



**BOC ACTIONS
TOWN OF NAGS HEAD
WEDNESDAY, NOVEMBER 20, 2013**

1. Call to order - Mayor Oakes called the meeting to order at 6:30 p.m. Mayor Oakes recognized former Comr. Jeanne Acree; former Mayor Bob Muller, and former Town Manager Webb Fuller in the audience. He asked that everyone keep former Mayor Don Bryan in their thoughts as he battles illness.
2. Recognition - Mayor Bob Oakes, Mayor Pro Tem Doug Remaley, and Comr. Anna Sadler were recognized with a service plaque and a Ray Matthews framed photo for their years of service to the Town.
3. Recess - The Board recessed for a brief reception and reconvened at 7:07 p.m.
4. Traffic Control Map amendment – The Board passed a motion to adopt the ordinance amending the Traffic Control Map extending the 35 MPH speed limit one mile past the Outer Banks Fishing Pier on SR 1243 in South Nags Head.
5. Nominees for DCTB – The Board passed a motion to nominate Comr. Walters, Comr-elect Demers, and Comr-elect Ratzenberger to serve as representative for the Town on the Dare County Tourism Board.
6. Nominees for CRAC – The Board passed a motion to nominate Currituck County Attorney Ike McRee to the Coastal Resources Advisory Council (CRAC).
7. Town Attorney – Town Attorney Leidy provided an update on the following litigation cases:

Sansotta case - Re: Seagull Drive oceanfront houses and the Town's nuisance ordinance - Two weeks ago Attorney Leidy and Attorney Gallop attended a status conference in Raleigh - The deadline for supplemental briefs is January 21, 2014. The judge also indicated that he should be able to rule on everything by the end of March 2014.

Hi-Impact case – Re: the notice of violation issued for the mobile message board; the Superior Court judge agreed with the Town's motion and the appeal was dismissed.

On-trading case - Re: the notice of violation issued for the Dairy Queen signage; the Superior Court upheld the BOA decision – Attorney Leidy said that according to the plaintiff's attorney, most likely no additional action will take place.

Bank of Hampton Roads/Osborne case – Re: property where the owners (Osbornes) were denied a variance by the BOA is now owned by the Bank of Hampton Roads who is pushing the case in which the Osbornes are now minimally involved.

- 8.** Town Manager - Town Manager Ogburn requested a Closed Session to discuss the settlement agreement the Town has with George Moore and the possible land acquisition at 2300 S VA Dare Trail.
- 9.** Town Manager - Town Manager Ogburn reported on a recent NPS press release confirming a public information meeting at the south wing of Fire Station #16 on December 11th from 7 – 8 pm. Work is scheduled to begin sometime after mid-December for an upcoming fire break along the NC Power lines on east side of NC 12 in South Nags Head. Comr. Cahoon asked Town Manager Ogburn to request NPS to also trim/clean out the ditch along the South Nags Head Fire Station.
- 10.** Mayor Pro Tem Remaley – The Board passed a motion to authorize a market adjustment of \$100 for each Town employee.
- 11.** Comr. Walters - Comr. Walters expressed her appreciation for all three (3) outgoing Board members and thanked them for their many years of service for Nags Head – she feels Nags Head is a much better place because of them.
- 12.** Comr. Cahoon - Comr. Cahoon expressed her pleasure in working with Mayor Pro Tem Remaley over the years and noted that he has always cared for the Town's employees and citizens. She said that she and Comr. Sadler started out on opposite sides but ended up working very well together and she felt that Comr. Sadler always had the citizens of Nags Head at heart. She also stated that it has been a pleasure working with Mayor Oakes who stuck to his beliefs and she thanked him for his service to the Town.
- 13.** Comr. Sadler - Comr. Sadler reported that the DCTB meets tomorrow, November 21st - she also expressed her appreciation for working on the Board for the past 12 years – even though she has been in opposition with the others at times. She said that she feels that everyone worked for the common good of Nags Head.
- 14.** Mayor Oakes - Mayor Oakes stated that he was thankful for the opportunity to serve the Town and work along side Board members who all want to do what is best for the Town. Mayor Oakes stated that he wishes the new Board the best.
- 15.** Closed Session – The Board passed a motion to enter Closed Session to discuss pending Sansotta litigation, George Moore settlement agreement, possible land acquisition at 2300 S Virginia Dare Trail at Gallery Row, the Bank of Hampton Roads/Osborne case and beach nourishment condemnation cases.
- 16.** Mayor Pro Tem Remaley – The Board passed a motion to excuse him from the remainder of the Board meeting. The time was 7:32 p.m.
- 17.** Open Session - The Board re-entered Open Session at 8:18 p.m. Attorney Leidy reported that during Closed Session the Board conferred with the Attorney about the items it went into Closed Session to discuss to include the potential acquisition of property. No actions were taken.
- 18.** Adjournment – The Board passed a motion to adjourn. The time was 8:19 p.m.