

**TOWN OF DUCK
TOWN COUNCIL
REGULAR MID-MONTH MEETING
February 17, 2010**

The Town Council for the Town of Duck convened at the Duck Municipal Offices at 1:00 p.m. on Wednesday, February 17, 2010.

COUNCIL MEMBERS PRESENT: Mayor Dave Wessel; Mayor Pro Tempore Don Kingston; Councilor Neil Morrison; Councilor Monica Thibodeau; and Councilor Chuck Burdick.

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Town Manager Christopher Layton; Director of Community Development Andy Garman; Police Chief Phillip Ferguson; Fire Chief Donna Black; Building Inspector Cory Tate; Public Relations Coordinator Kathy McCullough-Testa; Permit Coordinator Sandy Cady; Chris Dewitt – Project Manager from Vanasse Hangen & Brustlin, Inc.; Barry Moss – Architect from Tymoff & Moss; Town Attorney Robert Hobbs; and Town Clerk Lori Kopec.

OTHERS ABSENT: None.

Mayor Wessel called the meeting to order at 1:01 p.m. Mayor Wessel stated that he wished to add a second item to the agenda – an overview of the Nag Head plan for beach nourishment. It was *consensus* of Council to add the second item.

DISCUSSION ON TOWN HALL-MEETING HALL DESIGN

Mayor Wessel stated that there would be two (2) presentations given to begin the discussions – one from Former Mayor Paul Keller who would provide an historical context for where the Town has come from and currently exists. He added that Town Manager Layton would give a presentation to review the current status of the design and what the plans and needs were as the Town moved forward towards final approval of the design. He stated that following the two (2) presentations, there would be ample time for public comments, questions, etc. He asked Council to ask only factual questions or clarification of items after the presentations.

Paul Keller of 125 Wiroans Court was recognized to speak. Mr. Keller gave a short presentation on the significant events that have happened in the Town of Duck before it was incorporated to Council and the audience.

Town Manager Layton was recognized to speak. Town Manager Layton gave a short presentation on the history of the Town Hall concepts and past discussions to Council and the audience.

Mayor Wessel thanked Paul Keller and Town Manager Layton for their presentations. Town Manager Layton noted that Public Relations Coordinator Kathy McCullough-Testa wished to give a presentation.

Public Relations Coordinator Kathy McCullough-Testa was recognized to speak. Public Relations Coordinator Testa went on to give a short presentation on events that happen at the park and what future events could be held at the Town Hall-Meeting Hall building to Council and the audience.

Mayor Wessel opened the floor for public comments.

Denver Lindley of 1470 Duck Road was recognized to speak. Mr. Lindley felt the Town Hall issue was a very important subject to discuss. He stated that he was concerned about the economy. He cautioned Council to be careful as this was not the time to be penny wise and pound foolish. He thought that from a slow start, the design was extraordinary, met all the needs, represented what Duck was, was crisp, had no waste and had purpose. He noted that Duck had a staff of young people who were dedicated to putting the project into motion. He added that this was the time to move forward.

Carol Powell of 104 Carrol Drive was recognized to speak. Ms. Powell asked why the Meeting Hall alone was to be built on pilings. Barry Moss of Tymoff & Moss was recognized to speak. Mr. Moss stated that the buildings could have two (2) different foundations. He added that the real reason was that the site slips off. Ms. Powell asked if there was any concern regarding flooding. Mr. Moss stated that the floor levels would match up. Director Garman added that the Town would have to fill five (5) feet or more to be able to build on slab. Ms. Powell stated that she was concerned that the Town Hall building was not being built on pilings. Chris Dewitt of VHB, Inc. was recognized to speak. Mr. Dewitt stated that the finished buildings would be above flood level. Town Manager Layton added that the property slopes upward and where the Town Hall will be built was not in a flood zone.

Bart Smith of 106 Sailfish Court was recognized to speak. Mr. Smith stated that at the February 3, 2010 meeting, he was ready to jump out of his seat. He stated that in the last four (4) years a number of people had been involved in the project. He noted that a lot of Townspeople were involved; some who never spoke up, but listened and were involved. He added that it was very important to be involved. He stated that the issue had been going on for the past four (4) years with many meetings, public discussions, public input, change of design, engineering and architectural decisions as well as huge contributions from Town staff. He noted that this situation was not unlike any other situation, where there was four (4) years of planning and expenses. He stated that there will always be people show up at the eleventh hour, who did not attend a single meeting, did not contribute in any way, did not do their homework, had no idea what had been discussed, and did not bother to participate in what got the Town to this point. He stated that Council may have voted at their last meeting to build a Town Hall, and now the discussion would be on what should be in the buildings. He stated it revolved around the latest concepts. He stated that the latest concept with regard to the Meeting Hall was not just a Council room but an extension to the vision that was the park. He stated that the Meeting Hall would allow the Town to do amazing things, just like what had already been accomplished in the past. He noted that there will never be a perfect time to build the buildings. He stated that it could be analyzed to death and could be talked about for another four (4) years, but in the meantime interest rates and building costs will go up. He noted that some of the recent discussions were not to build the buildings now to save money, think about the taxpayers and save a few dollars by not building the Meeting Hall, bump out the first floor, and build it later. He noted that what Council was trying to do was save taxpayers money, but in reality they would be costing the taxpayers a fortune later on if they chose not to build the Meeting Hall. He stated that now was the time for vision and leadership. He stated that Council could react to the people that come out against it at the eleventh hour or they could look at the big picture and understand what the last four (4) years have accomplished. He urged the Council to move forward on the project and not waste the taxpayer's money by putting it off.

Walter Story of Scarborough Faire Shops was recognized to speak. Mr. Story stated that the design of the buildings were spectacular. He added that they fit in with Duck, was his vision and commended those that have been working on the project. He urged Council to move forward.

Regina Foster of 102 Duck Landing Lane was recognized to speak. Ms. Foster urged Council to move forward with the present plans in that it would bring more people to the Town.

Nancy Caviness of 113 Scarborough Lane was recognized to speak. Ms. Caviness urged Council not to waste the taxpayer's time, especially those that have dreamed of this before the Town was incorporated. She stated that the park and the space for the Town Hall was part of the vision of the Town. She noted that the Fire Department had been used for so many things, but that it wasn't a space that should be used for the Town's interior needs. She stated that a Town Hall was needed, especially for staff. She pointed out that there were a lot of principal people attending the meeting, but thought it would be wonderful if there was enough space to accommodate twice the number of people in attendance. She stated that staff and the Town have outgrown the present space and interior space was needed, especially for the community. She noted that other towns on the Outer Banks did not have the sense of community that Duck had. She reiterated to Council not to waste the time, energy, dedication, passion and vision that so many people have invested over the years in order to realize the last piece for the Town.

Gene Schwarz of 103 Quail Way was recognized to speak. Mr. Schwarz stated that he was always in favor of a Town Hall and still felt the same way. He stated that he had a concern with the Meeting Hall. He could not understand why the Meeting Hall could not be incorporated into the Town Hall building. He stated that he seriously questioned the need for the Meeting Hall building.

There being no one else wishing to speak, Mayor Wessel closed the time for public comments.

Mayor Wessel stated that when the Town Hall concept was first discussed, it was envisioned at 6,000 square feet. Then a second concept was presented that was 11,000 square feet and people thought the concept was too large. He noted that when the Town was incorporated, the taxpayers were told that the Town would be run by two or three (2 or 3) employees. He added that the Town has grown and that the current staff was wonderful and did a great job. He stated that there was never a discussion on why the concept went from 6,000 to 9,085 square feet and what the extra square footage would be used for. He added that the Meeting Hall was a good portion of the 2,500 square feet. He thought that 6,000 square feet would be good for the size of the Town and that 8,500 square feet was way too large. He stated that he wasn't convinced that 1,200 to 1,500 square feet could not be put on the first floor of the Town Hall building.

Councilor Burdick stated that the design was excellent but thought the major issue was the size. He added that two (2) buildings added to the costs. He stated that the first floor of the Town Hall building had flexible space but not enough that it couldn't accommodate the Meeting Hall in the Town Hall building. He thought by having a modest extension of the Town Hall building and having one (1) bay would offer the Town significant flexibility of what could be done on the first floor. He thought Council could meet all of the objectives by having only one (1) building. He stated that there was ardent support with the building concept and that he ardently supported a functional concept as well as doing it in the most prudent approach. He admitted that he was stuck on having Council look at having the Town Hall building with a modest extension, which would give more space, and see if all the objectives could be accomplished with one (1) building. He thought over the long haul, it would offer economies to operating the Town and it wouldn't leave out the possibility of constructing a second building in the future if it was necessary. He

added that the people he had spoken with had significant support of his alternative concept with the Meeting Hall on the first floor of the Town Hall building and eliminating the second building altogether.

Mayor Pro Tempore Kingston stated that he supported building the Town Hall building. He thought a Town Hall was needed and that the staff needed better working conditions and there needed better meeting facilities. He stated that he was still in favor of a phased approach and asked if the Town were to expand the first building, what the cost would be. He wondered if it would be a wash with respect to building the Meeting Hall now or holding off a few years. Barry Moss stated that the Town has been cost conscious from the beginning. He stated that expanding the Town Hall building would require adding another staircase. He stated that it would not achieve the maximum utility. He stated that by extending the building by adding another bay, would not really be a wash, but was very close. He added that the biggest cost factor was timing. He stated that now was a great time to bid the project out as they were coming out between fifteen to twenty percent (15-20%) under budget estimates. He stated that he could shrink everything and get the square footage down a little more. He added that the Town could get five or ten percent (5 or 10%) out of it but would not get that out of a square foot basis. He noted that the first floor of the Town Hall building was too small to fit in the Council chambers.

Mayor Wessel noted that no one was arguing that the timing to build was now. He added that an earlier estimate from Barry Moss was that if the Town started planning with reducing the square footage of the two (2) buildings as a total package, the Town would be getting back approximately seventy-five dollars (\$75.00) per square foot. He thought seventy-five dollars (\$75.00) a square foot would be cost essential, but thought it was marginal. He added that there were also long-term maintenance costs.

Councilor Thibodeau thought Duck had something others were envious of. She felt that interior space was a value and people recognized that. She stated that she thought long and hard regarding being conservative fiscally and tried to poll as many people as she could while the discussions were going on. She added that she was pleased that Council agreed to do something at their last meeting. She stated that the question then became the issue of the second building. She stated that she has tried to be objective, but at the same time she was trying to be visionary and making sure Council was planning for future generations and Councils. She stated that when she thought about the scale, she heard the objection to the two (2) buildings because it was too much. She added that she appreciated the rendering Council had received that showed the original concepts. She noted that when one looks at the scale of the three (3) buildings together, the latest concept had a lot less of an imposing look to it. She stated that regardless of the 8,000 square feet, the view was not as imposing, was subtle and had a campus feel that was approachable. She stated that she was happy that the latest concept had the Meeting Hall tucked behind the Town Hall so one would not see two (2) buildings. She stated that the cost of operations could be argued that there would be less operational costs if the Town was running the 6,000 square foot portion all the time and use the Meeting Hall occasionally. She thought money would be saved with regard to operation costs, but didn't think there would be a whole lot. She thought the Meeting Hall building would continue to establish Duck as a community, gave a place to gather both interior and exterior and was a feature that was part of the original part of the park. She stated that the Town has come a long way; the time is right and should move forward with building the two (2) buildings as it was an opportunity that should not be held off anymore.

Councilor Morrison noted that in Council's agenda packets, the minutes from the past eleven (11) Council meetings were in it that began with August 2006 until the present time where there were lengthy discussions regarding many of the items that were brought up at this meeting. He stated

that the Town started with the first concept, moved towards the second one and when Barry Moss came up with the idea of two (2) campus buildings, he got excited about it. He added that the visual impact was so much less than the other two (2) concepts. He pointed out that the latest concept was the result of meetings where the public told Council exactly what they wanted in the buildings. He feared if Council started moving back and putting all in one (1) building, the building would expand and the visual impact would be larger. He added that it would cost more to build. He stated that now was the time to build. He stated that if Council goes back to the drawing board and starts redesigning things, it would put things further into the future. He stated that the period of low construction costs, low inflation and low interest rates was not going to last forever. He pointed out that whether the building was 8,500 square feet or 7,500 square feet didn't mean much to him since he was not an architect and not in the construction business. He stated that he had looked at the plans and had been involved in the discussions in the last three and one half (3½) years, going over them over and over and over until finally settling on the present concept. He stated that with all due respect to the rest of Council, he believed that some of those who were not either in Town or did not participate in the meetings, hearing the pros and cons of everything discussed. He stated that, in his mind, Council came up with the best solution and recommended moving forward with the project. He stated that he loved the plan and could not see putting it off into the future in order to come up with a new concept and start the process all over again.

Mayor Wessel stated that he didn't want to take a step backwards as it would be a waste of time to go back to the drawing board. He didn't think anyone was asking Council to do that. He saw that Council was at a culmination of the entire process by going from design, general thoughts of what should be incorporated into a building, how it should be incorporated into the park, to concepts and now Council was taking the step from concept to design plans as well as specific building plans. He thought it was part of the entire process as it should always be. He stated that he still had issues with the size of the buildings in that he felt they were too big. He stated that he would err on building the Town Hall a little too small and add in an extension to keep it to one (1) functional building. He commented that John Jenkins had stated that some of the Council members had promised fiscal restraint and controlled growth as the Town moved forward when they campaigned during the election. He thought it was now a matter of walking the talk. He added that he did not want to accidentally over build. He stated that this was the time to balance potential growth with fiscal responsibility in making sure that the space that will be constructed will be space that will be totally used instead of having a building that would only be used once a month for Council meetings and other uses. He wondered if it could be incorporated into one (1) building. He stated that he could not get behind supporting the second building.

Barry Moss stated that he had looked at the plans earlier in the day and was thinking about how everything could be accommodated. He thought it was possible to slightly reduce the building and that he may be able to get it down to 7,800 square feet without anyone noticing by taking space out of the Meeting Hall, space out of the office building in ways that would reduce the rooms. He thought it would achieve some of what Council was aiming for.

Mayor Pro Tempore Kingston asked if the building would be 8,000 or 8,500 square feet. Barry Moss stated that the present concept had the building close to 8,000 square feet. He thought he could get 100 square feet out of the Meeting Hall. He added that it would be problematic where everything would fit. He stated that because of the sloped roof, he would have some flexibility. He thought he could get the building down to either 7,800 or 7,700 square feet.

Mayor Pro Tempore Kingston asked if the Town Hall was expanded to add the Meeting Hall, Council would be looking at 7,500 square feet. Barry Moss thought that would be the case but thought there would be other issues.

Director Garman asked if there was a difference between having space in separate buildings or in the same building. Barry Moss stated it was not a big decision point and that there was no advantage one way or another.

Councilor Burdick asked if it would be a problem to bring back a new concept that would show one (1) building with the expansion of the main building. Barry Moss stated it would not be a problem. Councilor Burdick stated that the idea would be not to change the basic design, but that it would push the building out instead of doing anything else. He stated that it would have the advantage of a single building with the design that people liked. He added that it would not occupy a lot of the ground space and would provide the meeting space that Council wanted. He stated that Council would need Barry Moss' help so that Council could have two (2) choices along with the advantages and disadvantages and the costs associated with the operation. He thought that then Council could make a reasonable decision that they were headed in the right direction and would overcome the concerns that people had with regard to the direction that they were going. Barry Moss stated that if Council wanted to get the Council chambers into the Town Hall building, the building could be extended somewhat in order to achieve a room that would be big enough. He stated that it could be achieved by taking one of the bays and expand it down on both floors so the building would be a little longer. At that point, another staircase would be needed, so he would have a half bay with the staircase or it could be in the middle of the building. He stated that since the last meeting, mechanical engineers have been involved and would need room, which would move the break room and make it smaller. He stated that a circulation corridor would be needed. He added that the lobby could be smaller and a reception space could be added, but noted that there would be basic circulation needed to access the elevator and staircase. He stated that the lobby would be more of a hallway. He stated that the file room could be moved upstairs and eliminate either a conference room or the Emergency Operations Center. He stated that when a room becomes long and skinny, it becomes an odd shaped room and then the building may need to be redesigned in order to get the proper width to accommodate everything. He stated that the elevator would need to be in the center of the building because of the low roof. He thought it was a choice.

Councilor Burdick asked if there could be a reasonable sized room that could be used as the Council Chambers or a community-type room. Barry Moss stated that it could be done but there would be compromises.

Building Inspector Cory Tate was recognized to speak. Building Inspector Tate cautioned that if the Meeting Hall was moved into the Town Hall building, it would require an assembly occupancy paired with a business occupancy. He stated that if the building was built with non-separated uses, there could only be one story built out of wood. He stated that if Council wanted to move forward with a two-story building and have the uses separated, they would have to have a two (2) hour fire separation between the assembly occupancy and the business occupancy or the building would have to be sprinklered. He stated that one of the reasons for a separate building would be that it would not be required to be sprinklered. He stated that the building would have to be built out of steel or concrete or a one story building could be built that would be much larger.

Mayor Pro Tempore Kingston stated that this was where they were getting a wash in the costs. Barry Moss stated he was correct. He noted that the Meeting Hall would be classified as an assembly usage and not an office usage. He added that the Town Hall building would be

classified as office usage. He stated that there would be a breezeway connection where the fire separation would not be needed, adding that the building could be built out of wood. He stated that if the Meeting Hall was incorporated into the Town Hall, it would require the building to be built out of steel, which would significantly increase the cost of construction. Town Manager Layton noted that the way the building would be constructed with the current design, it would not need sprinklers. Building Inspector Tate agreed and added that fire barriers would also not be needed as there were three (3) options for creating safe buildings in the NC Building Code. He stated that the building could have separated uses, non separated uses and separate buildings. He added that the Town would be taking advantage of the separate building option for the current design to bring down the cost of not having to add in sprinklers or two (2) hour fire barriers. He explained that if the building was constructed larger, it would require a second stairway from the second floor and would require a two (2) hour shaft around the stairway. He stated that this would not only add to the cost of additional square footage, but would mean a much higher cost of construction if the second shaft has to be constructed. Barry Moss wasn't sure it would be a big cost factor.

Councilor Burdick stated that he was surprised that the current concept would not have sprinklers. Barry Moss that it could be sprinklered. Building Inspector Tate noted that it was not required unless the building was changed.

Mayor Pro Tempore Kingston asked how the Meeting Hall could be scaled down. Barry Moss stated that the Council chambers was 1,584 square feet and would be a function of repeating the bay.

Councilor Burdick clarified that if the Meeting Hall was reduced, taking six (6) inches out would not save the Town any money. Barry Moss and Building Inspector Tate stated he was correct. Mr. Moss noted that the building would be built with timber frame which was a little different.

Councilor Thibodeau thought that incorporating the Meeting Hall into the Town Hall building meant that the Council chambers could be long and thin or more rectangular. She added that it would never result in the feeling of the ceiling with skylights. She thought there was a lot to be said with having a vaulted ceiling and skylights. Mayor Wessel noted that the vaulted ceilings and skylights would be given up. He added that Sanderling Inn where the Town holds the Council Retreat and holiday parties did not have vaulted ceilings or skylights. He noted that not all meeting rooms have them. Barry Moss agreed and thought one of the concerns he had was if the building was cut down so far so that the ground floor would have an eight (8) foot ceiling and it would have a meeting hall that would not feel right. He thought the Sanderling Inn had ten (10) foot ceilings. Building Inspector Tate noted that the current Council chambers had nine (9) foot ceilings.

Mayor Wessel stated that the trade off that he saw was that the functions of the community room could be incorporated into the first building, thus eliminating the need for a second building. He stated that in addition to reducing the community room, it would eliminate the square footage in the whole left side of the Town Hall as a requirement.

Barry Moss asked Building Inspector Tate if there needed to be a turning circle in the handicap bathroom that would go under the sink. Building Inspector Tate stated it could not be done.

Town Attorney Robert Hobbs was recognized to speak. Town Attorney Hobbs pointed out that the minor benefit of a conference room in the Meeting Hall would be that Council could break for Closed Session without having to move everyone in the audience outside of the building. Mayor

Wessel stated that he still saw that happen if the Meeting Hall was incorporated into one building since there would be multiple conference rooms.

Mayor Wessel re-opened the floor for public comments.

Lynne Alterman of 100 Ocean Crest Way was recognized to speak. Ms. Alterman asked if the Meeting Hall was shrunk down, one (1) bay would come out of the meeting room. Barry Moss stated she was correct. Mayor Wessel pointed out that the present Council chambers had the biggest crowd of forty (40) people that would attend any meetings. He thought if there were room for eighty (80) people, it would be too big. Ms. Alterman stated that she was concerned that the furniture used would have to be stored away. She wondered if the storage room would be big enough.

Nancy Caviness of 113 Scarborough Lane was recognized to speak. Ms. Caviness stated that she thought she was speaking on behalf of all the citizens that have been involved and participated in the process from the beginning. She stated that one of the assets of the Meeting Hall that the community was so excited about was that the interior space spilled out through doors onto a covered porch which then spilled into the park environment. She stated that it was more about being an interior public space that was connected to the outdoors. She stated that if the Meeting Hall was incorporated into the Town Hall, those assets would be lost. She stated that it was very likely the Town will have an event where people would need to go in and out of the building. She stated that she wanted to point that out since it was an amenity or asset of the building that the citizens were thrilled about.

Sam Taylor of 111 Skimmer Way was recognized to speak. Mr. Taylor stated that he has heard all the conversations regarding saving money or combining things. He added that Council has been through these discussions at great length and the present design was one that has been strongly supported by most of the people involved for good, sound reasons. He stated that Council could be fiscally responsible and postpone the whole thing, costing the Town \$500,000 or they could actually do something and get it done. He pointed out that if Council decided to defer the project for another year, they were not being fiscally responsible, but fiscally irresponsible since everyone has been in agreement that the project needs to move forward. He stated that whatever Council decided, they should stick with the schedule and not come back to the citizens in three (3) months saying that another study was needed. He pointed out that most of the people in attendance have already been through that. He asked where the fiscal responsibility really lied.

Ron Forlano of 1378 Duck Road was recognized to speak. Mr. Forlano stated that Town Manager Layton has proven that he was a very fiscally responsible manager. He added that previous Councils have proven to the citizens that they were fiscally responsible and fiscally conservative. He knew that there were some Council members that ran on the platform of fiscal responsibility, but thought from everything he has heard, he believed it would be fiscally irresponsible to not move forward with the present design.

Joe Blakaitis 115 Sandpiper Cove was recognized to speak. Mr. Blakaitis echoed Sam Taylor and Ron Forlano's comments. He asked Council to keep in mind that they needed to be fiscally responsible to their constituents but at the same time most of them are not in attendance to the meetings. He thought the building would have to be expanded and guessed the Town would have to spend \$200,000, which was half the cost of the Meeting Hall building. He stated that Duck was a shining symbol to all the other towns. He stated that he was intrigued by the planning that

went into the current design. He stated that if there was any way to move ahead with the plans, it should be done.

John Fricker of 105 Carrol Drive was recognized to speak. Mr. Fricker stated that the term “fiscal responsibility” had been mentioned quite a bit at the meeting. He stated that he understood it in a different context. He stated that when Mayor Wessel, Mayor Pro Tempore Kingston and Councilor Burdick were running for Council, they stated that they wanted to be fiscally responsible and were concerned about tax increases. He stated that fiscal conservancy was now being talked about in terms of how space could be diminished at the risk of what has been a long, carefully drawn out plan by a lot of very bright people. He didn’t think the three (3) Council members were elected to cut a buck here and there. He thought the plan should move forward as it presently existed.

Carla Gazzola of 133 Seabreeze Drive was recognized to speak. Ms. Gazzola agreed with everyone’s comments. She thought everyone wanted it to be something nice. She asked what the tax increase would or would not be. She stated that she was coming to Council’s aid with regard to fiscal responsibility because she would be in support of moving forward with the project. She stated that 1,584 square feet was large. She stated that she had no problem with Council moving ahead with the two (2) buildings or enlarging the first building, but wanted to see the numbers and whether or not her taxes would increase. Mayor Wessel noted that there were operating costs available on the Town’s website. Town Manager Layton addressed Ms. Gazzola’s questions, giving a background on the past tax increase that included the construction of a Town Hall so that taxes would not have to be increased in the near future. He added that he did not anticipate a tax increase within the next five (5) years. Carla Gazzola asked where the financing would come from and whether it would be a fixed rate or adjustable. Town Manager Layton stated that local governments do not have a lot of options as far as creative financing. He stated that the Town would have to go before the Local Government Commission if it was a loan over five (5) years or more than \$500,000 under certain circumstances. He added that the Town would have to go before the LGC to obtain approval for a loan and the Town would do a simple installment purchase.

Tom O’Brien of 128 Chip Court was recognized to speak. Mr. O’Brien stated that he supported the existing design and urged Council to move forward.

Allan Beres of 146 Dune Road was recognized to speak. Mr. Beres stated that the concept was consistent with the original vision of the Town. He stated that the campus effect was most ideal for the Town’s needs, admired Council’s sense of responsibility to be prudent, but urged Council to move forward with the project.

There being no one else wishing to speak, Mayor Wessel closed the time for public comments.

Mayor Pro Tempore Kingston moved to direct the Town Manager to proceed ahead with the design or next phase of the two (2) building concept, at the same time taking advantage of taking the architect’s advice and shave off a couple hundred square feet and proceed ahead to the next level.

Councilor Burdick stated that he did not realize the impacts with asking for only one (1) building. He stated that it concerned him that the current plan left a large first floor which would only have occasional use. He stated that the two (2) building concept made sense to him after hearing all the comments from the citizens in the audience. He added that he still had a problem with the first floor. He asked that Council look at how the use of the Town Hall building could be

optimized. He stated that he would vote in favor of the existing plan but wanted to see staff take another look at the first floor of the Town Hall building to see how the space could be better utilized.

Councilor Morrison appreciated Councilor Burdick's comments. He was sure that Town Manager Layton would take his suggestions and comments under advisement. He stated that it was Town Manager Layton's responsibility to operate with his staff in the best way he saw fit. He stated that he appreciated the discussion that involved the public, who were overwhelmingly in favor of the present concept. He stated that he was pleased that Mayor Pro Tempore Kingston came around and made a motion to adopt the two (2) building concept. He stated that he would support the motion.

Councilor Thibodeau stated that she appreciated the motion as well as all the comments that were received. She stated that Council needed to plan for the future, not just what the immediate needs were but to have flexibility. She stated that she would support the motion to move forward.

Mayor Wessel stated that if the motion succeeded he would support the project but that he would not support the motion. He stated that the first floor didn't have a plan for use. He stated he was still concerned about costs in terms of fiscal responsibility. He added that he was concerned about creating space that had no firm use that could not be done in one building. He stated that he appreciated everyone's comments and where the thinking was of his colleagues.

Motion carried 4-1 with Mayor Wessel dissenting.

Town Manager Layton stated that the next step would be to finalize the design, which he would bring to Council at their March 3, 2010 meeting.

NAGS HEAD PLAN FOR BEACH NOURISHMENT

Councilor Morrison stated that he attended a meeting of the Shoreline Management Commission and at the meeting Mayor Bob Oakes of the Town of Nags Head gave a presentation regarding the Town of Nags Head's plan for funding the beach nourishment program in his town. He stated that the meeting was recessed and would reconvene on Tuesday, February 23, 2010 to continue the discussions. He handed out a copy of Mayor Oakes' comments to Council and asked them to read it and call or email him with their thoughts so he could bring them to the February 23, 2010 meeting. Mayor Wessel stated that the issue would be on the Council's March 3, 2010 agenda.

Mayor Wessel stated that the next meeting would be on Wednesday March 3, 2010 at 7:00 p.m.

ADJOURNMENT

Councilor Morrison moved to adjourn the meeting.

Motion carried 5-0.

The time was 3:47 p.m.

/s/ Lori A. Kopec, Town Clerk

Approved: March 3, 2010

/s/ Dave Wessel, Mayor