



**TOWN OF NAGS HEAD
BOC ACTIONS
July 11, 2012**

1. Call to order - Mayor Oakes called the meeting to order at 9:00 a.m.
2. Agenda – The Board passed a motion to approve the July 11th agenda as presented.
3. Audience response – CAC members Bobby Gentry and Toni Parker provided an update on the CAC's July 10th meeting:
 - Gallery Row – Purchase of lot for sale by owner at Beach Road/Driftwood Street for Art Center/parking lot to enhance the Gallery Row District
 - Safe Routes To School Program – To encourage biking/walking to school for children
 - Sight triangles along NC 12 - Multi-use path unsafe due to vegetative overgrowth
 - Windmill Point site - Festivals and events
4. Audience response – Marvin Demers – for additional transparency, he requested the Board place budget adjustments on the regular Board agenda rather than on the consent agenda.
5. Recognition – PW Dir. Dave Clark was recognized by the Board for 10 years of service; New employee, Beach Ambassador Keri Calbio was welcomed by the Board to Town employment.
6. Proclamation – The Board spoke in support of the National Night Out program/Proclamation which identified Tuesday, Aug 7th as National Night Out.
7. Consent agenda – The Board passed a motion to approve the Consent agenda as presented:
 - Budget Adjustment #1 to FY 12/13 Budget Ordinance
 - Tax Adjustment Report
 - Approval of minutes
 - Resolution to surplus Town equipment
8. Public Hearing - to obtain comments pertaining to an ordinance amendment to limit internet or electronic gaming machines as an accessory use within the C-3 District and to establish a two-year amortization period on existing machines that will become non-conforming.
 - Second reading of ordinance from June 6, 2012 Board meeting – The Board did not adopt.
 - New Ordinance presented July 11, 2012 – The Board adopted 3 – 2 with Mayor Oakes and Mayor Pro Tem Remaley casting the NO votes. As required, a second reading will take place at the August 1, 2012 Board meeting.

The Board adopted the Statement of Consistency 4 – 1 with Mayor Oakes casting the NO vote.

9. NCDOT landscaping agreements – The Board passed a motion to approve execution of both landscape agreements with NCDOT – the US 158 Whalebone agreement and the Sonic Restaurant agreement – as presented.
10. Debris in right-of-way - It was Board consensus to concur with staff's current process when picking up debris placed in the right-of-way.
11. Committee reports:

Comr. Cahoon

- Coastal Resources Committee meeting: 1) The Sea Level Rise Policy was adopted
2) The CRC filed an appeal from the order which overturned the CRC's decision to deny the Riggings Homeowners Association a variance from the sandbag time limit rules.

Comr. Sadler

- Windmill Point Advisory Committee meeting – included review of applications and fee structure discussions. Final results of Heery Group survey to be presented in late Jul/early Aug.
- Dare County Tourism Board meeting – the DCTB web site has a lot of events such as the new billfish tournament in September 2012; Windmill Point site - Hotel/Conference Center discussion to take place at next DCTB meeting
- Outer Banks Visitors Bureau Director - Lee Nettles' contract was extended three (3) years.
- Outer Banks Seafood Festival October 19-20, 2012 – To take place at the Windmill Point site; bands are scheduled; no admission cost per Comr. Walters but a \$1 fee per ticket per vendor; check web site for updates
- Visitor numbers are holding steady – occupancy/meals taxes are strong; sales taxes are off.
- Jennette's Pier Advisory Committee - Comr. Sadler asked Board members to let her know of any issues they would like her to bring forward at the July 25th meeting

12. Storm debris proposals for FY 12/13 hurricane season – The Board passed a motion to approve the agreements for the post-storm debris clean-up and infrastructure repair and for the post-storm debris monitoring services - as requested by staff. Mr. Clark is to obtain clarification on the chainsaw fee for the Board.
13. Fund Balance policy – The Board passed a motion to adopt the proposed Fund Balance Policy as presented which maintains an unreserved, undesignated General Fund balance of \$5 million or 50% of total expenditures less bond debt.
14. Schedule to pay back the Water Fund – The Board passed a motion to adopt the schedule as presented to pay back the Water Fund - in annual payments of approximately \$300,000 until such time as the Water Fund has been repaid in full in the amount of \$1,623,174.
15. Town Attorney - Town Attorney Leidy provided pending litigation updates on Fisher et al; Cherry, Inc; and Sansotta cases.
16. Town Manager – The Board passed a motion to authorize a contribution of \$25,000 to go to the Nature Conservancy toward the purchase of the 20-acre tract owned by Andy/Laura Deel in Nags Head Woods. The vote was 4 – 1 with Mayor Pro Tem Remaley casting the NO vote.

- 17.**Town Manager - Planning Director Elizabeth Teague invited those interested to attend a public meeting on July 24th at 7 pm at the First Flight Church – Dream Center - for a discussion of long term goals and visions for the Gallery Row area/district.
- 18.**Town Manager - Town Manager Ogburn thanked Board members for funding the July Fourth fireworks celebration and he thanked the Police, Fire, and Public Works staff for putting in the long hours in the heat to make the event a success.
- 19.**Town Manager - Town Manager Ogburn, on behalf of Town employees, extended his sympathies to Mayor Oakes at the loss of his mother-in-law, Jean Sharp.
- 20.**Comr. Cahoon - Deputy Public Works Director Ralph Barile reported on the completion of the Vista Colony stormwater drainage project – Town Manager Ogburn reported that staff has had difficulty getting Charter Cable to rebury cable from the project.
- 21.**Comr. Cahoon - Comr. Cahoon thanked Public Works, Police and Fire staff for the fireworks – she also thanked Police for quick response to someone driving on the beach.
- 22.**Comr. Cahoon - Comr. Cahoon suggested that another attempt be made to coordinate a fireworks event with the Town of Manteo for Fourth of July 2013.
- 23.**Comr. Cahoon - Comr. Cahoon asked staff to look into the erosion taking place at the sidewalk in front of the YMCA site – across from the former Dowdy Amusement Park site.
- 24.**Comr. Cahoon – It was Board consensus that staff modify the Town Rules of Procedure to require that any agenda item that pertains to money being spent – not simply a budgeted transfer of funds - to be included as a separate agenda item.
- 25.**Comr. Sadler - Comr. Sadler thanked the DCTB for the fireworks grant and she thanked Lovie and Andy McCann for the use of their Nags Head Fishing Pier.
- 26.**Mayor Pro Tem Remaley - Mayor Pro Tem Remaley said that he has received complaints that the Jennette’s Pier does not charge to fish from 11:00 p.m. to 6:00 a.m. but that the other local piers charge a fee. Comr. Sadler reported that a Public Hearing will be held at Jennette’s Pier on August 16th at 7:00 p.m. to hear comments from the public re: whether or not a fee should be imposed to those fishing on the pier.
- 27.**Mayor Oakes - Mayor Oakes reported that former Mayor Don Bryan and his wife Kaye have moved into Spring Arbor and, on behalf of the Board, he wished them great happiness.
- 28.**Adjournment - The Board passed a motion to adjourn at 11:16 a.m.