

**TOWN OF DUCK  
TOWN COUNCIL  
REGULAR MEETING  
October 2, 2019**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 7:00 p.m. on Wednesday, October 2, 2019.

**COUNCIL MEMBERS PRESENT:** Mayor Don Kingston; Mayor Pro Tempore Monica Thibodeau; Councilor Nancy Caviness; Councilor Chuck Burdick; and Councilor Jon Britt.

**COUNCIL MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Town Manager Christopher Layton; Police Chief John Cueto; Fire Chief Donna Black; Director of Community Development Joseph Heard; Town Attorney Robert Hobbs; Public Relations Administrative Assistant Betsy Trimble; Director of Marketing and Special Events Christian Legner; Attorney Ben Gallop; and Town Clerk Lori Ackerman.

**OTHERS ABSENT:** None.

Mayor Kingston called the meeting to order at 7:03 p.m. He asked Director of Community Development Joe Heard to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

Mayor Kingston noted that Attorney Ben Gallop was present for the Closed Session item on the agenda and that he had to leave the meeting early to go out of town. He suggested moving Closed Session up on the agenda to be held before Old Business in order to accommodate Attorney Gallop's schedule. It was *consensus* of Council to do so.

**PUBLIC COMMENTS**

Mayor Kingston opened the floor for public comments.

Ben Vorndran of 104 Sea Hawk Drive West was recognized to speak. Mr. Vorndran stated that he looked at the agenda and noted that there were ordinances that would change penalties from criminal to civil. He stated that he was trying to remember why the issue came up and thought it was due to the issue with Roadside Bar & Grill and the penalties from that. He wondered if the Town would receive enough revenue from the penalties as he didn't think it was that much of a difference considering what the Town's budget was. He felt the funds should go to the schools as that would be a better option. He stated that with regard to the agenda item on the beach grass, he wondered if there was a cost savings from it since the Town uses volunteers for the planting. He thought there should be something in the contract for the cost to be less than \$20,000 since volunteers were used which would offset the cost.

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

Police Chief John Cueto was recognized to speak. Police Chief Cueto went on to present Police Officer Tammy Bybee with her Advanced Law Enforcement Certificate. Police Chief Cueto also presented himself with his Advanced Law Enforcement Certificate. He noted that the Duck Police Department has reached 100% achievement as all of the officers have acquired their respective Advanced Law Enforcement Certificates. He hoped to have a press release at some point in the future where all officers will be present with their certificates.

Town Manager Christopher Layton was recognized to speak. Town Manager Layton pointed out that the Town receives a major break on its liability insurance with the officers having the advanced certificates.

### **CONSENT AGENDA**

#### **Minutes from the August 7, 2019, Regular Meeting and Budget Amendments**

Mayor Pro Tempore Thibodeau moved to approve the consent agenda as presented.

Motion carried 5-0.

### **SPECIAL PRESENTATIONS**

#### **Employee Service Recognition Program Recipients**

Mayor Kingston stated that in December 2011, Council had adopted an employee service recognition program that would acknowledge the service of employees of the Town at five-year intervals by providing them with a certificate of recognition as well as a gift certificate at a Duck business of their choosing.

Mayor Kingston, Fire Chief Donna Black and Town Manager Layton went on to present Fire Captain Jeffrey Del Monte and Fire Lieutenant Anthony Bartolotta with their 10-year service recognition certificates and \$100 gift certificates.

Mayor Kingston and Town Manager Layton went on to present Director of Community Development Joe Heard with his 5-year service recognition certificate and \$50 gift certificate.

### **CLOSED SESSION**

Mayor Pro Tempore Thibodeau moved to enter closed session in accordance with Section 143-318.11(a)(3) of the North Carolina General Statutes to consult with an attorney employed or retained by the public body to consult with the Town Attorney in a manner

preserving the attorney-client privilege with regard to the Hovey v. Sand Dollar Shores Homeowners Association, Inc. and the Town of Duck.

Motion carried 5-0.

The time was 7:17 p.m.

Upon return from closed session, Mayor Kingston stated that Council gave direction to Town Attorney Hobbs and Attorney Gallop on the Hovey v. Sand Dollar Shores Homeowners Association, Inc. and the Town of Duck court case.

### **OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS**

#### **Discussion/Consideration of Authorizing the Town Manager to Execute a Contract with Sandski, LLC for Surf Rescue Services**

Town Manager Chris Layton was recognized to speak. Town Manager Layton stated that previously, the Council had authorized an increase in contracted costs for Fiscal Year 2020 for surf rescue services. He stated that the services included the addition of two lifeguard stands, additional lifeguards for the fall season, a pay increase for all lifeguards, and international recruiting costs. He added that the cost for the services for Fiscal Year 2020 increased by \$90,000 to \$486,000 for the services. He pointed out that at Council's August 7, 2019 meeting, a contract was brought forward for Council's consideration and was withdrawn so that clarifications could be prepared for review at Council's September 4, 2019 meeting; however, the September meeting was canceled due to Hurricane Dorian.

Town Manager Layton stated that, as written, the contract provides for a base level of services as approved for Fiscal Year 2020. He noted that the base level was shown in Section 1.c. of the contract. He stated that the contract term was for five years – including Fiscal Year 2020 – with set costs for the base level services for Fiscal Year 2021 through Fiscal Year 2024 as follows:

Fiscal Year 2021: \$515,500  
Fiscal Year 2022: \$531,500

Fiscal Year 2023: \$548,000  
Fiscal Year 2024: \$566,000

Town Manager Layton noted that there was a 6.1% increase in Fiscal Year 2021 which included 3% to cover the final implementation of the lifeguard hourly pay increase, plus a 3% operation cost increase. He stated that for Fiscal Year 2022 to Fiscal Year 2024, it included a 3% operational cost increase. He added that the contract also included optional years for Fiscal Year 2025 and Fiscal Year 2026 that would be negotiated as part of the budget process.

Councilor Burdick noted that part of the increase was due to Surf Rescue Director Mirek Dabrowski contracting with lifeguards from Australia. He added that his business covers the Town of Duck, the Town of Southern Shores and the Park Service. He asked what percentage the Town was paying. Town Manager Layton stated that he did not have a

specific answer but was told that the intent was that those lifeguards that were found through the H2B Visa process was because Duck's contract was longer and so Duck would be paying for it. He added that the Town would also be utilizing those same lifeguards during that time period. He stated that Surf Rescue Director Dabrowski has a number of personnel and the Town was getting that personnel during the time period that they are most needed, which was August 15 through October 31. He stated that the intent would be to make sure that the Town would have those lifeguards almost exclusively. Councilor Burdick pointed out that the lifeguards would be here for the whole year. Town Manager Layton agreed.

Councilor Burdick stated that the Town needed to be aware as it may be footing the bill for everyone. Councilor Britt noted that the Town would receive the majority of the benefit because the Park Service only has lifeguards from Memorial Day through Labor Day. He added that the Town of Southern Shores stops in September. Town Manager Layton agreed. Mayor Pro Tempore Thibodeau noted that the cost the Town was paying for the Australian lifeguards would be for the H2B Visas as well as some type of higher wage. She noted that Surf Rescue Dabrowski's wages were increasing. Town Manager Layton stated that the cost for the lifeguards were the H2B Visas and the airfare.

Mayor Pro Tempore Thibodeau stated that she appreciated knowing what the itemized amounts were for the different years. She clarified that the Town could go through the year and decide if another lifeguard stand would be needed, it would then determine that cost. Town Manager Layton stated she was correct.

Mayor Kingston pointed out that the cost Councilor Burdick was discussing was only for the Year One where the Town was paying \$10,000. He added that when the Town renegotiates Year Two, it would be a time to raise the question again. Town Manager Layton agreed. Mayor Kingston noted that at that time, it can be determined if there would be a continuing cost as it was not built into the baseline. Councilor Burdick stated that he didn't mind paying for it if Duck was the sole user, but if Surf Rescue Director Dabrowski was spreading his people over a three to four-month period over all of his operations, then it should be a shared cost based on the number of people he has in each area. Mayor Kingston agreed.

Mayor Pro Tempore Thibodeau moved to authorize the Town Manger to execute a contract with Sandski, LLC for surf rescue services as presented.

Motion carried 5-0.

## **NEW BUSINESS**

### **Discussion/Consideration of Authorizing a Public Hearing on Ordinance 19-04, an Ordinance to Establish Review Standards for the Village Commercial Development Option as a Special Exception**

Director of Community Development Joe Heard was recognized to speak. Director Heard stated that Council had before them an item that was initiated after the Town's annual Retreat. He stated that the Town Council authorized the Planning Board to work with Town staff and Town attorneys as necessary to evaluate improvements to the Town's standards for the Village Commercial Development Option. He stated that there has been a lot of effort and review on the part of the Planning Board with them looking at ordinances from other communities to see what they were doing in similar type situations. He stated that they evaluated the ways some of the communities were doing things and chose the way they felt best met the needs of Duck.

Director Heard stated that the Planning Board took time to look at the different characteristics of Duck Village with regard to things that may be considered as part of the ordinance and took a hard look at the attributes to see what kind of things they wanted to encourage as part of the Village Commercial Development Option.

Director Heard stated that the ordinance before Council had three components to it that were changes from the existing ordinance. He stated that, on the recommendation of the Town attorneys, the Board was recommending changing this from a Conditional Use Permit in the Village Commercial District to a Special Exception. He stated that the second change was the amount of relief that the Planning Board and Council could grant with regard to the Village Commercial Development Option with regard to limitations. He stated that the Board made recommendations to place limitations on what could be granted. He stated that, with regard to the third change, there were general guidelines in the ordinance that the Planning Board and Town Council have to base the standards on. He added that one of the things that the Board chose to do was to keep some of the general standards and consolidated them in the ordinance. He noted that the Board members decided that using the criteria as guidelines gave the Council greater flexibility in determining if a proposal was compatible with the Village Commercial District. He stated that at their September 12, 2019 meeting, the Planning Board voted unanimously to recommend approval of the proposed text amendment.

Councilor Burdick thought the Planning Board did a great job. He stated that when he looked at all of the limits the Board had placed on things, he realized it was subjective. He asked if Director Heard went back to the previous cases that were heard and applied the new standards, it would have changed the outcome on a lot of them, a few of them or none of them. Director Heard stated that Roadside Bar & Grill's request for some of their setbacks could not have been granted with the new ordinance and they would have been required to propose something that complied with the new standards. He stated that parking would have also been an issue for Roadside Bar & Grill. He didn't think there would have been issues for Scarborough Faire or Loblolly Pines Shopping Center as they were small percentages.

Councilor Burdick reminded Director Heard that in a few of the cases, the Town included on-street parking as part of the parking approval. Director Heard stated that it was noted for the record that it existed but was not counted toward the official number and they were not given credit. Councilor Burdick stated that it was part of the rationale to agree

that it was acceptable. Director Heard agreed. Councilor Burdick clarified that Director Heard's conclusion was that over the past three years, Roadside Bar & Grill was the only one that would have a problem with the new standards. Director Heard stated he was correct.

Mayor Pro Tempore Thibodeau asked if Duck Village Outfitters adding a yogurt bar would be an example of an exception for small development projects. Director Heard stated that it was. Mayor Pro Tempore Thibodeau clarified that they would not have to come before Council and re-evaluate things. Director Heard stated that they would still have to come before Council if they were asking for relief but would be exempted from the detailed guidelines.

Mayor Kingston asked if the new standards would streamline the review. Director Heard stated that it would make it more difficult, but the Town would end up with a better project and product.

Mayor Pro Tempore Thibodeau clarified that those businesses that were already in would be grandfathered. Director Heard stated that it would not be changing the standards for the Village Commercial District but would apply only in cases where relief was needed.

Councilor Burdick stated that if someone came in with a relatively minor project and after looking at the details, there were other limits, they would not be in conformity with how they should be. He asked if the Town was forcing conformity or grandfathering them. Director Heard stated that if they did not need relief, they would still be grandfathered as a legal, nonconforming situation. He pointed out that the new standards could not be used to address existing situations. Councilor Burdick stated that it was his concern as if they already had that situation, that the Town would allow it to continue. Director Heard stated that if it was not being impacted by the proposed development, change of use, or redevelopment, it would be grandfathered and would be allowed to remain.

Councilor Burdick moved to authorize a public hearing for Ordinance 19-04 at the Town Council's November 6, 2019 meeting as presented.

Motion carried 5-0.

**Discussion/Consideration of Authorizing a Public Hearing on Ordinance 19-05, an Ordinance to Remove Criminal Sanctions and Penalties from the Land Use Provisions of the Town Code and Discussion/Consideration of Authorizing a Public Hearing on Ordinance 19-06, an Ordinance to Remove Criminal Sanctions and Penalties from Provisions of the Town Code not Pertaining to Land Use**

Director Heard stated that the proposed amendments were split into two ordinances – 19-05 recommends amendments to several development related ordinances under the purview of the Planning Board including the Flood Damage Prevention in Chapter 150; Repair, Closing or Demolition of Abandoned Structures in Chapter 153; Subdivisions in

Chapter 155; and Zoning in Chapter 156. He stated that 19-06 recommends amendments to other chapters of the Town Code including the General Civil Penalty in Chapter 10; General Administration in Chapter 30; Traffic Regulations in Chapter 70; General Nuisances in Chapter 91; Abandoned, Nuisance, and Junked Motor Vehicles in Chapter 92; Parks in Chapter 93; Beach and Dune Management in Chapter 94; Special Events in Chapter 95; Alarm Systems in Chapter 111; and Offenses Against Public Peace and Safety in Chapter 130.

Director Heard stated that in a memorandum regarding the Village Commercial Development Option and related issues provided to the Town in August 2018, Town Attorney Robert Hobbs and Attorney Ben Gallop reviewed the Town Code and offered an analysis and recommendation regarding how the Town applies penalties to violations of zoning standards. He explained that currently, Town Code Section 156.999(D) provides that violations of the Zoning Ordinance subject a violator to either a civil penalty, criminal penalty, or both. He noted that under the North Carolina Constitution, where an ordinance violation can be a criminal violation, any civil penalties collected must be paid to the local school board and could not be retained by a municipality. He pointed out that since it was rare for criminal penalties to be charged for zoning violations, many municipalities make all or all but a small subset of zoning violations only subject to civil penalties and remedies. He added that by doing so, the municipality can retain any civil penalties it collects. He stated that the ultimate goal of enforcing zoning violations was compliance with the Zoning Ordinance with civil penalties often an important part of the process of obtaining that compliance.

Director Heard stated that while civil penalties typically weren't considered a potential source of revenue, the inability to recover civil penalties to offset the costs of litigation could often be a determining factor in whether a municipality should bring a lawsuit to enforce its ordinances. He noted that this disincentive could delay the ultimate goal of compliance in some cases.

Director Heard stated that the Town attorneys recommended, at a minimum, that the Council consider modifying Town Code Section 156.999(D) to expressly provide that violations of the Town's zoning ordinance cannot be enforced by criminal penalties. He stated that should there be specific violations that Council desires to retain criminal penalties, they should be expressly applied in the ordinance only to those violations. He stated that the Town attorneys recommended that Town staff provide a list of any such exceptions they believe Council should consider as Council may wish to ultimately expand the concept to the entire Town Code. He stated that the Town attorneys believed that to be a good practice and that other towns such as the Towns of Southern Shores and Nags Head have somewhat detailed lists in their ordinances of violations of the Town Code that were subject only to criminal penalties. He added that such an overhaul of the concept would be more work than just modifying Town Code Section 156.999(D) and would require additional input from Town staff.

Director Heard stated that during subsequent conversations with the Town attorneys, it became apparent that while changes were being recommended to penalties in the zoning

ordinance, there were many other chapters of the Town Code requiring similar changes. He added that after receiving authorization from the Town Council, the Town attorneys reviewed the entire Town Code and have authored the proposed amendments in the two draft ordinances.

Director Heard stated that that their meeting on September 11, 2019, the Planning Board voted 3-1 to recommend approval of Ordinance 19-05 and 4-0 to recommend approval of Ordinance 19-06.

Mayor Pro Tempore Thibodeau stated that there was a comment during the Public Comment period regarding the fines going to the coffers of the Town. She asked if it had to go to the Town or if it could be directed elsewhere. Town Attorney Hobbs stated that he was not aware of any ability for the Town to directly direct the funds elsewhere besides the Town. He stated that it goes into the General Fund and is spent the way it would be through the budget. Town Manager Layton explained that, generally, if they were criminal penalties, they would go to the schools. He added that by making this change, the civil penalties would come to the Town instead of going to the school system. Mayor Pro Tempore Thibodeau understood and was asking if it was required that they come to the Town or if there was latitude on it based on the public comment received earlier in the meeting. She thought the answer was no. Town Manager Layton stated that that if the Town wanted them to go to the school system, they would be left as is. Mayor Pro Tempore Thibodeau clarified that the point of making them civil was that they would go to the Town. She asked if there was a concern that it would make the Town come out and try to find more penalties as it would be a new revenue source. Town Attorney Hobbs stated that the Town currently collects civil penalties. He stated that the Town was not creating penalties that were not there previously but were removing the criminal fines. He added that it would give the Town and staff more flexibility with regard to enforcement. Town Manager Layton stated that many of the criminal fines, such as speeding tickets, go to the school system.

Mayor Pro Tempore Thibodeau stated that it seemed like the state legislature wanted the Town to get away from the criminal penalties. Town Attorney Hobbs disagreed, adding that it was a reporting statute. He stated that the only penalty would be if the Town did not report as there would be sanctions involved. He wasn't sure of the rationale or reason of the purpose behind it. Town Manager Layton thought one of the purposes was to remove the ambiguity. He added that it would not be a situation where the Town suddenly has additional revenue.

Councilor Burdick understood that the criminal fines went to the state school system and not the local school system budget. Town Manager Layton wasn't sure if all went to the local school system, but it was not unusual at the end of the fiscal year for the Town to receive a letter from the Dare County school system asking for the funds they were entitled to.

Mayor Kingston asked what kind of dollar amount the fees were. Town Manager Layton stated that the court fees were about \$1,000 annually.



Councilor Britt moved to authorize a public hearing for November 6, 2019 for Ordinance 19-05 as presented.

Motion carried 5-0.

Councilor Caviness moved to authorize a public hearing for November 6, 2019 for Ordinance 19-06 as presented.

Motion carried 5-0.

**Discussion/Consideration of Authorizing the Town Manager to Execute a Contract for Phase III of the Comprehensive Pedestrian Improvements with RPC Contracting, Inc.**

Town Manager Layton stated that on September 26, 2019, bids were received and opened for Phase III of the Comprehensive Pedestrian Improvements project. He explained that Phase III consisted of the installation of a five-foot sidewalk and associated improvements on the east side of Duck Road from Cook Drive to the existing sidewalk at Ships Watch. He stated that four bids were received: RPC Contracting, Inc. at \$389,210; Hatchell Concrete, Inc. at \$511,231.30; Barnhill Contracting Company at \$535,600; and Whitehurst Sand Company at \$602,663.87. He stated that RPC Contracting, Inc. was recommended as the lowest, most responsive bidder for this project.

Councilor Caviness asked when work would commence on the project. Town Manager Layton hoped that some of it will commence after the Jazz Festival.

Mayor Kington asked what the grant amount was for Phase III. Town Manager Layton stated that it was \$305,000. He reminded Council that even though it puts the Town in a good situation, there was still a significant amount of engineering and project management costs involved. He added that the Town was still involved with that and the Tourism Bureau grant was for 50%, so the Town may put in for less reimbursement depending on the costs involved.

Councilor Britt moved to authorize the Town Manager to execute a contract for Phase III of the Comprehensive Pedestrian Improvements with RPC Contracting, Inc. as presented.

Motion carried 5-0.

**Discussion/Consideration of Authorizing the Town Manager to Execute an Installment Purchase Agreement with SunTrust Finance and Leasing Corporation for the Purchase of Three 2020 Ford Police Interceptor Utility AWD Vehicles and One 2019 Ford F250 4x4 Crew Cab Pickup Truck, in Addition to Costs of Upfitting the Vehicles**

Town Manager Layton stated that as part of the Fiscal Year 2020 budget, Council approved the purchase of three replacement police patrol vehicles and the associated equipment as well as the purchase of one replacement deputy fire chief command vehicle. He stated that funding for the purchase of these vehicles was to be through an installment purchase agreement amortized over a three-year period. He noted that financing proposals were solicited, and four financial institutions responded to the request. He added that SunTrust Finance and Leasing Corporation submitted the lowest cost proposal for the three-year term, with an interest rate of 2.116%.

Councilor Burdick moved to authorize the Town Manager to enter into an installment purchase agreement with SunTrust Finance and Leasing Corporation for the purchase of three police and one fire vehicle as presented.

Mayor Pro Tempore Thibodeau clarified that the escrow fees would be going in as one loan. Town Manager Layton stated that it would.

Mayor Kingston asked if SunTrust was the bank that was merging with BB&T. Town Manager Layton thought it was.

Motion carried 5-0.

#### **Discussion/Consideration of Authorizing the Town Manager to Execute a Contract with Emerald Forest for Dune Planting**

Permit Coordinator Sandy Cross was recognized to speak. Permit Coordinator Cross stated that as part of a comprehensive effort to preserve and protect the dune system, the Town has annually planted beach grass and sea oats using a contractor and volunteers along the entire length of the beach. She stated that the three-year contract for the contracted planting has expired and the Town solicited proposals from qualified contractors for a new three-year contract. She noted that two contractors submitted proposals for the project with Emerald Forest submitting the best proposal for the Town. She added that the cost was \$63,393 for Fiscal Year 2020; \$64,414 for Fiscal Year 2021; and \$65,136 for Fiscal Year 2022. She also pointed out that the proposal included double the number of sprigs for beach grass and the addition of Bitter Panicum.

Councilor Caviness moved to authorize the Town Manager to execute a contract with Emerald Forest for dune planting as presented.

Motion carried 5-0.

#### **ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY**

Town Attorney Hobbs stated that he has been working with staff on the temporary easements for Phase III of the Pedestrian Plan.

## **ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER**

### **Update on Departmental Activities**

Director of Public Information, Marketing and Special Events Christian Legner was recognized to speak. Director Legner gave a brief overview of upcoming activities to Council and the audience.

Director Heard gave a brief overview of the past month's permit activities to Council and the audience.

Fire Chief Black gave a brief overview of the past month's fire activities to Council and the audience.

Police Chief Cueto gave a brief overview of the past month's police activities to Council and the audience.

### **Update on Public Safety Building Environmental Assessment**

Town Manager Layton stated that the environmental assessment was completed and has been submitted to the Army Corps of Engineers. He stated that the next milestone he hoped to receive was the finding of significant impacts.

### **Storage Area Improvements**

Town Manager Layton stated that the northern Town park parking lot where the garage and dumpsters were located is in need of reorganizing and clean up. He explained that the area has become a storage area for various items used on the boardwalk, park, sidewalks, and trails, with many items that need to be protected from the elements when not in use and cannot be stored in the garage due to their size. He stated that staff was planning to construct a roof over the current storage area next to the garage to store those items and also to construct a small garage in the same area to relocate and house the Town's Club Car. He added that a chain link fence will be erected behind and adjacent to the area to protect and store other items. He stated that the total cost for the project was estimated to be \$10,000 to \$12,000 and would be covered through existing budgeted funds.

### **Financial Statement for August and September of FY 2020**

Town Manager Layton reviewed the financial statements with Council and the audience.

### **MAYOR'S AGENDA**

Mayor Kingston reminded Council that it was time for Town Manager Layton's annual evaluation. He stated that the intent would be to get it completed by mid-November as

there may be a possible change in Council in December. He stated that he has his mayor's meeting in Nags Head this month. He stated that he had his League Board and Finances meetings back in September. He stated that he was contacted by Fox News before Hurricane Dorian for an interview. He thanked the League of Women Voters for the candidate forum that was held on October 1, 2019. He stated that he was looking forward to the Duck Fire Department's open house as well as the upcoming Jazz Festival.

### **COUNCIL MEMBER'S AGENDA**

Mayor Pro Tempore Thibodeau thanked the League of Women Voters for the candidate forum that was held on October 1, 2019. She stated that she was looking forward to the Duck Fire Department's open house. She gave an update on the recent Government Access Channel meeting to Council and the audience.

Councilor Burdick gave a Dare County Tourism Board update to Council and the audience. He stated that the League of Women Voters candidate forum was interesting. He noted that he would be missing the November 6, 2019 meeting as he would be out of town.

Councilor Caviness gave an Outer Banks Community Foundation update to Council and the audience.

Councilor Britt stated that the Planning Board did a great job with the recent ordinances that will be heard at Council's November 6, 2019 meeting.

### **OTHER BUSINESS**

#### **Additional Public Comments**

Mayor Kingston opened the floor for public comments. There being no one wishing to speak, he closed the time for public comments.

Mayor Kingston noted that the next meeting will be the Regular Meeting on Wednesday, November 6, 2019 at 7:00 p.m.

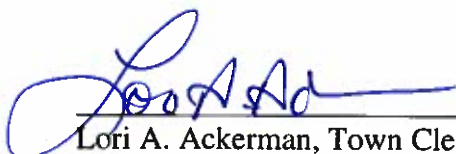
### **ADJOURNMENT**

Councilor Britt moved to adjourn the meeting.

Motion carried 5-0.

The time was 10:52 p.m.



  
Lori A. Ackerman, Town Clerk

Approved: November 6, 2019

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, written over a horizontal line.

Don Kingston, Mayor