



BOC ACTIONS
WEDNESDAY, FEBRUARY 6, 2019

1. Call to order – Mayor Cahoon called the meeting to order at 9:00 a.m. Comr. Siers was not present as he had previously noted.
2. Adoption of agenda – the Board approved the February 6th agenda as presented.
3. Recognition

New Police Chief Phil Webster was welcomed by the Board; Everyone was invited to attend the Meet and Greet at Waveriders Coffee & Deli in Pirate's Quay shopping center on Wednesday, February 13th at 3:30 p.m. On behalf of the Board, Mayor Cahoon thanked Interim Police Chief Hale for the great job he has done filling in after Police Chief Brinkley retired.

The following new employees were introduced and welcomed to Town employment: Water Distribution employee Ray Scott; Firefighter/EMT Guy Crocker; and Firefighter/EMT James Phillips.

Police Sgt. Chase Tadlock was recognized for the Advanced Certification he received for Law Enforcement Training and Standards class.

Police Lt. Chris Montgomery was recognized for 20 years of service.

Fire Captain John Harris was recognized and congratulated on his recent retirement.

4. Presentation - Dean Tim Sweeney from the College of the Albemarle provided a powerpoint presentation to report on the status of COA which included partnering with the community's high schools to encourage and assist students to continue their education. His presentation was well received.
5. Presentation - Director Mike Remige from Jennette's Pier provided a two-year update on Jennette's Pier activities. For calendar years 2017 and 2018 he reported that over 350,000 people have visited the pier. He thanked Manager Ogburn and his staff who since reopening in 2011 have been very good to work with.
6. Public Comment – John Cece - Nags Head resident; he expressed his concern about the item on the Board's agenda proposing No Parking – Tow Away Zone from 12 midnight until 6:00 a.m. for all ocean/sound beach accesses; he is specifically concerned that NEST volunteers that ride the beach every morning looking for sea turtle nests may receive tickets for parking in a beach access before 6:00 a.m. Mayor Cahoon confirmed with Town Manager Ogburn that the Police Department will use their good discretion and NEST volunteers as well as early-morning beach-goers need not worry.
7. Consent Agenda – the Consent Agenda consisted of the following items:
 - Budget Adjustment #8 to FY 18/19 Budget
 - Tax Adjustment Report - and - Request to advertise delinquent taxes
 - Approval of minutes
 - Consolidated Fee Schedule modifications
 - Update of Standard Recommended Details Manual re: stormwater and other development
 - Affirmation of January 24-25, 2019 Board Retreat actions

The Board approved the Consent Agenda as amended – with removal of item #E-5 re: Consolidated Fee Schedule modifications for discussion under New Business.

8. Project Update - FOCUS Nags Head Technical Committee – Unified Development Ordinance – Planner Holly White presented an update – It was Board consensus to concur with the proposed schedule.

9. Project Update – Stormwater Projects – Town Manager Ogburn presented an update – A public informational meeting has been scheduled for February 19th at 5:30 pm in the Board Room.

10. From Jan 2nd Board meeting - Discussion of zoning ordinance text amendment submitted by Brian Rubino of Quible and Associates, P.C. on behalf of Miller’s Waterfront Restaurant and Tale of the Whale Restaurant to allow a new use, docking facilities with transient boat slips, in the C-2, General Commercial Zoning District and in the Commercial-Outdoor Recreational Uses Overlay Zoning District (Public Hearing was held at the January 2nd Board meeting)

The Board adopted the ordinance amending the Town Code with the following modifications: 1) that under Commercial marina – “more than eight/six boats” should read “more than four boats” and 2) that under “Docking Facility” - “for eight/six or less boats” should read “for four or less boats”.

In addition, the Applicant’s proposed revision is to be used for Sec. 48-407, C-2 General Commercial District (c) Conditional uses. (14) Docking facility - with the following modification: item “f.” is to read “The docking facility shall include a designated No Wake Zone that shall be extended 600 feet measured perpendicular to the shoreline from the normal waterline. There shall be a No Wake Zone sign conspicuously posted on the facility.”. Before the next application is received, staff is to develop ordinance language that would provide a safety component for accesses that are adjacent to a docking facility site.

11. Committee Reports

Mayor Cahoon - He thanked Comr. Renée Cahoon for adding the COA update to today’s agenda.
Comr. Renée Cahoon – The Gov-Ed annual budget will be presented for approval at an upcoming meeting.
Comr. Renée Cahoon - She requested that Comr. Fuller provide Dare County Tourism Board reports on occupancy taxes, etc. Comr. Fuller agreed and said that he would provide to the Town Clerk to distribute.

12. Board of Adjustment – The Board reappointed Margaret Suppler to another three-year term.

13. Schedule for upcoming CIP and Budget Workshops – The Board approved the following schedule:

<u>Capital Improvement Program Workshop</u>	Tue, March 19 th at 9 am
(this workshop will be held in the Police Training Room – all others in the Board Room)	
If continuation is needed	Wed, March 27 th at 9 am
<u>Presentation of Manager’s Recommended Budget</u>	Wed, May 1 st at 9 am
<u>Budget Workshop</u>	Wed, May 15 th at 9 am
If continuation is needed	Wed, May 22 nd at 9 am
<u>Public Hearing</u>	Wed, June 5 th at 9 am
<u>Budget Workshop</u>	Wed, June 12 th at 9 am
<u>Adoption of Budget</u>	Wed, June 19 th at 7 pm

14. Change Order to 2019 Beach Nourishment Project – The Board approved the Change Order to the 2019 Beach Nourishment Project for the additional sand volume as presented.

- 15.** Lifeguard Apprenticeship Program – The Board accepted the proposal with an amendment – to limit attendance in the program to those who reside in Dare County or Currituck County. Mayor Pro Tem Walters expressed her concern about the level of supervision for 16-year olds and the instantaneous decision-making of 16-year olds that is required on a crowded beach - she cast the NO vote.
- 16.** Traffic Control Map amendments – the Board adopted the following amendments:
- No Parking – Tow-Away Zone designation for 7200–7218 on the west side of S Virginia Dare Trail
- No Parking – Tow-Away Zone designation for ocean and sound beach accesses 12 midnight to 6 am
Attorney Leidy is to research if ordinance ticket fees are issued to the Board of Education or the Town.
- 17.** Moved from Consent Agenda – Consideration of modifications to the Consolidated Fee Schedule – After clarification from staff on several items, the Board approved the modifications as presented.
- 18.** Attorney Leidy – Attorney Leidy provided an update on the Richardson litigation re: the taking of the Beach Nourishment Project easement that was tried 18 months ago; both parties are waiting for the court to determine if the discretionary review of additional issues brought forward by the Richardsons will be allowed.
- 19.** Town Manager Ogburn – The Board approved the three-year fireworks contract with Zambelli, contingent upon attorney review; this locks in July 4th 2019 – 2021 for fireworks at a cost of \$25,000 per year. Mayor Cahoon said that he would consult with the other Mayors concerning any interest in one fireworks display for the area.
- 20.** Town Manager Ogburn – The Board approved the changes to the trash/recycle schedule, the recycling contract and the associated budget adjustment as presented. In addition, it was Board consensus to agree to Town Manager Ogburn’s suggestion that a “QR” code be utilized on trash/recycling carts in order to avoid having to continually place new stickers on sanitation carts.
- 21.** Comr. Renée Cahoon – The Board authorized application for the Gov-Ed Local Programming Development Initiative Grant (for the purchase of a 98-inch display to replace the current Board Room projection screen) as presented.
- 22.** Mayor Cahoon – The Board adopted the resolution in support of naming the Bonner Bridge replacement bridge after former Senator Marc Basnight with one correction to the last “WHEREAS” statement to read that Sen. Basnight IS a lifelong resident.
- 23.** Mayor Cahoon – The Board adopted the resolution in support of continued funding for the Active Routes to School Program as presented.
- 24.** Mayor Cahoon – The Board authorized the Mayor, on behalf of the Board, to prepare/forward a letter to the NC Insurance Commissioner in opposition to the NC Rate Bureau’s request to increase homeowners insurance rates.
- 25.** Mayor Cahoon – It was Board consensus to authorize Mayor Cahoon, on behalf of the Board, to prepare/forward a letter of appreciation/thanks to Rep Walter B Jones for all he’s done for North Carolina.
- 26.** Closed Session – The Board entered Closed Session at 12:28 p.m. to approve Closed Session minutes from Jul–Dec 2018 and to consider the sale of the Town’s interest in The Soundside – Outer Banks Event Site.
- 27.** Open Session - The Board re-entered Open Session at 12:48 p.m.
- 28.** Adjournment - The Board adjourned at 12:50 p.m.