



BOC ACTIONS
WEDNESDAY, JULY 5, 2017

1. Call to order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board adopted the July 5th agenda with the following amendments: 1) Add Request for Public Hearing for August 2nd to consider new legislation allowing alcohol sales at 10 am on Sundays, and 2) Add discussion under Comr. Cahoon's agenda of bill just passed by legislature.
3. Recognition - Government Finance Officers Association awards were presented to Finance Officer Amy Miller and the Administrative Services Dept. for financial achievements with the Comprehensive Annual Financial Report (CAFR) and to the Town for achievement in excellence in financial reporting.

Recognition – The National Fire Academy, Executive Fire Officer program plaque was presented to Fire Chief Kevin Zorc for completion of the four-year professional development program. He stated that he was pleased to be able to achieve one of his long-term goals and thanked everyone who helped him.

4. Proclamation – A Proclamation encouraging everyone to attend National Night Out on Tuesday, August 1, 2017 at the Ark Church on Villa Dunes Drive was presented.
5. Public Comment – Garry Oliver, Outer Banks Fishing Pier owner; he spoke in favor of the new State legislation allowing the sale of alcohol before 12 noon on Sundays; he feels this is especially important for this tourist community.

Public Comment – Daniel Lewis, President of the Outer Banks Restaurant Association; he urged the Board to take up the measure re: legislation to allow alcohol before 12 noon on Sundays.

Public Comment – Wilo Kelly, Government Affairs Liaison for the Outer Banks Homebuilders Association; she spoke to Board members previously about the issue of flood maps/insurance; the maps expire in September; changes are being proposed as result of Hurricane Katrina to include increasing rates, etc.; when first introduced, homebuilders and others had concerns and formed a committee to review the proposed new flood maps; she wanted to make sure the Board was aware of what the Homebuilders Association was doing on this matter as she saw it was an item on the agenda.

6. Consent Agenda - The Consent Agenda was approved as presented with one additional item: Request for Public Hearing to consider Brunch Bill text amendment. The agenda consisted of the following:

Consideration of Budget Adjustment #1 to FY 17/18 Budget

Consideration of Tax Adjustment Report

Consideration of resolutions: authorizing new banking officials, reimbursement for vehicles and equipment, reimbursement for Bonnett St. Bathhouse, and reimbursement for beach nourishment capital expenditures

Approval of Minutes

Request for public hearing – to allow accessory commercial piers with transient boat slips

Request for public hearing – to consider Brunch Bill text amendment

7. Public Hearing – to consider a zoning ordinance text amendment submitted by Mighty Wind Methodist Church to list a new use "Community Garden" as a permissible principal or accessory use – the Board adopted the proposed ordinance with the following amendments: 1) Delete Section XII altogether,

2) Add verbiage to Part II to indicate that waste will be collected by property owner, 3) Place a period after "land" in the first sentence of the definition (deleting "in their own households") for clarification.

8. FOCUS Nags Head UDO Technical Committee – The Board appointed Planning Board member David Elder to the FOCUS Nags Head Technical Committee to replace Dave Clark who recently resigned.

9. Sea Level Rise – Planner Holly White provided an update of the Sea Level Rise project – she stated that feedback from Committee members is being incorporated into the draft VCAPS report and a final draft will be ready for the Board by mid-August.

10. Preliminary Flood Maps - It was Board consensus that Dr. Rick Luetlich, Director of UNC Institute of Marine Science / Director of the UNC Center for Natural Hazards Resilience be invited to provide a presentation in a forum-type setting with other municipalities - prior to sending the State a letter. Board members want to work collectively with other municipalities / Homebuilders Association.

11. Closed Session - The Board entered Closed Session at 10:30 a.m. to discuss potential litigation; Comr. Cahoon was recused from the discussion. The Board re-entered Open Session at 11:00 a.m.

12. Planning Board - Planning Board Chair Mark Cornwell reported on the June 20th Planning Board meeting: FOCUS Nags Head Comprehensive Plan and Bonnett Street Bathhouse Plans were approved and approval was recommended to allow accessory commercial piers with transient boat slips.

13. FOCUS Nags Head – The Board adopted the FOCUS Comprehensive Plan as presented.

14. Mayor Edwards - Mayor Edwards recently met with Peak Resources; an Open House was held last week – he urged everyone to visit Peak as it is now a first-class nursing home.

15. Town Manager – NCDOT issues – the following items of concern were included in the letter to NCDOT Allen Moran that was approved by the Board: Pedestrian crossings at "Little Bridge", Jennette's Pier, and at the Soundside Event site; Speed limit reduction; Extension/maintenance of ocean outfalls. In addition Mr. Moran is to speak with the Board at their September 6th meeting.

16. Town Manager - Town Manager Ogburn provided an update of the Hurricane Matthew/FEMA funds project – He explained that he responded to FEMA's inquiry last week from FEMA environmentalist Candace Robinson – but has heard nothing more yet.

17. Comr. Cahoon – she encouraged the Board to consider the recently adopted Brunch Bill legislation and adopt an ordinance allowing alcohol sales at 10 am on Sundays in support of local businesses.

The motion to adopt the ordinance (with the last WHEREAS deleted) failed 2 – 3 with Mayor Edwards, Comr. Ratzenberger, and Comr. Demers casting the NO votes. The motion to call a Special Meeting for the specific reason of considering the Brunch Bill legislation failed 2 – 3 with the same casting NO votes. Mayor Edwards noted that this item will be considered on August 2nd – after a Public Hearing.

18. Comr. Ratzenberger - The Town's Public Safety and Public Works were thanked by Comr. Ratzenberger for their review of and shrubbery trimming at the intersection at NC 12 and Seachase Drive.

19. Comr. Ratzenberger - Community Watch National Night Out puts local perspective on the opioid crisis. He said that he was impressed with the Police Dept.'s knowledge and thanked them for their efforts.

20. Comr. Ratzenberger – He announced that he would not be running for re-election.

21. Adjournment - The Board adjourned at 12:09 p.m.