



**TOWN OF NAGS HEAD
BOC ACTIONS
May 16, 2012**

1. Call to order - Mayor Oakes called the meeting to order at 7:00 p.m.
2. Adoption of agenda – the Board approved the May 16th agenda as presented.
3. Audience Response - Garry Oliver from Outer Banks Fishing Pier; he stated that a lot of assurances were made when Jennette's Pier was being built; one promise was broken on the first day of operation of the pier – they did not charge an entrance/sightseeing fee; he appreciates the Board's support of the privately-owned piers.
4. Audience Response – Police Chief Kevin Brinkley introduced Kim Murray, wife of Nags Head Sgt. Earl Murray who died responding to a call on May 15, 2009; Ms. Murray helped establish the Outer Banks Public Safety Auxiliary – she presented the first Sgt. Earl Murray Officer Achievement and Recognition Award to Nags Head Police Officer First Class Jonathan Gilreath.
5. Attorney Leidy – Fisher lawsuit - Attorney Leidy reported that the Court of Appeals unanimously affirmed the trial court's decision to dismiss the Fisher lawsuit. Among other things, the Court agreed with the Town that no compensation was due for the taking because the Town could reasonably believe that the beach nourishment project would enhance the value of the owners' properties by more than the easement itself was worth.
6. Attorney Leidy – Requested Closed Session to provide update on Sansotta, Fisher, Cherry, Inc. litigation.
7. Town Manager – PIO Roberta Thuman distributed copies of the Town Manager's recommended budget for FY 12/13 to Board members. Town Manager Ogburn narrated a powerpoint presentation.
8. Mayor Oakes - Mayor Oakes reminded Board members that the next Budget Workshop is scheduled for Wed, May 23rd at 2 pm; It was Board consensus to schedule a Budget Workshop for May 31st at 2 pm.
9. Town Manager - Requested a Closed Session to consider the acquisition of real property.
10. Comr. Cahoon – The Board passed a motion to nominate Jerry Old to another term on the Coastal Resources Commission.
11. Comr. Cahoon - Requested a Closed Session to consider the acquisition of real property.
12. Comr. Sadler - Reported that on Sunday, May 13th at 8 am she and PIO Roberta Thuman were at the Forrest Street Beach Access to send off the bicyclists participating in the Bike and Build event. The trip takes 70 days and ends in San Diego. The trip is to bring awareness to the need for affordable housing.
13. Mayor Oakes – The Board adopted the resolution in support of a sightseeing fee at Jennette's Pier.
14. Closed Session – The Board passed a motion to enter Closed Session to discuss Sansotta, Fisher, and Cherry, Inc. litigation and to consider the acquisition of real property: Fin & Feather Motel, Dowdy's Amusement Park, and Darcy Pruden property (located next to Nags Head Post Office) - The time was 7:48 p.m.
15. Open Session - The Board re-entered Open Session at 8:48 p.m. Attorney Leidy reported that during Closed Session the Board gave instruction to the attorney re: litigation and discussed Fin and Feather Motel, Dowdy's Amusement Property, and the Darcy Pruden property - No other actions were taken.
16. Adjournment - The Board adjourned at 8:49 p.m.