



**TOWN OF NAGS HEAD
BOC ACTIONS
January 25, 2012**

1. Mayor Oakes called the meeting to order at 7:30 p.m.
 2. Agenda – The Board passed a motion to adopt the January 25th agenda as presented.
 3. Audience Response - No one spoke during Audience Response.
 4. Continuation of Public Hearing from January 4, 2012 - Consideration of Zoning Ordinance Text Amendment submitted on behalf of Nick Nuzzi to amend the Town Code re: Architectural and Interior Lighting - The Board passed a motion to adopt the Planning Board recommended ordinance which modifies the candle power from the applicant-requested 10 foot candle power to 5 - with a 3 – 2 vote – A second reading was scheduled for February 1st.
 5. Appointments - Planning Board - Richard Murphy was appointed to fill the position left vacant when Susie Walters was elected Commissioner; Toni Parker was appointed to fill Tom Haddon's position – whose term had expired.
 6. Recreation Plan – The Board passed a motion to approve the Town Parks and Recreation Plan and to adopt the associated resolution as presented.
 7. Beach Chair/Umbrella rentals - Planning Director Elizabeth Teague provided an update on the status of work in response to Board direction re: permitting rentals of chairs/umbrellas on the beach and regulations regarding digital signage. Staff has met with committees and local stakeholders to discuss proposals which will be brought forward for Board consideration.
 8. West Side Multi-Use Path bid – The Board passed a motion to award the bid for the west side Multi-use Path Project to the lowest responsible bidder – RPC Contracting, Inc. – to include the construction stakeout work and costs as presented.
 9. Vista Colony stormwater drainage bid – The Board passed a motion to award the bid to Barnhill Contracting, Inc. and to authorize the project budget to not exceed \$231,330.
- Town Manager Ogburn emphasized that he would make sure everyone in the affected subdivisions are aware of the scheduled work.
10. Town Attorney - Town Attorney Leidy provided a brief update on the Cherry, Inc. litigation and the Fisher et all vs Town of Nags Head litigation.
 11. Town Attorney - Town Attorney Leidy requested a Closed Session to discuss Sansotta litigation.
 12. Town Manager – The Board passed a motion to approve application to the Tourism Board for a 2012 Fourth of July fireworks grant.

- 13.** Town Manager – The Board passed a motion to extend the contract completion date for the Ocean Outfall Project to March 8, 2012, as requested.
- 14.** Comr. Cahoon - Comr. Cahoon stated that the stormwater drainage project updates have been provided to her satisfaction.
- 15.** Comr. Cahoon - Comr. Cahoon requested a Closed Session to discuss the possible acquisition of the Fin and Feather Motel located in the 7700 block of Virginia Dare Trail.
- 16.** Comr. Sadler - Comr. Sadler reported on the recent Jennette's Pier Advisory Committee meeting: There are now fish tanks containing fish in the Pier Aquariums; and to date, 277,000 people have visited the Pier.
- 17.** Comr. Sadler - Comr. Sadler reported on the recent Dare County Tourism Board meeting: The \$5,000, applied for by the Town for the St. Patrick's Parade was approved; Letters of support from the DCTB re: Town's applications for grants will be forwarded; The DCTB voted to donate jointly with the Town to pay for one of the NCBIWA conference events; and the DCTB forwarded a resolution to the State legislature opposing the Game Fish Bill.
- 18.** Comr. Cahoon - Comr. Cahoon said that the Coastal Resources Commission (CRC) will be meeting February 8 – 9, 2012 at Jennette's Pier.
- 19.** Comr. Walters - Comr. Walters stated that the Seafood Festival group met and has submitted paperwork to become a 501c(3) non-profit organization; the Festival will take place October 20th at the Windmill Point site; kickoff for the Festival is October 19th at Jennette's Pier.
- 20.** Comr. Walters - Comr. Walters requested a discussion at the upcoming Board Retreat on how the Board makes appointments to its boards and committees.
- 21.** Mayor Oakes - It was Board consensus to authorize \$2,000 to come from Contingency Fund to sponsor the March 26th reception at the NCBIWA Conference at Jennette's Pier.
- 22.** Closed Session – The Board passed a motion to enter Closed Session to discuss/consider real property acquisition - Fin and Feather Motel - and to receive an update on Sansotta litigation - The time was 9:17 p.m.
- 23.** Open Session – The Board re-entered Open Session at 9:55 p.m. Attorney Leidy reported that during Closed Session no action was taken.
- 24.** Mayor Oakes - Mayor Oakes reminded Board members of tomorrow's retreat.
- 25.** Adjournment – The Board adjourned at 9:58 p.m.