

**TOWN OF DUCK
TOWN COUNCIL
RECONVENED MEETING
SEPTEMBER 9, 2020**

The Town Council for the Town of Duck reconvened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, September 9, 2020.

COUNCIL MEMBERS PRESENT: Mayor Don Kingston; Mayor Pro Tempore Monica Thibodeau; Councilor Nancy Caviness; Councilor Sandy Whitman; and Councilor Rob Mooney.

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Interim Town Manager Joseph Heard; Police Chief Jeffrey Ackerman; Fire Chief Donna Black; Director of Marketing and Special Events Christian Legner; Town Attorney Robert Hobbs; Deputy Town Clerk Kay Nickens; and Town Clerk Lori Ackerman.

OTHERS ABSENT: Assistant to the Town Manager Alyson Flynn.

Mayor Kingston called the meeting to order at 1:00 p.m. He stated that Council would be sticking to the strict 30-minute presentations by the four firms. He stated that after their presentations, Council would be asking one question each and if the time allowed, further questions would be asked. He noted that he would be telling the four firms that if the questions were not completed in the 30-minute timeframe, he would follow up with a letter from Council asking for clarification on the questions. He stated that Interim Town Manager Joe Heard would be using a timer to keep Council on track. He stated that Colin Baenziger & Associates would be the first firm giving a presentation.

DISCUSSION/CONSIDERATION/PRESENTATION OF PROPOSALS TO SOURCE FOR THE TOWN MANAGER POSITION

Colin Baenziger of Colin Baenziger & Associates was recognized to speak. Mr. Baenziger introduced himself to Council and the audience. He gave a short background on his company as well as giving a short presentation on why the Town should choose his firm for the search for the Town Manager.

Mayor Kingston asked Colin Baenziger what the most difficult city or town manager that his firm has encountered and why. Colin Baenziger thought the most frustrating one was when he lost five of his top candidates for various reasons. He stated that it was frustrating to lose top candidates because he had to go back out and perform another search.

Mayor Pro Tempore Thibodeau stated that Duck was unique, and she envisioned that even though Colin Baenziger & Associates had diverse experience in 34 states, she

thought there were many towns and governments that have fairly standard situations. She thought Duck was unique in that it was a small, coastal town. She asked if that would be an added challenge in getting to know everyone and what the needs are as well as finding candidates that were interested in working in a remote location. Colin Baenziger thought every city and town has its own challenges. He noted that Duck was unique but so were some other towns. He pointed out that Topsail Beach was similar to Duck in regard to it being remote. He added that Duck will be the smallest town with the smallest population he would be dealing with, adding that they worked with Jupiter Island, Florida which had a population of 600 people. He stated that with Duck being remote, it would stick out for people as some people might want to specifically look for that criteria. He didn't think finding people that would be attracted to Duck would be an issue.

Councilor Whitman asked what experience Colin Baenziger & Associates had with regard to staffing coastal communities that were similar to the Town of Duck. Colin Baenziger stated that Duck was the smallest community but the process his firm has developed over the years will work for any size community. He noted that really small communities tend to not have the funding to hire a recruiting firm, but his firm does have the experience with small coastal communities. He stated that most of the cities he deals with had populations of 1,000 people or less. He noted that he was working with Port Richie, Florida, which was somewhat remote with a population of approximately 3,200. He stated that he never sorted things by demographics, but he guessed that 30% of the cities were under the 1,000 population with some under 600.

Councilor Caviness stated that she was interested in the preparation of a recruitment profile. She asked how input was balanced from Council members, staff members and other stakeholders in terms of developing the recruitment profile to determine the best fit. Colin Baenziger stated that what his firm finds was that most people that live in Duck will have a similar vision for the community, so they don't find a divergence of opinion or the key things like what makes Duck a great place to live, work and play. He stated that people tend to agree on the issues, generally, but may differ on some things. He stated that everyone wants an excellent manager with high integrity, great people skills, etc. He noted that the real key was to get people talking about what they want Duck to look like in five years. He added that they may differ on some of the day to day issues, but in the long run the ideas will run together and be similar. He stated that the more people and input the Town receives, the better picture Council would get.

Councilor Mooney stated that he liked the record on diversity. He asked how that was achieved. Colin Baenziger thought his firm was known throughout the industry for being fair to everyone and for making the extra effort to find strong female and minority candidates that weren't looking for special treatment but a fair shot at the job. He stated that his firm reaches out to some special groups to broaden the candidate pool. He noted that it ends up being natural evolution based on who they are and how his firm treats people.

Mayor Kingston asked how much time was required from the Mayor and Council during the process. Colin Baenziger explained that it was usually up to an hour for the initial

interview and then not a lot of time during the recruitment. He stated that his firm would send email updates from time to time to give an update on the process and when it was time to close the process, he would call Council to inform them of what the candidate pool will look like. He stated that they would then work on the candidates and present Council with the materials with a discussion on the finalists a week later. He noted that the real time commitment from Council comes from interviewing the candidates, which takes approximately one day.

Mayor Pro Tempore Thibodeau stated that she was interested in the process in developing what the Town was looking for in a manager. She asked if that was done by interviewing each Council member individually for an hour and then talking to key staff. She further asked if there would be a general survey that would be involved or just one on one conversation. Colin Baenziger stated that it depended on the clients. He stated that some like surveys and most like having the Council and staff involved, while some like having the community involved. He noted that there was no difference in cost as it was all part of the process. He added that it was what Council was comfortable with doing.

Councilor Caviness noted that Colin Baenziger's firm asks candidates about their management style. She asked if they did anything in terms of his communication to them in order to help assess what he believed their leadership or management style was. Colin Baenziger stated that it was during the initial interview that he performs a "Colin Test". He explained that he has been doing it for 22 years, going from 0 clients to over 300. He added that he was good at it in terms of determining a good candidate. He noted that his firm has completed some tests such as the Myers-Briggs test as well as a management in-basket on occasion. He stated that the bottom line has always confirmed what he's concluded from the "Colin Test", which was to rely on his judgment.

Councilor Mooney asked with regard to community input versus only Council input, how it worked out in the past. Colin Baenziger stated that it didn't make a great difference but did help in terms of putting out the brochure as there would be more input and differing perspectives. He thought it helps to paint the picture a little more accurately, but in broad terms, he would be fine with only having Council's input or people from the community. He noted that the important thing was to get Council's input since the manager would be working for Council, which was a critical relationship.

Mayor Kingston thanked Colin Baenziger for his time and added that any additional questions from Council would be sent to him via email. He added that Council hoped to make a decision between now and the end of September.

Mayor Kingston called for a 15-minute recess for Council to discuss additional questions. The time was 1:36 p.m.

Mayor Kingston reconvened the meeting.

Stephen Straus of Developmental Associates, LLC was recognized to speak. Mr. Straus introduced himself to Council and the audience. He gave a short background on his company as well as giving a short presentation on why the Town should choose his firm for the search for the Town Manager.

Mayor Kingston asked Stephen Straus what the most difficult city or town manager that his firm has encountered and why. Stephen Straus stated that his firm does not try to push a Council to hire a particular candidate, but he had one candidate that came through their assessment process and did really well. He stated that his firm had another candidate that barely passed the process and for whatever reason, the Council decided to hire the second candidate. He added that the first candidate ended up going to a major city and did really well. He stated that the second candidate had a number of problems from their performance. He stated that the biggest problem his firm has had was where the Council did not listen or pay attention to the data and thought they knew more than the data that was provided to them and ended up making a faulty decision as a result.

Mayor Pro Tempore Thibodeau stated that it was very interesting to see how the process worked. She stated that she was intrigued by the collaborative nature of getting the independent assessors in to help with the process. She asked with regard to the EQ testing if it was a survey that was taken and if so, how many questions would be part of it, and the length of time it would take for someone to complete the survey. Stephen Straus stated that his two partners were psychologists and the survey took about 15 minutes to complete. He thought the number of questions was about 60 and was fairly short. He added that it was validated for employment and it has a consistency index, meaning it would tell if the candidate was trying to game the system. He noted that one could learn a lot about the candidate from that vantage point as to if the candidate was being true to themselves when answering the questions.

Councilor Whitman asked if this was a full-time job for Stephen Straus or if he also worked for the School of Government. Stephen Straus stated that the most recent faculty position he had was teaching in the Master of Public Administration program at NC State for approximately 25 years and retired from it about four to five years ago because Developmental Associates was completely full time and he couldn't devote the time needed to his teaching responsibilities.

Councilor Whitman asked what experience Developmental Associates had with staffing coastal communities. Stephen Straus stated that his firm did just about all of the executive hiring for the City of Savannah. He explained that they started using his firm about two years ago and his firm completed approximately six or eight executive positions for them. He added that his firm has helped hire several key positions with the City of Wilmington, North Carolina and did some work with Wrightsville Beach.

Councilor Caviness clarified that Stephen Straus thought the assessment would be the most challenging aspect of the Town's process. Stephen Straus stated that she was correct. He didn't think it was going to be hard to recruit candidates, adding that his firm was very confident about their recruitment abilities. He stated he was confident that Duck

would have some very good candidates for the position as it was a great community and there would be a lot of interest in coming to Duck. He stated that he wasn't too worried about getting good candidates, but the key was seeing the skill set in the candidates. He added that he knew enough about what was going on in Duck that this was a critical hire and there was a need for the most accurate information as possible on the key competencies of the candidates as well as obtaining first-hand information about the competencies of the candidates.

Councilor Mooney asked how impulse control was measured under EQI Factor #10. Stephen Straus stated that through the instrument, there were several questions that related to impulse control. He stated that when his firm designed their assessment center process, they developed exercises that simulated what the candidate would be dealing with as well as developing very specific rating criteria. He explained that when Council receives feedback, it would not be based on what the assessor thought but would be what they were looking for in a position and how well the candidate met the criteria. He stated that his firm has the results from the emotional intelligence inventory but will also put the candidate in situations where they have to go through decision making processes. He added that they have criteria to assess how well the candidate handles those types of challenges. He stated that one of the things his firm looks for was that there were certain candidates that were too quick to come to a decision and do not get all the data as well as being too quick to jump to a solution. He stated that his firm can see that and cross-validate it by how well the candidate handles the exercise. He noted that people with weak impulse control will say certain things that will stick out to the assessors.

Mayor Kingston thanked Stephen Straus for his time and added that any additional questions from Council would be sent to him via email. He added that Council hoped to make a decision between now and the end of September.

Mayor Kingston called for a 15-minute recess for Council to discuss additional questions. The time was 2:22 p.m.

Mayor Kingston reconvened the meeting.

S. Ellis Hankins of The Mercer Group was recognized to speak. Mr. Hankins introduced himself to Council and the audience. He gave a short background on his company as well as giving a short presentation on why the Town should choose his firm for the search for the Town Manager.

Mayor Kingston asked S. Ellis Hankins what the most difficult city or town manager that his firm has encountered and why. S. Ellis Hankins stated that there was a town manager search in another state where the council, against his firm's advice, only invited two candidates for an interview. He noted that a town or city runs a risk if the council invites fewer than five candidates, as a town or city tends to lose candidates who may accept a position elsewhere or their spouse may decide they do not want to move to that town or city. He added that a council may provide a salary increase to retain the candidate and sometimes a town or city will still lose the candidate. He stated that with his encounter,

the council invited two candidates and one was lost, leaving only one candidate to be interviewed. He added that it came down to whether the council was satisfied with that candidate or not, which they were, but it was not an ideal situation.

Mayor Pro Tempore Thibodeau asked about the interview process itself where The Mercer Group would guide Council. She asked if his firm would give Council interview questions. S. Ellis Hankins stated that his firm would send Council as list of 40-50 interview questions and would ask Council to add questions that would be unique or applicable to Duck. He stated that approximately 12 questions could be asked during a 45-minute interview, but there was usually an automatic opening question and then an automatic closing question for the candidates to give them time to say whatever else they would like to tell or ask Council. He stated that Council would need to pick out approximately 10 questions and his firm uses Survey Monkey to poll a council so they could vote on the questions to be asked. He added that on the morning of the interviews, his firm would discuss the results of the poll and help Council finish selecting the interview questions and after that would assign the questions among Council. He noted that it wasn't preferable for one Council member to ask all of the questions and it worked better if each Council members asked questions.

Councilor Whitman asked how much stakeholder input was used. S. Ellis Hankins stated that they solicit it in several ways. He explained that they will have the initial meeting with Council members individually and then in a Council meeting. He stated that he liked for Council to have a public hearing to allow citizens to speak. He noted that the Towns of Southern Shores and Manteo both had public hearings with productive comments received. He added that the productive comments usually end up in the recruitment brochure on the list of criteria. He stated that he always meets with a representative group of Town employees as they are entitled to make some comments regarding what they think Council should be looking for and who they want to work for. He stated that he always asks for five to six contacts in the community of interested, involved citizens to discuss with them about what they think Council should be looking for.

Councilor Caviness asked if because the Town of Duck was a known entity to S. Ellis Hankins, if he could share what he may see as positives and negatives around it. S. Ellis Hankins stated that he knew a good amount about Duck from pre-incorporation as well as during the incorporation process indirectly around the legislature. He stated that he saw from afar the rapid growth and development on the Outer Banks, which was a blessing and a challenge. He pointed out that beach communities have their own set of politics but so do all communities. He added that he counseled the Town of Duck in that he had no preconceived notions. He stated that he wanted to listen to Council, the Town employees and citizens to do his best to assist Council through the process and give counseling and advice, but not tell Council what to do. He stated that he would guide Council, but they would ultimately make the choice for the manager.

Councilor Mooney asked what other assessment instruments were used, apart from the poll. S. Ellis Hankins stated that some councils ask him to administer some of the formal

assessment instruments to candidates to give them more relevant information. He stated that his firm has administered the Telemetrics Management Style Inventory, which gives some insight into the management style of the candidate. He added that there were personality-type inventories that Council could use such as Myers-Briggs. He thought those formal assessment instruments could provide some additional relevant information, but nothing more. He added that there were some firms that prefer to use those to weed out candidates and apply the assessment instruments early in the process; however, a number of candidates object to that and he prefers not to go that route and preferred to administer those assessment instruments later in the process if Council wished to do that for the semi-finalists. He pointed out that Council will have a writing sample from candidates with their answers regarding their management style as well as their greatest challenges and accomplishments. He stated that his firm will prepare interview evaluation sheets for Council in order to keep notes on the candidates and will help Mayor Kingston facilitate the discussion after the interviews.

Mayor Kingston asked with regard to recent searches with the Towns of Southern Shores and Manteo, what the greatest concerns were from the candidates about coming to the Outer Banks. S. Ellis Hankins stated that hurricanes were a concern, but many of the candidates would have experience in coastal communities previously. He thought that the Outer Banks was an attractive place for people to work. He added that a lot of veteran managers were looking for one more job that they could work at productively as their last job. He noted that he has quite a few qualified candidates that are veteran managers that participated in the Towns of Southern Shores and Manteo processes. He stated that Council wanted to have a diversified field of well qualified candidates but with different sets of strengths and weaknesses as well as the opportunity to compare and contrast the candidates. He thought that the ideal number of candidates to interview would be seven in order to find the best fit.

Mayor Pro Tempore Thibodeau asked about the last phase of the process with the work transition of the Interim Town Manager. S. Ellis Hankins stated that he typically works with the Human Resources Director, if there is one, or whoever understands the employee benefits to help answer questions. He stated that there is a good amount of interaction with the mayor about the ideal start date for the candidate, adding that he often has discussions with the Town Attorney, especially if there will be a written employment agreement in which the terms of employment were written down. He recommended that there be an employment agreement for the new town manager as long as it was a clear, balanced, reasonable employment agreement. He stated that there was also a discussion about a candidate leaving one job and going to another.

Mayor Kingston thanked S. Ellis Hankins for his time and added that any additional questions from Council would be sent to him via email. He added that Council hoped to make a decision between now and the end of September.

Mayor Kingston called for a 15-minute recess for Council to discuss additional questions. The time was 3:05 p.m.

Mayor Kingston reconvened the meeting.

Robert Slavin and Barbara Lipscombe of Slavin Management Consultants were recognized to speak. Mr. Slavin and Ms. Lipscombe introduced themselves to Council and the audience. They gave a short background on the company as well as giving a short presentation on why the Town should choose their firm for the search for the Town Manager.

Mayor Kingston asked Robert Slavin what the most difficult city or town manager that his firm has encountered and why. Robert Slavin stated this his firm recently completed a search for a major city in Texas where each city council member chose a citizen constituent to serve as their alter ego on the committee to work with his firm. He noted that his firm never met the council and the city staff took over the search and did not feel beholden to the committee that the council had selected. He stated his firm worked well with them but had a major problem with the staff because the council had delegated its responsibility to the third-party group, and they ran the process. He added that early on in the process it became apparent that there was a strong interest in an internal candidate even though the council did not necessarily want that person, but the staff did, and almost anything his firm did was a struggle to keep the process on track. He stated that ultimately, the internal candidate, which was the staff's selection, was given the job, adding that both council and the committee were not happy about it, but his firm was not blamed for it.

Mayor Pro Tempore Thibodeau stated that Duck is a small coastal community that swells in the summer. She asked what challenges Robert Slavin saw for someone interested in being in a remote place. Robert Slavin stated that his firm has worked with cities and towns that were remote. He stated that Ocean City, Maryland was a remote city that his firm worked with. He added that his firm has also done work with Destin, Florida, Atlantic Beach, Florida, Jacksonville Beach, Florida and Neptune Beach, Florida. He stated that they also worked with Gulf Shores, Alabama, which was a small coastal community. He noted that his firm was doing work for Myrtle Beach, South Carolina and all of those communities have something in common with the description of the Town of Duck as they were fairly small towns with a small population that swells to a large population in the summer months.

Councilor Whitman asked what experience Slavin Management Consultants had with regard to staffing coastal communities that were similar to the Town of Duck. Robert Slavin stated that Branson, Missouri came to mind as it was a small community with a large tourism season. He stated that Jacksonville Beach, Florida has a larger population while Atlantic and Neptune Beach, Florida do not. He added that Neptune Beach, Florida was a town that was proud of the fact that they were high quality of life community with a tourism-based economy but have put a lot more value on the quality of life in the community versus some of the other communities. He stated that his firm has worked with both large and small coastal communities as well as small communities that have the tourism aspect to them.

Councilor Caviness asked Robert Slavin if he could elaborate on how his firm goes about getting a potential pool of candidates. Robert Slavin stated that his firm posts job announcements, has a database they utilize; they have offices around the country, networking, and various other resources. He stated that, depending on what Duck was looking for, determined what resources he would be using. He added that he could use a search of the ICMA to identify people in the southeast area.

Barbara Lipscombe stated that if a city or town was looking for someone with a coastal background, there were groups of people that have that experience that her firm could do the outreach in order to find interest.

Councilor Mooney stated that in the proposal, there was some language about illegal inputs. He asked what it entailed. Robert Slavin explained that it was protected information that his firm could not ask about such as race, religion, etc. Councilor Mooney clarified that in the past, there was a group called The Mercer Slavin. He asked if it was the same Mercer Group from Atlanta, Georgia. Robert Slavin stated that it was.

Mayor Kingston noted that Slavin Management Consultants had eight affiliate organizations with one in Burlington, North Carolina and Greenville, North Carolina. He asked how they interacted with Robert Slavin and if they were specialized by state. Robert Slavin stated that the Burlington, North Carolina affiliate does classification and compensation work for his firm. He added that the affiliate was the classification and compensation head for the City of Durham for many years and was very good at it. He stated that the other offices were more regionally focused, and he supports them. He added that he was involved in every search that was performed, but if it was in the Midwest, then those offices would be part of it.

Mayor Pro Tempore Thibodeau asked if Slavin Management Consultants would be guiding Council through the interview process. She further asked if there was a particular process when selecting candidates. Robert Slavin stated that Council would meet with his firm at least three times with the first time being for several days as they would be setting up talking to people and getting a tour of the community as well as talking with Town staff and community leaders. He stated that once his firm has the information, his firm starts a recruitment and once that's finished, they will have about 10 candidates and would come back to meet with Council regarding the candidates. He stated that he would have some information about the candidates because they will have asked for additional information by telephone and a questionnaire they will have to be filled out. He added that his firm would then discuss Council's preference for completing the process including how the final interview process would be completed. He noted that a lot of times, the final interviews were completed when the candidates were in town along with some citizen involvement, if Council wished to have that input.

Robert Slavin stated that his firm would provide sample questions for Council; however, he was reluctant to provide scripted questions to elected officials. He stated that his firm will be with Council during the interviews to provide professional advice as well as helping Council make a selection from the candidates and then notify everyone with

regard to the candidate selected as well as the ones that will not be selected. He added that his firm will help Council negotiate the terms and conditions of an employment agreement. He stated that his firm will complete an extensive background check that will be provided to Council before the interviews begin. He stated that once the candidate is hired, his firm will help the Council and the new Town Manager set performance goals which will become a tool that will keep everyone on track as well as creating a set of criteria that the new manager will be aware of in order to provide the backdrop for an annual evaluation.

Councilor Caviness stated that she was interested in the performance goal setting. She clarified that it was a process that starts prior to the hire. Robert Slavin stated that it would start after the hiring process to set the performance goals as his firm would come back and use a nominal group technique to brainstorm goals with Council. He noted that the new manager would also participate in that process, but Council would be the ones that would narrow the long list down to fewer than 10 goals that would be achievable within the first year. He added that it would need to be somewhat flexible in case there were storms that could cause a re-allocation of resources. He stated that the value of it was that it helps to let everyone know what was expected. He stated that there were also quarterly meetings with his firm to establish where Council was with the progress on meeting those goals.

Councilor Mooney stated that the proposal had in it that the candidate would provide information regarding accomplishments, management style and philosophy. He thought the accomplishments could be verified fairly easily but wondered what instruments would be used to verify management style and philosophy. Robert Slavin stated that what his firm found helpful were the site visits to the work locations, adding that no one knows his firm is there except him, which gives him a lot of insight because they would be visiting the candidates in their work locations. He noted that his firm is usually identified as a consultant interested in the community. He added that it was interesting to see how employees react to having a boss walk into a room unannounced as well as walking down the street with a manager to see how the community reacts. He stated that sometimes the candidates will allow his firm to talk to their bosses and when that happens, he receives a first-hand reference on them. He stated that if Council wished to have some form of industrial psychological profile completed, his firm could arrange for it.

Mayor Kingston thanked Robert Slavin and Barbara Lipscombe for their time and added that any additional questions from Council would be sent to them via email. He added that Council hoped to make a decision between now and the end of September.

Mayor Kingston called for a quick recess for Council to discuss additional questions. The time was 3:53 p.m.

Mayor Kingston reconvened the meeting.

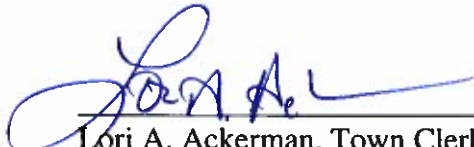
Mayor Kingston stated that the next meeting would be the Mid-Month meeting on Wednesday, September 16, 2020 at 1:00 p.m.

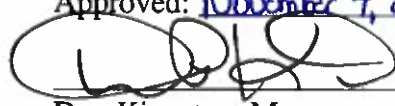
ADJOURNMENT

Councilor Whitman moved to adjourn the meeting.

Motion carried 5-0 via roll call.

The time was 3:56 p.m.


Lori A. Ackerman, Town Clerk

Approved: November 4, 2020

Don Kingston, Mayor

