

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
December 6, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Charlie Cameron; Interim Deputy Town Manager Bill Richardson;
Town Attorney Ike McRee; and Town Clerk Carolyn Morris

Attorney/Client privilege - Consideration of request from COE - Beach Nourishment Project

Mayor Cahoon reported that in a conference call last week with the Corps of Engineers (COE), they requested the Town to consider a Memorandum of Agreement (MOA) for a beach nourishment project that would place a relatively small amount of sand oceanfront from Town Hall to Jennette's Pier only (not South Nags Head).

Mayor Cahoon reported that she informed Dare County staff to not send a COE MOA to the Town next year either from COE or from Dare County as the Town was not interested in the project. The Town would be focusing on its own local beach nourishment project scheduled for referendum in April 2007.

Direction was given to Town Attorney Ike McRee to contact Dare County attorney Bobby Outten to inform Mr. Outten that the Town does not want any documents to come forward that would detract from the Town's local beach nourishment project.



Carolyn F. Morris, Town Clerk

Date Approved: March 7, 2007

Date Opened: 1/6/16

Mayor: M. Renée Cahoon
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
December 6, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Charlie Cameron; Interim Deputy Town Manager Bill Richardson;
Town Attorney Ike McRee; and Town Clerk Carolyn Morris

Land Acquisition


Mayor Cahoon reported that the property owner (Nags Head Waterfront, LLC) has accepted the Dare County Tourism Board/Town of Nags Head proposed agreement for the purchase and the sale of real property at 6800 S. Croatan Highway (soundfront property located next to Windmill Point Restaurant) for the price of \$4.6 million dollars. This information/agreement can be made public knowledge as the process is now in the due diligence phase.


Carolyn F. Morris, Town Clerk

Date Approved: **March 7, 2007** _____

Date Opened: **March 7, 2007** _____

Mayor:


M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
November 1, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: None

OTHERS PRESENT: None

Personnel Honorarium (Employee of the Year)

Board members reviewed 2006 Employee of the Year nominees. It was Board consensus to choose Human Resources Manager Bonita Hurdle as 2006 Employee of the Year.



Carolyn F. Morris, Town Clerk

Date Approved: **March 7, 2007**_____

Date Opened: **March 7, 2007**_____

Mayor: 

M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
November 1, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: None


OTHERS PRESENT: Town Manager Charlie Cameron; Town Attorney Ike McRee and
Town Clerk Carolyn Morris

Land Acquisition

Mayor Cahoon reported that an offer was made by the Town to purchase the property on the Sound known as the "Rial" property (next to Windmill Point Restaurant) in the amount of \$1.6 million with several terms to include that the sewage plant must be removed prior to Closing. The Dare County Board will consider their participation with an offer at their upcoming November 6, 2006 meeting.

Staff is to work up a proposal for a 59-month plan with a moderate down payment versus a long-term plan. It was pointed out that a 60+month plan would require Local Government Council (LGC) approval.

Board members agreed that the total purchase price for the 9-acre soundfront parcel of \$4.6 million is a very good deal and that the Board is making good use of taxpayer funds to consider participating in the purchase. The property was appraised at \$6.4 million. There are many possibilities for use of the property such as a waterfront park, multi-use center, etc.


Carolyn F. Morris, Town Clerk

Date Approved: **March 7, 2007**

Date Opened: **March 7, 2007**

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
October 4, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Comr. Wayne Gray; and Comr. Doug Remaley

COMRS ABSENT: Mayor Pro Tem Sadler and Comr. Bob Oakes

OTHERS PRESENT: Interim Town Manager Charlie Cameron; Town Attorney Ike McRee and Town Clerk Carolyn Morris

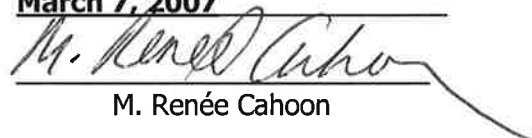
Land Acquisition

Mayor Cahoon reported that the Town's option to purchase the property on the Sound known as the "Rial" property (next to Windmill Point Restaurant) is moving forward. She stated that Town Attorney Ike McRee is working with Dare County Tourism Board attorney Jay Wheless and Attorney Robert Hobbs to work out the agreement details. Additional information and discussion will take place at an upcoming Closed Session with all Board members present.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
October 4, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Comr. Wayne Gray; and Comr. Doug Remaley

COMRS ABSENT: Mayor Pro Tem Sadler and Comr. Bob Oakes

OTHERS PRESENT: Interim Town Manager Charlie Cameron; Town Attorney Ike McRee and
Town Clerk Carolyn Morris

Attorney/Client Privilege - BOC FYI Items

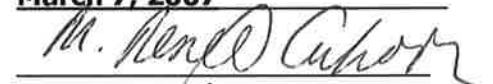
Town Attorney Ike McRee brought to the Board's attention the following personnel data reports supplied in the Board's monthly agenda packages as FYI items: an accident data base report and an employee disciplinary action report.

It was Board consensus to do away with both the accident data base report and the employee disciplinary action report.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
ADJOURNED REGULAR SESSION**

**CLOSED SESSION
August 16, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Doug Remaley; and Comr. Bob Oakes

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless; Town Attorney Ike McRee; and
Deputy Town Clerk Michelle Gray

Land Acquisition

Board members discussed the possible purchase of the "Rial" property on the bypass (at the site of the former Soundside Pavilion). It was noted during a previous Closed Session that the Dare County Tourism Board (DCTB) may be interested in contributing 2/3 of the price.


Mayor Cahoon stated that she has determined that the Town would be required to pay an additional \$100,000 as the DCTB may only be interested in contributing 66% of the asking price of the property instead of 67%. She also noted that several contingencies will be necessary such as the question of any environmental issues including the existing sewage plant.

It was Board consensus that Mayor Cahoon continue to move forward with discussions with the property owner and the DCTB to purchase the property.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
August 2, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Doug Remaley; and Comr. Bob Oakes

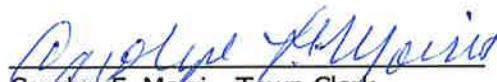
COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless; Town Attorney Ike McRee; and
Town Clerk Carolyn Morris

Land Acquisition

Mayor Cahoon stated that appraisals had been received for the "Rial" property on the bypass (at the site of the former Soundside Pavilion). She reported that the County is not interested in purchasing with the Town but that the Dare County Tourism Board is interested and may even pay 2/3 of the price. The asking price for the nine-acre parcel is \$4.7 million dollars. The existing septic system is to be removed by Windmill Point Restaurant property owner, Sarah Forbes. She noted that "due diligence" is required as there is a lot of work to be done on the property.

It was Board consensus that Mayor Cahoon move forward with discussions of the purchase of the property.


Carolyn F. Morris, Town Clerk

Date Approved: **March 7, 2007** _____

Date Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
May 3, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Doug Remaley; and Comr. Bob Oakes

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless; Attorney Ben Gallop; and Town Clerk Carolyn Morris

Land Acquisition

Mayor Cahoon reported that the old Soundside Pavilion site and the Windmill Point Restaurant site are for sale; the area is approximately a 10-acre parcel. She stated that the Dare County Tourism Board may be interested in joining the Town in a purchase after an appraisal is completed. It was noted that a Convention Center for the site(s) may be considered.

It was Board consensus that the Town arrange for an appraisal of these two (2) sites and to require that the appraiser adhere to a deadline date.



Carolyn F. Morris, Town Clerk

Date Approved: **March 7, 2007** _____

Date Opened: **March 7, 2007** _____

Mayor: 

M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
April 5, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
and Comr. Bob Oakes

COMRS ABSENT: Comr. Doug Remaley

OTHERS PRESENT: Town Attorney Ike McRee; Town Manager Seth Lawless; and
Town Clerk Carolyn Morris

Land Acquisition

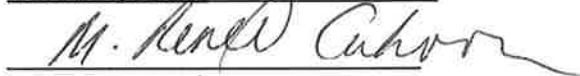
Mayor Cahoon reported that she has been approached by a representative of the property that joins the Town's property on the south side of the Nags Head/Manteo Causeway next to Whalebone Tackle Shop owned by Joel Patton.

It was pointed out that this property was appraised at Town direction in 2005. A reappraisal would probably mean a lower cost estimate. The DCTB can be applied to for funds for the purpose of purchasing this property for open space. **It was Board consensus** that an updated appraisal is to be provided to the Board at an upcoming Board meeting for further discussion and consideration.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
April 5, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
and Comr. Bob Oakes

COMRS ABSENT: Comr. Doug Remaley

OTHERS PRESENT: Town Attorney Ike McRee; Town Manager Seth Lawless; and
Town Clerk Carolyn Morris

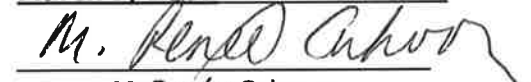
Attorney/Client Privilege - Tax Collection penalties and fines

Town Attorney Ike McRee reported that at a recent Tax Collector conference, the Town's Tax Collector Debbie Saunders found out that all tax payment penalties and fines forfeited must be paid to the State school system. Mr. McRee has determined that Dare County is forwarding their fines received to the State school system. **It was Board consensus** to agree with Mr. McRee that the Town remit the late list penalties to the State School system.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION**

**CLOSED SESSION
April 5, 2006**

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
and Comr. Bob Oakes

COMRS ABSENT: Comr. Doug Remaley

OTHERS PRESENT: Town Attorney Ike McRee; Town Manager Seth Lawless; and
Town Clerk Carolyn Morris

Attorney/Client Privilege - Real Estate Transactions - Turnstone/Gray Eagle Streets

Town Attorney Ike McRee reported that the Dare County Tax Office has revealed a series of real estate transactions by WaterWorks owner Cathy Meredith. Ms. Meredith has filed for the withdrawal of Turnstone right-of-way and also for the conversion of her lots including the Town-owned Gray Eagle Street right-of-way. Mr. McRee noted that Ms. Meredith had no authority for these real estate transactions. Mr. McRee noted that once a portion of a right-of-way is opened, the entire street is considered opened and must follow Town procedures for withdrawal and/or abandonment.

Ms. Meredith's attorney, Mike Casey, contacted Ike McRee who explained the process to go through with the Board for withdrawal of the Turnstone right-of-way.

Mr. McRee reported that Mike Casey also mentioned to him swapping with the Town for 2.5 feet of the Gray Eagle access for his client's soundside development - last year the Town closed the northern portion of Turnstone Avenue for Eddie Miller and Andy Tillett. **It was Board consensus** that a proposal must be received by the Town for consideration of a swap for the Gray Eagle property; withdrawal/closure and/or abandonment must be considered by the Board.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
March 1, 2006**

CLOSED SESSION

COMRS PRESENT: Mayor Renée Cahoon; Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: Mayor Pro Tem Anna Sadler and Comr. Wayne Gray

OTHERS PRESENT: Town Manager Seth Lawless and Public Safety Director/Acting Deputy Town Manager Charlie Cameron


Personnel

The Board entered Closed Session at 10:35 a.m. to discuss a personnel matter. A personnel matter was subsequently discussed during Closed Session. Closed Session ended at 11:27 a.m.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 
M. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
January 4, 2006**

CLOSED SESSION

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

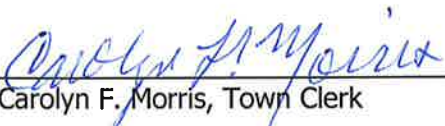
COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless; Town Attorney Ike McRee;
and Deputy Town Clerk Michelle Gray

Review of 2005 Closed Session minutes

Closed Session minutes from January 19, 2005 through December 7, 2005 were considered by the Board.

MOTION: Comr. Oakes made a motion to approve/release to be opened the Closed Session minutes identified on the **attached list** and to modify the April 20, 2005 minutes to indicate that Comr. Sadler "... does not like to be rushed ..." into a decision and to also approve/release to be opened the Closed Session minutes concerning the Tate property on the Causeway. The motion was seconded by Mayor Pro Tem Sadler which passed unanimously.



Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 

Mr. Renée Cahoon

2005 Closed Session Minutes

Recommended by Town Attorney to be opened

At January 4, 2006 BOC Meeting

February 2, 2005

Closed Session Minutes - Review of 2004 Closed Session Minutes

April 6, 2005

Land Acquisition - Dowdy's Amusement Park

April 20, 2005

Land Acquisition - Dowdy's Amusement Park

April 28, 2005

Possible Land Acquisition - Dowdy's Amusement Park

May 18, 2005

Land Acquisition - Tate property on the Causeway

June 1, 2005

Possible Land Acquisition - Tate property on the Causeway

June 15, 2005; 7:30 P.M.

Land Acquisition - Tate property on the Causeway

July 20, 2005

Property Acquisition - Elizabeth Campbell property on Causeway

August 3, 2005

Property Acquisition - Elizabeth Campbell property on Causeway

September 7, 2005

Land Acquisition - Elizabeth Campbell property on Causeway

September 28, 2005

Land Acquisition - Elizabeth Campbell property on Causeway

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
January 4, 2006**

CLOSED SESSION

COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley


COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless

Personnel - Staff Reorganization

Town Manager Seth Lawless presented a PowerPoint presentation on a proposed staff reorganization. The proposed reorganization would place the Planning and Public Safety Departments under the management of the Public Safety Director; it would place the Administrative Services and Planning Departments under the management of the Town Manager.

Board members were not in favor of the proposed reorganization; they spoke in favor of the separate position of Deputy Town Manager.



Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: **March 7, 2007** _____

Mayor: 

Mr. Renée Cahoon

**TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR SESSION
January 4, 2006**

CLOSED SESSION

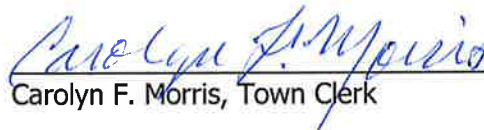
COMRS PRESENT: Mayor Renée Cahoon; Mayor Pro Tem Anna Sadler; Comr. Wayne Gray;
Comr. Bob Oakes; and Comr. Doug Remaley

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Seth Lawless; Town Attorney Ike McRee;
and Deputy Town Clerk Michelle Gray


Litigation - Country Nest house in South Nags Head

Town Attorney Ike McRee reported on the status of the Country Nest litigation.


Carolyn F. Morris, Town Clerk

Approved: **March 7, 2007** _____

Opened: 2/3/10 _____

Mayor: 
Mr. Renée Cahoon