

**TOWN OF DUCK
TOWN COUNCIL
MID-MONTH MEETING
May 18, 2022**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 12:00 p.m. on Wednesday, May 18, 2022.

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

COUNCIL MEMBERS ABSENT: Councilor Tony Schiano.

OTHERS PRESENT: Town Manager Drew Havens; Public Information Administrative Assistant Betsy Trimble; Finance and Human Resources Administrator Jessica Barnes; Deputy Town Clerk Kristiana Nickens; and Town Clerk Lori Ackerman.

OTHERS ABSENT: Police Chief Jeffrey Ackerman; Fire Chief Donna Black, Director of Community Development Joseph Heard, Town Attorney Robert Hobbs, and Public Information and Events Director Christian Legner.

Mayor Kingston called the meeting to order at 12:02 p.m. He noted that Councilor Tony Schiano was excused from the meeting.

ETHICS FOR ELECTED MUNICIPAL OFFICIALS WEBINAR

The Town Council members sat in for their required Certified Ethics training via a webinar put on by the North Carolina League of Municipalities.

James Cofield of 101 Bias Lane East was recognized to speak. Mr. Cofield stated that a few years ago, the Planning Board reviewed Chapter 160 and made a recommendation to the Town Council. He remembered a discussion that under the new Chapter 160 that the Planning Board was to be sworn in and take an oath of office. He added that at that time, he was on the Dare County Board of Elections and he had to be sworn and take an oath of office. He pointed out that there was a reference that one could not take an oath of office for two different offices. He asked if the enactment applied to Duck in that the Planning Board members needed to be sworn in when they took office. Mayor Kingston thought it was just for elected officials and not for appointed boards.

James Cofield stated that he remembered that the question came up and Director of Community Development Joe Heard was emphatic that when the new statute took effect and Duck adopted it, that the Planning Board members had to be sworn in. Mayor Pro Tempore Thibodeau thought it was something that should be looked into. Mr. Cofield stated that there was one segment about Town officials and included subcommittees such as Boards of Adjustment and Planning Boards. Mayor Pro Tempore Thibodeau clarified that it may not be just the Planning Board but all of the sub boards. Mr. Cofield stated

she was correct. Mayor Kingston pointed out that it was in reference to open meetings for Planning Boards, Boards of Adjustment and even committees in that they have to be open to the public. He thought that was what the reference was. Mayor Pro Tempore Thibodeau thought Town Attorney Robert Hobbs should be asked.

Councilor Whitman pointed out that at one time there was a ruling that if one was an elected official, they could not be a separate elected official. He stated that some people took it to the extreme that if one was an appointed official, that they could not hold another spot on a board such as a homeowners' association. James Cofield stated that the issue came up at the Board of Elections because there was one official on the Board of Elections that was also a Notary Public and she resigned her Notary position because she took an oath of office to be a Republican. Mayor Pro Tempore Thibodeau thought it was something that should be researched. She thought if one was taking an oath to uphold the Constitution and be a good person, it could carry over to any appointed or elected position. Councilor Mooney thought there should be the same oath for all. Mayor Pro Tempore Thibodeau agreed.

James Cofield stated that he did not have an answer and the only reason he brought it up was subcommittees were discussed in the ethics webinar. Mayor Kingston knew that one could hold only one elected office, adding that he and Town Manager Havens were on a board with the League of Municipalities and took an oath of office. He stated that he did not remember what the oath was, but thought it was to uphold the laws in an ethical way. He stated that he never heard that an individual could not hold more than one appointed position. He pointed out that the reference in the webinar was regarding open meetings.

Mayor Kingston noted that the next meeting would be the Regular Meeting on Wednesday, June 1, 2022 at 6:00 p.m.

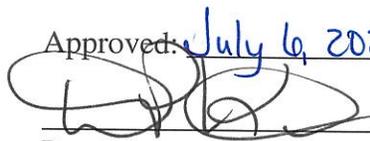
ADJOURNMENT

Councilor Whitman moved to adjourn the meeting.

Motion carried 4-0.

The time was 2:14 p.m.


Lori A. Ackerman, Town Clerk

Approved: July 6, 2022

Don Kingston, Mayor

