

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

**CLOSED SESSION #2  
January 10, 2018**

COMRS PRESENT: Mayor Ben Cahoon; Mayor Pro Tem Susie Walters; Comr. Renée Cahoon;  
Comr. Webb Fuller; Comr. Michael Siers

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Cliff Ogburn; Attorney John Leidy; Dep Town Manager Andy Garman;  
and Town Clerk Carolyn Morris

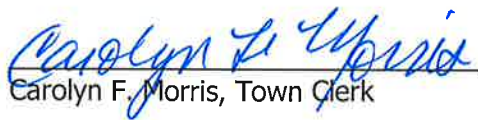
Closed Session Minutes

Attorney Leidy requested that the Board approve the Closed Session minutes from July – December 2017 as well as take action to approve the opening/closing of the minutes as presented on the disposition list.

Comr. Renée Cahoon noted one change to the July 5, 2017 minutes – “Comr. Cahoon was not present” should read “Comr. Cahoon was recused” concerning the Community Development Corporation building discussion.

**MOTION:** Mayor Pro Tem Walters made a motion to approve the Closed Session minutes from July – December 2017 with the correction to the July 5, 2017 minutes as noted. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

**MOTION:** Mayor Pro Tem Walters made a motion to open the Closed Session minutes identified to be opened and to keep closed the Closed Session minutes identified to keep closed as presented on the **attached** disposition list. The motion was seconded by Comr. Fuller which passed unanimously.

  
Carolyn F. Morris, Town Clerk

Date Approved: August 1, 2018

Date Opened: August 1, 2018

Mayor:   
Benjamin Cahoon



TOWN OF NAGS HEAD  
BOARD OF COMMISSIONERS  
July – December 2017 CLOSED SESSIONS  
SUMMARY DISPOSITION  
*(Approved BOC January 20, 2018)*

<b>DATE</b>	<b>CATEGORY</b>	<b>SUBJECT</b>	<b>DISPOSITION</b>
Jul 5, 2017	Attorney/Client Privilege	Potential litigation – CDC building	Closed
Aug 2, 2017	Closed Session minutes	January – June 2017	Open
Sep 6, 2017	Personnel	Town Manager evaluation	Closed
Nov 1, 2017	1) Attorney/Client Privilege and property acquisition	9828 Surfside Drive (Caraway) house	Closed
Nov 1, 2017	2) Honorarium	Earl Murray Jr Employee of the Year	Open
Dec 6, 2017	Attorney/Client Privilege and property acquisition	9828 Surfside Drive (Caraway) house	Closed

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

**CLOSED SESSION #3  
January 10, 2018**

COMRS PRESENT: Mayor Ben Cahoon; Mayor Pro Tem Susie Walters; Comr. Renée Cahoon;  
Comr. Webb Fuller; Comr. Michael Siers

COMRS ABSENT: None

OTHERS PRESENT: Town Manager Cliff Ogburn; Attorney John Leidy; Dep Town Manager Andy Garman;  
and Town Clerk Carolyn Morris

Possible Property Acquisition at 9828 S Surfside Drive in South Nags Head

Town Manager Ogburn reported that Mr. James Caraway had previously turned down the Town's original offer of \$22,000 [plus \$50,000 from neighboring property owners] to include removal of his house, to purchase his house at 9828 S Surfside Drive.

Since that time, Mr. Caraway has decided to accept the Town's offer.

Town Manager Ogburn stated that it is possible that the structure could be used for firefighter training.

**MOTION:** Mayor Pro Tem Walters made a motion that the Town Attorney be authorized to re-offer Mr. Caraway \$22,000 [plus \$50,000 from neighboring property owners] to acquire title to the property at 9828 S Surfside Drive – to include that the Town take ownership of the property within 60 days. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

Exit Closed Session

**MOTION:** Comr. Renée Cahoon made a motion to exit Closed Session. The motion was seconded by Mayor Pro Tem Walters which passed unanimously.

  
Carolyn F. Morris, Town Clerk

Date Approved: August 1, 2018

Date Opened: August 1, 2018

Mayor:   
Benjamin Cahoon

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

**CLOSED SESSION #1  
June 6, 2018**

COMRS PRESENT: Mayor Ben Cahoon; Mayor Pro Tem Susie Walters; Comr. Renée Cahoon;  
Comr. Webb Fuller; Comr. Michael Siers

COMRS ABSENT: None


OTHERS PRESENT: Town Manager Cliff Ogburn; Attorney John Leidy; Dep Town Manager  
Andy Garman; Town Engineer David Ryan; and Town Clerk Carolyn Morris

Attorney/Client Privilege – Dowdy Park Phases II - III Bid

Town Manager Ogburn reported on the recent bid openings for Phases II and III of the Dowdy Park Construction Project. Only one response was received from the first bid opening which required a second bid opening – Godfrey Construction was the only response for both. It was explained that Godfrey Construction mistakenly included the drainfield for the restrooms in the alternate #2 bid.

Mr. Leidy explained legal concerns regarding whether the bid could be accepted, particularly based on whether it was responsive to the RFP and bidding specifications, and potential legal challenges or claims that could be pursued by various parties depending on whether the Town accepted the bid or not.

It was Board consensus to accept the Godfrey Construction base bid and to re-bid the restrooms separately. The project is to be included for additional discussion at the Budget Workshop on June 11, 2018.

  
Carolyn F. Morris, Town Clerk

Date Approved: August 1, 2018

Date Opened: August 1, 2018

Mayor:   
Benjamin Cahoon