



**TOWN OF NAGS HEAD  
BOC ACTIONS  
WEDNESDAY, OCTOBER 2, 2013**

1. Call to order - Mayor Oakes called the meeting to order at 9:00 a.m.
2. Agenda – The Board passed a motion to adopt the October 2<sup>nd</sup> agenda as presented. Mayor Oakes noted that Comr. Cahoon was not present as she was on a well-deserved vacation.
3. Audience Response – Marvin Demers, South Nags Head resident and Planning Board vice-chair; he spoke favorably of the Town's recycle pilot program which just ended for this calendar year; his observation was that it was effective – although not perfect; he feels that the program worked well in a general sense and that a lot of lessons were learned with a lot of benefit to the Town/Outer Banks.
4. Audience Response – Perry White, Villa Dunes Drive resident; 1) he agreed with Mr. Demers in relation to the Town's Recycle Pilot program – only for the north end of Town; 2) item #4 on the consent agenda – Hazard Mitigation Plan – he stated that it has a huge increase in the amount of language – he asked that it be posted on the Town's web site and he would like copies made available at Town Hall for those without internet; 3) he called attention to the memo to Mayor Oakes from resident Mark Cornwell with recommendations for Little Bridge safety.
5. Audience Response – Richard Murphy, South Nag Head resident and Planning Board member; 1) In the recent workshop with NCDOT, one of the suggestions he made was instead of a flashing light that flashes all the time to have it activated by pedestrians; 2) He spoke of a pastor opening up Board meetings in the past with a prayer - he suggested that a citizen could do the same at the beginning of Board of Commissioners meetings in the future.
6. Recognition - Planning Director Elizabeth Teague introduced Planning and Development Intern Mark Stripp; and Police Chief Kevin Brinkley introduced Police Officer Jason Greiner.
7. Proclamation – The Board adopted the Fire Prevention Week Proclamation as presented.
8. Proclamation – The Board adopted the Big Sweep Proclamation as presented.
9. Consent Agenda – The Board approved the Consent Agenda as presented which consisted of the following:
  - Consideration of Budget Adjustment #4 to FY 13/14 Budget Ordinance
  - Consideration of Tax Adjustment Report
  - Approval of Minutes
  - Consideration of Hazard Mitigation Plan
  - Consideration of modification to Board of Commissioners Policy - Add Whalebone Park to policy
  - Ratification of Town Manager's Contract

**10.** Public Hearing – to consider adoption of a Zoning Ordinance Text Amendment submitted by Bradley Carey to amend the Town Code to permit a new use of “Aerial Adventure Park” within the Commercial-Outdoor Recreation Overlay District – The Board adopted the ordinance as presented with modification to the height limit from 70’ to 60’ and to include the Planning Board’s parking standards.

**11.** Beach Driving Permit #0001 – was presented to Kuchie Scott in memory of her husband, former Town Commissioner Ronald E. Scott, who recently passed away.

**12.** Stormwater Ordinance - Planning Director Elizabeth Teague explained that the proposed Stormwater Management Ordinance was first presented to the Board of Commissioners on September 4<sup>th</sup> – On the Town’s web site are all comments received thus far. The ordinance was also discussed on September 18<sup>th</sup> at the Board’s mid-month meeting, and again on September 19<sup>th</sup> at the Stormwater Management Workshop.

Staff has developed a draft local Best Management Practices (BMP) manual which is also provided on the Town’s web site. The manual emphasizes a low-impact development (LID) approach. At the October 16<sup>th</sup> mid-month meeting the BMP manual will be brought forward – at the November 6<sup>th</sup> Board meeting the proposed Stormwater Management Ordinance will be presented for adoption.

Comr. Walters asked about the swale system that in many areas have been filled in by property owners – she confirmed with Ms. Teague that re-establishing a swale system would be very helpful to water drainage.

**13.** KDH Landmark Commission - Ms. Meredith Guns, Assistant Planning Director from the Town of Kill Devil Hills distributed an inventory and pamphlet on the Landmark Commission for the Town of Kill Devil Hills. The Commission was created in 2004 with the first designation made in 2006. The Commission directs work for additions or major renovations that will affect the outside of the structure. Comr. Sadler said she wanted to look into this type of commission – at the request of others but also to make sure everything is voluntary and feels this may be something the Board wants to offer residents in the future.

**14.** Committee reports

Roberta Thuman on behalf of Mayor Pro Tem Remaley – Government Education Channel 20 – Ms. Thuman reported that at the most recent Gov-Ed Committee meeting budget disbursements were discussed; Gov-Ed is working with COA on a training course in which COA would utilize the Gov-Ed equipment for training; another \$20K grant will be applied for this year (last year’s grant funds were used for cameras for the Board Room).

Comr. Sadler – September 2013 Dare County Tourism Board meeting – she stated that the occupancy and meals tax figures were okay but the retail sales tax figures are upsetting.

**15.** Town/CCC lease agreement renewal – The Board passed a motion to approve the Town/Community Care Clinic lease agreement renewal as presented which would expire Dec 2019.

**16.** Town Manager - Walk to School Day - Planning Director Teague summarized the upcoming October 9<sup>th</sup> Walk To School Day. Persons interested in participating are welcome to be at one of four sites at 7:15 a.m.

**17.** Town Manager – Town Manager Ogburn provided an update on the Town’s request for traffic control modifications – there has been no response from NCDOT yet on the Town’s proposed speed

limit reduction on SR1243 (near Outer Banks Fishing Pier) or on the crosswalks for installation at Outer Banks and Nags Head fishing piers. He noted that prior to adoption of the resolutions, Jerry Jennings of NCDOT had indicated to him that the requests would be approved.

Town Manager Ogburn reported that NCDOT has indicated that the speed limit on Little Bridge would have to be lowered prior to approval for a crosswalk/flashing light at that location. Mayor Oakes noted that he has left a message with Manteo Mayor Jamie Daniels re: the possibility of reducing the speed at the Wanchese to Whalebone intersections.

**18.** Town Manager - Town Manager Ogburn reported that one of the effects of the Federal Government shutdown has been an increase in the sale of Town beach driving permits.

**19.** Comr. Sadler – It was Board consensus that a letter be forwarded from the Nags Head Board of Commissioners to the Dare County School Board of Education (BOE) asking if there is interest in a Nags Head Elementary School sign that could be seen from US 158 - sign design/location would be approved by the BOE. The separate issue of funding the sign would be determined pending a positive response from the BOE.

**20.** Mayor Oakes - Mayor Oakes reminded everyone of the League of Women Voters Candidate Forum scheduled for Wednesday, October 9<sup>th</sup> at 7 pm in the Board Room. He confirmed with Roberta Thuman that the Forum will also be aired on the Gov-Ed Channel on the following Friday and Saturday evenings (October 11/12, 2013) at 7:00 p.m.

**21.** Mayor Oakes – A motion to purchase Dowdy's Amusement Park property on US 158, as identified in the Town's Recreation Plan, for \$1.8 million, failed with Comr. Sadler and Mayor Pro Tem Remaley casting the NO votes. Comr. Sadler did not want to purchase property without all Board members present. A motion to table failed with Mayor Oakes and Comr. Walters casting the NO votes.

**22.** Closed Session – The Board entered Closed Session at 12:48 p.m. to confer with the Town Attorney concerning litigation - The Board re-entered Open Session at 1:04 p.m.

**23.** Adjournment - Mayor Oakes recessed the Board meeting to the Wednesday, October 16, 2013 mid-month meeting at 7:00 p.m. in the Board Room. The time was 1:05 p.m.