

**TOWN OF DUCK  
TOWN COUNCIL  
REGULAR MEETING  
February 4, 2026**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, February 4, 2026.

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

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Town Manager Drew Havens; Development and Infrastructure Director/Assistant Town Manager Connor Winstead; Town Attorney Robert Hobbs; Attorney Johny Hallow; Police Chief Jeffrey Ackerman; Fire Chief Matthew Dudek; Public Information and Events Director Kristiana Nickens; Finance Administrator Lauren Creech; Planning and Permits Manager Sandy Cross; and Town Clerk Lori Ackerman.

OTHERS ABSENT: None.

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

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

**CLOSED SESSION**

Mayor Pro Tempore Whitman moved to enter closed session in accordance with Section 143-318.11(a)(3) of the North Carolina General Statutes 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.

Motion carried 5-0.

The time was 1:01 p.m.

Upon return from closed session, Town Attorney Robert Hobbs stated that he and Attorney Johny Hallow discussed a legal matter with Council, provided legal advice, and received guidance from Council.

**PUBLIC COMMENTS**

Mayor Thibodeau opened the floor for public comments. She noted that comments will be limited to three minutes as there was a timer for the time limit. She asked that any

comments related to the public hearings be held off. There being no one wishing to speak, she closed the time for public comments.

## **CONSENT AGENDA**

### **Minutes from the January 7, 2026, Regular Meeting; and Minutes from the January 21, 2026, Mid-Month Meeting**

Councilor Lingard moved to approve the Consent Agenda as presented.

Motion carried 5-0.

## **SPECIAL PRESENTATIONS**

### **Employee Recognition Program**

Mayor Thibodeau stated that in December 2011, Council adopted an employee service recognition program that would acknowledge the service of employees of the Town at five-year intervals by providing them with a certificate of recognition as well as a gift certificate to a Duck business of their choosing.

Mayor Thibodeau went on to present Town Manager Drew Havens with his 5-year service recognition certificate and \$50 gift certificate.

### **Recognition of Police Detective John Gilreath on Receiving the Fourth Quarter Town of Duck SOAR Award**

Town Manager Havens stated that on behalf of the SOAR Committee, he presented Police Detective John Gilreath with the Mighty Duck award.

Mayor Thibodeau and Council congratulated Detective Gilreath on his award.

### **Presentation from the First Flight Track Club to Provide Updates from the 2025 Duck Turkey Trot**

Gray Berryman and Amy Denson of the First Flight Track Club were recognized to speak. Mr. Berryman and Ms. Denson went on to give a short presentation on the 2025 Duck Turkey Trot to Council and the audience.

Mayor Thibodeau and Council thanked Gray Berryman and Amy Denson for their presentation.

## **QUASI-JUDICIAL PUBLIC HEARING**

There were no Quasi-judicial public hearings at this time.

## LEGISLATIVE PUBLIC HEARINGS

### Public Hearing/Discussion/Consideration of Ordinance 26-01, an Ordinance Amending Chapter 91, Certain Conditions Declared Nuisances, to Include Improper Discharge of Water or Other Liquids onto Adjoining Properties and Ordinance 26-02, an Ordinance Amending the Zoning Ordinance of the Town of Duck, to Add Subsection 156.141, Discharge of Stormwater, Pool Water, Hot Tub Water, and Dewatering Effluent

Mayor Thibodeau turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body. He stated that Planning & Permits Manager Sandy Cross would give a presentation.

Planning & Permits Manager Sandy Cross was recognized to speak. Manager Cross stated that Community Development staff frequently receive complaints about water discharge onto adjacent properties, especially during spring, fall, and after extreme rain events. She pointed out that the Town Code currently has no provisions addressing these issues. She added that Council had directed staff to review Chapter 91 regarding public nuisances and water discharge concerns, noting that staff and the Planning Board had consulted with Town Attorney Hobbs and Police Chief Jeffrey Ackerman throughout the process.

Manager Cross explained that the matter was introduced to the Planning Board on August 13, 2025 where the Board held three meetings to review ordinance examples from other North Carolina coastal communities. She stated that at the Planning Board's November 12, 2025 meeting, they voted unanimously to recommend approval of Ordinance 26-01.

Manager Cross stated that the amendment to Chapter 91 would prohibit the discharge of stormwater runoff, pool water, hot tub water, or groundwater from dewatering activities onto adjoining properties or roadways. She stated that the Town Manager or his designee may issue an immediate Notice of Violation, adding that Duck police officers were authorized to issue cease and desist orders. She noted that penalties were fines up to \$500 or Class 3 misdemeanor charges under North Carolina General Statute §14-4.

Manager Cross stated that Ordinance 26-02 would have a new Section 156.141 that addresses water discharge from a land use development perspective. She explained that the purpose and intent was to protect public health, safety, and environment by controlling post-development stormwater runoff for flood prevention and water quality protection. She stated that the prohibited activities would consist of discharge onto adjoining properties, adding that the Town infrastructure discharge required written permission from the Town Manager. She explained that the enforcement was that the Zoning Administrator may issue an immediate violation notice and can reference Chapter 91 for imminent public safety threats.

Manager Cross explained that one of the things that the Planning Board wanted was an education and enforcement strategy. She stated that staff will work with the Public Information Department to develop educational materials for contractors and homeowners along with an internal policy that prioritizes Community Development staff involvement before police intervention when possible and have police enforcement available for immediate threats to public safety, health, or welfare.

Manager Cross stated that the Planning Board was recommending that Council approve Ordinance 26-01 and 26-02 since they both provide clarity for consistent application of the Town Code and were aligned with the Comprehensive & Land Use Plan and the 2032 Vision. She noted that the Planning Board emphasized that these amendments were reasonable and supported the community's long-term sustainability goals.

Town Attorney Hobbs asked Council if they had questions for Manager Cross.

Councilor Chasen stated that Ordinance 26-01, Section 1 (G) read as follows: "Structurally deteriorated, or storm damaged automobile service station canopies." She asked what that meant. Manager Cross stated that it was an existing section of the ordinance that was not part of the amendment in front of Council. Councilor Chasen asked what it meant. Manager Cross explained that it was a gas station canopy.

Councilor Murray stated that he was concerned about the language that stated that "the police may" rather than "shall" with regard to writing a citation, due to neighbors using the Town ordinance against their neighbors. He clarified that the police have discretion not to issue citations, further clarifying that it was not a requirement for them to act. Town Attorney Hobbs stated he was correct, adding that the Town may have to defer to law enforcement to evaluate each situation and determine whether or not a citation would be appropriate.

Councilor Murray asked if ceasing the activity was sufficient to negate the need for a citation. Police Chief Jeffrey Ackerman was recognized to speak. Police Chief Ackerman explained that the officers always have discretion and just because the ordinance has the language in it does not mandate that they have to take action and would not be an automatic action. He added that it was the goal to get a person to cease the activity and if that occurred, there would not be a need for a citation.

Councilor Murray asked if the language regarding the abatement of damage potentially done by this ordinance was in the nuisance portion of the ordinance or in the zoning portion. Manager Cross stated that it was in both sections. Councilor Murray asked if there was any police function or if the language was sufficient that it would be a zoning concern and not a police concern. Manager Cross explained that it would depend on the circumstances. She clarified that Councilor Murray was asking about abatement with respect to mitigating the damage that would have been caused. Councilor Murray stated she was correct. He asked if it would be handled from a zoning or nuisance perspective. Manager Cross reiterated that it would depend on the circumstance.

Town Attorney Hobbs asked if the idea behind the changes was that staff would try to do everything they could to abate the problem. Manager Cross stated he was correct. Town Attorney Hobbs clarified that if it wasn't resolved, then law enforcement would be involved. Manager Cross stated he was correct, adding that currently there wasn't any language that gives staff any authority to deal with this, and when issues arise, staff sends a letter asking that the activity be stopped. She stated that in the case of someone pumping from a flooding event, staff often hears about it because there is a lot of emotion and potentially volatile confrontation, which would involve the police. She stated that she could not say for certain, until an issue arises, which would apply.

Mayor Thibodeau stated that this would give staff an opportunity to codify that the activity was not permitted and there were repercussions. Manager Cross agreed.

Town Attorney Hobbs noted that for Ordinance 26-01, Part II, the language should be "This ordinance shall be effective upon adoption" instead of it being blank. He pointed out that if Ordinance 26-01 was adopted, the revised language should be noted in the motion.

Town Attorney Hobbs asked if any members of the public wished to comment on the proposed ordinance. There were none.

There being no one wishing to speak, Town Attorney Hobbs closed the public hearing and turned the meeting back over to Mayor Thibodeau. He noted that there needed to be two separate motions – one for Ordinance 26-01 and one for Ordinance 26-02.

Councilor Chasen moved to adopt Ordinance 26-01 as presented with the change that was discussed for Part II.

Motion carried 5-0.

Councilor Chasen moved to adopt Ordinance 26-02 as presented.

Motion carried 5-0.

**Public Hearing/Discussion/Consideration of Ordinance 26-03, an Ordinance Amending the Zoning Ordinance of the Town of Duck, Subsection 156.051, Building Features Exempt from Setbacks or Minimum Yard Requirements to Allow for Outdoor Showers in the Rear Setback**

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

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body. He stated that Manager Cross would give a presentation.

Manager Cross reminded Council that Ordinance 26-03 was brought before Council back in November 2025 where staff asked for permission to send it to the Planning Board for a

narrowly crafted zoning text amendment to allow outdoor showers within the rear setback. She stated that the Planning Board discussed the issue at their December 2025 meeting and they were able to create an amendment to Section 156.051, which was the section of the ordinance that allows for exemptions to setbacks. She stated that the Planning Board unanimously recommended approval of Ordinance 26-03 at their December 10, 2025 meeting, finding the changes reasonable and consistent with the Town's Comprehensive & Land Use Plan.

Manager Cross explained that the key requirements for outdoor showers were as follows:

- Maximum Encroachment – may project up to three feet into the rear setback (plus an additional 12 inches for eaves and overhangs)
- Attachment Required – must be attached to the principal structure and not fully enclosed
- Functional Plumbing – must include functioning plumbing with a shower head
- Size Limits – Maximum eight feet in width contiguous with the principal structure
- Minimum Setback – rear setback must not be less than 25 feet

Manager Cross pointed out that there were properties in Duck that have 20-foot setbacks and they would not be permissible in that situation.

Manager Cross stated that other building features that were exempt from setbacks were ornamental features, such as sills, cornices, eaves and overhangs as they may project up to 12 inches into any required yard; bay windows and stoops may project up to three feet into the front yard or beyond the front setback, plus 12 inches for ornamental features; and walkway structures that were applicable to community, private and municipal walkways with varying limitations.

Manager Cross pointed out that the Planning Board found that Ordinance 26-03 provides clear, consistent standards for development; offers reasonable options in the public interest; and aligns with the Town's adopted CAMA Core Land Use Plan.

Town Attorney Hobbs asked Council if they had questions for Manager Cross. There were none.

Town Attorney Hobbs asked if any members of the public wished to comment on the proposed ordinance.

Ben Vorndran of 104 Sea Hawk Drive West was recognized to speak. Mr. Vorndran stated that the first question that came to his mind when he read the ordinance earlier in the day was where the line stops as the Town allows lot coverages and made parking spaces smaller over the years. He pointed out that with regard to going into the setback, all he could see next year or the following year was that it would go from three feet by eight feet or four feet by 12 feet, to having a pergola and a grill. He pointed out that if someone did not have enough room to put in an outdoor shower, they would probably need three feet by three feet to do it. He wondered if this was the mission statement of the

Town or the vision to just build it out. He found it odd that, with very little research that he completed, how this came about. He wondered if some homeowner said they had an 8,000 square foot house and they needed another 12 square feet to put an outdoor shower in. He stated that he did not see the gain from this. He asked when providing gray water, if there was something in the ordinance to supply that into the septic system. He further asked if a homeowner would have to provide anything for that. He added that when going into the setback, it would go into the neighbor's property. He thought if he had to vote on it, he would vote it down without even questioning it, adding that there had to be a line and if the Town was going to allow someone who has enough room on their property to build an outdoor shower on the side of the house and within the setback, they were overbuilding their lot.

Town Attorney Hobbs asked if there were any remaining questions from Council.

Councilor Lingard asked Manager Cross if she had any idea as to how many people have built right to their setback. He further asked how many properties the ordinance would affect. Manager Cross stated that she would have to research it, adding that there was probably a decent amount, but she did not know the percentage since it depended on where Councilor Lingard was looking.

Mayor Thibodeau thought the shape of the lot had a lot to do with it because if a homeowner had a wide but not deep lot, it could hinder what the front and back was, depending on the road frontage. She stated that not all lots were narrow and deep, as some were wide. Manager Cross stated that she could do some research on it if Council wanted it done. Councilor Lingard stated that he was just interested.

Councilor Murray pointed out that this was just the rear yard setback and only applied to a 25-foot setback. If it encroached three feet into the 25-foot setback, it would still be 22 feet from the nearest neighbor, but a compliant shower could be 10 feet from the side property line and would be closer to a neighboring property. He added that it was also possible that this may encourage people to site them in a place that was further from their neighbor.

There being no one else wishing to speak, Town Attorney Hobbs closed the public hearing and turned the meeting back over to Mayor Thibodeau.

Mayor Pro Tempore Whitman moved to approve Ordinance 26-03 as presented.

Motion carried 5-0.

**Public Hearing/Discussion/Consideration of Ordinance 26-04, an Ordinance Amending the Zoning Ordinance of the Town of Duck, Subsection 156.002, Definitions and Specifically to Correct and Clarify the Definition of Lot Coverage**

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

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body. He stated that Manager Cross would give a presentation.

Manager Cross stated that the Planning Board unanimously recommended approval of Ordinance 26-04, which clarifies lot coverage standards for pervious surfaces on residential properties. She noted that these amendments address two key issues identified since the January 2025 text amendment adoption. She explained that the following amendments were being made:

- Ground cover agreements – clarifies that artificial turf receiving lot coverage exemptions requires documented design specifications, maintenance plans, and recordation with the Register of Deeds.
- Lot coverage definition correction – removes “pools” from the principal lot coverage definition since pool water is already excluded from lot coverage calculations.

Manager Cross pointed out that these technical corrections ensure the ordinance accurately reflects the Planning Board’s original intent that alternative ground covers receiving reduced lot coverage consideration must be properly documented and maintained according to specifications.

Manager Cross stated that the ordinance was consistent with and in alignment with the Town’s CAMA & Land Use Plan because it balances resource protection with development; it minimizes environmental impacts; it protects the coastal residential character; it improves stormwater management; and reduces runoff through minimizing impervious surfaces. She added that it was also consistent and in alignment with the Town’s Vision 2032 because of the environmental stewardship and conscious respect for Duck’s fragile coastal environment; protecting pristine beaches as the community’s most valuable asset; and ensuring sustainability through environmental awareness and being forward thinking.

Manager Cross stated that Ordinance 26-04 maintains existing lot coverage credits while adding clarity on documentation requirements for alternative groundcover, specifically artificial turf. She added that all alternative ground covers receiving lot coverage exemptions must include recorded design specifications, maintenance plans, and owner certification of ongoing maintenance at the Dare County Register of Deeds. She noted that there was a 100% coverage credit for entirely pervious driveways and parking areas certified by a North Carolina licensed engineer; a 40% coverage credit for semi-pervious surfaces like pervious concrete; and a 0% credit for swimming pool water area since it was excluded from lot coverage calculations.

Manager Cross stated that the Planning Board recommended approval of Ordinance 26-04 because the ordinance corrects an error and provides clarity applying the Town Code consistent with the intent of the Town’s Comprehensive & Land Use Plan as well as the 2032 Vision.

Town Attorney Hobbs asked Council if they had questions for Manager Cross.

Mayor Thibodeau asked how this would affect people that already have artificial turf in place. Manager Cross explained that before January 2025, staff was not necessarily requiring any recordation, but if it wasn't recorded before, staff would not ask them for it. She added that if staff did require it and the homeowner questioned it, staff may have required them to record it and most of them did; however, some had an issue with it, especially if the ordinance wasn't clear. She stated that since August 2025 and going forward, staff has operated with a policy interpretation that was consistent with what the Planning Board had set. She stated that, moving forward, anyone that has artificial turf installed, the Town will require that they complete the ground cover agreement. Mayor Thibodeau clarified that it depended on when the artificial turf was installed in how it was handled as a town. Manager Cross stated she was correct.

Mayor Thibodeau asked with regard to the pool water, since it was new as of January 2025, she assumed that anyone that had a pool previously, it was part of their lot coverage. She clarified that they would only be affected if they came back to the Town for a change to their building. Manager Cross explained that there were some homeowners who were at the maximum lot coverage with their pool water that had come to the Town to make changes. She stated that she completed some research on lot coverage in anticipation of questions and some of the other communities that exclude pool water from lot coverage limit that amount. She pointed out that if it exceeded 400 or 500 square feet, anything in excess of that would count towards their coverage. She noted that Duck did not have that limitation in the lot coverage, but if someone came in saying they wanted to do make a change and asked if they could use the extra coverage from the pool water, then they would be allowed to.

Councilor Murray asked how many times since people have been using permeable pavers that they were found to be clogged up in some way that they were no longer functional and staff had to contact those property owners. He further asked how many times staff had to inform a new property owner of a deed restriction that was on file with the Register of Deeds for one of these agreements or if it has not been in effect long enough. Manager Cross stated that staff has not had any instance where a property owner had to be contacted about their permeable pavers being clogged. She added that the Town infrastructure has permeable concrete that was not maintained for the first eight years and was not doing as well as the areas that have been installed since that have been maintained. She noted that maintenance was important to the permeable systems. She explained that with regard to the restricted deeds, it should show up in a title search and was why staff has them recorded so they don't have to notify a new property owner.

Town Attorney Hobbs asked if any members of the public wished to comment on the proposed ordinance. There were none.

There being no one wishing to speak, Town Attorney Hobbs closed the public hearing and turned the meeting back over to Mayor Thibodeau.

Councilor Lingard stated that he knew it was beyond Council's purview and the State has taken away the Town's authority on this, but swimming pools were not permeable. He pointed out that if swimming pools were permeable, they would not be swimming pools because there would be no water in them.

Councilor Murray stated that he had an issue with the requirement for recordation. He agreed that it was a strong mechanism for informing a new property owner of a commitment made by a prior property owner, but when someone buys a property in Town, it was implied that they have to abide by the Town's ordinances. He stated that his issue with recordation was that he felt that that they needed to be kept by the Town and dealt with locally. He didn't think it gave any more force, adding that Duck was the only municipality that is doing this, but he also thought that the comment in the Land Use Plan states that the Town was trying to reduce barriers for residents addressing local flooding. He pointed out that all of these technologies do that and he saw the recordation requirement as an additional barrier.

Councilor Chasen stated that a lot of the property owners in Duck do not live in Town year-round and would not know all of this, but when they look at a property to potentially purchase, their real estate agent would provide them with the information. She thought it would be helpful for them.

Mayor Thibodeau agreed and worried about the cumbersome aspects of recordation, but short of getting additional administrative staff for the Town to keep up with all of the variables, she thought the point of the parking was something in that many real estate agents would not remember or know that if an owner was not renting their property, they were allowed to allocate parking but did not have to improve it versus if the owner rented their property, then they would have to make it parking. She added that there were some nuances. She stated that looking at ground cover or pavers on the surface, one doesn't know what they were dealing with and now the maintenance requirement was something that was newer for people because of the fact that after time, they do not work as well and the efficiency was lost. She wasn't sure how much of the maintenance actually took place, but at least a buyer would have some knowledge that they were supposed to maintain it before they buy the property. She noted that it was a way to keep track and was a little cumbersome and may be a barrier if someone wanted to buy a permeable product but had to record it at the Register of Deeds. She thought if Council was going to allow special consideration, then someone would have to keep track of it. She didn't think it was a Town responsibility.

Councilor Lingard believed the reason the Town counts driveways as 100% permeable was because the State has told the Town it had to do that. He asked if that was the case. Councilor Murray stated that it was not the case. Councilor Lingard stated that he could not see why the Town treats it differently. He wondered if it was truly 100% permeable and if it was better than sod. Councilor Murray stated that it was better than sand. Councilor Lingard pointed out that it goes to the sand anyway. He stated that at a recent Board of Adjustment meeting, they were told that permeable pavers could absorb something like 3,000 inches of rain every hour, which was not true. He stated that if it

was 3,000 inches deep, it would not absorb that much rain. He added that no matter what salespeople say, concrete – even with holes on the side – was not as permeable as sand was.

Councilor Chasen moved to approve Ordinance 26-04 as presented.

Motion carried 4-1 with Councilor Murray dissenting.

### **OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS**

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

Mayor Thibodeau stated that there was an opening on the Board of Adjustment for a term to expire on May 1, 2028 to fill the unexpired term of Tom Burton. She stated that at Council's January 7, 2026 meeting, the appointment was deferred due to the applicants not being present. She noted that Frank Douglas and Stephen Fowler were both present for this meeting and would introduce themselves to Council and the audience.

Stephen Fowler of 128 Bayberry Drive was recognized to speak. Mr. Fowler went on to introduce himself to Council and the audience and explained why he wished to be appointed to the Board of Adjustment.

Councilor Chasen noted that Stephen Fowler was a non-resident property owner. She asked how long he stayed in Town versus staying in northern Virginia. Stephen Fowler explained that it varied over the years and that he stayed in Duck most of the summer. He thought they stayed in Duck approximately 10-15 nights between September and June, but he tried to come on the weekends.

Mayor Pro Tempore Whitman asked Stephen Fowler if he has done any volunteering in Town. Mr. Fowler stated that he has not other than helping with the Turkey Trot. Mayor Pro Tempore Whitman asked Mr. Fowler if he would be available to attend the Board of Adjustment meetings since he doesn't live in Town full-time. Mr. Fowler stated that he would.

Frank Douglas of 118 West Bias Lane was recognized to speak. Mr. Douglas went on to introduce himself to Council and the audience and explained why he wished to be appointed to the Board of Adjustment.

Councilor Chasen asked Frank Douglas if he had any experience in dealing with the Army Corps of Engineers. Mr. Douglas stated that he had.

Mayor Pro Tempore Whitman asked Frank Douglas if he has volunteered with the Town. Mr. Douglas stated that he has not.

Mayor Thibodeau opened the nominations. Councilor Chasen nominated Frank Douglas. Councilor Lingard nominated Stephen Fowler.

Mayor Thibodeau closed the nominations.

Motion to appoint Frank Douglas to the Board of Adjustment for a term to expire on July 1, 2028 carried 3-2 with Mayor Pro Tempore Whitman and Councilor Murray dissenting.

### **NEW BUSINESS**

There was no New Business to discuss.

### **ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY**

Town Attorney Hobbs stated he had no report.

### **ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER**

#### **Departmental Updates**

Development and Infrastructure Director/Assistant Town Manager Connor Winstead was recognized to speak. Assistant Town Manager Winstead gave an overview of the past month's permit activities to Council and the audience.

Police Chief Ackerman gave a brief overview of the past month's police 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.

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

#### **December FY 2026 Financial Presentation**

Finance Administrator Lauren Creech was recognized to speak. Administrator Creech gave a short presentation on the December Fiscal Year 2026 financials to Council and the audience.

### **MAYOR'S AGENDA**

Mayor Thibodeau stated that she was thankful that the Council meeting was not disturbed by the recent snowstorm and was glad that everyone fared well during the storm and stayed safe. She stated that she recently attended Essentials of Municipal Government

with Assistant Town Manager Winstead and most of Council and felt it was two days of really good information as well as meeting people from other towns. She thanked Town staff for everything they were doing. She added that she has attended the monthly Mayor/Chairmen meetings and felt it was great to share information with the other mayors. She added that she was looking forward to a good year ahead.

### **COUNCIL MEMBER'S AGENDA**

Mayor Pro Tempore Whitman stated that he attended Essentials of Municipal Government and thought it was an intense two days of learning. He reminded Council and the audience that beach planting would be happening on Friday, February 6, 2026 at noon.

Councilor Chasen thanked everyone for their support as she had been sick since December. She stated that the Outer Edge that the Outer Banks Visitors Bureau puts out has another session that's out, encouraging Council and the audience to look for it. She added that she looked forward to doing more great work.

Councilor Lingard stated that he attended Essentials of Municipal Government and found it very informative. He stated that he attended a Government Access Channel committee meeting but did not have anything to report. He added that he will be attending CityVision in May where he will be representing the Town.

Councilor Murray stated that he has an Albemarle RPO meeting coming up and hoped to have something to report at Council's March 4, 2026 meeting.

### **OTHER BUSINESS**

#### **Additional Public Comments**

Mayor Thibodeau opened the floor for public comments.

Ben Vorndran was recognized to speak. Mr. Vorndran stated that he was shocked at Council passing Ordinance 26-03, adding that he thought he would have heard something from each Council member that it was a great idea as well as why with regard to allowing three feet by eight feet to go into the setback. He pointed out that the tables that Council sat at were only three feet by seven feet, so it would be more than enough for two people to take a shower in that. He stated that he was looking forward to sending emails to Council and giving time for all of Council to respond as to why Council thought it was a great idea and why they did it, as well as what it would improve. He noted that the only thing he heard was that it was only three feet into the setback and now it's at 22 feet instead of 25 feet. He stated that he was curious as to why the ordinance passed, adding that there has to be a line. He stated that when the Town was having parking issues years ago, Council said they weren't setting any precedents, but all of a sudden all of the parking spaces became an issue and all of the businesses were asking for an additional parking space and not 10 or 12 when it was passed. He stated that it made him think

about the line and where the line would cross and when it would end and to allow three feet by eight feet into the setback, an overhang or eave on a building would not affect the considerations of a setback. He stated that he was curious that there was not one positive reaction as to whether or not passing the ordinance was a good idea and will be curious to hear what Council has to say.

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

Mayor Thibodeau noted that the next meeting would be the Retreat on Tuesday and Wednesday, February 24 and 25, 2026 at 9:00 a.m.

**CLOSED SESSION**

Mayor Pro Tempore Whitman moved to enter closed session in accordance with Section 143-318.11(a)(5) of the North Carolina General Statutes to establish or to 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 5-0.

The time was 3:22 p.m.


Upon return from closed session, Town Attorney Hobbs stated that there was a discussion about the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. He stated that after that discussion, Council gave instructions to the Town Attorney and Town Manager on those matters.

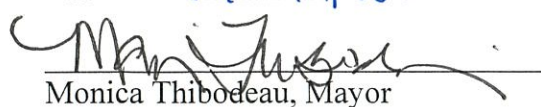
**ADJOURNMENT**

Councilor Chasen moved to adjourn the meeting.

Motion carried 5-0.

The time was 4:43 p.m.

  
Lori A. Ackerman, Town Clerk

Approved: March 4, 2026  
  
Monica Thibodeau, Mayor

