Zoning Ordinance Text Amendment to increase allowable lot coverage within the SED-80 District for Institutional Uses – The Board passed a motion to allow 20% lot coverage and to eliminate the paragraph re: turfstone/porous surface.
- 13.**Comr. Cahoon - Comr. Cahoon recognized recently passed away NCDOT employee Allen Russell who worked with the Town for many years and was a great person to work with – Board members concurred that he will be sorely missed.
- 14.**Resolution – The Board passed a motion to adopt the resolution concerning NCDOT and stormwater drainage mitigation as presented. The Board also passed a motion authorizing the Town Manager and the Mayor to prepare/forward a letter to NCDOT, as well as a resolution for Board consideration, in support of moving the Red Drum ocean outfall extension project forward.
- 15.**Committee reports – Comr. Sadler reported on the Dec DCTB meeting and stated that the next meeting is scheduled for tomorrow, Jan 17th, at 9:00 am; she did point out that the visitation figures reported at the Dec DCTB meeting were mixed – mostly down although they were not sure why; she reported that a number of short-term restricted fund grants were approved including Town's Phase V multi-use path grant.
- 16.**Committee reports – Mayor Pro Tem Remaley reported on the Dec Government Education Channel Committee meeting.
- 17.**Lunch – The Board recessed for lunch at 12:00 Noon and reconvened at 1:34 pm.
- 18.**Appointments – The Board passed a motion to nominate Webb Fuller to represent the Town on the 2013 Outer Banks Seafood Festival Committee – scheduled for Oct 19th – Mayor Pro Tem Remaley cast the NO vote.
- 19.**Traffic Control Map – The Board amended the Traffic Control Map designating Stop Signs at the Windjammer/Lookout intersection in Northridge Subdivision as presented.

20. Attorney Gallop – The Board adopted a resolution in support of legislation clarifying public trust authority on ocean beaches. Comr. Cahoon confirmed with Town Manager Ogburn that the resolution would be distributed to all coastal municipalities.
21. Attorney Gallop - Attorney Ben Gallop reported that Sansotta arguments will be presented at the US Court of Appeals on Jan 31st.
22. Town Manager Ogburn – Stormwater updates - Dep Public Works Director Ralph Barile reported that the pumps/motors are being installed today in the Vista Colony Subdivision which will pump water out from behind the houses in the Subdivision.

Town Manager Ogburn reported that he has contacted Nags Head Golf Links re: clearing out the ditch – Ben Bridgers has indicated that he is awaiting capital funds from corporate office.

In remaining budgeted stormwater funds, some is slated for Nags Head Pond, some for the culvert at Dirty Dicks; an outstanding item is culvert underneath Barnes Street – awaiting NCDOT approval.

Staff is to review the site plan for the former movie theater on the bypass – Comr. Cahoon reported that current owners have torn out the retention pond – Town Manager Ogburn will report back.

23. Town Manager Ogburn – He met with KDH and Dare County – County Manager Outten agreed to delay the new tipping fee increase until Jul 1st.
24. Town Manager Ogburn – The Board adopted the resolution supporting the creation of a North Carolina Coastal Caucus as presented.
25. Town Manager Ogburn – The Board approved Town Manager Ogburn's request to fund/sponsor the Mon night reception of the NCBIWA in Mar 2013 – with Dare County and Kill Devil Hills.
26. Town Manager Ogburn – Fire Chief Zorc reported that despite prior reports, the National Park Service has indicated that they will not host a fire burn this year.
27. Town Manager Ogburn - Fire Chief Zorc reported that the prescribed burn for Nags Head Woods, in partnership with the National Forest Service and the Town of Kill Devil Hills, will take place on the sound side marshes some time during this winter.
28. Town Manager Ogburn – The Board adopted a resolution designating Fire Insurance District boundaries – with the following modification to the boundary description: “All that certain area of Dare County, North Carolina, lying wholly within the boundaries of the Town of Nags Head's jurisdictional limits as defined in the Charter as amended from time to time.”
29. Town Manager Ogburn – Offices will be closed on Mon, Jan 21st in observation of Martin Luther King, Jr holiday – Town-wide trash pickup will take place on Tues.
30. Comr. Cahoon - Comr. Cahoon reported that she met with interested business owners last week to discuss worker bicycle/pedestrian safety. The first meeting of the group to discuss this issue is scheduled for Jan 22nd.

- 31.**Comr. Cahoon - Comr. Cahoon asked that on the Government Education Channel, Channel 20, that only the summer trash schedule be provided during the summer and that only the winter trash schedule be provided during the winter.
- 32.**Comr. Sadler - Comr. Sadler asked Town Manager Ogburn to ask Police Chief Brinkley what can be done to remind people of safety when driving in fog conditions.
- 33.**Comr. Sadler - It was Board consensus to appoint Comr. Walters to represent the Town on the Jennette's Pier Advisory Committee. Comr. Sadler pointed out that the next meeting of the Advisory Committee is scheduled for Jan 23rd.
- 34.**Mayor Oakes - Mayor Oakes reported on the passing of Captain Al Hibbs who proudly served his country and he served the Town of Nags Head for over 20 years.
- 35.**Mayor Oakes - Mayor Oakes requested a Closed Session to review Closed Session minutes.
- 36.**Mayor Oakes - Mayor Oakes noted that the Board's Retreat is scheduled for Jan 24th – 25th. The rental house location has not yet been determined. He pointed out that the public and press are welcome.
- 37.**Mayor Oakes - The Coastal Studies Institute (CSI) Open House is scheduled for Feb 2nd.
- 38.**Mayor Oakes - Mayor Oakes spoke in response to Audience Response item concerning the control of feral cats. Comr. Cahoon questioned if there was a program that would fund the capture and spay/neuter of feral cats.
- 39.**Closed Session – The Board entered Closed Session to review/approve Closed Session minutes from Jul through Dec 2012. The time was 2:32 p.m.
- 40.**Open Session – The Board re-entered Open Session at 2:40 p.m. Mayor Oakes reported that it was Board consensus to consider the Closed Session minutes at the next Board meeting.
- 41.**Adjournment - The Board adjourned at 2:41 p.m.