

**TOWN OF DUCK
TOWN COUNCIL
REGULAR MEETING
March 5, 2025**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, March 5, 2025.

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

COUNCIL MEMBERS ABSENT: Councilor Kevin Lingard.

OTHERS PRESENT: Town Manager Drew Havens; Director of Community Development Joseph Heard; Police Chief Jeffrey Ackerman; Deputy Fire Chief Matthew Dudek; Town Attorney Robert Hobbs; Public Information and Events Director Kristiana Nickens; Finance Administrator Lauren Creech; Community Planner James Gould; Deputy Town Clerk Christy Hanks; and Town Clerk Lori Ackerman.

OTHERS ABSENT: None.

Mayor Kingston called the meeting to order at 1:00 p.m. He noted that Councilor Kevin Lingard was excused from the meeting.

Mayor Kingston asked Councilor Brenda Chasen to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

PUBLIC COMMENTS

Mayor Kingston opened the floor for public comments. He noted that comments will be limited to three minutes as there was a timer for the time limit. He asked that any comments related to the public hearing be held off.

Nancy Birindelli of the Dare County League of Women Voters was recognized to speak. Ms. Birindelli handed out the 2025 Citizens Guide to Council and thanked the Town for their support of the guide each year.

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

CONSENT AGENDA

Minutes from the February 5, 2025, Regular Meeting; Minutes from the February 19, 2025, Annual Retreat; Resolution 25-01, a Resolution of the Town Council of the Town of Duck, North Carolina, Adopting the Outer Banks Regional Hazard Mitigation Plan; Government & Education Access Channel 2025-2026 Proposed

Budget; and Resolution 25-02, a Resolution of the Town Council of the Town of Duck, North Carolina, Supporting Updating the 2016 North Carolina Beach and Inlet Management Plan

Councilor Whitman moved to approve the consent agenda as presented.

Motion carried 4-0.

SPECIAL PRESENTATIONS

Recognition of the Promotion of David Sybert to the Rank of Master Firefighter

Interim Fire Chief Matthew Dudek was recognized to speak. Interim Fire Chief Dudek and Interim Deputy Fire Chief Jeffrey Del Monte went on to recognize David Sybert, adding that he was recently promoted to the rank of Master Firefighter. Mayor Kingston and Council congratulated Master Firefighter Sybert on his promotion.

Presentation by Donna Creef, Chairperson of the Dare County Community Housing Task Force

Donna Creef of the Dare County Community Housing Task Force was recognized to speak. Ms. Creef went on to give a short presentation on the task force's 2024 report to Council and the audience.

Mayor Kingston thanked Donna Creef for her presentation.

Presentation by the First Flight Track Club on the 2025 Turkey Trot

Gray Berryman of the First Flight Track Club was recognized to speak. Mr. Berryman went on to give a short presentation on holding the 2025 Turkey Trot in Duck this year to Council and the audience.

Councilor Chasen moved to have the Town of Duck be a cosponsor for the 2025 Turkey Trot.

Motion carried 4-0.

QUASI-JUDICIAL PUBLIC HEARING

Public Hearing/Discussion/Consideration of SUP 25-01, a Special Use Permit Application by Spark Power, LLC, also Known as Roadside Bar & Grill, at 1193 Duck Road to Revise Conditional Use Permit 18-006 by Removing the Existing Outdoor Bar and Surrounding Deck, Shed, Trellis, and Grill/Fireplace and Constructing a New Outdoor Bar

Mayor Kingston turned the meeting over to Town Attorney Robert Hobbs.

Town Attorney Robert Hobbs was recognized to speak. Town Attorney Hobbs stated that the Council would be sitting as a quasi-judicial body for the public hearing, meaning that they will sit as a court and must make its decision based upon competent material and substantive evidence that will be presented during the course of the hearing. He stated that anyone wishing to give testimony would have to give it under oath with the applicant afforded due process rights including the right to present evidence, examine, and cross-examine witnesses. He asked if any member of Council needed to disclose any communications about the subject of the hearing that they may have had with the applicant or any person prior to the hearing. There were none.

Town Attorney Hobbs asked if there was anyone that wished to petition Council for permission to intervene in the hearing as a party. There were none.

Town Attorney Hobbs stated that anyone that would be presenting evidence in connection with the hearing would need to take an oath. He asked that anyone wishing to testify come forward to be sworn in.

Town Clerk Lori Ackerman was recognized to speak. Town Clerk Ackerman went on to swear in the applicants, witnesses, and staff for the public hearing.

The following persons were sworn to provide testimony during the hearing: Joseph Heard, James Gould, Mark Leahy, Scott Foster, and Rob Mooney.

Town Attorney Hobbs opened the evidentiary portion of the hearing. He stated that Community Planner James Gould would give an overview.

Community Planner James Gould was recognized to speak. Planner Gould noted that the public hearing was properly advertised. He stated that the applicant was requesting a special use permit to amend the originally approved conditional use permit (CUP 18-006) by eliminating six existing structures and constructing a new 308 square foot structure to be used as a bar in the outdoor seating/entertainment area. He noted that the five of the six structures poised for removal currently encroach on the standard side and rear yard setbacks, while the new replacement bar structure removes the side yard setback encroachment and slightly increases the encroachment into the standard rear yard setback. He added that as the new bar will increase the encroachment into the standard rear yard setback, the applicant was seeking approval of a new Village Commercial Development Option as part of the special use permit. He stated that the special use permit approval was also being sought to maintain the previously approved Village Commercial Development Option by allowing a reduction in the minimum parking requirements by 28 parking spaces; a reduction in the minimum setback standards for two structures; and a modification to exclude the requirement of a landscaped buffer.

Planner Gould explained that SUP 25-001 included the following specific proposals:

- Removal and replacement of the storage/bar building. The existing storage/bar building encroaches 9.3 feet into the rear setback and 2.7 feet into the northern side setback. The proposed bar will be 22x14 feet and be located in the northeast corner of the property. This proposed bar encroaches 9.5 feet into the rear setback.
- Removal of the trellis addition. The trellis addition encroaches 9.3 feet into the standard rear setback and 8.8 feet into the standard northern side setback.
- Removal of the wooden decking surrounding the storage/bar building. The wooden decking encroaches 13.5 feet into the standard rear setback and encroaches 9.6 feet into the standard northern side setback.
- Removal of an existing 6.4x6.4-foot storage shed located near the wood bar by the northeast corner of the property. This structure presently encroaches approximately five feet into the standard northern side setback.
- Removal of the movie screen support located in the southeast corner of the property. This structure presently encroaches 14.7 feet into the standard rear setback and 15 feet into the standard southern side setback.
- Removal of the L-shaped block/stone structure 14 feet in width and 4-8 feet in depth that contains the outdoor grill/chimney, sink, and food service area.

Planner Gould noted that the applicant has obtained an administrative building and development permit for improvements to the front patio area of the property. He added that these improvements do not expand the patio service area and were not part of the special use permit review.

Planner Gould gave a history of the property and what had occurred to Council and the audience as follows:

- On July 3, 2013, Council granted approval of CUP13-001 allowing Roadside Bar & Grill to operate a temporary “outdoor special events area”, subject to eight conditions. Over the subsequent years, the applicant only fully complied with two of the permit conditions. Use of the outdoor seating/entertainment area has had an impact on nearby properties, evidenced by noise complaints and parking on properties in the surrounding area.
- On July 3, 2015, CUP 13-001 expired.
- On May 18, 2018, the applicant/property owner submitted a conditional use permit application to expand the existing restaurant with a permanent outdoor seating/entertainment area and apply the Village Commercial Development Option flexible development standards for reduction of the minimum number of parking spaces from 48 to 20, reduction of minimum setbacks for eight structures, and elimination of landscape buffers. CUP18-006 was approved by Council on July 18, 2018.
- On May 14, 2019, a Notice of Violation was issued for the violation of conditions associated with CUP18-006, specifically the increase of parking areas onto the septic repair areas and the expansion of the outdoor seating/entertainment area. The violation was corrected.

- On February 3, 2025, land ownership was transferred from Big Momma, LLC via Mark Copeland to Spark Power, LLC, with the registered agent being Scott Foster.

Planner Gould stated that the applicant was seeking to modify a permanent outdoor seating/entertainment area at the Roadside Bar & Grill. He noted that a restaurant was a special use in the Village Commercial zoning district and outdoor seating/entertainment areas were permitted as part of a restaurant/eating establishment subject to compliance with certain standards and conditions.

Planner Gould stated that the applicant was requesting Town Council to modify the minimum setback standards through the Village Commercial Development Option to allow for the setback encroachments of the new proposed bar. He noted that minimum setbacks under the new VCDO were limited to 50%, the maximum encroachment allowed was 10 feet and Dare County Environmental Health Services requires a five-foot separation from the bar to the existing repair area. He added that movement of the bar westward approximately 1.5 feet could eliminate the proposed increased encroachment into the rear yard setback and that the exact location must be determined with the assistance of a North Carolina professional land surveyor and approved by the Dare County Environmental Health Services.

Planner Gould stated that the Village Commercial Development Option offers flexibility from a variety of development standards in the Village Commercial district on a project-specific basis. He added that as part of the proposal, the applicant was requesting Council to maintain its prior approval of CUP18-006 for three purposes:

1. To reduce the minimum on-site parking requirement by 28 parking spaces – from 48 spaces to 20 spaces.
2. To reduce the minimum setback standards for two existing and one new structure. The new bar structure would encroach 9.5 feet into the standard rear yard setback of 20 feet.
3. To exclude the requirement of a landscaped buffer 10 feet in width along the entire rear property line and 90 feet down the southern side property line, separating the commercial use of the subject property from the adjoining residential properties.

Planner Gould explained that Council must determine if the proposal was consistent with the intent of the VCDO and still warrants approval of the modifications to the development standards for minimum on-site parking, minimum setbacks, and landscaped buffer requirements from the front property line. He added that in order to grant approval of a special use permit under the VCDO of the Town Code, Council must make findings that substantial evidence has been provided to document the development proposal complies with the following general criteria:

1. The development proposal is consistent with the Town's adopted Vision and Comprehensive & Land Use Plan.

2. The development proposal is consistent with the desired scale, character, and function of Duck Village.
3. The subject property, including the development proposal, contains many of the characteristics outlined in the guidelines listed in Section 156.065(E).
4. The requested modifications are the least necessary to accommodate the proposed development and meet the intent of the Village Commercial Development Option.
5. The requested modifications will not negatively impact adjacent properties or the surrounding area.

Planner Gould stated that Subsection 156.155 of the Duck Town Code establishes review criteria for special use permit applications. He noted that the following standards should be considered as part of the Council's review:

1. The use meets all required conditions and specifications of the ordinance.
2. The use does not materially endanger the public health or safety.
3. The use will not substantially injure the value of adjoining property unless the use is a public necessity.
4. The use will be in harmony with the area in which it is located and be in general conformity with the Comprehensive & CAMA Land Use Plan.

Planner Gould noted that the Council may prescribe appropriate conditions and safeguards to the location, nature and extent of the proposed use and its relation to surrounding properties for the purposes of (1) ensuring that the conditions of the permit approval will be complied with; and (2) minimizing any potentially injurious effect of the proposed use on adjoining properties, the character of the surrounding area, or the health, safety, and general welfare of the community.

Planner Gould pointed out that since the proposed SUP 25-001 appears to comply with the development standards and other provisions in the Town's Zoning Ordinance, staff were recommending approval of the special use permit subject to the following conditions:

1. If the proposed bar is moved to the furthest extent westward – without modifying the proposed footprint of the bar, sacrificing additional parking spaces, or infringing upon the five-foot minimum setback for the septic repair area – staff recommends approval of the new reduction in standard rear yard setbacks through the Village Commercial Development Option.
2. Prior approval of the Village Commercial Development Option in CUP18-006 is maintained for three purposes: (1) to reduce the minimum on-site parking requirement by 28 parking spaces from 48 spaces to 20 spaces; (2) to reduce the minimum setback standards for two structures which remain; and (3) to exclude the landscape buffer requirement.

3. The applicant must submit the required application materials and obtain necessary building and development permits prior to commencing work in the outdoor seating/entertainment area.
4. The proposed bar must receive approval from Dare County Environmental Health Services, confirming that the capacity of the septic system is not exceeded and public health and safety is maintained.
5. Any exterior lighting must be compliant with Town standards and must be reviewed and approved by the Community Development Department.
6. Signs must be reviewed and approved under a separate permit by the Community Development Department.
7. Adequate signage must be maintained for the designated stacked staff parking areas.
8. The applicant must submit the final engineer-stamped site plan and site plan review fees as provided for in the Town's adopted fee schedule, consistent with the revised layout and parameters of the special use permit approval. The existing outdoor seating/entertainment area must be shown on a final as-built survey and delineated on-site via a barrier which does not interfere with the active septic or the proposed repair area.

Town Attorney Hobbs asked Council if they had questions for Planner Gould.

Councilor Whitman asked if the outside seating was for the front porch. Planner Gould explained that the porch seating area was completed with a ratio of square footage based on the number of seats in the proposed square footage. Councilor Whitman asked where the 26 seats would be located. Planner Gould stated that they were on the porch. Councilor Whitman asked if the 12 seats for the bar would be inside or outside. Planner Gould stated that they would be inside. Councilor Whitman clarified that there was no seating outside at the bar. Planner Gould explained that the number of parking spaces has been determined based on the square footage of the approved outdoor seating/entertainment area. He added that the specific number of seats has not been clearly outlined and was based on square footage versus the number of tables or seats in the backyard area.

Councilor Whitman asked why the vegetation could not be put where the home was. Planner Gould stated that on the southeastern side of the property, the applicant has that area outlined as their outdoor seating/entertainment area. He added that the applicant could explain the feasibility of installing vegetative buffers in that area.

Mayor Pro Tempore Thibodeau clarified that the bulkhead would remain as is, adding that the applicant would be removing the screen top piece. Planner Gould stated she was correct.

Town Attorney Hobbs stated that Planner Gould had talked of the potential for the applicant to request a slight adjustment location of the new bar. He asked if something should be added to the proposed order or if he was comfortable with the current drafted order. Planner Gould stated that he would like to hear from the applicant if they were willing to make that adjustment.

Town Attorney Hobbs asked if the applicant had any questions for Planner Gould. There were none.

Town Attorney Hobbs asked the applicant to make a presentation.

Mark Leahy of 105 Bunting Lane was recognized to speak. Mr. Leahy stated that he and Scott Foster had purchased the property at 1193 Duck Road about a month ago. He stated that they knew the property had some issues that needed to be taken care of. He noted that it was historic and one of the oldest structures in Duck with the main house being approximately 90 years old. He explained that their intent was to take care of as many outstanding issues as they could, adding that he was an architect, so he shared the responsibility of maintaining the property safely. He added that they appreciated the opportunity to work with staff as well as being able to remove a lot of the issues on the property. He noted that they have no problem with moving the building a foot and one half. He explained that with regard to the landscape buffer on the residential property, they were planning to landscape it, but did not have plans for it at this time. He stated that at some point, they would be repairing the fence.

Mark Leahy stated that their main intent was to make the property beautiful, safe, and something that the entire Town could be proud of. He added that they will work with staff to do whatever was necessary. He noted that they have no problem with removing the stage, adding that the Health Department had indicated that they wanted it removed because it penetrates the ground, which was not allowed. He reiterated that they will move the stage from that location. He stated that with regard to the tent structures, they will be removed since they also penetrate the ground, adding that they will use umbrellas for shade instead of the tent structures.

Town Attorney Hobbs stated that the proposed order had eight conditions. He asked Mark Leahy if he had looked at them and was in agreement with them. Mark Leahy stated that they have not reviewed them but would now. After reviewing them, Mark Leahy stated that they were in agreement with the conditions.

Scott Foster of 135A Jaycrest Road was recognized to speak. Mr. Foster stated that they took this opportunity knowing that there were a lot of opportunities to fix things. He added that they have made this approach to fix things for the long-term. He stated that throughout the process, they have identified a number of encroachments as well as noticing some of the things that Environmental Health had indicated needing correcting. He noted that Environmental Health has issued their permit, adding that they passed the environmental health portion and were now submitting to the Health Department to get

the restaurant side permitted. He pointed out that the biggest issue that Environmental Health had was the stage and they agreed to move the stage in order to allow access to all of the cleanouts and the entire drain field would have no coverage whatsoever. He stated that they will redo the fencing in the employee parking area to make sure it was appropriate and well-marked. He added that as far as the building signage is concerned, they were going to submit a sign application with the Town, adding that it will be concurrent with the rules. He stated that they were making a lot of adjustments to that but will be sure that they were all accurate.

Mayor Pro Tempore Thibodeau asked what was envisioned for the backyard area. Scott Foster explained that it will not be decided until the stage is removed and getting rid of all of the items they want to remove so they could figure out what makes the most sense. He stated that, tentatively, it was possible that they would remove the stage and reposition it in the 100-degree opposite of it, up further on the property, closer to the parking and facing towards the rear lot. He noted that it would have to be considered with regard to how the sound would travel and how it would be configured once that space is cleared. He stated that it would give them 20 feet away from all setbacks.

Mark Leahy pointed out that the fireplace sits in the repair area currently and will be removed. Scott Foster pointed out that the gas lines were approximately four inches below the sand; the electricity is also four inches below the sand and was not in conduit; the drains for the back bar are French style with a barrel dug in the ground and not attached to the septic. He explained that they approached these on how to make them 100% correct and by providing one bar without an outdoor kitchen, they will be able to achieve that. He added that the plumbing will be hooked up to the septic; the water will be hooked up to the hot water so there will be a hand-washing station; and guests will have a safe environment to use.

Director of Community Development Joseph Heard was recognized to speak. Director Heard explained that two items needed to be tweaked on the approval for the findings of fact – the first was to change eastward to westward in Finding #1 and for Finding #2, if the applicants were planning to provide a landscape buffer, they would not need relief through the Village Commercial Development Option.

Planner Gould stated that staff needed to clarify if the applicant would be willing to provide a landscape buffer around the eastern property line and not just the southeastern property line. Mark Leahy stated that they were in favor of doing that.

Town Attorney Hobbs asked if the way the order was drafted was sufficient, especially with regard to the applicant submitting a final site plan for approval given their representations under oath during the hearing. He pointed out that the applicant had made some slight changes based on the discussion, asking if that was sufficient for the Community Development Department to approve the site plan with the adjustments. Planner Gould stated that his worry was that the movement of the wooden stage from the rear yard setback in any degree would constitute the requirement that the applicant would have to come before Council again. He stated that he would hate for that to become an

unnecessary inconvenience for the applicant, adding that he wished to capture the movement or removal of the stage either to the far eastern part of the lot, or just a slight eastern movement to get out of the access area needed for the existing septic system.

Town Attorney Hobbs suggested the following additional condition as follows: "The site plan will show removal or movement of the wooden stage to comply with the Village Commercial Development Option standards of the 50% reduction in the standard rear yard setback and Dare County Environmental Health Services approval." Planner Gould noted that it would give the applicant the option to still have the reduction in the rear yard setbacks if they wished. Town Attorney Hobbs asked if Condition #9 should be added with what was suggested. Planner Gould stated that it should.

Town Attorney Hobbs asked the applicants if they agreed with the new condition. Mark Leahy pointed out that there was nowhere to put the stage on the rear of the property, adding that he would be in favor of removing it altogether. Planner Gould clarified that the movement to the furthest extent eastward would infringe upon the open existing active LLP area. He pointed out that the hashed lines on the existing survey note the existing, approved outdoor entertainment/seating area. Scott Foster stated that they would have to redraw the plan if the stage was moved. Planner Gould pointed out that if the stage was moved, it would infringe upon the existing approved outdoor entertainment/seating area. He thought it could be expanded in a different direction so as to not encroach on the existing active LLP area.

Town Attorney Hobbs pointed out that the original language as far as removal or movement of the stage may be broad enough to allow the applicants maximum flexibility for compliance with the two requirements. Planner Gould thought the language that was agreed upon would be sufficient to him and the applicants. Scott Foster and Mark Leahy agreed. Mr. Foster stated that he will remove the stage completely and will modify the outdoor seating/entertainment area.

Mayor Kingston clarified that if there was no encroachment, it would be administrative. Planner Gould stated that the movement of the stage itself would meet the condition of the relocation of existing structures approved in CUP18-006.

Town Attorney Hobbs thought Condition #9 should indicate that the applicant should still continue to receive relief from the buffer requirement in that area on the east side. Planner Gould thought it would give the applicants the flexibility that they could use in the future to maintain a similar location with the stage so they could move it into compliance with the Village Commercial Development Option in that they could be up to 10 feet from the property line. Town Attorney Hobbs explained that the language would give staff the flexibility to work with the applicants to give them the relief provided with regard to the setback and the buffer in that area as part of the condition and that it has to be shown on the final site plan. Planner Gould agreed.

Town Attorney Hobbs asked if there were any sworn witnesses that wished to make a presentation. There were none.

Town Attorney Hobbs asked the applicants or staff if they wished to make a closing statement. Mark Leahy and Scott Foster stated that they had nothing more to add. Town Manager Drew Havens was recognized to speak. Town Manager Havens clarified that the vegetative buffer requirement in the conditions would maintain the applicant's relief that they currently enjoy from the buffer requirement. Town Attorney Hobbs understood that staff would be given full administrative discretion to afford the applicant the existing and as modified relief on the buffer requirement. Planner Gould stated that continuing to exclude the buffer requirement would be appropriate.

Town Attorney Hobbs asked if there were any remaining questions. There was none.

Town Attorney Hobbs closed the evidentiary portion of the public hearing and turned the meeting back over to Mayor Kingston. He noted that a vote of the majority of Council was required to approve the application. He pointed out that there was a proposed permit in Council's packet with the nine conditions that were discussed during the hearing.

Councilor Chasen moved to approve SUP 25-001 with the addition of Condition #9 as well as the findings of fact and the eight conditions listed.

Motion carried 4-0.

LEGISLATIVE PUBLIC HEARINGS

There were no Legislative public hearings at this time.

OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

Discussion/Consideration of Appointing an Individual to Serve on the Planning Board

Mayor Kingston stated that there was an opening on the Planning Board for a term to expire on May 1, 2027. He stated that four applications were received and asked the applicants to introduce themselves to Council and the audience individually.

Miriam Rollin of 149 Plover Drive was recognized to speak. Ms. Rollin went on to introduce herself to Council and the audience and explained why she wished to be appointed to the Planning Board.

Thomas Burton of 109 Sandpiper Cove was recognized to speak. Mr. Burton went on to introduce himself to Council and the audience and explained why he wished to be appointed to the Planning Board.

Daniel Snyder of 139A Jaycrest Road was recognized to speak. Mr. Snyder went on to introduce himself to Council and the audience and explained why he wished to be appointed to the Planning Board.

Warren Stembridge of 106 Beachcomber Court was recognized to speak. Mr. Stembridge went on to introduce himself to Council and the audience and explained why he wished to be appointed to the Planning Board.

Mayor Kingston opened the nominations. He nominated Daniel Snyder. Mayor Pro Tempore Thibodeau nominated Daniel Snyder. Councilor Chasen nominated Daniel Snyder. Councilor Whitman nominated Thomas Burton.

Mayor Kingston closed the nominations.

Mayor Kingston, Mayor Pro Tempore Thibodeau and Councilor Chasen voted for Daniel Snyder.

Councilor Whitman voted for Thomas Burton.

Mayor Pro Tempore Thibodeau thanked everyone that applied.

Discussion/Consideration of Appointing an Individual to Serve on the Board of Adjustment

Mayor Kingston stated that Miriam Rollin was an Alternate on the Board of Adjustment, adding that he wanted to move forward with nominating her as full Member on the Board.

Mayor Kingston moved to nominate Miriam Rollin as a full member of the Board of Adjustment.

Motion carried 4-0.

Mayor Kingston stated that there were now two Alternate openings on the Board of Adjustment.

Mayor Kingston opened the nominations. He nominated Warren Stembridge. Mayor Pro Tempore Thibodeau nominated Thomas Burton. Councilor Whitman nominated Thomas Burton. Councilor Chasen nominated Thomas Burton.

Mayor Kingston closed the nominations.

Mayor Kingston moved to appoint Thomas Burton as an Alternate on the Board of Adjustment.

Motion carried 4-0.

Mayor Kingston moved to appoint Warren Stembridge as an Alternate on the Board of Adjustment.

Motion carried 4-0.

NEW BUSINESS

Discussion/Consideration of the Process to Fill Two Positions on the Planning Board

Mayor Kingston stated that the terms of Planning Board Chair Marc Murray and Planning Board Member James Cofield will expire on May 1, 2025. He noted that both Mr. Murray and Mr. Cofield have indicated that they would like to serve another three-year term to expire on May 1, 2028. He asked for nominations.

Town Attorney Hobbs reminded Council that the Town Code has a new requirement for advertising the vacancies which is set out in Section 31.30. He added that it should be done before Council considers any applications. He added that the language was as follows: "...all complete applications received would be provided to the Council prior to the meeting when the Council was scheduled to fill the vacancy or vacancies..."

It was *consensus* to advertise the vacancies, receive applications by March 26, 2025 and include them in the April 2, 2025 Council packets.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY

Town Attorney Hobbs stated he had nothing to report.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER

Departmental Updates

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

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

Public Information and Events Director Kristiana Nickens was recognized to speak. Director Nickens gave a brief overview of activities to Council and the audience.

Police Chief Jeffrey Ackerman was recognized to speak. Police Chief Ackerman gave a brief overview of the past month's police activities to Council and the audience.

January FY 2025 Financial Presentation

Finance Administrator Lauren Creech was recognized to speak. Administrator Creech gave a short presentation on the January Fiscal Year 2025 financials to Council and the audience.

MAYOR'S AGENDA

Mayor Kingston stated that the mayors/chairmen meeting will be on March 18, 2025 hosted by the Town of Duck. He recognized former Mayor Dave Wessel who was in attendance in the audience.

COUNCIL MEMBER'S AGENDA

Mayor Pro Tempore Thibodeau stated that she enjoyed her time on the housing council with another meeting in March. She noted that they were not meeting as frequently as they were last year. She stated that she serves on the transportation group committee with a lot of listening at those meetings. She noted that she did not attend the environmental water quality meeting for the Mid-Currituck Bridge, but did see that the Southern Shores Town Council had attended with a lot of passion on both sides of the issues. She stated that she would try to obtain more information.

Councilor Whitman stated he had nothing to report.

Councilor Chasen gave an Outer Banks Visitor's Bureau meeting update to Council and the audience.

OTHER BUSINESS

Additional Public Comments

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

Mayor Kingston noted that the next meeting would be the Regular Meeting on Wednesday, April 2, 2025 at 1:00 p.m.

ADJOURNMENT


Councilor Whitman moved to adjourn the meeting.

Motion carried 4-0.

The time was 3:20 p.m.


Lori A. Ackerman, Town Clerk

Approved: April 2, 2025


Don Kingston, Mayor