



**TOWN OF NAGS HEAD  
BOC ACTIONS  
August 17, 2011**

1. Call to order - Mayor Oakes called the meeting to order at 7:30 p.m.
2. Adoption of agenda – The Board passed a motion to adopt the agenda as presented.
3. Audience Response – Garry Oliver, Nags Head resident and Outer Banks Fishing Pier owner; he thanked the Board for the recently-adopted beach bulldozing ordinance; the State at Jennette’s Pier had said that they would not hurt local piers but that has proven to be a lie with an entrance fee not being charged; he expressed his displeasure that they are now asking the Town to clean their bathhouse.
4. Audience Response – Angelina Lowe, Nags Head resident; she asked that the Board consider another possible use of the UNC-CSI building located next to the Britthaven/Colony Ridge Nursing Home; she would like it to be used as a community center; other areas such as Wanchese, Stumpy Point, etc. have their own community centers so why not the Town.
5. Recognition - Comr. Anna Sadler presented a Plaque of Appreciation to Town 50<sup>th</sup> Anniversary Committee Chair John Ratzenberger on behalf of the Board - Mr. Ratzenberger thanked the Board and included all members of the Anniversary Committee for the success of the events. Members that were present were also recognized - Tina Adderholdt, Sarah Downing, Jenni Jenkins, and Fire Chief Kevin Zorc.
6. Taxicab driver appeal – The Board passed a motion to deny Veronica Barrett’s application for taxicab driver permit, but encouraged Ms. Barrett to reapply at some point in the future. Chief Brinkley indicated that steps taken to ensure safe driving, such as driving classes, will be taken into consideration.
7. Town Code amendment – The Board passed a motion to adopt the ordinance modifying Sec. 1-6 Penalties as presented to reflect the move of Chapters 6 and 46 to subsection (d).
8. Town Attorney - Attorney Leidy reported that he filed a summary judgment in the Sansotta lawsuit as to all plaintiff claims as well as to counter claims under the nuisance ordinance.
9. Town Manager - Town Manager Ogburn provided an update on the Beach Nourishment Project and stated that the project is nearly 75% complete with 3.7 million cubic yards of sand deposited onto the beach. He stated that today Coastal Science & Engineering (CS&E) and the Corps of Engineers (COE) accompanied the dredge contractor, Great Lakes Dredge and Dock onto the dredges and to the construction site on shore. The Corps was extremely pleased and complimentary with GLDD staff and the safety precautions.

**10.** Town Manager – It was Board consensus to take no action at this time but to evaluate beach driving and any associated problems after the upcoming fall/winter season – for discussion at the May 2012 Board meeting.

**11.** Town Manager - Mayor Oakes stated that the Board would take Mr. Marvin Faberkant's proposal to buy/assume Town cell tower leases and to buy the Town's monopole system under advisement, to continue to review all offers that may be received, and to obtain additional information.

**12.** Town Manager – The Board passed a motion to authorize funds to Dominion NC Power in the amount of \$5,104.01 for the installation of electricity in the Public Works shed on Lark Avenue.

**13.** Town Manager - Town Manager Ogburn, in an effort to protect the newly nourished beach, said that he has asked Public Works Director Dave Clark and Planning Director Elizabeth Teague to offer to property owners after Labor Day a workshop explaining the proper way to install sand fence and to describe the type of vegetation that would work in the area to best protect the beach. Mr. Clark explained that the sand fence project will begin installing 9,000 feet of fence this fall in Reach 3.

In response to Mayor Pro Tem Gray, Mr. Clark stated that south of the Outer Banks Pier, sand fencing will be placed where the dune would have been built – to create a dune in line with the existing dune line.

**14.** Comr. Sadler – Jennette's Pier bathhouse cleaning was discussed - Pier Manager Mike Remige was present and he noted that the Aquarium Division would not have built the bathhouse if the Town had not verbally agreed previously to clean it. Mayor Oakes said that he would like the Board to discuss/consider assisting with paying for the bathhouse cleaning later in the year – for next summer's season.

**15.** Comr. Sadler - It was Board consensus that Police Chief Brinkley deploy the radar trailer for the area just south of the Whalebone gas station on S Old Oregon Inlet Road to obtain data to see if there is a problem with speeding.

**16.** Mayor Pro Tem Gray - Mayor Pro Tem Gray stated that he and Town Manager Ogburn drove the beach recently at 7 p.m. and noticed very little trash/debris left on the beach – he said that he sees no reason at this time to interfere with tourist activities concerning this issue. Town Manager Ogburn agreed.

**17.** Comr. Cahoon - Comr. Cahoon said that the Coastal Resources Commission (CRC) meets next week and transition with a new CRC Director will be discussed; the current Director resigns effective September 1<sup>st</sup> and the new Director will not come on board until later in the fall.

**18.** Mayor Oakes – Mayor Oakes requested that the Board discuss at a future meeting consideration of donating Town surplus items to a charity rather than placing items for sale on the Gov Deals web site.

**19.** Mayor Oakes - Mayor Oakes asked if there was Board interest in seeing the Carnival that was in Town for the Town's 50<sup>th</sup> Anniversary Celebration return – possibly for the first week after Memorial Day and then the last week in August. Comr. Sadler said that the Dare County Tourism Board continues to discuss the use of the Windmill Point property to include rental rates, days of use, long-term use, etc. She is okay with the Carnival returning but does not want to see the trailers/campers back on site.

**20.** Mayor Oakes - It was Board consensus that the utilization of sandbags on the beach go through the same Planning Dept/Planning Board process as the beach bulldozing ordinance did recently.

**21.** Closed Session – The Board entered Closed Session to discuss/consider the Town Manager's contract. The time was 9:40 p.m.

**22.** Open Session - The Board re-entered Open Session at 9:50 p.m. The Board passed a motion to approve the Town Manager's contract effective for two years from September 1, 2011 to August 31, 2013.

23. Adjournment – The Board passed a motion to adjourn – the time was 9:50 p.m.