

**TOWN OF DUCK
TOWN COUNCIL
MID-MONTH MEETING
January 17, 2024**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, January 17, 2024.

COUNCIL MEMBERS PRESENT: Mayor Don Kingston; Mayor Pro Tempore Monica Thibodeau; Councilor Sandy Whitman; Councilor Brenda Chasen; and Councilor Kevin Lingard.

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Town Manager Drew Havens, Director of Community Development Joseph Heard; Police Sergeant Joseph Knight; Fire Chief Donna Black; Public Information and Events Director Kristiana Nickens; Finance and Human Resources Administrator Jessica Barnes; and Deputy Town Clerk Melissa Felthousen.

OTHERS ABSENT: Town Attorney Robert Hobbs; Police Chief Jeffrey Ackerman; and Town Clerk Lori Ackerman.

Mayor Kingston called the meeting to order at 1:02 p.m. He noted that the agenda would be amended to add a resolution that will need to be considered. He asked for a motion to amend the agenda.

Mayor Pro Tempore Thibodeau moved to amend the agenda to add the new item.

Motion carried 5-0.

DISCUSSION/CONSIDERATION OF RESOLUTION 24-01, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA, OPPOSING THE NORTH CAROLINA RATE BUREAU'S PROPOSED HOMEOWNERS' INSURANCE RATE INCREASES

Mayor Kingston stated that in recent publications, the Commissioner of Insurance has notified people that the insurance companies have asked for rate increases across the state. He stated that he recently received an email from Donna Creef, Government Affairs Director for the Outer Banks Association of Realtors, asking for the Town's support in opposition to the increase. He explained that in Dare County, it would mean a 45% increase on the coast and 33% increase for inland Dare County. He stated that it would hurt people with rentals as well as homeowners with respect to their insurance. He stated that he let Ms. Creef know that Council would consider adopting a resolution at this meeting.

Mayor Pro Tempore Thibodeau stated that she was appreciative that Council could act this quickly since it was coming up in the month of January. She understood that the public comment deadline was February 2, 2024 and there was an email address where people could submit their comments to Michael Causey of the Department of Insurance. She stated that it was a time is of the essence issue and added that she was glad Council could get the resolution on the agenda as well as bringing it to the public's attention.

Mayor Kingston stated that the public hearing was on February 2, 2024, which was why Council was taking action now.

Mayor Pro Tempore Thibodeau moved to adopt Resolution 24-01 as presented.

Motion carried 5-0.

GOALS PLANNING SESSION

Town Manager Drew Havens was recognized to speak. Town Manager Havens stated that this meeting was Council's 2023/2024, looking into 2025 priority setting session, as well as starting on the Fiscal 2025 budget season. He noted that this would be the first interaction that staff have with Council as they begin to think about preparing the annual budget.

Town Manager Havens stated that Vision 2032 had six unifying principles in order to frame where Council currently was. He stated that this meeting was primarily for staff to hear from Council what they want to accomplish in the coming year. He stated that Council would be discussing goals, how they set them, and what they do with them.

Town Manager Havens stated that Council would be discussing some next level goals as well as thinking about where they would fall under the six unifying principles. He noted that each principle has goals assigned to it and hoped that Council was thinking about the goals they wanted to bring forward that would reflect not only the three-to-five-year goals, but what they wanted staff to focus on in the coming year. He noted that it was important for staff to know that as the draft budget is prepared so that they are doing things that are responsive to what Council believes to be the most important with the understanding that staff could do just about anything Council wanted but they could not do everything because the Town is resource limited.

Town Manager Havens stated that the six unifying principles were as follows:

1. Duck and Our Village
2. Enhanced Movability
3. Environmental Stewardship
4. Active, Engaged Community
5. Vibrant, Thriving Business Community
6. Responsive and Responsible Leadership

Town Manager Havens asked Council if they had any questions about the six unifying principles.

Mayor Pro Tempore Thibodeau stated that the unifying principles have lasted that Council came up with many years ago. She thought they helped Council in a lot of ways, adding that she was pleased that they had lasted.

Town Manager Havens stated that a lot of the wording was started with Vision 2012 and has endured. He stated that even though Council started from a clean slate, they kept coming back to these six unifying principles.

Mayor Kingston stated that in looking back to 2012, Council had forward thinking with a lot of results from what came out of that early visioning process as well as how it has been enhanced over the years. He thought it has been great direction for the Town. Town Manager Havens stated that it was encouraging to see plans actually be put into action. He pointed out that other communities have gone through a similar process and the plan looks great but unfortunately it hasn't come to fruition. He added that Council had the wherewithal to make the plans that were put in place happen.

Town Manager Havens stated that the three-to-five-year goals were established in the Vision 2032 process. He stated he and staff wanted to know from Council what they could do in the coming year to advance the goals. He went on to review the three-to-five-year goals that had been previously set with Council and the audience.

Town Manager Havens reminded Council of the SMART priorities – Specific, Measured, Achievable, Relevant, Timed. He went on to review the SMART priorities with Council and the audience and then had Council give their goal statements to be reviewed. Afterward, the Council members chose the goal statements that they found to be most important to them.

Town Manager Havens suggested that Council discuss the items they had chosen as priorities.

Mayor Pro Tempore Thibodeau thought all of the new things she was thinking of could come under the Communication umbrella which did not mean that the Town was not already doing a good job as she thought there had been extraordinary gains in that area. She stated that the reason she thought it was important was because of the transient population that the Town was trying to re-educate on a weekly basis, adding that it spoke to the enforcement of ordinances that Mayor Kingston had listed as one of his goals, and helped unify Council in obtaining feedback from the community. She pointed out that Duck had year-round residents and businesses that needed to know what was going on and what was important. She thought communication, to her, was huge and overreaching as well as a way to unify the community whether it was during the heavily populated times or the less than populated times. She thought communication needed to be a priority.

Councilor Whitman thought Council was looking at a \$10-\$12 million infrastructure within the Town that needed to be taken care of with regard to the boardwalk, Town Hall, garages, maintenance, and buildings. Mayor Pro Tempore Thibodeau clarified that Councilor Whitman wanted to have a plan for that. Councilor Whitman felt that there should be a long-term plan over the next five years to determine how much would be spent to take care of the boardwalk, amphitheater, and the Town green. He added that currently the sprinkler system will be worked on in a three-year period that was installed last year. He thought Council needed to know how much money would need to be spent over the next five years.

Councilor Chasen stated that she wanted to stress being able to take care of the Public Safety building to aggressively pursue an option for it, whether it was with the Field Research Facility or putting money into a fund to purchase property, in order to resolve that in the long-term.

Mayor Kingston stated that with regard to additional parking and restrooms, the park has a men's and women's restroom at Town Hall and there are a lot of events going on. He thought if he could prioritize things, he would prioritize the restrooms, noting that there needed to be additional restrooms in the park to take the load off Town Hall. He thought Duck contributed very heavily to the parking; adding that a reconfiguration of the north parking lot may be needed. He thought Council could look at something in the future as a capital improvement for parking. He thought parking was a major issue in Duck and the Town was a major contributor to it, which was why he was continually pushing it in order to initiate some action. Mayor Pro Tempore Thibodeau clarified that the Town's events were the reason for the parking issues. Mayor Kingston stated that parking is a problem because there is not adequate parking for any of the events.

Councilor Lingard stated he wanted to discuss the sand fencing. He stated that it has been an issue over the winter even though the beach has improved, adding that the dune will never grow back on its own without help from people. He thought that with regard to the sand fencing, it would be educating the public because when they see sand fencing being destroyed by a storm, they lose faith in their use. He thought it was still the best way to improve the dune as well as the cheapest way, adding that it was an option that was available to the Town. He understood that several years ago, pushers were used, but he believed that it was now restricted. He stated that other than nourishment, which would not happen in the next few years, the Town needs to do something with regard to the dunes. He thought Council could have a strategy such as working with the homeowner associations and homeowners on sand fences, adding that he wasn't sure if there were other options. He thought the Town needed to do something, because there were two homes in Duck that were in serious peril and if there were two nor'easters, those homes could be on the edge of falling in the ocean. He reiterated that something needed to be done sooner, and sand fences may be the solution.

Councilor Chasen wanted to encourage everyone to vote for best practices for planning and development in the future. Mayor Pro Tempore Thibodeau thought septic health was

something that the Town needed to do. Councilor Chasen thought any type of building should be included. Mayor Pro Tempore Thibodeau agreed, adding that people will need to understand what a septic system was, understanding best practices with a septic, and having an appreciation for the vulnerabilities. Councilor Chasen agreed, adding that there were a lot of people that do not realize the Outer Banks uses septic systems.

Mayor Kingston noted that there were two items that were on the list previously that did not come up but were both ongoing. He wondered if they did not need to be listed as strategic goals. He stated that the Duck Trail improvements was one such as the bulkheads and the other was the west side sidewalk. He pointed out that neither came up as strategic goals for next year and wasn't sure why they weren't added. Town Manager Havens stated that the retaining walls would be considered infrastructure. Mayor Pro Tempore Thibodeau stated that with regard to the west side sidewalk project, much like the BRIC grant, the Town was on the way with the feasibility study of the west side trail so it had its own momentum. She wondered if it was lacking and that was why it wasn't listed, adding that the Town was just studying it. Director of Community Development Joe Heard was recognized to speak. Director Heard explained that there will be phases for the design and engineering before the Town could pursue financing of the project. Town Manager Havens asked Council if they would be in favor of, under Enhanced Moveability, adding "Continue to implement the comprehensive pedestrian plan." It was *consensus* of Council to add it.

Mayor Kingston thought the discussion on septic was under the umbrella of Demographic Change because of the vulnerabilities and issues coming out of the changes occurring in Duck. He stated that septic would be a big one from the standpoint of occupancy. Town Manager Havens thought it fit in the Demographic piece as well as the Sustainability one. Councilor Chasen thought it would also fit under Communication. Mayor Pro Tempore Thibodeau pointed out that stormwater was not listed, which was an ongoing issue that was environmental, adding that the Town was trying to keep people educated about stormwater. She thought it should be listed. Town Manager Havens suggested that it be put on the list. He added that it was not necessary to have everything from last year's list. He thought it would be a fair ask if he came in with a budget for a capital improvement plan that did not have stormwater listed, that Council would question why it wasn't in there. Mayor Pro Tempore Thibodeau agreed.

Councilor Chasen stated that one of the items listed was Advocating and partner for improved broadband infrastructure. She noted that it would be with Ripple Fiber and suggested that a checkmark be next to it. Town Manager Havens stated that the North Carolina League of Municipalities continues to advocate for broadband statewide, so it was very much an equity issue.

Council went on to vote on what priorities they felt were the most important.

Mayor Kingston called for a 10-minute recess. The time was 2:24 p.m.

Mayor Kingston reconvened the meeting.

Town Manager Havens explained that he would tally everything by number of votes for each category and would send it to Council in order of votes received. He noted that Council had voted on the following goals:

- Five Council members were strongly in favor of aggressively pursuing Public Safety Building accommodations.
- Four Council members were in favor of maintaining the Town's infrastructure with an emphasis on the boardwalk.
- Four Council members were in favor of the continuation and implementation of the comprehensive pedestrian plan.
- Three Council members were in favor of advancing shoreline work to protect the park and set an example for property owners.
- Three Council members were in favor of monitoring and understanding the demographic changes in Duck.
- Two Council members were in favor of investigating more parking and restroom options.
- Two Council members were in favor of enforcing ordinances and special use permits.
- Two Council members were in favor of a storm water management program.
- Two Council members were in favor of investigating opportunities to encourage best practices to improve sustainability.

Town Manager Havens stated that during Council's budget discussions, they will be discussing what they feel is important and voting on the items again, adding that this exercise that Council just completed was absent all of the details on how things work and what it would cost.

Mayor Kingston asked Town staff if they had any questions. Fire Chief Donna Black was recognized to speak. Fire Chief Black stated that it helpful to know that Council was prioritizing the Public Safety building, adding that the fact that it rated so high helped everyone to know that it was a priority. She stated that some of the things discussed were not Public Safety driven but were part of the fabric of Duck. She noted that she took some notes and will come back with how Public Safety will be assisting with the goals.

Director Heard stated that there were several items that were more general in nature than others such as maintaining infrastructure. He asked that when Council hears all of the

department director's budget presentations, that they will take a closer look to make sure the projects were prioritized the way Council wanted them.

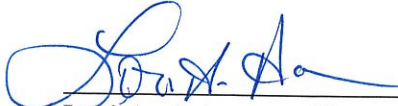
Mayor Kingston thanked Town Manager Havens for the exercise. He noted that the next meeting would be the Regular Meeting on Wednesday, February 7, 2024, at 1:00 p.m.

ADJOURNMENT

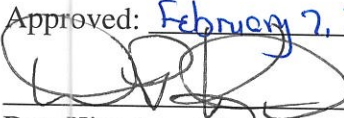
Councilor Whitman moved to adjourn the meeting.

Motion carried 5-0.

The time was 2:50 p.m.



Lori A. Ackerman, Town Clerk

Approved: February 7, 2024


Don Kingston, Mayor

