

**TOWN OF DUCK
TOWN COUNCIL
CLOSED SESSION MINUTES
November 15, 2017**

The Town Council for the Town of Duck convened in a Closed Session at the Paul F. Keller Meeting Hall at 3:13 p.m. on Wednesday, November 15, 2017.

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

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT FOR CLOSED SESSION: Town Manager Christopher Layton; Director of Community Development Joe Heard; and Town Attorney Robert Hobbs.

OTHERS ABSENT: None.

The closed session was held in accordance with Section 143-318.11(3) of the North Carolina General Statutes to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

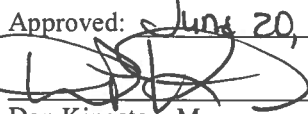
Update on Occupancy – New Construction Issue

The subject of the closed session was the construction of a large home in Palmers Island. Director of Community Development Joe Heard briefed Council, Town Manager Layton and Town Attorney Hobbs on a recent development regarding a large home under construction. The background information is that, based on the changes at the NC State Legislature, Duck or any municipality is no longer able to regulate the number of bedrooms in a home. Duck's solution was to use the limitations imposed by the Health Department. A new construction home in Palmers Island, situated on a large lot, has been approved by the Health Department for 12-bedroom septic capacity, and so these regulations in Duck may possibly need to be reviewed and/or changed. Director Heard brought Council up to date on the consequences of the current ordinance. Town Attorney Hobbs provided legal advice and recommendations concerning the situation. The Council discussed possible actions regarding this particular situation, and although no action is planned, Council will ask the Planning Board to review Section 156.126 of the Town Code as it relates to size and occupancy of homes.

Councilor Britt moved to adjourn the closed session.

Motion carried 5-0.

The time was 4:00 p.m.

Approved: June 20, 2018

Don Kingston, Mayor


Monica Thibodeau Acting Clerk

