



**BOC ACTIONS
WEDNESDAY, DECEMBER 6, 2017**

1. Call to Order - Mayor Edwards called the meeting to order at 9:00 a.m.
2. Agenda – The Board approved the Dec 6th agenda as presented.
3. Recognition - Public Works Director Ralph Barile was recognized and thanked for thirty-five years of service to the Town – the first employee to serve 35 years – he began work with the Town on October 11, 1982. On behalf of the Board, Mayor Edwards presented a plaque of appreciation to Mr. Barile.
4. Presentation - Mayor Edwards recognized nominees for 2017 Earl Murray Jr Employee of the Year: Customer Service Representative Brittany Phillips; Code Compliance Officer Ed Snyder; Police Officer Michael Alvarez; Sanitation Technician II Deronte White; and Driver Operator Christopher Trembly. Mayor Edwards announced Deronte White as the 2017 Earl Murray Jr Employee of the Year and presented the Plaque to Keefe White who accepted on behalf of Deronte who was not present.
5. Outgoing Board members:

Comments from Comr. Demers

Comr. Demers congratulated those who won the election; it has been an honor to serve the town during the past four years and to serve on the Planning Board for the previous four years; thanked all departments especially the town manager; each dept and their staff have been great to work with; has seen a lot of accomplishments in many areas; this board has done a remarkable job as a team to make many improvements and help the town evolve; he thanked everyone who has supported him; thanked his wife for her unflinching support under many types of conditions and situations.

Comments from Comr. Ratzenberger

Comr. Ratzenberger thanked the citizens of the Town as his purpose was to serve them; encouraged participation on town boards and committees and thanked the board for being a collectively open board which was very beneficial to him; he appreciated the opportunity to work in other areas representing the town which has helped him to grow; the past four years has been a very fulfilling time; the town cannot have any better staff which is the continuity and the ones that do the real work; he has been astounded at the pride and professionalism of the town staff; he congratulated the new Board.

Comments from Mayor Edwards

Mayor Edwards congratulated the incoming board and pledged his support to them; he thanked the citizens of Nags Head for allowing him to be their mayor for the past four years which has been a very rewarding experience; the board has worked together even with their varied backgrounds and experience; he cited some of the many accomplishments of the past four years to include: new financial software, revised parking ordinance, new signage ordinance to meet new Supreme Court legislative requirements, beach tent ordinance, numerous ordinances re: cottage courts which were brought back because this board saw a need, completed Dowdy Park Phase I development with grants from Trillium, PARTF, and Outer Banks Visitors Bureau and had a great Dowdy Park Grand Opening, design/construction of the Bonnett St. bath house, Vista Colony stormwater improvements, continuation of the US 158 multi-use

path, a dog park, he is very proud of a first-rate Peak Resources Nursing Home; he thanked staff for representing the Town on a day in/day out basis; and he thanked his wife Anita who has served with him.

On behalf of the Board, Mayor Edwards presented a Plaque of Appreciation and a Cross Pen with Town emblem to Comr. Demers and to Comr. Ratzenberger thanking them for their years of service.

Mayor Pro Tem Walters - Recognition of outgoing Mayor Edwards

Mayor Pro Tem Walters thanked Mayor Edwards for his four years of vision; for championing several initiatives as position of Mayor; maintaining a transparent government; his love of Nags Head was evident and she expressed appreciation to him for his commitment and service to Nags Head; on behalf of the Board she wished Mayor Edwards all the best.

On behalf of the Board, Mayor Pro Tem Walters presented Mayor Edwards with a Plaque of Appreciation and a Cross Pen with Town emblem.

6. Reorganization of the Board – Town Clerk Carolyn Morris presented the official results of the Nov 7th election – Sworn in were Ben Cahoon as Mayor, Webb Fuller as Commissioner, and Mike Siers as Commissioner. After a Break, Susie Walters was voted Mayor Pro Tem and sworn in.

7. Public Comment

Louis Toth, Village at Nags Head resident; he traps feral cats and has them neutered/spayed before returning them; one cat recently had four kittens, two of which are still available for adoption at the Dare County SPCA in Manteo.

Megan Lambert, Nags Head resident, she owns the Booty Treats business; she serves on the Town Stormwater Committee; she always felt that the stormwater issues were something that the Town needed to fix but she has since learned that the issues are more complex and are compounded by circumstances beyond the Town's control; she appreciated former Comr. Demers' participation on the committee and looks forward to the Board appointing another commissioner to fill his spot.

Terry Gray, Director of the Dare County Motorcycle Toy Run; he congratulated the newly elected Board members; the Dare County Motorcycle Toy Run provided toys to over 400 kids last year and will be providing to more kids this year; 150 motorcycles participated this year; a brief video was played of this year's event. Mr. Gray thanked the Town of Nags Head and specifically Police Chief Kevin Brinkley and Town Manager Cliff Ogburn for their continued support.

8. Consent Agenda - The Board approved the Consent Agenda which consisted of the following items:

- Consideration of Budget Adjustment #6 to FY 17/18 Budget
- Consideration of Tax Adjustment Report
- Approval of Minutes
- Consideration of Beach Nourishment Project Interlocal Agreement conflict waiver with Dare County
- Request for Public Hearing – to consider conditional use application to convert existing multi-use structure into "Dormitory, Multi-family, Mixed Development"
- Request for Public Hearing – to consider conditional use/site plan amendment for placement of concealed building mounted wireless communications on Comfort Inn rooftop by Verizon Wireless

9. Public Hearing - to consider text amendments to the Town's Stormwater Management Ordinance - The Board adopted the amendments as presented. Comr. Siers reported that he had clarified with the Town Attorney that there was no conflict for him to vote on the proposal as he was a member of the Planning Board when it was discussed.

- 10.** FOCUS Nags Head – Technical Committee UDO Update – An update was provided by Planner Holly White; Comr. Cahoon reported that approval authority has now been given to the Director of Coastal Management in order to expedite the process so towns don't have to wait for the CRC to act.
- 11.** Draft Nags Head Case Study for NOAA Climate Toolkit – A summary was provided by Planner Holly White of the Case Study which condenses the VCAPS process and subsequent development of policy on coastal resiliency and sea level rise for the Comprehensive Plan.
- 12.** Report from Planning Board – Chair Mark Cornwell summarized the Planning Board's most recent actions re: stormwater ordinance. He said that the Planning Board is trying to address the unintended consequences of the stormwater ordinance. Mr. Cornwell mentioned three possible options and Board members provided some input.
- 13.** From Nov 1st Board meeting – The Board adopted the ordinance prohibiting tobacco use on Town property as presented.
- 14.** Committee Reports – Coastal Resources Commission (CRC) - Comr. Cahoon reported that Town Manager Ogburn presented a request to the CRAC for presentation to the CRC to allow ocean outfall maintenance to take place through a rule and not a variance process. This would significantly speed up the ocean outfall repair/maintenance process.
- 15.** Committee Reports – Dare County Tourism Board (DCTB) – Mayor Pro Tem Walters reported that according to Jan through Oct 2017 receipts, Occupancy was up 5.17%; Meals were also up. She reported that retail sales Jan through Aug were up 12.31%.
- 16.** DCTB nominations – The Board passed a motion to nominate the following Board members, in this order, to the County for consideration of appointment to the Dare County Tourism Board representing the Town: Comr. Webb Fuller, Comr. Mike Siers, and Mayor Ben Cahoon. Comr. Cahoon confirmed that a cover letter for the Mayor's signature would be prepared.
- 17.** Coyotes – Town Manager Ogburn discussed the issue of coyotes with the Board. He indicated that it is a topic of discussion each month at the managers' lunch where they would like all Towns to collectively address the issue.

Mayor Cahoon questioned if there exists a database of reports of coyotes. Chief Brinkley agreed to geographically track the calls in Town to see if there is a concentrated area, and to get in touch with Jockey's Ridge State Park as well as the National Park Service to discuss any information they may have and to see if the Town can partner with them for trapping, etc.
- 18.** Town Attorney – Attorney Leidy congratulated the three (3) new Board members.
- 19.** Town Attorney – Attorney Leidy reported that the NC Court of Appeals heard arguments re: the Richardson Beach Nourishment Project condemnation case; he anticipates a decision within 90 days.
- 20.** Town Manager Ogburn - Update on Stormwater - Town Manager Ogburn pointed out that the Town is now able to pump in an emergency situation when there is only six inches of water on the roadway. Town Engineer David Ryan provided an overview of the current/upcoming stormwater projects.
- 21.** Town Manager Ogburn – Request For Closed Session - Mayor Cahoon moved this request from Town Manager Ogburn for a Closed Session to the end of the meeting.

- 22.** Town Manager Ogburn - Community Watch Christmas Luncheon - Police Chief Kevin Brinkley reported that the Community Watch Christmas luncheon is scheduled for Dec 7th at 12:30 pm at the Lone Cedar Café.
- 23.** Comr. Fuller - Thank you to previous Board of Commissioners - Comr. Fuller thanked the members of the Board that left today for all the work they have done; he looks forward to working with the current Board.
- 24.** Mayor Cahoon – Board meeting calendar - It was Board consensus to approve the 2018 Board of Commissioners meeting calendar with the Jan 3rd meeting date moved to Jan 10th; and the Jul 4th meeting date moved to Jul 5th.
- 25.** Mayor Cahoon – Request to community - Mayor Cahoon requested that the community consider applying for Planning Board and Board of Adjustment openings – openings created as a result of the recent election of Board members.
- 26.** Mayor Cahoon – Employee appreciation - It was Board consensus to authorize a holiday gift for employees in appreciation of their dedication/work this past year. On behalf of the employees, Town Manager Ogburn thanked the Board for their generosity.
- 27.** Closed Session – The Board entered Closed Session at 11:30 a.m. to discuss the acquisition of property located at 9828 E Surfside Drive.
- 28.** Open Session - The Board re-entered Open Session at 11:48 a.m.
- 29.** Adjournment - The Board passed a motion to adjourn at 11:49 a.m.