



**TOWN OF NAGS HEAD
BOC ACTIONS
June 15, 2011**

1. Call to order - Mayor Oakes called the meeting to order at 7:34 p.m.
2. Agenda – The Board passed a motion to adopt the June 15th agenda as presented.
3. Audience Response – James Selckmann - property owner of 7808 N. Shore Road on Pond Island; he voiced his opposition to a proposed water tap on the adjacent lot and to any other improvements as the lot was at one time he feels an unbuildable lot; he wants to go on notice now and voice his opposition and to ask for proper notification of any activity on the lot adjacent to him.

Planning Director Elizabeth Teague reported that she recently spoke with Ms. DeVillar who owns the lot where placement of a dock is requested and who has requested a tap fee waived; Ms. Teague reported that several qualifications need to be met.
4. Audience Response – Linda Sharp - S Virginia Dare Trail property owner; she complained of receiving harassment from the Town's Police Dept concerning her dogs and the Town's leash law; she stated that she is constantly being harassed for not having her dogs on a leash.
5. Audience Response – John Ratzenberger, chair of Town's 50th Anniversary Committee; he thanked the Committee members, Town staff, local businesses and community in general for all their help, assistance, etc. that made yesterday a great day with opening ceremony, Lightkeeper ceremony, Gala Event, and opening of the Carnival. He also specifically noted the efforts and physical work of Susie Walters and John Gillam of the Gala Event and the Carnival concept; he repeated his thanks to everyone.
6. Audience Response – James Selckmann - Mr. Selckmann spoke again and stated that he is in favor of the Town's 50th Anniversary Carnival; he also spoke in opposition to the OBX Pridefest scheduled for next weekend in Nags Head.
7. Budget Adjustment #13 – The Board passed a motion to adopt Budget Adjustment #13 as presented.
8. FY 11/12 Budget – Mayor Oakes spoke against the following proposed FY 11/12 Budget items: fee to push trash carts back; the beach nourishment .02 town-wide tax should come from the Fund Balance; and the proposed 5% water increase. The Board passed a motion to adopt the proposed FY 11/12 Budget Ordinance as presented with a 4 – 1 vote with Mayor Oakes casting the NO vote. Staff is to include on the next Board agenda a Budget Adjustment for water fee modification.

- 9.** Personnel Policy direct deposit change – The Board passed a motion to approve the Personnel Policy modification re: direct deposit pay as presented.
- 10.** Town Manager Ogburn - Town Manager Cliff Ogburn provided an update on the Beach Nourishment Project. The project is still on schedule; turtles have been spotted but none taken; first payment draw by the dredge company is to be made tomorrow for \$3.7 million; construction update meetings occur Thursday mornings at 9 am in the Police Training Room; CAMA staff is trying to stay on top of the sandbag removal issue as much as possible.
- 11.** Town Attorney - Attorney Ben Gallop requested a Closed Session to discuss Sansotta, Hardesty, and Deel litigation.
- 12.** Town Manager - Town Manager Ogburn reported on a meeting held last week with Britthaven president Randy Uzzell to discuss a long-term lease of the facility; It was Board consensus that Randy Uzzell present a proposal/long-term lease for Britthaven/Colony Ridge Rehabilitation Center for Board review at the July 6, 2011 Board of Commissioners meeting.
- 13.** Comr. Cahoon - Comr. Cahoon thanked staff and the Town 50th Anniversary Committee members for their work on the anniversary events. She thought it very appropriate that Doris Gard, one of the Town's original employees, received the Lightkeeper designation. Comr. Cahoon thanked everyone that attended yesterday's 50th Anniversary Opening Ceremony/event.
- 14.** Mayor Oakes - Board members spoke of the possibility of discussing Ms. Sharp's comments in public or in Closed Session. Attorney Ben Gallop stated that he would rather Board members not discuss Ms. Sharp's comments at this time as personnel issues may be involved.
- 15.** Closed session – The Board passed a motion to enter Closed Session to confer with the Town Attorney to preserve attorney/client privilege and discuss the Deels, Sansotta, and Hardesty litigation, and to discuss how to respond to Linda Sharp's comments, in accordance with GS 143-318.11(a)(3). The motion to amend the original motion to include the discussion re: Linda Sharp's comments passed with a 4 – 1 vote with Comr. Cahoon casting the NO vote. The time was 9:06 p.m.
- 16.** Open session - The Board re-entered Open Session at 10:02 p.m.

Attorney Gallop reported that during Closed Session the attorney obtained direction re: litigation with the Deels/Nags Head Woods cluster housing property; direction re: litigation with the Hardesty/nuisance structure; and direction re: litigation with Roc Sansotta/Seagull houses. In addition the attorney was directed to provide Ms. Linda Sharp with a letter from the Town re: her comments during Audience Response.
- 17.** Adjournment – The Board passed a motion to adjourn – the time was 10:04 p.m.