

**TOWN OF DUCK  
TOWN COUNCIL  
CLOSED SESSION MINUTES - REDACTED  
October 2, 2024**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, October 2, 2024.

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

COUNCIL MEMBERS ABSENT: Mayor Pro Tempore Monica Thibodeau.

OTHERS PRESENT: Town Manager Drew Havens; Director of Community Development Joseph Heard; Police Chief Jeffrey Ackerman; Fire Chief Donna Black; Town Attorney Robert Hobbs; Public Information and Events Director Kristiana Nickens; and Town Clerk Lori Ackerman.

OTHERS ABSENT: Deputy Town Clerk Christy Drumheller.

Mayor Kingston called the meeting to order at 1:00 p.m.

**CLOSED SESSION**

Councilor Whitman moved to enter closed session pursuant to North Carolina General Statute Section 143-318.11(a)(3) 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; and to enter closed session in accordance with Section 143-318.11(a)(5) to establish or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Motion carried 4-0.

The time was 3:26 p.m.

[REDACTED]

*These Closed Session minutes have been redacted to remove those portions of the minutes that still need to remain sealed pursuant to Section 143-318.11(a)(6).*

**DISCUSSION REGARDING THE POTENTIAL TO PURCHASE PROPERTY AT 1165 DUCK ROAD, 101 AND 103 SCARBOROUGH LANE**

Town Manager Havens explained that an offer was made on August 13, 2024 for \$1.8 million but the Herron's realtor stated that the Herrons wanted a full price offer, so he offered the full price of \$2 million as Council had approved and it was accepted.

Town Manager Havens stated that on September 16, 2024, he submitted a pre-application to the Local Government Commission and issued an RFP for financing to four banks. He stated that on September 24, 2024, the Herron's realtor let him know that he should have an agreement this week. He stated that he authorized the appraisal order for the properties and also obtained quotes for the survey that would need to be done which would include combining all three lots. He noted that the contours would be completed once the Town was ready to develop the properties. Town Attorney Hobbs suggested preserving the existing interior property lines. Town Manager Havens stated that the appraiser will do that.

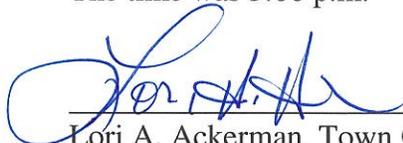
Councilor Lingard asked if this could be made public right after closing. Town Attorney Hobbs stated that since there wasn't a signed offer yet, nothing could be done in open session. Town Manager Havens stated that there will be a public hearing for the installment financing at Council's October 16, 2024, mid-month meeting for the Herron properties as well as ratifying the purchase agreement. He added that the Town will need to send a check for \$10,000 as earnest money and then have the survey and appraisal completed. Town Attorney Hobbs explained that Council would have approved the contract today but because there wasn't one in hand, it could not be done. He added that the Herrons may say that other items will need to be completed.

Town Manager Havens stated that he would contact the realtor to obtain the agreement. He added that the Local Government Commission requires a public hearing on the issuance of debt, which will be on October 16, 2024.

Councilor Whitman moved to adjourn the closed session.

Motion carried 4-0.

The time was 5:06 p.m.

  
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Lori A. Ackerman, Town Clerk

