

Agenda
Town of Duck Council
Paul F. Keller Meeting Hall
May 6, 2026
1:00 p.m.
Regular Meeting

1. Call to Order
 - A. Pledge of Allegiance
 - B. Moment of Silence
2. Public Comments
3. Consent Agenda
 - A. Minutes from the April 1, 2026, Regular Meeting
 - B. Minutes from the April 15, 2026, Mid-Month Meeting
 - C. Resolution 26-08, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Week of May 11-17, 2026 as National Memorial Police Week
 - D. Contract with Coastal Protection Engineering for 2026 Annual Beach Monitoring Services
 - E. FY 2026-27 Budget Amendment #10
 - F. FY 2026-27 Budget Amendment #11
4. Special Presentations
 - A. Employee Recognition Program
 - B. Recognition of Fire Chief Matthew Dudek, Master Firefighter Matthew Quinn, and Master Firefighter Louis Brock on Receiving the First Quarter Town of Duck SOAR Award
5. Quasi-Judicial Public Hearings
 - A. None at This Time
6. Legislative Public Hearings
 - A. Public Hearing/Discussion/Consideration of the Proposed Fiscal Year 2026-27 Budget

7. Old Business/Items Deferred from Previous Meetings
 - A. Discussion/Consideration of Resolution 26-03, a Resolution of the Town Council of the Town of Duck, North Carolina, Revising the Personnel Policies
 - B. Discussion/Consideration of Appointing Two Individuals to the Planning Board for a Term to Expire May 1, 2029
8. New Business
 - A. Discussion Regarding Dead Grass Along the Sound Shoreline
 - B. Discussion/Consideration of Resolution 26-10 a Resolution of the Town Council of the Town of Duck, North Carolina, Amending the Financial and Budgetary Policies of the Town of Duck
9. Items Referred to and Presentations from the Town Attorney
10. Items Referred to and Presentations from the Town Manager
 - A. Departmental Updates
 - B. March FY 2026 Financial Presentation
11. Mayor's Agenda
12. Council Member's Agenda
13. Other Business
 - A. Additional Public Comments
14. Adjournment – The Next Meeting will be the Regular Meeting on Wednesday, June 3, 2026 at 1:00 p.m.

AGENDA:

May 6, 2026

Regular Meeting

ITEM #3:

Consent Agenda

- A. Minutes from the April 1, 2026, Regular Meeting
- B. Minutes from the April 15, 2026, Mid-Month Meeting
- C. Resolution 26-08, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Week of May 11-17, 2026 as National Memorial Police Week
- D. Contract with Coastal Protection Engineering for 2026 Annual Beach Monitoring Services
- E. Budget Amendments

RECOMMENDED ACTION:

- Approve the Consent Agenda

(As a reminder, the Consent Agenda is intended to be voted on and approved as one motion. If discussion is required on individual items, a motion must be made to remove that item from the Consent Agenda and add it to the Regular Agenda.)

SUMMARY OF INFORMATION:

The Consent Agenda includes the minutes from the April 1, 2026 Regular Meeting; minutes from the April 15, 2026, Mid-Month Meeting; Resolution 26-08, which declares the week of May 11-17, 2026 as National Police Memorial Week; a contract with Coastal Protection Engineering for the annual beach monitoring services and two budget amendments. Budget Amendment #10 adds anticipated grant revenue for the NC Trails Recreation Trails Program Safety and Education Grant and also adjusts the MSD tax revenue budget to better reflect what has been received. Budget Amendment #11 adds to the amount budgeted for Ad Valorem tax to get closer to the amount already received this year and to allow for seven projects/purchases to be accomplished in Fiscal Year 2026. Council is asked to approve the minutes, the resolutions, the contract; and the budget amendments.

ATTACHMENTS:

- April 1, 2026 Minutes
- April 15, 2026 Minutes
- Resolution 26-08
- Contract with Coastal Protection Engineering
- Budget Amendment #10 Sheet
- Budget Amendment #11 Sheet

**TOWN OF DUCK
TOWN COUNCIL
REGULAR MEETING
April 1, 2026**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, April 1, 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; Police Chief Jeffrey Ackerman; Fire Chief Matthew Dudek; Public Information and Events Director Kristiana Nickens; Finance Administrator Lauren Creech; Planning & 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 Town Manager Drew Havens to lead the Pledge of Allegiance. Mayor Thibodeau led the moment of silence.

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.

Corinne Saunders of 485 Harbourview Drive, Kill Devil Hills, was recognized to speak. Ms. Saunders stated that she runs *Outer Banks Insider*, which was a local news outlet and wanted to thank Council for considering adopting Resolution 26-05 as well as inviting all to an event she was hosting on Local News Day, which was April 10, 2026 at Waveriders from 9:00 to 11:00 a.m. She added that local news organizations from Currituck to Ocracoke will be represented at Waveriders. She stated that she hoped to see everyone there.

Walker Allen of 107 Pamela Court was recognized to speak. Mr. Allen stated that amending the noise ordinance was a smart and necessary step for the Town. He noted that enforcement was largely subjective and based on perception instead of clear standards, which could lead to inconsistency and frustration for residents, renters, and businesses. He added that Ordinance 26-05 would improve that by introducing measurable decibel thresholds and defined enforcement methods in that it would give law

enforcement clear, defensible tools while preserving flexibility when real world conditions make measurement impractical.

Walker Allen stated that the ordinance will strike the right balance and was not anti-business or anti-resident, adding that it was a balanced framework that will protect residential quality of life while recognizing the role that businesses, events, and tourism play in Duck with higher limits for those zones and exemptions for permitted special events. He noted that it will also align the Town with the other municipalities in Dare County, which will help in reducing confusion and improving consistency. He pointed out that it wasn't about making the rules stricter but retaining the complaint-based enforcement process while making them clearer, fairer, and more equitable for all stakeholders. He encouraged Council to adopt Ordinance 26-05 as presented.

Robert Lotze of 117 Dune Road was recognized to speak. Mr. Lotze stated that he was concerned about the safety issues on the streets in Town, adding that he was specifically speaking about signage that could go on the sidewalks. He pointed out that Community Planner Jim Gould had started the process, adding that he was urging Council to look at it and move forward with some signs. He added that he had sent Planner Gould some signage but wasn't sure if Council had seen signage that was used on sidewalks. He noted that Fort Collins, Colorado has great dismount zone signs, suggesting that Council look it up.

Robert Lotze stated that he was referencing e-bikes specifically on the sidewalks in Duck. He stated that there needed to be dismount zones that were clearly stated. He pointed out that the Town does not have them, rather there was signage directing people to use the bike lanes. He thought the Town could do a lot more, adding that he was willing to volunteer along with others that he could bring with him to paint stencils. He thought the issue was something that the Town needed to move on in order to have a safer environment.

Scott Foster of 135A Jaycrest Road was recognized to speak. Mr. Foster stated that he has been a business owner in Duck for 17 years, adding that 16 years ago he opened the Tap Shack, which was a music venue that specifically uses the North Carolina ordinances that were created for outdoor dining along with the Town ordinances to be able to have an outdoor grill, entertainment area, and refreshment area. He pointed out that he started this project because he needed a place for his patrons to safely wait while his restaurant was on a two-hour wait due to a celebrity that had visited the restaurant. He stated that for the last 16 years, his business has successfully thrived due to being able to accommodate people who have an interest in live music in Town.

Scott Foster stated that his mission was to be able to bring music from outside the area; adding that he was very happy with the local musicians but he wanted outside the area music. He noted that he has created a special place that people come to in order to see concerts in Town all summer long. He encouraged anyone that was having trouble with the music level to consult with him, adding that several neighbors have complained over the years; he dealt with the neighbors directly, and has altered the music as well as the

genre of music in order to accommodate some of the neighbors. He cautioned that before Council changes something that would affect everyone in Town, he suggested they look at the successful past the Town has had with very few issues.

Councilor Lingard asked Scott Foster when he was planning to open Tap Shack for the season. Scott Foster stated that it would be on May 15, 2026. Mayor Thibodeau pointed out that Council does not have interactions with the public during the Public Comment period.

Jim Braithwaite of 135 Bayberry Trail, Southern Shores, was recognized to speak. Mr. Braithwaite stated he liked what the outdoor venues have done for the businesses, adding that he thought tourists and locals like to come to Duck because of the music at the businesses. He pointed out that he leases four different shopping centers that have music. He thought it was a good thing, adding that he didn't want to infringe on any of the neighbors, but there should be a happy medium with everyone. He stated that he did not know the difference with regard to noise decibels but pointed out that if the wind was blowing in a certain direction, sometimes you could hear music and if it was blowing in a different direction, you could not. He thought the proprietors needed to give their input on the issue.

Town Clerk Lori Ackerman was recognized to speak. Town Clerk Ackerman went on to read the following public comments:

“Edward Tupper of 310 West Lookout Road, Nags Head was recognized. Hey there, I am sending you this message in regard to the noise ordinance meeting that is happening today. I am working and cannot attend but I'd like to share my thought. I feel 10pm is such a reasonable time for all bands and music to stop in Duck. It would greatly affect many businesses negatively if it were to be pushed to any earlier time. As a working musician that spends a great deal of my season in the Town of Duck it would also affect the whole summer of music I and many other working musicians have already booked. The live music in Duck is a thriving scene that many people rely on and provides something to go do for so many vacationers and locals alike. I hope you will take all of these things into consideration. Thank you!”

“Timothy Lusk of 307 West Palmetto Street, Kill Devil Hills was recognized. Concerning the noise ordinance in Duck. I live in Kill Devil Hills and frequent Duck for events particularly music and arts. We almost always will shop and eat in the area while up there. Stopping venues from being able to have outdoor music activities would be detrimental to tourism. More so than the few in the surrounding area of those venues that are somehow disturbed by music, arts, and happiness. 10pm is not late. Also keep in mind and remind them; this is a resort area, vacation area, and beach town. Their properties are in the vicinity of commercial properties. They are always subject to change; evolve into something they may not like. Knowing they have moved to an area like this they should be willing to evolve with it. To try and change the heart and soul of an area you love to fit to your need seems selfish to me. But everyone has a voice, I

understand people can get upset. They deserve to try. Let them know though they knew what they bought into beforehand. The Town shouldn't bend to the few. Good luck."

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

CONSENT AGENDA

Minutes from the February 24-25, 2026, Annual Retreat; Minutes from the March 4, 2026, Regular Meeting; Resolution 26-04, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Month of April as Child Abuse Prevention Month; Resolution 26-05, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring April 10, 2026, as "Local News Day"; Resolution 26-06, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Month of April as Fair Housing Month; and FY 2026-2027 Budget Amendment #9

Councilor Chasen 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 Community Engagement Coordinator Betsy Trimble with her 10-year service recognition certificate and \$100 gift certificate.

Mayor Thibodeau noted that Fire Captain Brandon Boyd was on a fire call and would be recognized once he returned.

Presentation by Outer Banks Water Safety

Riley Young of Outer Banks Water Safety was recognized to speak. Mr. Young went on to give a short presentation as the Town's newest surf rescue provider to Council and the audience.

Mayor Thibodeau thanked Riley Young for his presentation.

QUASI-JUDICIAL PUBLIC HEARING

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

LEGISLATIVE PUBLIC HEARINGS

There were no Legislative public hearings at this time.

OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

Town Manager Drew Havens was recognized to speak. Town Manager Havens noted that Fire Captain Brandon Boyd had returned from the fire call.

Mayor Thibodeau went on to present him with his 10-year service recognition certificate and \$100 gift certificate.

Discussion/Consideration of Authorizing the Town Manager to Execute an Installment Purchase Agreement for the Purchase of a Ladder Truck for the Fire Department

Town Manager Havens reminded Council that at their last meeting, they had approved the Town purchasing a ladder truck for the fire department. He stated that one of the action items that Council had directed was for him to look into getting some installment financing. He explained that the Town issued a Request for Proposals for installment financing with the following terms:

- 10 years
- Level payment – annual
- First payment due one year from closing
- No pre-payment penalty

Town Manager Havens stated that the RFP was sent directly to three lenders and put on the Town's website, adding that four responses were received by the deadline with the lowest being Towne Bank with an interest rate of 3.98% and no additional fees. He stated that he was recommending that Council accept their proposal.

Councilor Lingard stated that he was pleased that Towne Bank was chosen since they have a branch in Duck. He stated that it was good to support a company that supported the Town.

Councilor Chasen noted that the only additional fee would be a lien filing fee, which was an insignificant amount. Town Manager Havens agreed, explaining that it was typical across all banks.

Councilor Chasen moved to authorize the Town Manager to enter into an installment purchase agreement with the lender, Towne Bank, for the purchase of the ladder truck for the fire department.

Motion carried 5-0.

Discussion/Consideration of Ordinance 26-05, an Ordinance Amending the Town Code of the Town of Duck, North Carolina, related to Chapter 91, Loud and Disturbing Noise

Development and Infrastructure Director/Assistant Town Manager Connor Winstead was recognized to speak. Assistant Town Manager Winstead explained that staff had presented the text amendment to Town Code Chapter 91 at Council's Retreat in February, which was related to noise standards. He stated that the Town first adopted ordinances regulating noise standards in 2004 with a minor amendment in 2017 to the list of noises that were expressly prohibited. He noted that the current standards were subjective in nature and dependent upon the determination of at least one complainant, as well as the investigating police officer, to determine whether a noise is in violation of the ordinance. He added that there were no current standards related to decibel (dB(A)) levels of noise, nor any language related to the measurement of noise relative to its source.

Assistant Town Manager Winstead stated that complaints of excessive noise emanating from residential properties, particularly during the tourist season, are commonplace, staff have been receiving complaints from residential properties about excessive noise emanating from businesses. He explained that, based on the feedback from the Council, staff crafted an amendment to Chapter 91 which clearly defines terminology related to noise and the measurement thereof, establishes limits in dB(A) for commercial and residential uses, provides exemptions to the regulations, and further refines complaint and investigation procedures. He pointed out that the language in the amendment largely mirrors regulations found in other Dare County towns.

Assistant Town Manager Winstead noted that Ordinance 26-05 was a legislative amendment and a public hearing was not required and Council could approve the amendment on the first reading with a 4/5 majority vote. He added that Council may choose to authorize a public hearing on the proposed amendment and if so, staff would bring the ordinance back for consideration at Council's May 6, 2026 meeting.

Mayor Thibodeau pointed out that this does not require a public hearing but she would welcome one since it was a wholesale change to how the Town has been operating.

Councilor Lingard did not think Council wanted to change anything in terms of entertainment in Duck, adding that he didn't think Council had the appetite to do that. He thought it was good to have measurable limits, but he was not sure Council was currently in the position to pass the draft ordinance at this meeting. He stated that he would be happy with the limits for residential properties but wasn't sure about the commercial properties. He noted that he understood sound in that he used to be an engineer and most of his work pertained to sound but he didn't know what 75 decibels at the boundary actually sounded like. He reiterated that he did not want to pass the draft ordinance at this meeting until he had a better idea of what it sounds like.

Mayor Pro Tempore Whitman stated that he read through the draft ordinance but did not think there was enough information for him to vote on it at this meeting. He stated that he would like to see the Community Development Department or the Police Department spend the summer taking readings and come back to Council in the fall with the results.

Councilor Chasen stated that she went out earlier in the day because she needed to find things and quantify what was happening. She pointed out that her voice was registering 74.71 decibels at this meeting. She added that she went out and measured different things including construction work that was being done on Scarborough Lane which was measuring in the upper 60's and the ocean was at 60 decibels earlier in the day. She stated that she was not confident with the numbers as they were currently and knew enough about the noise that was happening in the community. She pointed out that the Town has a lot of activities that were outside that may have fluctuating noise levels. She stated that she would like to have staff get some more information and Council revisit this later in the year after the season ends. She reiterated that she was very hesitant, until Council had more data about what the noise levels were at various areas throughout Town while there was peak season activities going on, adding that she was not ready to move forward with the draft ordinance.

Councilor Murray agreed with the rest of Council's comments that there should be a public hearing and that it should be later in the year. He stated that he had some draft language that he wanted to have added to the ordinance in Section C, Prohibited Noise. He pointed out that some of the prohibited noises were clarified that they were between 10:00 p.m. and 5:00 a.m. and that they were subject to the constraints of the rest of the ordinance, while others it was not clear that they were. He pointed out that there was no time constraints listed with regard to keeping dogs, adding that requirements from the other part of the ordinance were not listed as far as decibel levels and thought it needed to be added so it was clear. He stated that in Section C (4) it should have the following language: "...excluding car stereos..." because every car has a stereo which could be violating the ordinance. He thought it needed to be stricken or cleaned up. Assistant Town Manager Winstead stated that he could do either one.

Mayor Thibodeau appreciated that staff was trying to quantify noises. She reminded Council and the audience that there is one decibel meter device that is standardized that everyone would be using, adding that Council could avail themselves of one through Amazon. She agreed that Council needed more data to understand noise levels, adding that the decibel levels may not be the right ones for the Town, noting that if Council decided to limit things that there be more latitude than what the decibel level numbers suggest. She wasn't sure if the numbers were from other ordinances or just standard numbers. She stated that she did not want people who had already made summer plans with their businesses that this would take away from them. She understood that noise does bother some people and everyone wanted to be good neighbors to each other. She thought there was a consensus to table the ordinance while more information is gathered through the summer and have it before Council in the September or October timeframe.

Town Attorney Hobbs suggested that a motion be made to refer the ordinance back to staff and report back to Council in the fall.

Councilor Chasen moved to refer Ordinance 26-05 back to Town staff with the direction to collect objective noise data during the summer and report their findings back to the Town Council this fall for further discussion.

Councilor Murray thought Council wanted to preserve music in the Village Commercial District. He added that because the majority happens after hours, if staff needed any assistance, he would be happy to volunteer.

Motion carried 5-0.

Discussion/Consideration of Ordinance 26-06, Amending the Town Code of the Town of Duck, North Carolina, Chapter 110 related to Peddlers and Vendors

Planning and Permits Manager Sandy Cross was recognized to speak. Manager Cross explained that Town staff had presented to Council at their annual Retreat Chapter 110 of the Town Code related to peddlers and vendors. She explained that the Town enacted Chapter 110 as part of its initial review and incorporation in 2002, adding that three amendments to the chapter have been made since incorporation. She pointed out that the most notable revision occurred in 2012 when peddlers and itinerant merchants were prohibited entirely with some exceptions. She stated that some of the reasoning behind the prohibition had to do with feuding ice cream trucks and brick-and-mortar business owners opposing mobile businesses competing with them without the monetary commitment associated with a brick-and-mortar location.

Manager Cross stated that as of 2025, staff saw quaint little campers as desirable additions to some of the local brick-and-mortar establishments and the Town has sought out mobile vendors for the 4th of July parade and the Jazz Festival. She stated that following the direction of Council, staff crafted an amendment to Chapter 110 which provides an exemption for businesses with brick-and-mortar locations within the Town. She noted that the amendment does not open the door to all itinerant merchants and mobile vendors but ensures they are tied to an existing business establishment within the Town. She added that as a second option, staff further provided a size limitation that Council may wish to consider.

Manager Cross stated that Ordinance 26-06 was a legislative amendment and a public hearing was not required; however, Council must have a 4/5 majority vote to adopt the amendment without a public hearing on the first reading. She stated that, alternatively, Council may decide to authorize a public hearing where staff will bring the matter back to Council at their May 6, 2026 meeting.

Councilor Chasen asked what the value was in having a size cap. She further asked if the conditions of the business location automatically do that. Manager Cross stated that it can. She added that there was a food truck in Town that was pretty large and took up two

parking places. She stated that there was another business that has a trailer that they use for catering that had a sizeable camper. She added that it was a matter of perception with regard to how much it would increase the business's footprint.

Councilor Lingard asked if the Town could do that as a percentage of the size of an existing business. He noted that some businesses, such as Tap Shack, if they wanted to replace their grill with a pseudo-food truck, it was a lot more space to do that there than there is at a business such as Vine & Board which has a much more limited area. He thought a percentage of the existing area may be an option rather than a set limit of something like 100 square feet. Manager Cross explained that it would have to be looked at from a zoning perspective because if the space was going to be added then staff would need to calculate that into what the parking requirements would be. She pointed out that Council could add a limitation or limit it based on the zoning requirements, adding that if 100 square feet was added, technically it could be allowed without impacting the parking requirements for outdoor areas. She stated that if one went beyond that, then parking requirements would need to be looked at.

Mayor Thibodeau clarified that it was beyond 150 square feet. Manager Cross stated that the Town has an allowance for up to 150 square feet of an outdoor eating area without requiring additional parking spaces. Mayor Thibodeau wondered why it would not be up to 149 square feet if a limit was put on it.

Councilor Lingard asked if a store in Town was holding a tent sale at least once year was being done illegally up to now. Manager Cross explained that tents require a permit and were limited up to four per year. Councilor Lingard asked why it would not fall within the itinerant vendor category. Manager Cross stated that there was specific language in place for special events and tents under signage. She added that tents go up and come down, but the ones in the draft ordinance would probably stay up even though they were not permanent fixtures.

Councilor Murray asked Manager Cross if she had talked to Dare County Environmental Health. He pointed out that because they were temporary, he wondered if the language should be as follows: "...provided that they don't violate existing environmental health or zoning permits..." He thought they didn't have any criteria to evaluate anything temporary. He understood Zoning's perspective that a parking space should not be taken up but he wasn't sure about Environmental Health. Manager Cross stated that if Dare County Environmental Health stated that they don't need anything, then nothing would need to be provided to them. Councilor Murray pointed out that the way the language was currently written, the ordinance states that an individual has to get a permit from Environmental Health and he felt that it should be changed so that they have to get approval from Environmental Health but it wasn't a permit since it wasn't a permissible thing for the health department. Manager Cross clarified that the suggested language should read as follows: "...approval from Dare County Environmental Health..." Councilor Murray suggested it state review of the health department. Manager Cross pointed out that Dare County Health could be stricken altogether and require it as part of the Town's zoning approval. Councilor Murray agreed.

Mayor Thibodeau thought the suggested language could also have “if applicable” because she wasn’t sure how many times Manager Cross would need an environmental health permit. She stated that she wasn’t sure if it was a lengthy process. Manager Cross stated that it could be stricken from the draft ordinance and make it as part of the zoning approval. Mayor Thibodeau clarified that it would be up to Town staff to determine the zoning approval in terms of whether it would impact the parking and the calculations. Manager Cross agreed.

Mayor Pro Tempore Whitman asked if a business such as Treehouse Coffee would have to stay on their own property and could not take their food truck to another shopping center. Manager Cross stated he was correct.

Mayor Thibodeau clarified that the ordinance would infer that it was one per business, adding that she did not see that in the draft ordinance. Manager Cross stated that it was a good point. Mayor Thibodeau asked if it was the intent. Councilor Lingard thought if they stayed within the limit the Town sets, he wasn’t sure it would matter. Mayor Thibodeau agreed. Manager Cross stated that she did not expect every business in Town to come in for a permit.

Councilor Murray asked if the language was sufficient in the zoning ordinance for the current uses Manager Cross was aware of currently. He asked if Council needed to think about adding language to the zoning ordinance so that Manager Cross can state that people have met the requirements of the zoning ordinance. He thought that since they were prohibited, they were not dealt with in the zoning ordinance. He asked if it was just parking and further asked how setbacks were handled. Manager Cross thought it was a good point, noting that she could add language in the zoning ordinance. She suggested requiring a referral to the Planning Board because it becomes a development aspect. Councilor Murray thought in lieu of that, the language could be as follows: “...provided that they do not violate the existing zoning permit...” He thought it would allow the Town to try it and see how it goes. He added that if Manager Cross found people being extraordinarily creative, then Council could add something in the zoning ordinance. Manager Cross thought that was why the Town would be asking for a zoning permit. She added that staff could develop a zoning permit, but this part was not identified in the zoning ordinance, adding that there were other things in the zoning ordinance that speak to setbacks. She pointed out that staff could look at it more closely as they do their zoning review which was what the Planning Board has been working on or she could bring more language back to Council at their May 6, 2026 meeting.

Councilor Murray reiterated that most of the businesses that were mentioned were located in shopping centers. He thought there could be language regarding approval of the owner of the property. He felt it needed to be clear that a business cannot use another parking space over their own. Manager Cross stated that with regard to shopping centers, staff looks at all the businesses and the parking spaces. She hoped that vendors would not put their trailer in any parking spot that was on land and over a septic tank, which was the intent. She added that an open space where they can park a trailer that was not over a

septic system and not on a parking space would work unless they have excess parking. She pointed out that not many of the facilities in Duck have excess parking.

Councilor Lingard stated that he was thinking of language similar to what Councilor Murray had suggested, requiring the property owner's permission. He stated that he would not want someone in the Waterfront Shops putting a trailer there because the Town said they could and the owners of the Waterfront Shops saying they didn't want it there.

Councilor Murray thought it was possible if Council was adding zoning language that language should be added based on what staff wanted to see. He pointed out that Manager Cross had stated that she wanted it on vacant ground that was not a septic tank and not required for parking.

Manager Cross explained that some of the urgency with the ordinance was existing and the season approaching. She asked if Council wanted to consider moving the ordinance forward. She stated that when staff processes permits, they have a process in that the applicant has to provide environmental health approval, a set of plans, etc. She noted that the owner's permission was not always required for development permits unless there were multiple contractors coming in with questions about the same project. She added that in that case, staff would require the owner's signature on it. She pointed out that the owner's permission can be a form that would be included when an applicant applies for a permit. She wasn't sure if it needed to be in the ordinance, but staff could add it.

Councilor Lingard clarified that Manager Cross preferred to have the draft ordinance passed by Council sooner than later and then tweak it at a later date. Manager Cross stated he was correct.

Councilor Chasen asked who currently had the largest itinerant vehicle in Town. Manager Cross stated that she didn't count Treehouse Coffee because she has never seen them using it, except at the Turkey Trot, which was a sponsored event and she did not think to reach out to them for it; however she reached out to Sam from Swellsa Brewing and Jen from Vine & Board to ask what size their campers were because it was more in line with what staff was focusing on because they were not full blown food trucks. She added that a business owner was present for this meeting that wants to have a food truck on their property for breakfasts. Councilor Chasen asked where they would park it. Manger Cross stated that in that situation, the business was not open during the day and they wanted to do a breakfast food truck, so it would be a to go thing and they would be in and out and would be off-site when they weren't using it. She pointed out that there were a lot of different scenarios that could come up and if the Town did not put a limitation on the size, then it frees staff up for a little flexibility, but staff could come back to Council if something was not working.

Councilor Murray noted that a size limit could be added if size becomes an issue. Manager Cross agreed.

Mayor Pro Tempore Whitman asked about the question that was raised about permission from the owner of the plaza or the property owner. He thought Duck had some property owners that own in Town where someone could put in a food truck and no one would know about it. He thought there should be a property owner's signature. Manager Cross agreed, adding that it was a reasonable ask, but she didn't think it needed to be in the ordinance. Mayor Pro Tempore Whitman clarified that it would be as part of the permit. Manager Cross stated he was correct.

Mayor Thibodeau thought Council understood that they want to move forward with allowing some leniency with allowing the merchants to have things this summer. She clarified that Council was in favor of not having a size limit, which was Option 1, as a start to see how things evolve during the summer as well as working the language to be more in line with how Council may want to firm it up. Manager Cross suggested removing Dare County Environmental Health and changing the language to read as follows: "...provided zoning approval..." and have staff work on the approval process.

Councilor Murray asked if it was acceptable for Council to defer a public hearing and change the language in the interim and then move forward with the public hearing with the altered language. He further asked if Council needed to discuss the altered language first. Mayor Thibodeau thought the language should be set before the public hearing. She thought a public hearing was not required at all, adding that Council could just obtain public input while the language was being worked on. Councilor Murray thought Mayor Thibodeau was suggesting tightening up the language and try to get a 4/5 majority since a public hearing was not required.

Councilor Lingard asked if a motion could be made that Council would approve the ordinance with the language amendment. Manager Cross stated that Council could do that. She stated that the motion would be that Option 1 which was Part II (F) would read as follows: "Itinerant or mobile vendors offering for sale or selling goods, food, or merchandise as an extension of and on premise with an existing commercial brick-and-mortar location located in Duck, provided Zoning approval from the Town of Duck has been applied for and approved." She noted that everything else in that section would stay the same, adding that as part of the process, staff would require owner permission to be included with the approval before staff can review it for approval.

Mayor Pro Tempore Whitman asked if there was a size limit that staff would have in mind. He asked what would happen if someone came in with a 10x40 foot trailer. Manager Cross explained that a 10x40 foot trailer would be 400 square feet, adding that staff would look more closely at that for parking requirements and occupancy issues. Mayor Pro Tempore Whitman asked if the applicant would have to come back for an adjustment to their site plan. Manager Cross stated that they would. Mayor Pro Tempore Whitman suggested going to 149 square feet as a limit without having to come back to staff.

Councilor Murray asked what the size was for a typical food truck. Scott Foster was recognized to speak. Mr. Foster explained that he had a 60-foot box truck and it entailed

rigorous health department approval to get that in that they have to come on site to the restaurant to see where the food truck would be put as well as seeing the process, adding that it was an expensive process to get a food truck approved. Councilor Murray clarified that it was the restaurant side. Scott Foster stated he was correct. Manager Cross stated that it was more complicated when it came to food trucks. She pointed out that Dare County Environmental Health was removed from the draft ordinance, but the applicant would still have to get it if they wanted to use a 26-foot food truck. She stated that if it was a to-go situation, the parking requirements would be very low in comparison to a sit-down restaurant. She stated that there were a lot of things that she would have to look at from a zoning aspect and zoning ordinance for eating establishments as to how this would apply. She added that all staff was trying to do was give the businesses the option, noting that they would still have to come to the Town and there would still be a review process and if they decided to go larger, more things would be triggered. She stated that the ordinance would open the door for the businesses to be able to do that.

Councilor Lingard clarified that if Council set the limit at 150 square feet and if the applicant wanted a bigger truck they would have to come before Council for a special use permit. Mayor Thibodeau didn't think it would be with a special use permit. Manager Cross stated that the language was not in the draft ordinance for a special use permit. Councilor Lingard asked how the business would obtain permission to have something bigger. Manager Cross explained that if Council wanted 149 square feet or more, the applicant would not have that option and would be limited to the 150 square feet.

Councilor Murray noted that 26x8 feet was 208. Manager Cross agreed. Councilor Lingard stated that he was in favor of having no limit and if it becomes a problem, Council can look at it later on. He thought Council was struggling to picture what the size will look like. He reiterated that he was in favor of having no limit and seeing how things go.

Mayor Thibodeau asked the rest of Council how they felt about having no limit. Councilor Chasen stated she was in favor of it. Manager Cross pointed out that the applicant would have to meet additional requirements for a food truck before it comes to staff.

Councilor Chasen moved to approve Ordinance 26-06 as amended.

Motion carried 5-0.

NEW BUSINESS

Discussion/Consideration of Resolution 26-03, a Resolution of the Town Council of the Town of Duck, North Carolina, Revising the Personnel Policies

Town Manager Havens stated that following a winter storm event in February that caused the closure of Town offices for one day, staff did some research and found that Duck was the only town in Dare County that requires staff to use accrued leave time if the office is

closed. He explained that the proposed amendment to the personnel policy, as outlined in Resolution 26-03, would allow for employees to not use their leave time for up to three days per year if the office was closed and will provide compensatory time off to Public Safety personnel who are required to work in an amount equal to the number of hours the office is closed. He added that if the Town offices were open during adverse weather or other hazardous conditions, employees with supervisor approval could use accrued time or leave without pay, if they were absent from work due to extreme conditions local to their home.

Councilor Chasen understood the non-exempt, hourly employees would be compensated up to 24 hours, but she had an issue with salaried employees. She clarified that if Town offices closed, the salaried employees would not be paid part of their salary for that day if they don't use other time with the way it was currently written. She further clarified that the Town would dock their pay. Town Manager Havens disagreed, adding that everyone would get paid. He explained that Assistant Town Manager Winstead was exempt and salaried, but the way the policy was currently written, he would have to use vacation time if the office closed, but under the new policy he would not.

Councilor Chasen stated that she had worked in corporate America for most of her career and for the most part, she was a salaried employee, worked 60-70 hours, and did not get overtime nor did she get docked if something happened and the office closed. She added that she was considered an essential employee and if she did not show up to the office, she did not get anything extra, but received comp time for being an essential employee; however, there were also hourly employees that received straight time for the time they were in the office on top of the hours they worked, meaning they received a full day of extra pay.

Mayor Thibodeau asked Councilor Chasen what she was recommending. Councilor Chasen stated that she would pay people that show up for the time they worked, for non-exempt employees. She added that she wasn't sure about the salaried employees. She pointed out that they don't get anything taken from their salary nor do they get anything added because they are salaried. Mayor Thibodeau thought that was what Town Manager Havens had explained. Councilor Chasen agreed, adding that the non-exempt employees that have to come in receive comp time. Mayor Thibodeau stated that it was because they were emergency personnel and were coming in. Councilor Chasen agreed, adding that she would pay them straight time and not double time. She explained that an hourly firefighter that showed up and worked his shift hours and because the office was closed and the firefighter had to be in the office, he would receive an additional salary. Mayor Thibodeau clarified that it was instead of comp time. Councilor Chasen stated she was correct. Town Manager Havens stated that the new policy was set up that way except the employee was not receiving money and the employee was not being paid double time. Councilor Chasen agreed because the employee did not work double time; they only worked their 40 hours during that time, but they would get additional straight pay for that period. Town Manager Havens agreed. He explained that firefighters work a 24-hour shift and during that shift the office closes for eight hours, adding that for that eight hours if the Town paid the firefighter money straight time pay on top of their straight time pay,

it would be double time for that eight hours. Councilor Chasen pointed out that the employee did not work those hours so it wasn't double time pay. Town Manager Havens stated that he was explaining people that were working. He explained that the essential public safety people would receive comp time if they were at work. He added that if they were scheduled to work their shift and the office shuts down for those eight hours, rather than paying them additional money, they would receive comp time. Councilor Chasen asked what was more valuable for those employees – money or comp time. Town Manager Havens thought it would be money, adding that he was trying to keep things as dollar neutral as possible and was trying to be conservative with spending money. Councilor Chasen stated that she was looking at it from an employee perspective and dealing with issues that her employees had with this. Town Manager Havens hoped that they would acknowledge the fact that getting comp time was more than what the other towns were doing. Councilor Lingard pointed out that it was more than what they have now.

Mayor Thibodeau clarified that none of the other towns were doing this, adding that she was in favor of it. Mayor Thibodeau further clarified that Town Manager Havens recommended the comp time as opposed to monetary compensation for working. Town Manager Havens agreed, explaining that if the office was closed and Manager Cross stayed home, she would get paid for the eight hours. Councilor Chasen clarified it would be for a salaried employee. Town Manager Havens stated she was an hourly employee and would get paid the eight hours to be home and then at some point in the future, an employee could use their comp time and would be paid eight hours to be home. He reiterated that he was trying to be a little more equitable, adding that he was trying to give non-essential personnel a similar benefit.

Councilor Chasen asked Fire Chief Matthew Dudek and Police Chief Jeffrey Ackerman what was more valuable to the non-exempt employees. Fire Chief Matthew Dudek was recognized to speak. Fire Chief Dudek thought it depended, adding that he was sure some employees would like the additional pay, but time off was also valuable. He thought either way, it would be appreciated that there was something that wasn't available before. He noted that the only revenue neutral concern was if there was time off for Public Safety, someone would have to backfill that spot, which meant eight more hours of time off that someone would have to fill in for. He wasn't sure how that would work out as it would depend on when the time was taken, whether it would trigger overtime, or minimum staffing issues. He reiterated that either way it would be appreciated. Police Chief Jeffrey Ackerman was recognized to speak. Police Chief Ackerman agreed with Fire Chief Dudek's comments, adding that the comp time could always be an issue because someone has to work.

Councilor Murray clarified that it meant it wasn't revenue neutral. Councilor Chasen thought it had the potential. Mayor Thibodeau stated that it could be not revenue neutral. Town Manager Havens explained that it would be similar to all the vacation and sick leave, adding that it was potentially another 24 hours in a year that needed to be accommodated in terms of scheduling. He stated that they could be paid instead. He

suggested not passing the resolution so he could go back and put a dollar amount on it if that was what Council wanted. Councilor Chasen stated that she was in favor of that.

Mayor Thibodeau thought Council wanted to do the best they could for Town employees without too much consternation for Town Manager Havens. She understood that the policy stated that if it was a hurricane evacuation or the whole area was shut down, it would not impact the employees' normal pay. Town Manager Havens stated she was correct. Mayor Thibodeau stated that it was confusing to her. She stated that if it was a mandatory evacuation, she believed that some police and fire personnel would still be in Town. She asked if it would trigger the same compensation that weather would do. Town Manager Havens stated that it was not compensated by the change in the policy. He explained that staff would continue to handle the hurricane type situation as it is done currently. Mayor Thibodeau clarified that it was if staff was not on the job, they would not be paid. Town Manager Havens disagreed, adding that with named storms, staff would be paid. Mayor Thibodeau clarified that Town Manager Havens would deal with essential and non-essential personnel a little differently than with the bad weather situation as evacuations were a separate category. Town Manager Havens stated that the new policy only applied to winter storms.

Councilor Lingard hoped there would not be any more winter storms this year, adding that it was not urgent to pass the resolution now. Mayor Thibodeau agreed. She asked Town Manager Havens if he wished to refine the resolution. Town Manager Havens asked Council what they wished to see in the resolution. He asked if Council wanted to have staff be paid and did it mean just non-exempt personnel. Councilor Chasen noted that exempt personnel were being paid no matter what. Town Manager Havens agreed, adding that they would be required to use leave time. Councilor Chasen disagreed. Town Manager Havens asked what would happen if someone took a day off. Councilor Chasen stated that it would be because he closed the office. Town Manager Havens stated that if an employee took a vacation day, they would have to use leave time. Councilor Chasen agreed. Town Manager Havens clarified that if the office was shut down, did it mean they would not have to use leave time. Councilor Chasen explained that if they were supposed to be working and the office was closed and they were not to come to work it wasn't their fault and if they are salaried, to her it wouldn't change the pay because it's salaried and they receive the same thing whether they were working extra hours or not. Town Manager Havens agreed, pointing out that the policy does up to three days' worth of that whether the employee was exempt or non-exempt.

Councilor Chasen stated that she was getting hung up on the essential personnel. Town Manager Havens explained that firefighters and police were essential. He clarified that the hang-up was that the Town should pay them and not give them comp time. Councilor Chasen thought they should be given the choice because depending on the situation, one may be a lot more valuable to them and she thought that flexibility may be something that the Town could market as something that could be done and help them out. She pointed out that no other town was doing that.

Councilor Lingard pointed out that this was about money, adding that if it was going to cost a lot more to pay them the time, giving them comp time was something they haven't gotten now and was something that no one else does. He thought Council needed numbers in terms of money to be able to make a decision.

Mayor Thibodeau wasn't sure that Council needed hard numbers because she thought they would fluctuate depending on the circumstance. She asked if it would be appropriate to open up the comp time and give the employee a chance to decide on what they want to use or if it was too much of an administrative burden. She thought they could either take a comp time day or could take the actual pay. Councilor Chasen added that it would be straight time. Councilor Murray pointed out that it would result in a cost savings because Town staff can take off but don't have to be backfilled by mandatorily required personnel. He added that if they took time off, it could be a savings to the Town.

Mayor Pro Tempore Whitman asked if this was a problem because some people have used up their comp time or that they have to use it if they take a day off. Town Manager Havens thought when the office was shut down under the current policy, the employee would have to use their accrued leave time. He stated that there was a sense that the employee did not choose to use the leave time they earned for this. He added that there were some employees that carry low balances. He thought it was about the choice and in this case, he was making the choice that the employee had to take a leave day and the new policy would give them a leave day because it wasn't safe to come into the office and they would not be required to use vacation time because he felt it was unsafe for an employee to come into the office.

Councilor Chasen stated that she was fine with that for those employees that live farther away. Mayor Thibodeau thought the essential personnel that have to work could be given a choice of whether they do the straight time or the comp time. Town Manager Havens stated that it was up to Council. Councilor Chasen stated that she would like to see an option for the essential personnel. Councilor Lingard asked how that would be administered for police and fire. Town Manager Havens stated that it was easy to do, administratively.

Mayor Thibodeau asked if Council was comfortable with making a change to the language to allow for the essential personnel to either use comp time or straight pay. Councilor Murray thought Councilor Chasen was suggesting that everyone would have that choice – both essential and non-essential personnel. Mayor Thibodeau asked Councilor Chasen if that was what she was suggesting. Councilor Chasen stated that she was hung up on the critical employees because they didn't have a choice. She thought 24 hours per calendar year was pretty generous. She wondered if it would be exceeded. Town Manager Havens stated that it was never exceeded. Councilor Chasen stated that she still had a problem with the essential personnel because they don't have a choice and have to go to work. Councilor Lingard pointed out that they would be compensated, adding that currently they were not being compensated. He stated that he didn't see a

problem. Councilor Chasen stated that she saw great value in allowing them to have that option.

Town Manager Havens explained that the only reason he put it in the resolution was for equity. He stated that he would say to an employee such as Manager Cross to stay home and she would be paid to stay home and then for the Public Safety people, they would come in and be given eight hours to stay home. Councilor Lingard stated that he was fine with that, adding that it wasn't the issue. He stated that the issue was the complication of choosing comp time or straight pay and Council not knowing if it would cost more to give the employee pay over time off. He thought the way it was proposed works and gives everyone more than what they receive currently, it gives the essential personnel something that other towns do not offer, and he did not see the point in overcomplicating it by saying the employee could choose either to be paid or have time off. He reiterated that it was over complicating things just to get eight hours. He didn't see any point in making it more complicated than it needed to. He pointed out that if a Council meeting falls on a day Town offices were closed, Council would not get paid. He stated that he can't see any point in making things more complicated. He stated that if the employee works when the office is closed, they should get eight hours of comp time. He noted that he was not adverse to doing something else but was just thinking that Council was over complicating things.

Mayor Thibodeau didn't know if Council could ever put an exact dollar amount on the comp time for emergency personnel, just based on the fact that when they are eligible to take the comp time, there may be a short-staffed situation and the Town may have to pay someone extra or bring in an extra person. She pointed out that Council will never know exactly how much it will cost. She added that she didn't disagree with Councilor Lingard and was hearing that, administratively, for the emergency personnel that it was not that hard to decide whether they would get the eight straight hours or the comp time. She reiterated that she did not disagree with what Councilor Lingard had said, but Council will never know exactly how much it will cost.

Police Chief Ackerman stated that Town Manager Havens went out of his way to make things equitable for Public Safety. He stated that he understood Council's concerns, adding that he and Fire Chief Dudek discussed that if there was a cost to this, they could handle it in their existing overtime budgets. He stated that with regard to overtime versus pay was that sometimes it was in the Department Director's best interest to make a decision and there may be a short staffing situation where they can't grant someone comp time because it cannot be backfilled and, in those cases, it would be beneficial to let the employee know that they will be paid for it. He stated that he understood Councilor Lingard and Councilor Chasen's concerns, but he wanted to point out that the change Town Manager Havens was proposing was a great one and both he, his staff, Fire Chief Dudek, and Fire Chief Dudek's staff all appreciate it. He reiterated it was a good thing and he thought if Council let the Department Directors have some internal leeway on how to flush it out, it could easily be done.

Councilor Murray clarified that it needed to be changed to give the department heads some leeway since it was currently just giving comp time. Police Chief Ackerman stated that it was the only change he would suggest, which was giving some leeway for the department heads to be able to make that decision, adding that they could do it in consultation with Town Manager Havens based on available funding. He pointed out that police officers and firefighters value home time over the money, adding that a lot of times, comp time was more valuable.

Mayor Pro Tempore Whitman clarified that it would be six people for police and three to four for fire for a 24-hour period. Police Chief Ackerman stated that the last snowstorm was not typical because it was a large one that required bringing in more people, but with smaller snowstorms where the office would close, there would be a regular contingent of staffing. Fire Chief Dudek pointed out that he usually brings his staffing up to four when there is inclement weather.

Town Manager Havens suggested bringing the resolution back to Council's May 6, 2026 meeting with a revision.

It was *consensus* of Council to table the resolution until their May 6, 2026 meeting.

Discussion/Consideration of Planning Board Appointments

Mayor Thibodeau stated that the terms of Bob Wetzel and Bob Webb on the Planning Board will be expiring on May 1, 2026. She stated that staff was asking for authorization to advertise the upcoming vacancies and have the applicants come to Council's May 6, 2026 meeting to introduce themselves and answer questions.

Councilor Lingard stated that when the Board of Adjustment members were reappointed, there was an issue because Council reappointed all seven members. He wasn't sure if there was any way to suggest to incumbent members that would be applying. Mayor Thibodeau asked for a clarification. Councilor Lingard explained that with the Board of Adjustment, they were up for reappointment at the same time, adding that there were several applicants in addition to the seven incumbents that applied for the positions with Council reappointing all seven incumbents. He knew that there was an issue from other people who applied for the Board, but it looked like Council overlooked them. Mayor Thibodeau asked what Councilor Lingard wanted. Councilor Lingard explained that he was asking if there was a way that Council could state that the two incumbent members on the Planning Board were eligible to reapply for the position just so it was clear.

Mayor Pro Tempore Whitman pointed out that Bob Wetzel was the Chairman and Bob Webb was the Vice Chairman for the Planning Board. Mayor Thibodeau thought it was a good point, adding that they were both eligible to reapply for the position. She stated that the vacancies would be advertised, knowing that the two current members were eligible to reapply along with anyone else that was interested in applying.

Town Attorney Hobbs explained that the ordinance requires the advertisement in order to encourage people to apply and not necessarily rubber stamp existing members. He stated that he did not see a problem with including in the advertisement that the existing members were eligible for reappointment.

Mayor Thibodeau moved to direct staff to advertise the vacancies for the Planning Board, noting that the two existing members were eligible for reappointment and asking any interested parties be prepared to attend the May 6, 2026 Council meeting to introduce themselves and answer questions.

Motion carried 5-0.

Discussion on the Status of the Mid-Currituck Bridge Project

Mayor Thibodeau stated that Councilor Murray represents the Town on the RPO Committee as a non-voting member, adding that she had the opportunity to go to a regional planning and organizational meeting in Hertford with Assistant Town Manager Winstead in which NCDOT and the toll authority gave an overview of where the project has been – sitting in the STIP – for about 10 years. She stated that the cost estimates have continued to escalate with \$173 million in the funding and the estimates being over \$1 billion for the bridge. She stated that the STIP program that was instituted in 2014 had the bridge qualified at that time and she thought NCDOT was wondering how the RPO felt about continuing it in the list of approved projects awaiting funding and permits or if there was an appetite to pull it from the list of projects and have it start over. She stated that there was quite a bit of conversation about it with Currituck County as well as other towns that were interested in the bridge along with the County, who was a voting entity in this, but none of the towns have a vote. She hoped to have a discussion with Council on Duck's position on the issue and because the vote is happening on April 15, 2026, she thought Council could have a resolution that Town Manager Havens could draft that would allow for Duck to put its position out that Council would like the bridge to stay in the STIP for another two-year cycle while costs and tolls were researched.

Councilor Murray stated that the meeting where a decision will be made will be on April 15, 2026, adding that he would be attending the meeting via Zoom. He believed that this project has the support of Dare County Chairman Bob Woodard. Mayor Thibodeau stated he was correct, adding that the Board of Commissioners would be considering a resolution at their next meeting.

Councilor Murray moved to approve a resolution to support the Mid-Currituck Bridge Project and to authorize the Town Manager and Mayor to develop language for the resolution and to direct the Mayor's signing.

Motion carried 5-0.

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

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

At this point in the meeting, Fire Chief Dudek left to respond to a fire call. The time was 2:56 p.m.

Town Manager Havens gave a brief overview of the past month's fire activities to Council and the audience on behalf of Fire Chief Dudek.

Assistant Town Manager Winstead gave an overview of the past month's activities to Council and the audience.

Councilor Chasen moved to approve accepting the grant from NC Trails as presented.

Motion carried 5-0.

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

At this point in the meeting, Fire Chief Dudek returned from a fire call. The time was 3:10 p.m.

February FY 2026 Financial Presentation

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

MAYOR'S AGENDA

Mayor Thibodeau stated that former Mayor Pro Tempore Allan Beres' wife Amy passed away recently, adding that she will be missed. She stated that the Army Corps of Engineers and the Town were at an impasse with regard to leasing the property where the Police and Fire Departments are housed. She stated that stern letters were written to the highest offices in the Federal government and last week Town Manager Havens received a response via email indicating that the Army Corps of Engineers understood the Town's situation and were willing to work with the Town further on a lease payment. She stated

that Council was cautiously optimistic adding that all options were on the table as staff worked to get the best solution for the Town.

Mayor Thibodeau stated that she would be meeting with the Carolina Dunes Homeowners Association on Saturday, April 4, 2026 and will be discussing the Town's property on Buffell Head Road that will be used for beach nourishment purposes. She added that she recently attended her Mayors lunch in Nags Head.

COUNCIL MEMBER'S AGENDA

Mayor Pro Tempore Whitman expressed his condolences to Allan Beres and his family. He stated that he helped with the recent sound side clean up. He added that Duck Sweep will be starting on Friday, April 10, 2026.

Councilor Chasen expressed her condolences to the Beres family. She added that John Pucciano also recently passed away in February, noting that he had served on the Board of Adjustment. She gave a short Visitors Bureau updated to Council and the audience.

Councilor Lingard expressed his condolences to the Beres family. He stated that he was running as the Representative for District 1 on the North Carolina League of Municipalities Board.

Councilor Murray expressed his condolences to the Beres family.

OTHER BUSINESS

Additional Public Comments

Mayor Thibodeau opened the floor for public comments.

Walker Allen of 107 Pamela Court was recognized to speak. Mr. Allen thanked Council for considering Ordinance 26-05, adding that adopting the ordinance would not change the experience of the patrons. He stated that less noise would be beneficial and that the decibel meter would allow for self-monitoring. He pointed out that he received a low review from renters for his house due to the noise at his property.

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 Mid-Month Meeting on Wednesday, April 15, 2026 at 1:00 p.m.

ADJOURNMENT

Mayor Pro Tempore Whitman moved to adjourn the meeting.

Motion carried 5-0.

The time was 3:38 p.m.

Lori A. Ackerman, Town Clerk

Approved: _____

Monica Thibodeau, Mayor

**TOWN OF DUCK
TOWN COUNCIL
MID-MONTH MEETING
April 15, 2026**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 1:00 p.m. on Wednesday, April 15, 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; Police Chief Jeffrey Ackerman; Fire Chief Matthew Dudek; Public Information and Events Director Kristiana Nickens; Finance Administrator Lauren Creech; and Town Clerk Lori Ackerman.

OTHERS ABSENT: None.

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

DISCUSSION OF FY 2026-2027 DRAFT BUDGET

Town Manager Havens Drew Havens was recognized to speak. Town Manager Havens gave a presentation on a gross needs “budget” noting that it was not in balance, touching on revenues, new personnel/purchases/projects, department by department review of expenditures and the five-year forecast to Council and the audience. He noted that he was looking for direction from Council on getting the budget balanced so it can be put together in a draft ordinance to be advertised for the public hearing, which would be at Council’s May 6, 2026 meeting.

Mayor Thibodeau clarified that the money shown in the MSDs was shown in the full budget even though it was restricted. Town Manager Havens stated she was correct, adding that he shows it as revenue to be collected as revenue and then shown on the expenditure side as a transfer, and it transfers into the beach fund.

Mayor Thibodeau clarified that the changes that are implemented with regard to sales tax would not be seen until the following year. Town Manager Havens stated she was correct. Councilor Lingard clarified that the tax rate will go down because Duck has a lower tax rate than the Town of Southern Shores. Town Manager Havens stated that it was the rate. Councilor Lingard clarified that Duck’s percentage would go down based on the lower rate. Town Manager Havens stated that it would not because of the amount of Duck’s assessment that increased, adding that it wasn’t the tax rate but was the levy,

which was the amount that Duck actually bills for taxes. He explained that the rate applies to the assessed value and Duck's assessed value increased more than the Town of Southern Shores, adding that Duck went above revenue neutral more than Southern Shores did. He believed that Duck's percentage should increase slightly. Councilor Lingard clarified that the tax rate on the table shown in the presentation was not as relevant as it may look. Town Manager Havens stated he was correct, adding that it was the tax rate in that year, which was 2025.

Councilor Chasen asked if other municipalities were in the same boat in that it cost them more than what they were charging for with regard to building permits and inspection fees. Town Manager Havens stated that he did not know the answer, but he thought the other towns may be in the same boat, but he has not looked at the data from them.

Mayor Thibodeau clarified that with regard to the beach fund, even though it is rolled in and out of the General Fund, a separate ledger was kept so income and expense could be tracked. Town Manager Havens stated that it was accounted for in the accounting system separately and also gets audited.

Councilor Murray asked what the difference was between the estimate and last year's revenue versus actual. Town Manager Havens stated that the Town ended up in Fiscal Year 2025 at \$500,000. Councilor Lingard asked how it was looking for this year. Town Manager Havens stated that, based on conservative estimates of Revenue and Expenditures, it was approximately \$600,000.

Councilor Murray stated that in one of Council's prior meetings, there was a discussion of Police Sergeant Joe Knight aiding the Fire Department because of his training and occasionally helping out on calls. He asked if that was not something that was discussed. Town Manager Havens explained that the police officers respond to fire and EMS calls and they can and have hooked up fire hydrants. He pointed out that they were not trained as firefighters; however, the specialized training that Sergeant Knight has with the drone allows him to interact with the fire department. He asked Fire Chief Dudek if that was correct. Fire Chief Matthew Dudek was recognized to speak. Fire Chief Dudek stated he was correct, adding that the discussion was regarding integrated training using the drone capability both with surf rescue and the fire department for training for searches, people in the water, people offshore that may be in trouble, and for surveilling by using the thermal imaging during a fire event to help check for spot fires. He thought that was the discussion Councilor Murray was referencing. Councilor Murray thought there was discussion regarding the fire in the Four Seasons subdivision where Sergeant Knight had helped with hooking up the fire hydrants. Fire Chief Dudek stated he was correct, adding that usually a police officer arrives at a scene first and will assist the fire department in the first few minutes because the mutual aid help doesn't show up for about 10-15 minutes. He pointed out that it has been an ongoing cross-training item.

Councilor Murray stated that he was curious as Council was discussing the budget and ways to save; if spending money on training existing personnel that are on staff to cross-

train in that way was a way to help alleviate some of that expense. Town Manager Havens noted that the police officers and firefighters will always help each other out.

Mayor Thibodeau clarified that with regard to the adjusted pay scales, Town Manager Havens took the entire pay scale and added the CPI and then an additional 6% to the entire chart. Town Manager Havens stated she was correct. Mayor Thibodeau clarified that people that fall below in their category would need to be brought up to the minimum. Town Manager Havens stated she was correct.

Mayor Thibodeau pointed out that the Town completed a pay study in 2021. She asked how often Town Manager Havens was recommending a pay study, further asking if this was just an interim item that will be completed instead of a pay study. Town Manager Havens stated that it was getting to be time to have another one completed; however, Police Chief Jeffrey Ackerman studies every year to see how Duck was comparing. He added that Public Safety had the most competition for talent. He stated that they were also looking at the other positions as well to be sure the Town was in the right space. He thought another study was worth looking at in the next couple of years, adding that the Town of Nags Head recently completed one and the Town of Southern Shores completed one but he hasn't seen the results yet.

Mayor Thibodeau asked for an explanation of the 5% merit increase. She clarified that employees do not automatically receive a merit and it was based on an assessment of their performance up to 5%. Town Manager Havens explained that he sets a merit pool which gives a certain number of dollars. He stated that, annually, every employee receives a performance evaluation which was the same instrument that Council uses to evaluate him. He stated that all employees get evaluated on a fiscal year basis, so the performance is from July 1 to June 30 and after June 30, the department directors have through early September to complete the performance evaluations. He noted that it was not an easy process and was intentional as it requires work on both the supervisor and the employee. He added that each employee completes a self-evaluation, the supervisor completes a narrative written evaluation and then there was an evaluation conference. He stated that there was a scale of five different categories that an employee gets assigned and then a final rating, which was Consistently Excellent, Highly Successful, Successful, Needs Some Improvement, and Needs Much Improvement. He stated that once all evaluations were completed, there is a pool of money and he tells the department directors how much money they have in their part of the merit pool, less the directors and they work it out based on the evaluation regarding how much the merit increase will be.

Mayor Thibodeau clarified that with regard to the 5% merit increase pool, the Town was at 6% last year. Town Manager Havens stated that it was 5% this year. Mayor Thibodeau pointed out that it was something that was put in the budget for merit pay. Town Manager Havens thought it was 6% the year before.

Councilor Murray stated that working for different towns was a different experience. He asked if there was a retention compulsion driving Duck to keep up with the other towns or was that not happening. Town Manager Havens stated that he knew that people on

Town staff were actively being recruited by other places. He added that the primary enticement they are using was how much money they could make and the benefits that are offered that Duck does not offer. He pointed out that Duck has not experienced a lot of people that did leave. Police Chief Jeffrey Ackerman was recognized to speak. Police Chief Ackerman did not think Duck lost anyone, but he did know that some staff members were being actively recruited by other towns. He added that it was an open discussion between the police chiefs and as it gets harder to recruit and retain and send officers to school, the veteran officer – usually between five and 10 years of experience – becomes a free agent. He noted that while culture does a lot to keep people in Duck, people still have to pay their bills and they get to a point where they become enticed by the offers. He stated that he had one officer that left, saw that the grass was not greener on the other side, and came back, which was a win for Duck and the culture. He stated where he really was seeing the issues was Duck's ability to recruit, adding that if it was an entry-level officer, they were watching the starting salaries for each police department and it was a race to the top. He pointed out that there were some benefits that Duck does not offer that make it impossible for him to recruit an officer in the 10-15 year range, with the primary benefit being retiree healthcare, because they either won't leave where they are to give up that benefit or they have reached a point where they could not qualify for the benefit to leave and come to Duck.

Police Chief Ackerman stated that he and Town Manager Havens have had a lot of discussions and they don't want to set up a situation where someone wants to leave because they are unhappy but they don't leave because of a benefit, adding that it was getting harder to recruit and there were officers he would love to hire, but Duck was not a good training ground. He noted that he has hired new officers and cadets, but they do not get the action and experience they are looking for in a place like Duck; however, he wasn't able to recruit the 10–15-year officer who are ready to come work for the Town, due to salary and benefits.

Mayor Thibodeau clarified that the more seasoned officers that may want to come work for Duck were not able to move because of the retiree healthcare. Police Chief Ackerman stated she was correct, adding that a lot of other departments offer 50% towards retiree healthcare. Mayor Thibodeau clarified that the 50% that is seen after 15 years was until an officer qualifies for Social Security, adding that it was the gap between retirement and Social Security. Police Chief Ackerman stated that it was Medicare and not Social Security until they reached 65 years of age. Mayor Thibodeau clarified that it was 50% just for the employee or for the whole family. Police Chief Ackerman thought there may be some grandfathered plans where dependents were able to obtain the same rate, but he didn't think any agency was offering that anymore so it was just for the employee and then a cost sharing option between the Town and the employee. He did not know of any agency that was offering it to dependents.

Mayor Pro Tempore Whitman asked how many years an officer has to work to get their retirement. He asked if it was 20 or 25 years. Police Chief Ackerman explained that in order to get the retiree healthcare benefit, the officer would have to take an unreduced retirement which was 30 years of credible service. He added that if an officer was to take

one of the lesser options, such as 25-year retirement, they would give up that benefit. He explained that Deputy Police Chief Melissa Clark was retiring this year and won't reach 30 years, but because of her age and the 25 years of service she has completed, she will receive a full retirement.

Town Manager Havens stated that he programmed in some money to complete an actuarial study of this benefit if Council wanted to consider having a professional look at it and state what it will cost the Town to provide the benefit. He stated that if Duck was the only one that wasn't offering it, it should be looked at. Councilor Lingard felt that retention was cheaper than recruitment, adding that anything Council could do to retain staff would be beneficial.

Councilor Murray asked if the pressure from other towns and municipalities was higher on Public Safety departments or if it was across the board. Town Manager Havens stated that it was primarily Public Safety. He pointed out that Duck has 41 employees and he wanted to be sure that the Town provided a benefit package that was comparable to other places they would choose to work. Councilor Murray asked if there was a Human Resources policy provision that precluded Duck from dealing specifically with sweetening the deal for Public Safety and not necessarily for everyone on staff. Town Manager Havens did not believe Duck would be precluded from it, but he strongly urged Council not to. He explained that state law requires that municipalities provide law enforcement officers a 5% contribution into their 401(k), adding that most towns, including Duck, provide that same benefit to all employees. He stated that he was trying not to create different classes of employees. Councilor Murray thought it was a valiant effort but pointed out that there was a difference between a police officer, a firefighter, and someone that works in the Planning Department. Town Manager Havens agreed, adding that they are asked to do different things. He stated that from his perspective, the Town has 41 valuable employees and he will not value one above another.

Councilor Murray stated that he was asking if the competition for those employees is the same. He thought that he was hearing that it was a little stiffer for Public Safety. Town Manager Havens stated that it was based on the sheer numbers in Public Safety, adding that officers and firefighters talk to each other all the time about how much money they make. Police Chief Ackerman explained that he has been on the Outer Banks for the entirety of his career and will be reaching 30 years later this year, but some really valuable employees have stuck with their employers because of the benefit that he thought otherwise would have looked elsewhere where they could have found less expensive housing. He stated that he would feel terrible as a Public Safety employee if that benefit wasn't offered across the board. He understood what Councilor Murray was saying, but the other reason it disproportionately affects Public Safety was because they tend to start their careers younger while in other departments that was not always the case, so people may be closer to Medicare eligibility when they retire since police officers typically retire between 50 and 55 years of age.

Councilor Lingard guessed the skills of personnel that were not in Public Safety were more transferrable to the private sector so there was more competition. He noted that it

was not only the other municipalities the Town was competing for, but it was also everyone else that employs people. Mayor Thibodeau stated that she was grateful to Police Chief Ackerman and Deputy Police Chief Clark for their length of service, adding that she appreciated them.

Town Manager Havens stated that Duck doesn't want to be on the top but it doesn't want to be on the bottom. He added that he wanted Duck to be competitive so someone doesn't look at working for the Town and decide not to because the Town wasn't competitive.

Councilor Murray stated that he wanted to be clear that he was not suggesting that everyone push one part of the staff to the bottom and the other to the top, but if Council could not frankly discuss what the problem was, they could not solve it. He added that he was trying to understand how much the pressure was on each department and what Council needed to do to make it so employees were happy and want to stay in Duck.

Councilor Murray asked where fuel costs were listed, further asking if they were under Vehicle Supplies and Materials. Town Manager Havens stated that it was. Councilor Murray asked if electric vehicles were considered for the Police Department. Police Chief Ackerman stated that they have considered it. He stated that the entry price point was a bit higher, adding that he could not find a substantial savings because most of the driving was in and around Duck. He noted that commuting was where most of it was, but it was something he looked at. He pointed out that he had not brought that proposal back in order to save money, but it was something he could research. Councilor Murray realized the police were limited in what was available in a police cruiser, adding that the construction company he works for switched most of the fleet to electric and saw an 80% reduction in fuel costs, but there was a larger up-front cost of the vehicle. He thought it was something that could be researched. Police Chief Ackerman stated that it would not be an expenditure until next year, adding that he would complete some more research on it to figure out where the break-even point was. Town Manager Havens thought some of the vehicles were hybrid vehicles. Police Chief Ackerman stated that Ford initially had a hybrid vehicle; however, it wasn't a hybrid in the traditional sense because it used the battery when the vehicle was idling. He stated that it was a good concept but it was the top class of vehicles that has had repairs completed. He thought a true electric vehicle may be better, adding that Tesla is now on the State contract. Councilor Murray explained that fuel and oil changes have decreased but the upfront cost was an issue.

Councilor Lingard thought a Fire command vehicle may be a better place to start. Councilor Murray agreed. Mayor Thibodeau stated that the electric pickup trucks were good. Police Chief Ackerman stated that he would complete some research.

Fire Chief Dudek stated that he would look into the costs for electric vehicles for him and Deputy Fire Chief Jeffrey Del Monte. Councilor Lingard stated that the Chevrolet Silverado EVs seemed like they were reasonably priced. He stated that the entry level electric vehicles have a 250–300-mile range and look like a reasonable purchase. Mayor Thibodeau suggested that Fire Chief Dudek check the Chevrolet Silverado regular truck issues with transmissions, adding that she has not been hearing good things about them.

She stated that she bought one for her company two years ago and it needed to go back for warranty work and they kept it for about three months. Fire Chief Dudek stated that he would complete some research on vehicles.

Councilor Lingard pointed out that the westside trail seems to be a project that keeps getting deferred, adding that he wasn't happy about it but he realized it was a lot of money. He stated that it was something that a lot of people see as a benefit and want, adding that he would be reluctant to defer it but he knew that Council would be discussing it next year and he hoped that even though the discussion would be about funding the new Public Safety building, he feared it will get lost. He thought it was something that Council should seriously consider, adding that he would not want it to be the exactly the same discussion each year about spending money. He stated that it was something that he and people that live in the area see as needed.

Mayor Thibodeau asked if it needed to be further engineered before a grant could be applied for it. She asked if it was shovel ready. Town Manager Havens stated that he did not have construction drawings, but the preliminary engineering work has been completed. Councilor Chasen asked if the project was the one that was being done jointly with the Town of Southern Shores. Town Manager Havens stated that it will catch the end of the west side. Councilor Chasen clarified that Duck did not need to coordinate with them when the project was implemented. Councilor Lingard explained that it was only the first phase of the trail from Aqua Restaurant and just south of the Four Seasons subdivision. Mayor Thibodeau thought it ended at Settlers Landing.

Councilor Murray asked if this was only a third of it, it should be broken into pieces and make it part of the Capital Improvement where funds would be set aside each year in smaller amounts. He pointed out that it was something Council knew they wanted to do. Councilor Chasen stated that it needed to be done. Mayor Thibodeau did not know if it made sense to break the project up any more than that economically. Councilor Murray stated that he was not suggesting breaking up the project but breaking up the funding and once the Town has a chunk of money, then do that chunk. He explained that instead of asking for \$450,000, Council would set aside \$150,000 each year for funding. Councilor Chasen stated that doing that would mean that Council would not keep deferring the project. Councilor Murray agreed.

Councilor Lingard knew it was different than the project that the Town of Southern Shores was doing, but he saw Southern Shores putting in sidewalks each year and Duck doesn't seem to be able to do that. He knew Duck's would be a better project than Southern Shores, but it seems that they can do it on a yearly basis and Duck was lagging behind.

Councilor Murray asked if there was a way to allocate revenue surplus. He asked if there was a revenue surplus, the Town could dedicate it to that project as a Capital Improvement. Town Manager Havens stated that it could be done. Mayor Pro Tempore Whitman asked if there was a requirement that the Town had to have utilities relocated

before starting the project. Town Manager Havens explained that included in the \$450,000 was utility relocation.

Mayor Thibodeau appreciated the graph and the five-year forecast in general because the Public Safety building that is needed and anticipated being closer to actuality by now was something that Council needed to discuss in terms of what Council is looking at. She stated that it was a conversation in and of itself in terms of a whole new expense that Duck did not have before, more than the ladder truck and more than the sidewalk project, adding that it was big money. She reiterated that Council needed to discuss it.

Councilor Lingard thought it was bigger than anything that was in the budget, adding that it was considerably bigger. He thought it will be a lot more than the \$13 million. Town Manager Havens explained that the \$13 million that was programmed in the CIP came from Dills Architects. He agreed that it could be more, adding that he wanted to ask a public finance advisor to talk through with Council the different ways to structure debt. He noted that Council would need to borrow money to do this and he wanted to have someone come in and explain how general obligation debt works, how limited obligation debt works, as well as all of the nuances of it will help understand how debt gets serviced. He stated that while he and Assistant Town Manager Winstead could do it, there were some people that were really good at explaining things so that Council could understand it. He pointed out that it was something that he wanted to have Council spend some time on as the planning process was being completed for the facility.

Mayor Thibodeau stated that it could possibly include the lease for the property itself under the building, since it would be a factor because Council has not seen what it will cost moving forward, depending on how things go. Town Manager Havens agreed, adding that compared to what the Town will pay for debt service, it would be less than \$200,000 per year.

Town Manager Havens noted that budget did not include a tax increase and he believed Council could get to a balanced budget with current expenditures without increasing taxes. Town Manager Havens stated that he has some ideas on how to balance the budget, adding that he would not share his opinion unless Council asked for it. He stated that, in order to balance the budget, he would suggest the following:

1. Move the radar speed sign replacement to the current fiscal year and buy it before June 30 - \$7,000.
2. Move the playground equipment replacement/expansion to the current fiscal year - \$100,000.
3. Move the following projects that were currently in the Fiscal Year 2027 budget to the current year:
 - a. Retiree actuarial study - \$25,000
 - b. Website redesign for ADA compliance - \$50,000
 - c. Generator fuel tank - \$25,000
 - d. Parking lot stone surface - \$4,000
 - e. Bench replacement/repair for 3 benches - \$1,800

Town Manager Havens explained that he was suggesting moving a total of \$212,800 into Fiscal Year 2026 which gets the budget to \$389,292 out of balance. He stated that he could recommend using Fund Balance to fund approximately \$300,224 in expenditures. He stated that the following could be tagged to Fund Balance:

- Replacement of turnout gear - \$22,000
- Hose and appliances - \$12,000
- Retaining wall replacement - \$25,000
- Duck Trail repaving - \$75,000
- NC 12 stormwater improvements - \$130,000
- Septic health initiative - \$15,000
- Security grant match in the IT budget - \$21,224

Town Manager Havens noted that this would be an appropriate use of Fund Balance because they were non-recurring expenditures. He added that Council did not want to use non-recurring revenue for recurring expenses such as salaries or utilities. He stated that capital projects or capital expenditures were non-recurring and were an appropriate use of the Fund Balance. He pointed out that the Fund Balance was adequate and well within the policy. He stated that if Council wanted to use \$300,000 and appropriate the Fund Balance, it may not be used because he budgets fairly conservatively and it may not be used. He added that by doing that it gets the budget to \$89,068 out of balance and he thought there was some wiggle room in a couple of the revenue lines in Sales Tax, Transfer Tax, and then take the rest of it in Fund Balance that is not tagged to anything would bring the budget into balance. He noted that it would not get to the point where he was taking any money and putting it into a reserve; however, as Duck gets to the end of this fiscal year and he sees revenue in excess of expenditures and paying for the \$212,800 worth of projects and it looks like there will be money left over, there was no reason he couldn't set up a reserve project and fund it for whatever Council wanted towards the end of the fiscal year.

Mayor Thibodeau clarified that Town Manager Havens suggested that the projects that were being moved to Fiscal Year 2026 will actually happen in Fiscal Year 2026 and will happen before the end of the fiscal year. Town Manager Havens stated that he can have all of the projects fully encumbered by June 30, 2026. He added that whether or not a piece of playground equipment can be delivered and installed by then may not happen, but he could have a vendor and equipment selected as well as a purchase order issued, which was all that needed to be completed by June 30.

Councilor Murray asked if the Parks and Recreation Committee would have any input regarding the playground equipment. Assistant Town Manager Winstead stated that they would. Councilor Lingard stated that they were given three choices which they could make minor tweaks to on the basic bottom line. Assistant Town Manager Winstead agreed, explaining that if Council approves the plan, staff will drive it but they wanted to involve the Committee prior to the final approval by Council. Councilor Lingard stated that the Committee would rather spend the money on a limited choice than not spend it at

all this year or next year. He added that they were very keen to have the new equipment. Town Manager Havens pointed out that the playground equipment project was something that has been deferred for the past four years, adding that it was time and Council had the money to spend on it. Mayor Thibodeau hoped that shade would be involved since it gets a little hot on the slide.

Mayor Thibodeau clarified that the repaving of \$75,000 would happen in 2027 but would be encumbered from the Fund Balance. Town Manager Havens explained that the expenditure would happen as if it did not show up in the column on the table, adding that it would remain in the Fiscal Year 2027 budget but the only thing is it would be shown on the revenue side of the budget, appropriating Fund Balance. Mayor Thibodeau clarified that it would happen in 2027. Town Manager Havens stated she was correct, explaining that when Council completes the appropriation of Fund Balance, it won't be listing the projects as he did it to show Council if they appropriate from Fund Balance, what could be accomplished.

It was *consensus* of Council to have the suggested changes made to the draft budget and move forward with the public hearing.

Town Manager Havens explained that the next step will be the public hearing on Wednesday, May 6, 2026 and then a work session at Council's mid-month meeting on Wednesday, May 20, 2026, if needed.

Mayor Thibodeau thanked Town Manager Havens for his presentation.

DISCUSSION/CONSIDERATION OF RESOLUTION 26-09, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA, DESIGNATING TOWNE BANK AS AN OFFICIAL DEPOSITORY FOR TOWN FUNDS AND AUTHORIZING CERTAIN PERSONS TO WITHDRAW FUNDS

Town Manager Havens explained that because the Town was obtaining a loan from Towne Bank for the new ladder truck, he was opting to deposit a CD at Towne Bank that they will use as collateral for the loan. He added that a resolution needed to be adopted by Council to authorize Towne Bank as an official depository as well as authorizing the individuals that were currently authorized by Town ordinance to sign the resolution.

Councilor Chasen moved to adopt Resolution 26-09 as presented and to authorize the Mayor, Mayor Pro Tempore, Town Manager and Assistant Town Manager to sign the necessary documents to establish accounts with Towne Bank and to further authorize the Town Clerk to provide any additional certifications that may be required.

Motion carried 5-0.

Mayor Thibodeau noted that the next meeting would be the Regular Meeting on Wednesday, May 6, 2026 at 1:00 p.m.

Councilor Lingard noted that he would be absent from the May 6, 2026 meeting as he will be attending City Vision in Raleigh.

ADJOURNMENT

Councilor Whitman moved to adjourn the meeting.

Motion carried 5-0.

The time was 3:21 p.m.

Lori A. Ackerman, Town Clerk

Approved: _____

Monica Thibodeau, Mayor

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH
CAROLINA, DECLARING THE WEEK OF MAY 11-17, 2026 AS
NATIONAL MEMORIAL POLICE WEEK

Resolution #26-08

WHEREAS, in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as National Police Memorial Week; and

WHEREAS, currently, tens of thousands of law enforcement officers from around the world converge on Washington, D.C. to participate in a number of planned events which honor those that have paid the ultimate sacrifice; and

WHEREAS, Duck Police Officers play an essential role in safeguarding the rights and freedoms of all those residing in or visiting our community and are the guardians of life and property; defenders of the individual right to be free; warriors in the battle against crime; and are dedicated to the preservation of life and property; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community, by protecting them against violence and disorder; and

WHEREAS, in 2025, 109 law enforcement officers, including two in North Carolina, died in the line of their duty to serve; and

WHEREAS, the Town of Duck honors the valor, service, and dedication of all Police Officers, and publicly salutes the service of each and every one of our own Duck Police Officers.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Duck hereby proclaims May 11-17, 2026 as Police Week in the Town of Duck, and Friday, May 15, 2026 as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives in the performance of duty; and

BE IT FURTHER RESOLVED that the Town Council calls upon all our citizens to make every effort to express appreciation to these men and women who protect and serve this community.

Adopted this 6th day of May 2026.

Mayor

ATTEST:

Town Clerk

COASTAL PROTECTION ENGINEERING OF NORTH CAROLINA, INC.
SERVICES AGREEMENT
FIXED PRICE BASIS

All in accordance with the following terms and conditions.

1. **SCOPE OF SERVICES: COASTAL PROTECTION ENGINEERING OF NORTH CAROLINA, INC. (“CPE”)** agrees to perform for the undersigned CLIENT, engineering and consulting (“Services”) described in the attached Proposal and/or as follows:

PROPOSAL: 2026 ANNUAL BEACH MONITORING SERVICES TOWN OF DUCK, NORTH CAROLINA

2. **FEES, INVOICES AND PAYMENTS:** The Services associated with Tasks 1 and 2 will be performed for the lump sum fee of **\$59,145.50 (Fifty-nine thousand, one hundred forty-five dollars and fifty cents)**. If authorized, the Services associated with Task 3 will be completed for the unit cost of \$900.00 per linear mile, **not to exceed \$1,800.00 (One thousand, eight hundred dollars and zero cents)**.

Invoices will be submitted by CPE no more frequently than every month, with payment due upon CLIENT’S receipt of invoice. Payment shall be in U.S. Dollars. CLIENT shall be responsible for payments (without deduction or offset from the total invoice amount) of any and all sales, use, value added, gross receipts, franchise and like taxes, tariffs and duties levied against CPE or its employees by any government or taxing authority. A service charge equal to one-half percent (1/2 %) per month, or the maximum rate permitted by law, whichever is less, will be added to all accounts which remain unpaid for more than thirty (30) calendar days beyond the date of the invoice. Should there be any dispute as payments to be made on a percent complete basis to any portion of an invoice, the undisputed portion shall be promptly paid.

3. **CLIENTS COOPERATION:** To assist CPE in performing the Services, CLIENT shall (i) provide CPE with relevant material, data, and information in its possession pertaining to the specific project or activity, (ii) consult with CPE when requested, (iii) permit CPE reasonable access to relevant project sites, (iv) ensure reasonable cooperation of CLIENT's employees in CPE’s activities, and (v) notify and report to all regulatory agencies as required by such agencies.

4. **CONFIDENTIALITY:** In the course of performing Services, to the extent that CLIENT discloses to CPE, business or technical information that CLIENT clearly marks in writing as confidential or proprietary, CPE will exercise reasonable efforts to avoid the disclosure of such information to others. Likewise, to the extent that CPE discloses to CLIENT, business or technical information that CPE clearly marks in writing as confidential or proprietary, CLIENT will exercise reasonable efforts to avoid the disclosure of such information to others.

Nothing herein is meant to prevent nor shall be interpreted as preventing either party from disclosing and/or using any information or data (i) when the information or data are actually known to the receiving party before being obtained or derived from the transmitting party, (ii) when information or data are generally available to the public without the receiving party's fault at any time before or after it is acquired from the transmitting party; (iii) where the information or data are obtained or acquired in good faith at any time by the receiving party from a third party who has the same in good faith and who is not under any obligation to the transmitting party in respect thereto; (iv) where a written release is obtained by the receiving party from the transmitting party; (v) three (3) years from the date of receipt of such information; or (vi) when required by process of

law; or by North Carolina Public Records Law; provided, however, upon service of such process, the recipient thereof shall use reasonable efforts to notify the other party and afford it an opportunity to resist such process.

5. DELAYS AND CHANGES IN CONDITIONS:

If CPE is delayed or otherwise in any way hindered or impacted at any time in performing the Services by (i) an act, failure to act or neglect of CLIENT or CLIENT's employees or any third parties; (ii) changes in the scope of the work; (iii) unforeseen, differing or changed circumstances or conditions including differing site conditions, acts of force majeure (such as fires, floods, riots, and strikes); (iv) changes in government acts or regulations; (v) delay authorized by CLIENT and agreed to by CPE; or (vi) any other cause beyond the reasonable control of CPE, then 1) the time for completion of the Services shall be extended based upon the impact of the delay, and 2) CPE shall receive an equitable compensation adjustment. Any such equitable adjustment shall be based on CPE's then current Time and Material Rates, as may be provided in a Rate sheet attached hereto.

6. INSURANCE: CPE is presently protected by Worker's Compensation Insurance as required by applicable law and by General Liability and Automobile Liability Insurance (in the amount of \$1,000,000 combined single limit) for bodily injury and property damage. Insurance certificates will be furnished to CLIENT on request. If the CLIENT requires further insurance coverage, CPE will endeavor to obtain said coverage, and CLIENT shall pay any extra costs therefor.

7. INDEMNITIES: CPE shall defend, indemnify and hold harmless CLIENT and its officers and employees from and against loss or damage to tangible property, or injury to persons, to the extent arising from the negligent acts or omissions or willful misconduct of CPE, its borrowed servants and their employer and its subcontractors, and their respective employees and agents acting

in the course and scope of their employment. CLIENT shall defend, indemnify and save harmless CPE (including its borrowed servants and their employers and its officers, and employees) from and against, any loss or damage to tangible property, or injury to persons, to the extent arising from the negligent acts or omissions or willful misconduct of CLIENT, its officers and employees.

8. LIMITATIONS OF LIABILITY:

a. GENERAL LIMITATION - CLIENT'S SOLE AND EXCLUSIVE REMEDY FOR ANY ALLEGED BREACH OF WARRANTY BY CPE SHALL BE TO REQUIRE CPE TO REPERFORM ANY DEFECTIVE SERVICES. CPE'S LIABILITY AND CLIENT'S REMEDIES FOR ALL CAUSES OF ACTION ARISING HEREUNDER WHETHER BASED IN CONTRACT, WARRANTY, NEGLIGENCE, , OR ANY OTHER CAUSE OF ACTION, SHALL NOT EXCEED EXCEPT FOR THE MUTUAL INDEMNIFICATIONS SET FORTH IN SECTION 7 ABOVE. IN THE CUMULATIVE AGGREGATE (INCLUDING ANY INSURANCE PROCEEDS) WITH RESPECT TO ALL CLAIMS ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHATEVER MINIMUM AMOUNT MAY BE REQUIRED BY LAW OR, IF NONE, THE AMOUNT OF COMPENSATION FOR SUCH SERVICES,

b. CONSEQUENTIAL DAMAGES: FURTHER AND REGARDLESS OF ANY OTHER PROVISION HEREIN, CPE SHALL NOT BE LIABLE FOR ANY INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES (INCLUDING LOSS OF PROFITS, DECLINE IN PROPERTY VALUE, REGULATORY AGENCY FINES, LOST PRODUCTION OR LOSS OF USE) INCURRED BY CLIENT OR FOR WHICH CLIENT MAY BE LIABLE TO ANY THIRD PARTY OCCASIONED BY THE SERVICES OR BY APPLICATION OR USE OF REPORTS OR OTHER WORK PERFORMED HEREUNDER.

9. **GOVERNING LAWS:** This Agreement shall be governed and construed in accordance with the laws of the State of North Carolina.

10. **TERMINATION:** Either party may terminate this Agreement with or without cause upon forty five (45) days' written notice to the other party. Upon such termination, CLIENT shall pay CPE for all Services performed hereunder up to the date of such termination. In addition, if CLIENT terminates, CLIENT shall pay CPE all reasonable costs and expenses incurred by CPE in effecting the termination, including, but not limited to non-cancelable commitments and demobilization costs.

11. **ASSIGNMENT:** Neither CPE nor CLIENT shall assign any right or delegate any duty under this Agreement without the prior written consent of the other, which consent shall not be unreasonably withheld. Notwithstanding the foregoing, CPE may, upon notice to CLIENT, assign, pledge or otherwise hypothecate the cash proceeds and accounts receivable resulting from the performance of any Services or sale of any goods pursuant to this Agreement.

12. **MISCELLANEOUS:**

a. **ENTIRE AGREEMENT, PRECEDENCE, ACCEPTANCE MODIFICATIONS:** The terms and conditions set forth herein constitute the entire understanding of the Parties relating to the provisions of the Services by CPE to the CLIENT. All previous proposals, offers, and other communications relative to the provisions of these Services by CPE, oral or written, are hereby superseded, except to the extent that they have been expressly incorporated by reference herein. In the event of conflict, the three pages of this Agreement shall govern. CLIENT may accept these terms and conditions by execution of this Agreement or by authorizing CPE to begin work. Any modifications or revision of any provisions hereof or any additional provisions contained in any purchase order, acknowledgement or other

document issued by the CLIENT is hereby expressly objected to by CPE and shall not operate to modify the Agreement.

b. **DISPUTES, ATTORNEY FEES** – Any dispute regarding this Agreement or the Services shall be resolved first by exchange of documents by senior management of the parties, who may be assisted by counsel. Any thereafter unresolved disputes shall be litigated in the state whose law governs under Section 9 hereunder. In any litigation, the Prevailing Party shall be entitled to receive, as part of any award or judgment, eighty percent (80%) of its reasonable attorneys' fees and costs incurred in handling the dispute. For these purposes, the "Prevailing Party" shall be the party who obtains a litigation result more favorable to it than its last formal written offer (made at least twenty calendar days prior to the formal trial) to settle such litigation.

c. **WAIVER OF TERMS AND CONDITIONS** - The failure of CPE or CLIENT in any one or more instances to enforce one or more of the terms or conditions of this Agreement or to exercise any right or privilege in the Agreement or the waiver by CPE or CLIENT of any breach of the terms or conditions of this Agreement shall not be construed as thereafter waiving any such terms, conditions, rights, or privileges, and the same shall continue and remain in force and effect as if no such failure to enforce had occurred.

d. **NOTICES** – Any notices required hereunder may be sent by orally confirmed US Mail, courier service (e.g. FedEx), orally confirmed telecopy (fax) or orally confirmed email (further confirmed by US Mail) to the addresses set forth below.

e. **SEVERABILITY AND SURVIVAL** - Each provision of this Agreement is severable from the others. Should any provision of this Agreement be found invalid or unenforceable, such provision shall be ineffective only to the extent required by law, without invalidating the remainder of such provision or the remainder of this Agreement.

Further, to the extent permitted by law, any provision found invalid or unenforceable shall be deemed automatically redrawn to the extent necessary to render it valid and enforceable consistent with the parties' intent. The terms and conditions set forth herein shall survive the termination of this Agreement.

CLIENT and CPE agree to the foregoing **(INCLUDING THE LIMITATIONS ON LIABILITY IN SECTIONS herein)** and have caused this Agreement to be executed by their duly authorized representatives as of the date set forth below.

Executed on _____, 2026

COASTAL PROTECTION ENGINEERING OF NORTH CAROLINA, INC.

TOWN OF DUCK, NORTH CAROLINA

By (Sign): _____

By (Sign): _____

Print Name: Kenneth Willson

Print Name: _____

Title: President

Title: _____

Address: 4038 Masonboro Loop Road,

Address: _____

 Wilmington, North Carolina, 28409

Phone: (910) 399-1905

Phone: _____

Fax: N/A

Fax: _____

E-mail: kwillson@coastalprotectioneng.com

E-mail: _____

Attachments: Exhibit A – Scope of Services
 Exhibit B – Breakdown of Cost

EXHIBIT “A”
SCOPE OF PROFESSIONAL SERVICES
TOWN OF DUCK, NORTH CAROLINA
2026 ANNUAL BEACH MONITORING SERVICES

Coastal Protection Engineering of North Carolina, Inc. (hereinafter “CPE”) proposes to provide professional services to the Town of Duck (hereinafter the “TOWN”), associated with annual monitoring of the TOWN’s oceanfront beach. CPE will sub-contract portions of the data acquisition included in Tasks 1 and optional Task 4 to McKim & Creed, as described in that respective section of this scope of work.

This proposal includes 2026 Annual beach monitoring data acquisition, analysis, and updating the TOWN’s Beach Maintenance Plan. Additionally, the scope of services also includes optional services (Task 3) associated with LiDAR data processing. Each task is described in detail in the following sections.

TASK 1 – 2026 BEACH PROFILE DATA ACQUISITION

The standard method used to monitor beaches and beach nourishment projects is to collect topographic and bathymetric data along a series of beach profiles on an annual or bi-annual basis. Comparison of this data can be used to track volumetric changes of sand along the beach and changes in the shoreline position. Furthermore, in order to be eligible for disaster assistance through the Federal Emergency Management Agency (FEMA), local sponsors of beach nourishment projects are encouraged to monitor the beach annually to document conditions of the project prior to the impact of a storm.

2026 annual beach profile data acquisition will be conducted prior to June 15, 2026. Topographic data will be collected along each beach profile to include the dune, berm, and foreshore section of the beach, while bathymetric data will be collected along the offshore portion of the profile. Beach profile data acquisition will be conducted along thirty-four (34) profiles (See Table 1). Profiles D-01 (approximately 300 ft. south of the northern Town Boundary) through D-33 (near Bias Lane East) are spaced approximately 1,000 feet apart along the Town’s oceanfront. An intermediate profile located at Station D-10.5 is also included. This profile delimits the northern limit of the main fill. The analysis described under Task 2 will also include Profile D-34, which is located at the southern Town boundary; however, data collection for that beach profile is included under a separate proposal for the Town of Southern Shores. Topographic data will be collected along each beach profile to include the dune, berm, and foreshore section of the beach, while bathymetric data will be collected along the offshore portion of the profile. CPE will sub-contract portions of this work to McKim & Creed.

Surveys conducted along profiles D-19, D-20, D-21, D-22, and D-23 will only be conducted by CPE for the upland portion of the profiles due to the United States Army Corps of Engineers (USACE) Field Research Facility’s (FRF) request not to approach the shoreline with survey vessels. Offshore data will be obtained from the USACE FRF who regularly surveys the offshore portions of those profiles.

Costs for mobilization of equipment and personnel to and from the project area will be costs shared with the Towns of Kill Devil Hills, Kitty Hawk, and Southern Shores as data acquisition

EXHIBIT "A"
SCOPE OF PROFESSIONAL SERVICES
TOWN OF DUCK, NORTH CAROLINA
2026 ANNUAL BEACH MONITORING SERVICES

for all four Towns is planned to be conducted concurrently. Additional mobilization costs may be applied if monitoring data acquisition is conducted independently of the Towns of Kill Devil Hills, Kitty Hawk, and Southern Shores.

Table 1. Monitoring Survey Baseline and Azimuth

Monitoring Station	Easting	Northing	Azimuth
D-01	2951387.5	918267.7	70
D-02	2951733.8	917384.4	70
D-03	2952103.0	916429.4	70
D-04	2952464.0	915495.3	70
D-05	2952849.3	914598.0	70
D-06	2953224.4	913696.9	70
D-07	2953607.3	912798.8	70
D-08	2953983.0	911897.9	70
D-09	2954356.7	910994.8	70
D-10	2954759.1	910066.7	70
D-10.5	2954914.2	909703.5	70
D-11	2955158.1	909133.1	70
D-12	2955461.4	908412.5	70
D-13	2955874.3	907478.4	70
D-14	2956252.1	906578.3	70
D-15	2956628.6	905677.8	70
D-16	2956978.7	904767.7	70
D-17	2957333.7	903863.9	70
D-18	2957718.8	902886.5	70
D-19	2957932.5	902331.0	70
D-20	2958139.7	901760.7	70
D-21	2958472.1	900958.7	70
D-22	2958754.0	900228.8	70
D-23	2958992.7	899515.6	70
D-24	2959267.2	898739.8	70
D-25	2959601.7	897824.3	70
D-26	2959928.6	896902.3	70
D-27	2960250.6	895981.9	70
D-28	2960604.1	895073.0	70
D-29	2960963.6	894166.2	70
D-30	2961317.7	893257.6	70
D-31	2961676.7	892350.7	70
D-32	2962078.1	891379.4	70
D-33	2962439.4	890553.2	70
D-34	2962839.6	889616.1	70

EXHIBIT "A"
SCOPE OF PROFESSIONAL SERVICES
TOWN OF DUCK, NORTH CAROLINA
2026 ANNUAL BEACH MONITORING SERVICES

Beach profiles will extend landward from their respective baseline station until a structure is encountered or a range of 25 feet beyond the dune is reached, whichever is seaward. Elevation measurements will also be taken seaward along the profile to a range of 3,000 feet beyond the shoreline or to the -30 NAVD88 contour, whichever is more landward.

Land-based or "upland" data collection will include all grade breaks and changes in topography to provide a representative description of the conditions at the time of the work. The maximum spacing between data points along individual profiles will be 25 feet. The upland work will extend into wading/swimming depths sufficiently to provide a minimum 50-foot overlap with the offshore data. This overlap between the topographic and bathymetric data acquisition provides quality control and quality assurance.

The hydrographic work or "offshore" portions of the beach profiles will be conducted with industry standard depth sounding equipment and real-time kinematic (RTK) global navigation satellite system (GNSS). Tide corrections will be obtained redundantly with RTK GNSS and a local tide gauge verified to meet the requirements for the specific work. Offshore data points shall also be collected with a maximum spacing of 25 feet.

Horizontal and vertical positioning checks will be conducted at the beginning and end of each day of data acquisition to confirm that control is undisturbed and meets the accuracy standards of this project with a horizontal limit of 0.66 feet and a vertical limit of 0.16 ft. for all electronic equipment. Vertical positioning checks for depth measuring equipment will be conducted at 5 ft. increments between -5 ft. and at least -25 ft. NAVD88. Sound velocity casts will be conducted at the project site at the start and end of each day of data acquisition to calibrate the sounding equipment.

Also included in the scope for Task 1 is the acquisition of aerial LiDAR data and orthophotography. Given the 2026 data will be used to develop construction plans and specifications, CPE has developed this additional scope item in conjunction with McKim & Creed. This data acquisition involves a manned helicopter-based LiDAR mission covering the full 16.5-mile Dare County project shoreline and is designed as part of a coordinated, single aerial acquisition effort that also includes the adjacent 22.5-mile Currituck County shoreline, totaling approximately 39 linear miles. Task 1 includes the acquisition of the LiDAR data and orthomosaic imagery along the Town of Duck.

As an appendix to the 2026 Town-Wide Monitoring Report described under Task 2, CPE will provide the TOWN with a survey report. This appendix will include methodology, field notes for the data acquisition, control information, profile plots, cross sections, and digital XYZ data. The deliverables for Task 1 will also include the seamless, geo-referenced orthomosaic imagery of the Town of Duck oceanfront in high-resolution GeoTIFF and compressed ECW. This imagery will have a ground pixel resolution of approximately 1-3 inches, providing sharp detail of beach and dune features for visual analysis and presentation.

EXHIBIT "A"
SCOPE OF PROFESSIONAL SERVICES
TOWN OF DUCK, NORTH CAROLINA
2026 ANNUAL BEACH MONITORING SERVICES

Note: The post processing of the LiDAR data is not included in the cost for Task 1, only the acquisition of the data. If the processed LiDAR data is required for design of certain features of the projects, the post processing will fall under Task 3 on a per/mile price basis.

TASK 2 – 2026 TOWN-WIDE BEACH MONITORING ANALYSIS

CPE will conduct both shoreline and volume change analysis to evaluate the Central Reach Project performance and review trends outside of the project area along the Town’s oceanfront. Within the Central Reach project area, analysis will focus on the total shoreline and volume change that has occurred since project construction, which will be represented by data collected May 2023. Outside the project limits, shoreline and volume change analysis will focus on the long-term changes that have occurred since September 2013, as well as short-term changes that have occurred since June 2025.

Results of the analysis will be included in the 2026 Town-Wide Beach Monitoring Report. Deliverables will include two (2) hardcopies of the report with CD or USB drive which will include digital versions of the report, appendices, and data. In addition to the report, one (1) in-person meeting is included to present the findings of the monitoring report to the TOWN.

CPE will also update the TOWN’s Beach Maintenance Plan as needed. The update will include project and planning features to document compliance with FEMA guidance for disaster assistance. The Beach Maintenance Plan will be developed in a way consistent with the Public Assistance Program and Policy Guide –FP-104-009-2 (June 2020). Specifically, the costs and volume of fill placement will be updated along with re-nourishment requirements as applicable. CPE will coordinate with TOWN staff to identify current and future funding sources and document these in the maintenance plan. The future cost will be estimated on a 5-year horizon and will be categorized as Planning & Design, Construction, or Monitoring efforts. This task assumes there are no ‘new’ project initiatives for the TOWN project and assumes the existing maintenance plan is only being updated.

TASK 3 – LIDAR DATA PROCESSING (OPTIONAL)

As described under Task 1, the 2026 data acquisition includes the acquisition of aerial LiDAR data and orthophotography. While Task 1 includes the acquisition of this data and the production and delivery of the high resolution orthomosaic imagery, Task 1 does not include the post processing or delivery of LiDAR derived point cloud data. The raw data will be maintained by McKim & Creed and if needed, can be post processed and provided for use to CPE for the fee of \$900 per mile of oceanfront. This data, which provides high resolution between each of the approximately 1,000-foot spaced beach profiles could aid in the design of the 2027 project and/or refined estimate of volumetric requirements. CPE will seek written approval from the Town before authorizing McKim & Creed to process the data.

**EXHIBIT B:
BREAKDOWN OF COSTS
TOWN OF DUCK, NORTH CAROLINA
2026 ANNUAL BEACH MONITORING SERVICES**

Table 1. Breakdown of the total cost of the 2026 Annual Beach Monitoring Services for the Town of Duck.

TASK	DESCRIPTION	Cost
1	2026 Annual Town Wide Monitoring Data Acquisition	\$32,620.50
2	2026 Post-Construction/Annual Town Wide Monitoring Analysis and Report	\$26,525.00
TOTAL:		\$59,145.50

Table 2. Cost of the optional LiDAR Data Processing.

TASK	DESCRIPTION	Unit Cost (Per Mile)	Quantity	Total
3	LiDAR Data Processing (OPTIONAL)	\$900.00	2 miles	\$1,800.00

Note: Cost listed in Table 2 estimates up to 2 miles of oceanfront LiDAR data may be processed and provided as a deliverable. CPE will obtain written approval to proceed with this work prior to initiating. Likewise, written approval will be obtained if the need for the data exceeds 2 miles of coverage.

Table 3. Breakdown of cost for Tasks 1 and 2 with regards to which portion of the total cost is associated with monitoring the Central Reach Beach Nourishment Project, and which portion is associated with Town wide monitoring outside the Central Reach Beach Nourishment Project.

TASK	DESCRIPTION	INSIDE PROJECT AREA	OUTSIDE PROJECT AREA
1	2026 Annual Town Wide Monitoring Data Acquisition	\$10,553.69	\$22,066.81
2	2026 Post-Construction/Annual Town Wide Monitoring Analysis and Report	\$13,262.50	\$13,262.50
Total Cost:		\$23,816.19	\$35,329.31

Town of Duck, North Carolina
FY 2026
Budget Amendment

Amendment No.: 10
 Department: Environmental Protection Date: 5/6/2026

Budget Amendment					
Revenues	Fund	Dept. Code	Acct. Code	Obj. Code	Requested Amount
State Grants	10	4600	4616	-	\$ 5,000
Local Government Sales Tax	10	4200	4232		\$ 138,724
Ad Valorem Tax - MSD A	10	4100	4142		\$ 30,042
Ad Valorem Tax - MSD B	10	4100	4143		\$ 22,593
Ad Valorem Tax - MSD - Prior Year	10	4100	4145		\$ 130
Ad Valorem Tax - MSD A - Vehicle	10	4100	4146		\$ 3,240
				TOTAL:	\$ 199,729
Expenditures	Fund	Dept. Code	Acct. Code	Obj. Code	Requested Amount
Environmental Protection - Miscellaneous	10	5770	5770	579	\$ 5,000
Transfer to Capital (Beach) Fund	10	9000	9999	701	\$ 194,729
				TOTAL:	\$ 199,729

Reason for Amendment:

This budget amendment adds anticipated grant revenue to the revenue budget for the NC Trails Recreational Trails Program Safety and Education Grant we received and appropriates those funds to the Environmental Protection department to fund the work under this grant. The amendment also adjusts the MSD tax revenue budget to better reflect what has been received and Local Government Sales Tax revenue in an amount sufficient to cover the transfer of the sale tax required to go to the Beach Fund. These revenue adjustments are offset by increasing the amount that is transferred to the Beach Fund.

Approved: _____ Denied: _____
 Date: _____

**Town of Duck, North Carolina
FY 2026
Budget Amendment**

Amendment No.: 11
 Department: Environmental Protection Date: 5/6/2026

Budget Amendment					
Revenues	Fund	Dept. Code	Acct. Code	Obj. Code	Requested Amount
Ad Valorem Tax Revenue - CY	10	4100	4111		\$ 212,800
				TOTAL:	\$ 212,800
Expenditures	Fund	Dept. Code	Acct. Code	Obj. Code	Requested Amount
Police - Capital Outlay - Over \$5,000	10	5300	5300	561	\$ 7,000
Public Facilities - Repairs and Maintenance	10	5720	5720	521	\$ 30,800
Public Facilities - Capital Outlay	10	5720	5720	561	\$ 100,000
Information Technology - Capital Outlay	10	5240	5240	561	\$ 50,000
Finance and Human Resources - Professional Services	10	5220	5220	511	\$ 25,000
				TOTAL:	\$ 212,800

Reason for Amendment:
 This budget amendment adds to the amount budgeted for Ad Valorem tax to get closer to the amount already received this year and to allow for seven projects/purchases to be accomplished in FY 2026 in order to balance the FY 2027 budget. Police: Radar Speed Sign Replacement. Public Facilities Repair and Maintenance: Generator Fuel Tank Replacement (\$25,000), Parking Lot Stone (\$4,000), Bench Replacement (\$1,800). Public Facilities Capital Outlay: Playground equipment replacement. Information Technology Capital Outlay: Website redesign for ADA compliance. Finance & Human Resources Professional Services: Retiree health insurance actuarial study.

Approved: _____ Denied: _____
 Date: _____

AGENDA: May 6, 2026

Regular Meeting

ITEM #4A:

Special Presentations

- A. Employee Service Recognition Program Recipient

RECOMMENDED ACTION:

- Present Master Firefighter David Sybert with his 5-year service recognition certificate and \$50 gift certificate

SUMMARY OF INFORMATION:

The Town has an Employee Service Recognition Program whereby employees are recognized for their employment with the Town at 5-year intervals. As a part of the program, employees are recognized at a Council Meeting and receive a certificate and a gift certificate from a Duck business. Master Firefighter David Sybert will be employed with the Town of Duck for 5 years as of May 20th and will be recognized.

ATTACHMENTS:

- None

AGENDA:

May 6, 2026

Regular Meeting

ITEM #6A:

Legislative Public Hearings

- A. Public Hearing/Discussion/Consideration of the Proposed Fiscal Year 2026-2027 Budget

RECOMMENDED ACTION:

- Conduct the Public Hearing; per discussion

SUMMARY OF INFORMATION:

At the Council's April Mid-Month meeting, the Town Manager presented a Proposed FY 2027 Budget. The proposed budget is based on an Ad Valorem tax rate of \$0.18 for FY 2026-2027 which is the same as the FY 2025-26 tax rate. The Proposed Budget also sets the tax rates for the two Municipal Service Districts (MSD) as follows: MSD-A at \$0.1296 and MSD-B at \$0.285, both of which remain unchanged from the FY 2025-2026 Budget. The Council may hold, if needed, an additional work session on the budget proposal at their May 20, 2026 Mid Month meeting at 1:00 p.m. The Council will hold the Public Hearing and defer further action until their Regular Meeting at 1:00 p.m. on June 3, 2026. Per State law, the budget must be adopted by June 30, 2026.

The draft Budget is available online at <https://ducknc.gov/town-council/budget/> and clicking on the Draft Fiscal Year 2026 - 2027 Budget Document

ATTACHMENTS:

- FY 2026-2027 Budget Message and Budget Ordinance
- Budget Summary



Budget Message

May 6, 2026

Dear Mayor Thibodeau and Duck Town Council:

In accordance with the Local Government Budget and Fiscal Control Act and NC General Statute 159-11, the Annual Budget for Fiscal Year beginning July 1, 2026, and ending June 30, 2027 is balanced and hereby submitted for your consideration.

Multiple factors influence the annual budget process, including the condition of the national, state, and local economies and the emergent and pre-emergent needs identified in our community by elected officials, staff, advisory boards, and citizens as we continue our quest for continual improvement in all our services and offerings.

Taking all these factors into account, this budget represents a significant amount of careful consideration and study in order for the Town to meet its obligations, fulfill some of its goals, and remain fiscally healthy.

In preparing the Fiscal Year 2026-2027 (FY26-27) Budget, Town staff followed guidance from Town Council's adopted Vision 2032 which contains the following:

THE SIX UNIFYING PRINCIPLES

Duck is a community that expresses its beliefs in certain unifying principles:

DUCK AND OUR VILLAGE

Our residential neighborhoods and Duck Village connect to form the fabric of our community. Our collection of small shops, restaurants, offices, parks and boardwalks combine to shape the Duck experience. The development of the Village has a coastal residential style and scale and its continuity creates an energetic and walkable experience. Our quality of life is enhanced through innovative solutions that protect and preserve the Village's unique character and environment.

ENHANCED MOVABILITY

Duck is a pedestrian first community that is safe and easy to navigate by walking and cycling. Our multi-use trail, sidewalks, soundside boardwalk, and beach provide a variety of ways to explore and discover Duck. Collaboration with various

organizations enables us to optimize our traffic flow in our unique seasonal environment.

ENVIRONMENTAL STEWARDSHIP

There is a conscious respect for Duck's fragile and extraordinary environment. We protect and preserve opportunities for our residents and visitors to enjoy our ocean, sound, and natural coastal habitats. We value our pristine, safe, uninterrupted beaches, which are our most valuable asset. Our resilience and adaptability, guided by environmental awareness and forward thinking, ensure our sustainability as a community.

ACTIVE, ENGAGED COMMUNITY

Duck is built on participation. We are an inclusive community that welcomes and embraces the diversity, talents, and expertise of all of our stakeholders. Pride and ownership is felt by all who live, work, and visit here. People feel connected by a shared motivation to preserve the unique nature of this special place.

VIBRANT, THRIVING BUSINESS COMMUNITY

The business community plays an essential role in creating the Duck experience. A high level of collaboration and coordination ensures that we have a vibrant town where each and every individual can enjoy the recreation, arts, music, shopping, dining, and lodging unique to Duck.

RESPONSIVE AND RESPONSIBLE LEADERSHIP

Duck maintains a responsive and responsible government. Council, staff, and the community work together to offer high quality services intended to add value to the entire Town. We have an educated, experienced and motivated staff empowered to execute the Town's objectives. Duck is an innovative and respected leader within the Outer Banks region and its solutions are frequently emulated by others. Continuity of leadership preserves our established values and vision.

The FY26-27 Budget totals \$13,722,379 for all Town operations, capital improvements, and debt service requirements. This is \$2,115,396 (13.4%) less than the FY25-26 Budget. Following Town Council's direction, the budget is balanced with a tax rate of **\$0.18**, which is unchanged from the FY 2025-26 budget. The effects of inflation on operational and personnel expenses, and a desire to maintain and improve the community, required the sacrifice of some planned capital projects in order to keep expenditures at a level where a tax rate increase was not necessary.

In addition to our primary (General) fund, we have a Capital Reserve Fund for our Beach Nourishment project. This fund receives revenue, via transfer from the General Fund, an amount equal to the MSD tax revenue plus a proportionate share of the Sales Tax Revenue that equates to the impact on this revenue due to the MSD tax levy. This proportionate share is estimated to be 15.16% of the total received. Transfers from the Capital Reserve Fund are for debt service, professional services, and other expenses directly related to our Beach Nourishment project.

Revenue

After benefiting from a few years, post COVID-19 pandemic, where we experienced increases in tourism-based revenue that helped mitigate against an increase in the tax rate while still allowing for projects to improve and maintain our facilities, we have seen a return to pre-pandemic levels of revenue from these sources. This budget contains revenue estimates that, while acknowledging a sense of some optimism regarding the continuation of the current economic climate, it remains conservative in terms of estimates so as to not create a shortfall in the budget should the climate change.

Revenues are budgeted at \$13,722,379, a 13.4% decrease compared to the FY25-26 Budget. The majority of the decrease in revenue is due to larger than normal carry-over of project expenditures from the FY 24-25 budget into the FY 25-26 budget and the need to appropriate Fund Balance for those expenses.

The Town receives revenue from several sources, the largest of which is Ad Valorem taxes. The Ad Valorem tax is levied upon property, and measured by the value of the property, not the owner's ability to pay. The Ad Valorem tax generates \$5,803,023 or 42.3% of the revenue for our General Fund in FY26-27. In addition, MSD taxes account for an additional \$1,029,445, or 7.5% of our revenue. This means that half of the services that we provide are paid for with sources other than local property tax revenue. MSD tax revenue is restricted to be used for Beach Nourishment related expenses.

The Town of Duck contracts with the Dare County tax office to collect our taxes. This enables our residents to receive one tax bill and remit payment to one place. It also allows us to enjoy an excellent collection rate for real and personal property taxes. In FY25-26, we budgeted for a collection rate of 99.94% as prescribed by State law.

A significant portion of our revenue comes from our share of the statewide sales tax, which includes two main components: the Sales Tax on the retail sale or lease of tangible personal property, services, and hotel room rentals, and the Use Tax, an excise tax on the use or consumption of property in North Carolina or from out-of-state. Of particular importance to our community is the revenue generated from the 6% occupancy and meals tax in Dare County. As a popular tourist destination, this tax provides a vital and consistent source of funding, reflecting the economic activity driven by visitors to the area. These taxes are collected by the State and distributed to all 100 counties based on statutory formulas, with each county sharing its portion with the incorporated cities and towns within it.

In addition to sales tax and occupancy tax revenue, the Town also receives revenue from the State reflecting our statutory portion of tax revenues from telecommunication services, video programming, beer and wine sales, and motor fuel sales. With the exception of the proportionate share of sales tax, as noted above, State collected local revenues can be used for any legitimate government function. Please refer to the Revenue section of the budget document for a more detailed explanation of our revenue sources.

Expenditures

As noted above, the FY26-27 Recommended Budget totals \$13,722,379 for all Town operations, capital improvements, and debt service requirements. This is \$2,115,396 (13.4%) less than the FY25-26 Budget. This decrease is due to the large expenditures in FY 25-26 to purchase a new ladder truck for the Fire Department and the fact that we completed the Town Park Shoreline Protection project in FY25-26.

One of the largest expenditures for Duck, and for most localities, is the cost of personnel. Our professional staff allows the Town to continue to provide quality service to our residents. The total of all personnel related expenses, including wages and benefits, is budgeted at \$5,776,023. This represents a total of 42.1% of the total budget. This budget includes the addition of one staff member to the Fire Department to allow the department to have four personnel on duty and allow for our Fire Marshal to be a dedicated position as opposed to an ancillary duty of one of our Captains. It also includes a merit increase pool of 5% of total salaries to remain competitive in the local employment market. Additionally, included are small increases in Workers' Compensation insurance rates, retirement contribution rates, and an increase in medical insurance rates. Also to remain competitive in our labor market, the budget includes an increase in the Longevity Bonus amounts paid to our employees. Please refer to the Personnel section of the budget document for a thorough explanation of all changes being proposed in compensation and benefits.

This table shows the total number of personnel in each department over the last three years and what is proposed for FY 26-27.

Personnel by Department						
Department	FY 23-24	FY 24-25	FY 25-26	FY 26 - 27 Recommend	# Change	Percent Change
Administration	5.5	2.5	2.5	2.5	0.0	0%
Finance & Human Res		1.0	1.0	1.0	0.0	0%
Public Facilities	1.5	1.5	1.5	1.5	0.0	0%
Police	14.5	14.5	15.5	15.5	0.0	0%
Fire	14.5	14.5	14.5	15.5	1.0	7%
Inspections	2	2.0	2.0	2.0	0.0	0%
Community Development	2.5	2.5	2.5	2.5	0.0	0%
Communications & Events		2.0	2.0	2.0	0.0	0%
Total	40.5	40.5	41.5	42.5	1	2.4%

Through operational efficiencies in the utilization of personnel, leveraging technology to mitigate staffing increases, receiving countless hours of volunteer assistance, and other management strategies, we are able to maintain a lean staffing profile. Subsequent to the new positions added three years ago, our leadership team identified future additional personnel needs, but we are able to maintain existing levels of service without increasing staff prior to last year.

While this section does not cover detailed expenses for all fifteen operational departments, it highlights several significant expenditures and proposed changes in staffing levels. The Capital Improvement Plan, included near the end of this budget document, provides additional details on the capital projects and purchases referenced below.

- **Governing Body:**
Expenses related to the Town Council and all Property and Liability Insurance premiums.
- **Administration:**
Expenses related to the general administration and management of the Town.
- **Finance and Human Resources:**
Expenses for financial services such as financial statement preparation, preparation of the annual audit, and other related services provided by outside professionals. This department also contains the amount paid to Dare County to collect our tax revenue. Additionally, expenditures related to employee engagement, tuition reimbursement, and other Human Resources related expenses.
- **Legal:**
Expenses related to the services of the Town's contracted attorney.
- **Information Technology:**
Expenses for our contracted IT support, licenses, subscriptions, etc. for our Information Technology infrastructure. Also included this year are costs related to a grant match for security upgrades and a cyber-attack response plan.
- **Police:**
Expenses related to the Duck Police Department. Included this year are a replacement speed sign and the scheduled replacement of three police vehicles.
- **Fire:**
Expenses for the operation of the Duck Fire Department and includes a new full-time Fire Marshal position as explained in the Personnel section of this document. It also includes the replacement of two command vehicles, new debt service for a replacement ladder truck, and planned replacement of turn out gear, hose, and nozzles.
- **Ocean Rescue:**
Expenses, directly to a contractor, to provide ocean rescue services on the beach in Duck.
- **Communications & Special Events:**
Expenses for communication platforms, graphic design, and the production of on-line and print communication materials. Also, expenses related to the conduct of special events, such as Jazz Festival, 4th of July, etc. and advertising and marketing for these events and the Town of Duck in general.
- **Community Development:**
Expenses related to planning, code enforcement, grant writing, and the Planning Board.
- **Inspections:**
Expenses related to our enforcement of the NC Building Code including the issuance of permits and inspections to ensure Code compliance.
- **Public Facilities:**
This department accounts for expenses related to the maintenance of our buildings, playground, park, boardwalk and others with the exception of sidewalks/Duck Trail which

are accounted for in the Streets & Highways department. Projects for FY 26-27 include replacing a portion of the irrigation system in the Town Park, and other more routine repairs and upgrades.

- **Streets & Highways:**
While we own no streets, this department accounts for expenses related to the maintenance of Duck Trail, sidewalks, crosswalks (including lights), and for projects related to improving this infrastructure.
- **Sanitation:**
Expenses, paid to our contractors, for the collection of trash and recycling.
- **Environmental Protection:**
Expenses related to beach nourishment, beach grass planting, and soundside shoreline protection.
- **Transfers:**
Transfers to the Beach Nourishment Capital Project fund.
- **Contingency:**
A small percentage (1%) of budgeted expenditures (after subtracting debt service and capital) to allow for unexpected expenditures during the year.

Expenditures by Function						
Function	FY24-25 Actual	FY25-26 Budget	FY26-27 Request	FY26-27 Recommend	Variance v. CY	% Change
General Government	3,787,442	2,124,825	2,085,985	1,880,185	(244,640)	-11.5%
Public Safety	5,320,396	7,672,789	6,574,248	6,567,248	(1,105,541)	-14.4%
Streets & Highways	211,464	517,751	336,938	336,938	(180,813)	-34.9%
Community Development	394,939	400,271	499,380	499,380	99,109	24.8%
Environmental Protection	4,561,807	3,200,385	2,442,051	2,442,051	(758,334)	-23.7%
Communications & Special Events	506,419	539,206	585,708	585,708	46,503	8.6%
Transfers and Contingency	1,440,631	1,382,549	1,410,867	1,410,868	28,319	2.0%
Total	16,223,098	15,837,775	13,935,178	13,722,379	(2,115,396)	-13.4%

Fund Balance

The North Carolina Local Government Commission recommends that local governments maintain a minimum unassigned fund balance of no less than eight percent (8%) of expenditures. The Town of Duck has adopted a formal fund balance policy establishing a goal of maintaining a fund balance for the General Fund of 75% of expenditures after deducting debt service payments related to Beach Nourishment. The Town of Duck’s estimated non-committed or non-restricted fund balance as of June 30, 2026, is estimated to be \$8.56 million or 65% of FY25-26 expenditures. This budget appropriates \$389,292 from Fund Balance to fund some capital projects and keep the budget balanced without the need for a tax rate increase.

Conclusion

It remains important to concentrate our annual budgeting efforts on maintaining current levels of service and maintenance of Town-owned property and infrastructure and ensuring we are providing competitive compensation for our small staff while attempting to avoid any large increase in rates and fees. The budget being presented for your consideration accomplishes these goals. Each year we are faced with different challenges and opportunities. The coming year looks to bring challenges caused by workforce and inflationary influences in the local area, state, and nation along with some larger capital projects that are currently in the planning process. It is the economic unknowns and the planning we do for capital projects that will continue to influence how we structure our budget.

Maintaining our critical infrastructure and essential services comes at a cost; and Duck, like towns throughout the State, must manage in a fiscal climate marked by economic uncertainty. Town Council members accept their responsibility with great conviction and sincerity and strive to be well-informed and engaged in the operation of this government. This budget reflects the Council's commitment to maintaining and improving this community and positioning it to be financially sound in the future. I believe it to be worthy of your consideration and approval.

Respectfully Submitted,

Drew Havens

Drew Havens,
Town Manager

Annual Budget Ordinance

Town of Duck, North Carolina FY 2026 – 2027 Annual Budget

Budget Ordinance

BE IT ORDAINED by the Town Council of the Town of Duck, North Carolina that the following anticipated fund revenues and departmental expenditures, together with certain fees and schedules, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of the Town government and its activities for the fiscal year beginning July 1, 2026 and ending June 30, 2027.

Section 1: General Fund

General Fund Revenues

Ad Valorem Taxes	\$5,803,023
MSD Taxes	\$1,029,445
Local Government Sales Tax	\$1,850,000
Real Estate Transfer Tax	\$375,000
Occupancy Tax	\$1,900,000
Grants	\$94,822
ABC and Beer & Wine	\$78,000
Utility Taxes	\$420,000
Permits and Fees	\$177,000
Interest and Asset Sales	\$327,000
Transfers	\$679,287
Debt Proceeds	\$426,209
Fund Balance Appropriated	\$389,292
Other Revenue	\$173,300
Total Revenues	\$13,722,379

General Fund Expenditures

Governing Body	\$184,181
Administration	\$496,886
Finance & Human Resources	\$288,981
Legal	\$66,720
Information Technology	\$206,068
Police	\$2,839,380
Fire	\$2,643,648
Ocean Rescue	\$792,290
Communications & Special Events	\$585,708
Community Development	\$499,380
Inspections	\$291,931
Public Facilities	\$637,350
Streets & Highways	\$336,938
Sanitation	\$1,531,264
Environmental Protection	\$910,787
Transfers	\$1,309,867
Contingency	\$101,001
Total Expenditures	\$13,722,379

Section 2: Beach Nourishment Capital Reserve Fund

Beach Nourishment Capital Reserve Fund Revenues

Transfer from General Fund (MSD Tax Revenue)	\$1,029,445
Transfer from General Fund (Restricted Sales Tax Revenue)	\$280,422
Fund Balance Appropriated	\$0
Total Revenues	\$1,309,867

Beach Nourishment Capital Reserve Fund Expenditures

Transfer to General Fund	\$0
Reserved for Future Expenditures	\$1,309,867
Total Expenditures	\$1,309,867

Section 3: Levy of Taxes - Ad Valorem

There is hereby levied a tax at the rate of \$0.18 (eighteen cents) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026, for the purpose of raising the revenue listed Ad Valorem Taxes 2026-2027 in Section 1: General Fund of this ordinance. This rate is based on a valuation of property for purposes of taxation of \$3,202,404,815 and an estimated rate of collection of 99.96%.

Section 4: Levy of Taxes - Municipal Service District-A

There is hereby levied a tax at the rate of \$0.0798 (seven point nine-eight cents) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026 in Municipal Service District - A (MSD-A), for the purpose of raising the revenue listed MSD Taxes 2026-2027 in Section 1: General Fund of this ordinance. This rate is based on a valuation of property for purposes of taxation of \$836,977,065 and an estimated rate of collection of 99.96%.

Section 5: Levy of Taxes - Municipal Service District-B

There is hereby levied a tax at the rate of \$0.189 (eighteen point nine cents) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026 in Municipal Service District - B (MSD-B), for the purpose of raising the revenue listed MSD Taxes 2026-2027 in Section 1: General Fund of this ordinance. This rate is based on a valuation of property for purposes of taxation of \$191,507,775 and an estimated rate of collection of 99.96%.

Section 6: Fees & Charges

There is hereby established, for Fiscal Year 2026-2027, various fees and charges as contained in the Fee Schedule attached to this document. All mileage reimbursements for the use of personal vehicles shall be the same as the allowable IRS rate in effect on the date of travel.

Section 7: Position Classification and Salary Schedule

There is hereby established, for Fiscal Year 2026-2027, a Salary Schedule and Position Classification Table as shown on an attachment to this document in order to maintain the Town's Pay and Classification Plan.

Section 8: Special Authorization of the Budget Officer

- a) The Budget Officer shall be authorized to reallocate fund appropriations among the various objects of expenditure as he deems necessary, provided such reallocations do not increase or decrease the total budget for any department.
- b) The Budget Officer shall be authorized to amend this budget as necessary to fulfill all obligations evidenced by a purchase order outstanding on June 30, 2026.

Section 9: Use of the Budget and the Budget Ordinance

This Ordinance and the budget document shall be the basis for the financial plan of the Town of Duck for Fiscal Year 2026-2027. The Budget Officer shall administer the budget and the Finance Officer shall establish records which are in agreement with the budget, this ordinance, and the appropriate statutes of the State of North Carolina.

Section 10: Distribution

Copies of this ordinance shall be furnished to the Budget Officer and the Finance Officer of the Town of Duck so that they may keep this ordinance on file for their direction and disbursement of funds.

Adopted this the 3rd day of June, 2026.

Attest:

Monica Thibodeau, Mayor

Lori A. Ackerman, Town Clerk

Salary Schedule and Position Classification Table

Effective July 1, 2026

Following the recommendations of a Classification and Pay Study performed by The MAPS Group in 2021, the Salary Schedule and Classification Table shown below are incorporated into the personnel costs shown in the FY 2026-27 budget and adopted as shown in Section 7 of the Budget Ordinance. The Personnel section of the budget document contains information regarding the number of employees in each department and in each job classification.

Salary Schedule

GRADE	HIRING RATE	MINIMUM	MID POINT	MAXIMUM
1	41,532	43,609	52,954	64,375
2	43,609	45,789	55,602	67,594
3	45,789	48,078	58,381	70,973
4	48,078	50,482	61,300	74,521
5	50,482	53,006	64,365	78,247
6	53,006	55,656	67,583	82,159
7	55,656	58,439	70,962	86,267
8	58,439	61,361	74,510	90,580
9	61,361	64,429	78,236	95,110
10	64,429	67,650	82,147	99,865
11	67,650	71,033	86,254	104,858
12	71,033	74,585	90,567	110,101
13	74,585	78,314	95,096	115,607
14	78,314	82,230	99,851	121,387
15	82,230	86,342	104,844	127,457
16	86,342	90,659	110,086	133,830
17	90,659	95,192	115,590	140,521
18	95,192	99,952	121,370	147,548
19	99,952	104,950	127,439	154,926
20	104,950	110,198	133,812	162,673
21	110,198	115,708	140,503	170,807
22	115,708	121,493	147,528	179,347
23	121,493	127,568	154,904	188,314
24	127,568	133,946	162,649	197,730
25	133,946	140,643	170,781	207,616
26	140,643	147,675	179,320	217,997
27	147,675	155,059	188,286	228,896
28	155,059	162,812	197,700	240,341
29	162,812	170,953	207,586	252,359
30	170,953	179,501	217,965	264,977

Classification Table

GRADE	CLASSIFICATION	FLSA STATUS	HIRING RATE	MINIMUM	MID POINT	MAXIMUM
5	Maintenance Technician		50,482	53,006	64,365	78,247
7	Administrative Assistant Firefighter Police Officer Code Enforcement Technician		55,656	58,439	70,962	86,267
8	Permit Technician (Deputy Town Clerk) Public Safety Office Administrator Master Firefighter Senior Police Officer		58,439	61,361	74,510	90,580
9	Master Firefighter/Acting Company Officer Master Police Officer Planner I (Community Planner)		61,361	64,429	78,236	95,110
10	Community Engagement Coordinator Fire Engineer Police Corporal Finance Administrator		64,429	67,650	82,147	99,865
11	Fire Captain Police Sergeant Town Clerk Senior Planner	E	67,650	71,033	86,254	104,858
13	Building Codes and Maintenance Administrator Planning Manager Fire Captain - Fire Marshal		74,585	78,314	95,096	115,607
14	Finance and Human Resources Manager	E	78,314	82,230	99,851	121,387
16	Deputy Fire Chief Deputy Police Chief	E	86,342	90,659	110,086	133,830
18	Public Information and Events Director	E	95,192	99,952	121,370	147,548
20	Community Development Director Fire Chief Police Chief	E E E	104,950	110,198	133,812	162,673
22	Development & Infrastructure Director/Assistant Town Manager	E	115,708	121,493	147,528	179,347
25	Town Manager	E	133,946	140,643	170,781	207,616
E = Exempt from the Wage and Hour provisions of the Fair Labor Standards Act (FLSA)						

Schedule of Rate and Fees Town of Duck Fee Schedule Effective July 1, 2026

Changes from 2025 Schedule shown in red

Section I Building Permits & Inspections

<u>Building Use</u>	<u>New Construction & Additions</u>	<u>Renovations/Remodels & Repairs²</u>
<u>Residential – heated space</u>	\$0.65/sq. ft.	\$0.50/sq. ft.
<u>Residential – unheated space¹</u>	\$0.35/sq. ft.	\$0.15/sq. ft.
<u>Multifamily, Hotels/Motels – heated space</u>	\$0.95/sq. ft.	\$0.80/sq. ft.
<u>Multifamily, Hotels/Motels – unheated space</u>	\$0.65/sq. ft.	\$0.45/ sq. ft
<u>Commercial – heated space</u>	\$0.95/sq. ft.	\$0.80/sq. ft.
<u>Commercial – unheated space</u>	\$0.65/sq. ft.	\$0.45/ sq. ft
¹ Unheated space includes attached decks, garages, sheds, and utility rooms.		
² Includes floodplain development fee		

*Minimum building permit fee is \$100.00

**Excludes projects where Flat Fees are charged

A Stop Work Order will be issued for improvements occurring without an issued permit.

Work Without a Permit – A fee double the amount of the required permit will be charged for any permit acquired AFTER work has been started or completed.

Construction must begin within 6 months or permits will expire.

Permit Renewal Fee (must be renewed within 30 days of expiration) \$100.00.

Note that fees/permits/approvals may also be required for construction projects from other local, state, and Federal agencies. Examples:

- Water connection or review fees, health department fees, recordation fees by Dare County
- Wetlands permitted, U.S. Army Corps of Engineers
- Right-of-way review/dedication, North Carolina Department of Transportation
- Major CAMA permits, North Carolina Coastal Resources Commission

Beach Stairs/Dune Access:

New/Complete Replacement Stairs	\$100.00
Minor Repairs	\$25.00
Signs:	
Roof signs	\$50.00 + sign permit fees
Ground Mounted/Freestanding Signs	\$100.00 + sign permit fees

Inspections: \$75.00 first re-inspect
Double the fee of the last re-inspect
for each subsequent re-inspection for
the same item

Failure to Call for Inspection 50% of the original permit cost

Inspections Not Otherwise Listed \$50.00

Section II Five (5) Building Permit system.

1. There shall be a five (5) permit system with separate permits issued for:

- Building Permit
- Electrical Permit
- Plumbing Permit
- Mechanical Permit
- Gas Permit

2. When a building permit is issued there will be no charge for associated electrical, plumbing, or mechanical permits as outlined above in Section II (A) above.

3. Above & Below ground propane tanks are not subject to Section II (B) above and may require additional permits.

Section III Other fees, not covered in sections above:

1. Mobile Homes	Single-wide \$350.00 Double-wide \$500.00 Triple-wide \$800.00
Poured footing inspection for mobile home	\$100.00
2. Temporary Construction Trailer	\$300.00 flat fee **
3. Temporary Tent (>240 sq. ft. requires Flammability certificate)	\$100.00 flat fee **

4. House Moving (into or within Town)	
(fees do not include any necessary building or trade permits & additional fees for escort may apply)	
Moving into Town of Duck	\$1,000.00
Moving within the Town of Duck	\$750.00
Moving on the Same Lot	\$500.00
Moving out of Town of Duck	\$250.00
5. Pools/Spas & Hot Tubs	
Permanently Installed Swimming Pools	\$300.00 flat fee **
In-Ground Hot Tubs	\$300.00 flat fee **
Free Standing/Portable Hot Tubs	\$150.00 flat fee **
6. Gas Pumps	\$100.00 per pump
7. Structural Demolition	
(Asbestos Report required if commercial or ever used as commercial)	
Residential Demolition in AEC zone	\$350.00 flat fee **
Residential Demolition not in AEC Zone	\$250.00 flat fee **
Non-Residential Demolition in AEC zone	\$600.00 flat fee **
Non-Residential Demolition not in AEC zone	\$400.00 flat fee **
8. Fuel Tanks	
Above Ground: 0-5,000 gallons	\$400.00
Above Ground: Above 5,000 gallons	\$600.00
Underground: 0-5,000 gallons	\$500.00
Underground: Above 5,000 gallons	\$700.00
9. Bulkheads & Retaining Walls	\$2.00 per linear ft.
requiring a building permit up to 50 Ft.	
Each additional foot over 50 feet	\$1.00 per linear ft.
Piers	\$1.00 per linear ft.
10. Flood Development Permit (<i>in addition to other applicable building permit or land disturbance fees</i>)	
Repairs & Maintenance	No Fee
Remodels/Renovations	No Fee
Additions	\$50.00
New Construction/Substantial Improvements	\$100.00
11. Occupancy Permit (New Construction only)	\$50.00
Temporary Residential	\$300.00
Temporary Commercial	\$500.00

12. Communication Tower/Water Tank \$20.00/vertical foot

Section IV Electrical Permit Fees for Repairs/Replacement/Extension of Service:

Temporary Service Pole \$75.00 flat fee **

Repair Permit Fee \$50.00

Minimum Permit Fee \$100.00

(Includes: change out of existing service OR
installation of new service up to 200 amps)

Plus the following:

Service Upgrade or New Service

> 200 amps \$0.25 per each amp over 200 amps

Receptacles, Lights, Switches and Outlets as follows:

0-49 \$30.00

50-above \$45.00

Dryer \$5.00

Baseboard Heat per unit \$3.00

Miscellaneous \$5.00

Section V Plumbing Permit for Repairs/Replacement/Extension of Service:

Repair Permit Fee \$50.00

Minimum Fee \$100.00 plus \$10.00 per fixture

Section VI Mechanical Permit for Repairs/Replacement/Extension of Service:

Minimum Permit Fee \$100.00 plus following:

Change Air Handling Unit \$30.00

Change Heat Pump \$30.00

Change Boiler \$40.00

Section VII Gas Permit for Repairs/Replacement/Extension of Service:

Minimum Permit Fee \$100.00 plus \$20.00 per appliance

Section VIII Development and Site Plan Review Fees:

1. Single Family Dwellings	
New Construction	\$150.00 per dwelling unit
Additions/Renovations/Remodels (increased heated space, changes to coverage or increased occupancy ***)	\$75.00 per unit
Additions/Renovations/Remodels (No change to heated space, coverage or occupancy)	\$25.00 per unit
Repairs & Maintenance (within existing footprint)	No Fee
2. Multi Family Dwellings, Duplexes, Condominiums, Townhouses, Apartments	\$150.00 per dwelling unit
3. Motels/Hotels	\$100.00 per unit
4. Commercial Parking Lots, Commercial, Business and Multi-family Accessory Parking Areas (other than single family residence). Note that this fee is in addition to other required review fees for the same project.)	\$50.00 per space
5. All other new development not included elsewhere in fee schedule (this fee is based on footprint of proposed development or structure and is in addition to review fees for associated parking areas.)	\$0.75 per square foot
6. Plan of Development	\$250.00
7. Lots in a Subdivision	\$500 plus \$75/lot

Section IX Other Planning and Zoning Review and Application Fees:

1. Text Amendment to the Zoning Ordinance	\$350.00
2. Rezoning (Zoning Text/Map Amendment)	\$750.00 (<i>plus \$500/acre or any fraction thereof beyond one acre</i>)
3. Change of Use Permit if no site plan change is required	\$200.00
4. Change of Use Permit requiring submittal of a new site plan	\$250.00

5. Special Use Permit	\$400.00
6. Special Use Permit for Home Occupation	\$200.00
7. Special Use Amendment	\$250.00
8. Board of Adjustment Variance request	\$500.00
9. Group Development Application Fee	\$500.00
10. Group Development Amendment Fee	\$250.00
11. Exempt Plat Review Fees	\$300.00
12. Board of Adjustment Appeal	\$500.00
13. Zoning Compliance Certificate/Review Letter	\$400.00
14. Fire Marshall Inspections for Commercial Occupancy Permits	
New Building Shell	\$60.00
Completed space > 500 square feet	\$30.00
Completed space 501-5000 square feet	\$60.00
Completed space >5,000 square feet	\$100.00
15. Sign Permit Fees	\$50.00 per sign/max \$200.00
Temporary Sign Permit	\$25.00 per 10-day period + \$50.00 deposit
Community/Association Sign Permit	Fee waived but application still required and building permit may also be necessary
16. Signs removed from public rights of way or within 30' of centerline of public roads and picked up by owner within 10 days—note after 10 days signs will be discarded	\$25.00 per sign
17. Administrative Approvals/Reviews/Uses not otherwise listed	\$250.00
18. Special Planning Board or Town Council Meeting requested by Applicant	\$1,000.00

19. CAMA Minor Permit	Established by CAMA
20. Land Disturbance Permit (without an approved building permit)	
- Minor	\$25.00
Irrigation	
Minor Grading Associated with Landscaping Project	
Septic Repair in Same Location	
- Intermediate	\$100.00
New Septic Installation	
Driveway/Parking Improvements	
Installation of Stormwater Retention Area	
- Major	\$200.00
Significant Topographic Changes (Cutting/Filling)	
Installation of Stormwater Conveyance	
21. Fire/Burglar Alarms	
<u>False Alarm Fees</u>	
First false alarm in a 30-day period	No charge
Second false alarm in a 30-day period	\$25.00
Third false alarm in a 30-day period	\$50.00
Fourth or subsequent false alarm in a 30-day period	\$100.00
22. Minor Home Occupation	\$50.00
23. Peddler/Itinerant Merchant Permit	\$100.00
24. Homeowners Recovery Fund Fee	Established by State Law

Resubmittal of Expired Site Plan Approvals

Site plan approvals expire 24 months after the date of approval. After the expiration date of an approved site plan a charge of 50% of initial review fee shall be paid for a re-submittal when the following conditions are met:

- a. A review fee has been paid
- b. Site plan approval has expired
- c. No changes are being proposed in the re-submitted site plan

Section X Administrative and Miscellaneous Charges:

Note: Fees are non-refundable unless otherwise stated.

- | | |
|---|--|
| 1. Re-hearing/advertising
(at Petitioner/Applicant's request) | \$250.00 |
| 2. Copy of Agenda Package
(available free online) | per page charge below |
| 3. Copy of Zoning Ordinance
(available free online) | per page charge below |
| 4. Copy of Land Use Plan
(available free online) | per page charge below |
| 5. Copy of Budget Document
(available free online) | per page charge below |
| 6. Copies of Requested Documents
8 ½ x 11, 11 x14 & 11 x17
(after the 5 th sheet)
(after the 3 rd sheet) | \$.25 black & white per page
\$.30 color per page |
| 7. Insufficient Funds Charge (returned checks)
<i>(The Town Manager may require cash or cashier's check for future payments from applicants who have submitted checks that were returned for insufficient funds)</i> | \$25.00 first time |
| 8. Police Off-Duty | \$55.00/hour (4 hour minimum) |

* In addition to any other required application fee such as those for the use of required off-duty police officers, a \$200 refundable deposit will be required. This deposit will be refunded following the event once the Town is assured that the Duck Town Park area utilized by the event has been cleaned up and that all requirements of the permit have been complied with. If damage exceeds the amount of the deposit, the event sponsors are responsible for the cost of any additional repairs.

- | | |
|---|----------|
| 9. Special Event Permit Application Fee | \$100.00 |
|---|----------|

10. Room and Facility Deposits and Fees:

The following fees shall apply for the use of rooms and facilities unless waived by the Town Clerk, separate checks are required for deposits and fees:

- | | |
|--|---------|
| Deposit for Rooms and Facilities (per room),
not including the Paul F. Keller Meeting Hall: | \$50.00 |
|--|---------|

Deposit for Paul F. Keller Meeting Hall: \$150.00

Deposits will be refunded after the date for which the room or facility was reserved.

Cleaning Fee for Rooms and Facilities (per room),
not including the Paul F. Keller Meeting Hall: \$50.00
Cleaning Fee for Paul F. Keller Meeting Hall: \$150.00

Monitor Fee for Rooms and Facilities
reserved after 5 p.m. or on holidays or weekends: \$ 15.00 per hour

- Priority One, Two, and Four groups and entities will not be charged any deposits or fees.
- Priority Three groups and entities will be required to pay a deposit, monitor and cleaning fee.
- Priority Four groups or entities may not use a room or facility more than once in any three-month period.

Priority One: Town Council and its respective Boards and Commissions.

Priority Two: Town departments and Town sponsored events.

Priority Three: Homeowner, Property Owner, and similar organizations, provided that the applicant is an organization located in the Town.

Priority Four: Non-profit organizations, including other governmental entities, provided that the use of the room or facilities is for educational, business, or professional meetings.

Rooms and Facilities in the Town Hall Complex may not be reserved for weddings, or similar events.

11. Golf Carts

Annual Registration Fee	\$25.00
Fee for Failing to Register	\$50.00

12. Beach Equipment Vendor License

Annual Registration Fee	\$500.00
Annual Deposit (fully refundable assuming no infractions)	\$500.00

13. Food Vendor for Town events	Application Fee	\$25.00
	Deposit	\$200.00

14. ABC/ALE Permit Review \$100.00

Note: Fees are non-refundable unless otherwise stated.



Fiscal Year 2026-27 Draft Budget

This document contains information related to the preparation of the Fiscal Year 2026-27 Budget for the Town of Duck. A more in-depth presentation of this information was made to the Town Council at their meeting on April 15, 2026 during which staff asked for guidance relative to Council priorities in order to prepare a balanced budget for presentation at a Public Hearing on May 6, 2026.

Revenue is estimated based upon trends and economic conditions, and expenditures are estimated based upon fixed costs, personnel costs, capital projects, and purchases following the draft Capital Improvement Plan. After some significant (\$1.2 million) initial reductions, and further changes during the conversation with Town Council, the draft budget is balanced and includes **no increase in the property tax rate**.

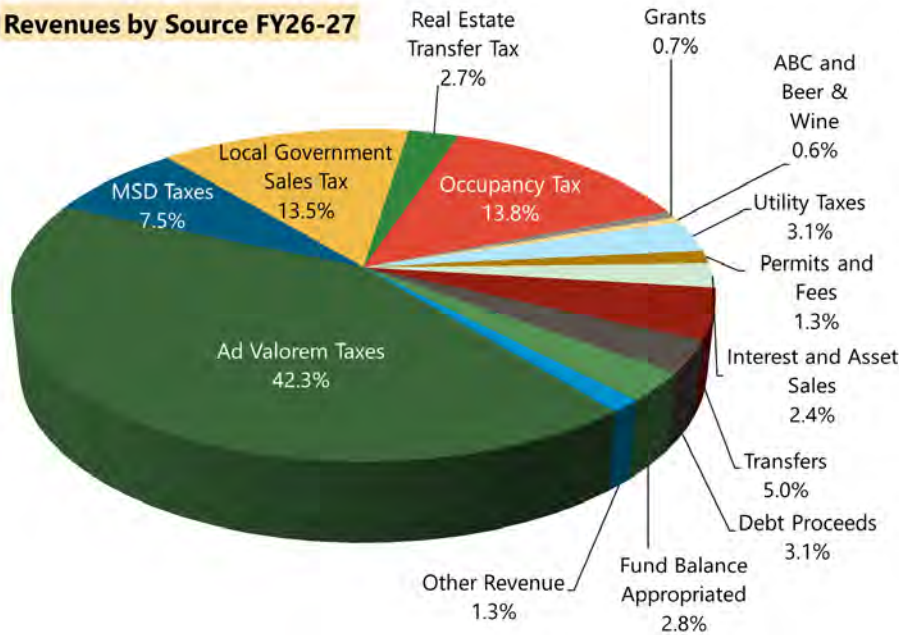
Revenue Summary

The table below shows revenue from different sources in our budget and includes a full-year actual revenue, the current fiscal year budget, the initial budget request, and the current draft budget for FY 2026-27.

Revenues by Source						
Source	FY24-25 Actual	FY25-26 Budget	FY26-27 Request	FY26-27 Recommend	Variance v. CY	% Change
Ad Valorem Taxes	4,811,438	5,566,115	5,803,023	5,803,023	236,908	4.3%
MSD Taxes	1,026,820	1,024,119	1,029,445	1,029,445	5,327	0.5%
Local Government Sales Tax	2,112,138	1,800,000	1,850,000	1,850,000	50,000	2.8%
Real Estate Transfer Tax	501,391	375,000	375,000	375,000	0	0.0%
Occupancy Tax	2,032,307	1,900,000	1,900,000	1,900,000	0	0.0%
Grants	59,710	196,986	94,822	94,822	(102,164)	-51.9%
ABC and Beer & Wine	79,160	93,000	78,000	78,000	(15,000)	-16.1%
Utility Taxes	495,502	420,000	420,000	420,000	0	0.0%
Permits and Fees	197,705	177,000	177,000	177,000	0	0.0%
Interest and Asset Sales	437,702	325,000	327,000	327,000	2,000	0.6%
Transfers	557,159	905,525	679,287	679,287	(226,238)	-25.0%
Debt Proceeds	2,000,000	0	426,209	426,209	426,209	
Fund Balance Appropriated	0	2,790,946	0	389,292	(2,401,654)	-86.1%
Other Revenue	206,831	264,085	173,300	173,300	(90,785)	-34.4%
Total	14,517,864	15,837,776	13,333,087	13,722,379	(2,115,397)	-13.4%

Of note in terms of changes from the FY 2025-26 budget are decreases in transfers from the Beach Nourishment fund and the reduction in Fund Balance appropriated. Fund Balance was used in FY 2025-26 for the Town Park shoreline project, for purchase orders carried over from the prior fiscal year, and a realignment of the Ocean Rescue contract to a new calendar year term.

Revenues by Source FY26-27



The other revenues shown above fell short of initially expressed budget needs. Even after significant reductions, we still had a revenue shortfall that was addressed by appropriating a small amount of Fund Balance for some needed capital projects. We remain aware of and seek any other sources of revenue, whether through grants or other sources, as deemed appropriate. In FY 2026-27 we anticipate that 49.8% of revenue will derive from the Ad Valorem and MSD tax levies.

Expenditure Summary

Expenditures are broken down into fifteen functional departments and two other expenditure groupings to account for transfers and contingency. These departments are identified as follows:

- **Governing Body:** Expenses related to the Town Council and all Property and Liability Insurance premiums.
- **Administration:** Expenses related to the general administration and management of the Town.
- **Finance and Human Resources:** Expenses for financial services such as financial statement preparation, preparation of the annual audit, and other related services provided by outside professionals. This department also contains the amount paid to Dare County to collect our tax revenue. Also, expenditures related to employee engagement, tuition reimbursement, and other Human Resources related expenses.
- **Legal:** Expenses related to the services of the Town's contracted attorney.
- **Information Technology:** Expenses for our contracted IT support, licenses, subscriptions, etc. for our Information Technology infrastructure. Also included this year are costs related to a grant match for security upgrades and a cyber attack response plan.
- **Police:** Expenses related to the Duck Police Department. Included this year are a replacement speed sign and the scheduled replacement of three police vehicles.
- **Fire:** Expenses for the operation of the Duck Fire Department and include a new full-time Fire Marshal position as explained in the Personnel section of the draft budget document. It also includes the replacement of two command vehicles, new debt service for a replacement ladder truck, and planned replacement of turn out gear, hose, and nozzles.
- **Ocean Rescue:** Expenses, directly to a contractor, to provide ocean rescue services on the beach in Duck.
- **Communications & Special Events:** Expenses for communication platforms, graphic design, and the production of on-line and print communication materials. Also, expenses related to the conduct of special events, such as Jazz Festival, 4th of July, etc. and advertising and marketing for these events and the Town of Duck in general.
- **Community Development:** Expenses related to planning, code enforcement, grant writing, and the Planning Board.

- **Inspections:** Expenses related to our enforcement of the NC Building Code including the issuance of permits and inspections to ensure Code compliance.
- **Public Facilities:** This department accounts for expenses related to the maintenance of our buildings, playground, park, boardwalk and others with the exception of sidewalks/Duck Trail which are accounted for in the Streets & Highways department. Projects for FY 26-27 include replacing a portion of the irrigation system in the Town Park, and other more routine repairs and upgrades.
- **Streets & Highways:** While we own no streets, this department accounts for expenses related to the maintenance of Duck Trail, sidewalks, crosswalks (including lights), and for projects related to improving this infrastructure.
- **Sanitation:** Expenses, paid to our contractors, for the collection of trash and recycling.
- **Environmental Protection:** Expenses related to beach nourishment, beach grass planting, and soundside shoreline protection.
- **Transfers:** Transfers to the Beach Nourishment Capital Project fund.
- **Contingency:** A small percentage (1%) of budgeted expenditures (after subtracting debt service and capital) to allow for unexpected expenditures during the year.

This table shows each of the fifteen departments and two additional lines, for transfers and contingency, and provides actual expenditures for the one prior complete fiscal year, the current year's budget, the revised initial budget request, and the FY 2026-27 recommended budget. The large decrease in expenditures is driven by non-recurring items such as the purchase of a ladder truck and the completion of the Town Park shoreline project in FY 25-26.

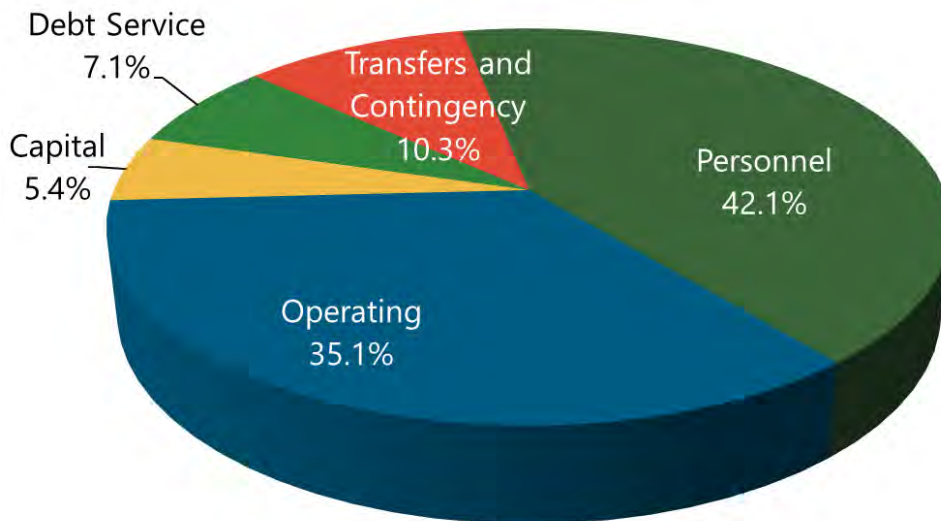
Expenditures by Department						
Department Expenditures	FY24-25 Actual	FY25-26 Budget	FY26-27 Request	FY26-27 Recommend	Variance v. CY	% Change
Governing Body	155,218	177,124	184,181	184,181	7,057	3.98%
Administration	427,681	460,329	496,886	496,886	36,557	7.94%
Finance & Human Resources	241,482	260,127	313,981	288,981	28,854	11.09%
Legal	64,544	91,720	66,720	66,720	(25,000)	-27.26%
Information Technology	158,674	186,706	256,068	206,068	19,361	10.37%
Police	2,294,133	2,508,602	2,846,380	2,839,380	330,777	13.19%
Fire	2,026,202	3,855,765	2,643,648	2,643,648	(1,212,116)	-31.44%
Ocean Rescue	764,283	1,037,795	792,290	792,290	(245,505)	-23.66%
Communications & Special Events	506,419	539,206	585,708	585,708	46,503	8.62%
Community Development	394,939	400,271	499,380	499,380	99,109	24.76%
Inspections	235,778	270,627	291,931	291,931	21,304	7.87%
Public Facilities	2,739,843	948,819	768,150	637,350	(311,469)	-32.83%
Streets & Highways	211,464	517,751	336,938	336,938	(180,813)	-34.92%
Sanitation	1,445,702	1,501,220	1,531,264	1,531,264	30,045	2.00%
Environmental Protection	3,116,104	1,699,165	910,787	910,787	(788,378)	-46.40%
Transfers	1,440,631	1,305,655	1,309,867	1,309,867	4,212	0.32%
Contingency	0	76,894	101,000	101,001	24,107	31.35%
Total	16,223,098	15,837,775	13,935,178	13,722,379	(2,115,396)	-13.4%

In order to have a clearer picture of how funds are used, we look at types of expenditures that are common across operational departments.

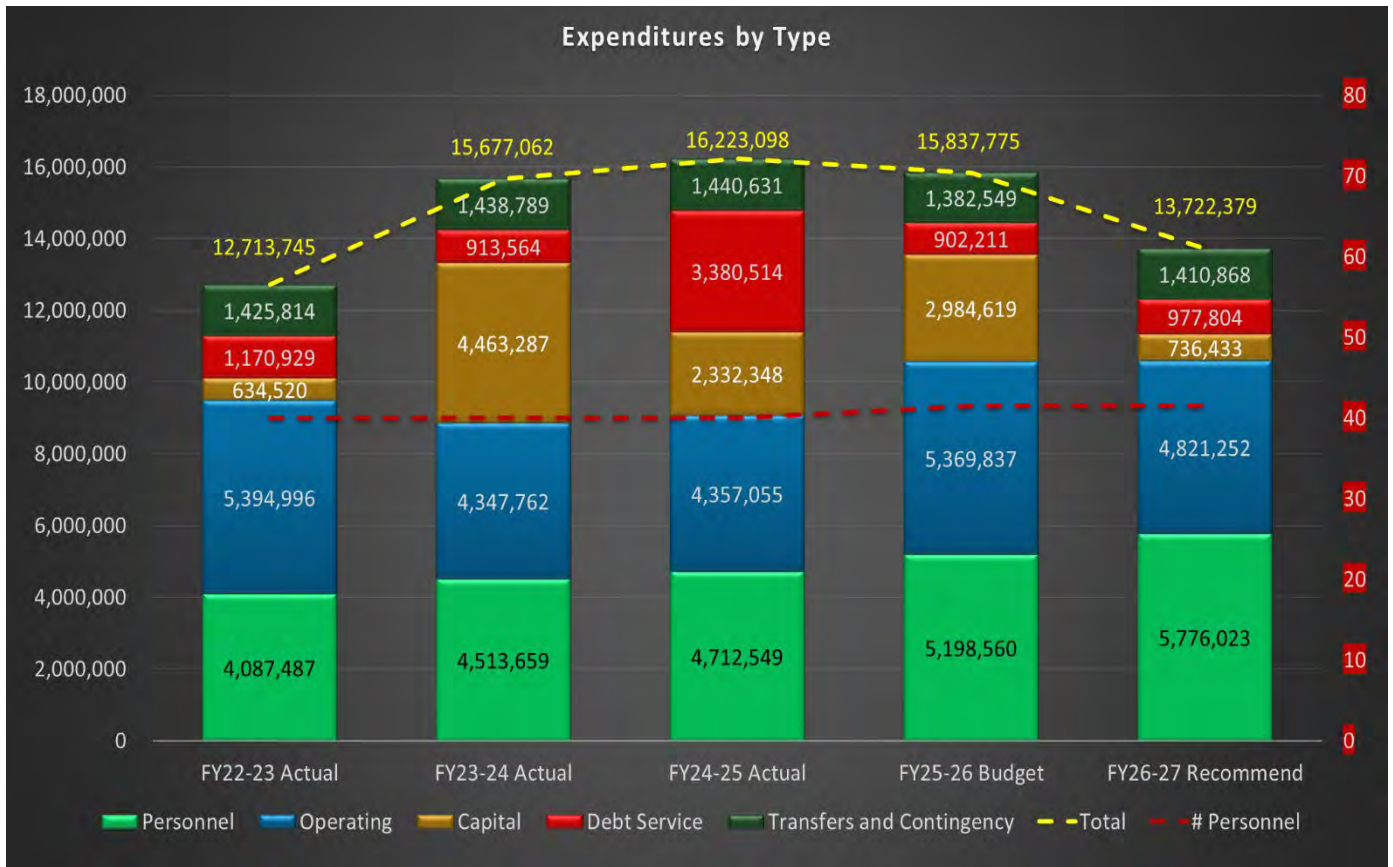
Expenditures by Type						
Type	FY24-25 Actual	FY25-26 Budget	FY26-27 Request	FY26-27 Recommend	Variance v. CY	% Change
Personnel	4,712,549	5,198,560	5,776,023	5,776,023	577,463	11.1%
Operating	4,357,055	5,369,837	4,821,252	4,821,252	(548,585)	-10.2%
Capital	2,332,348	2,984,619	736,433	736,433	(2,248,186)	-75.3%
Debt Service	3,380,514	902,211	977,804	977,804	75,593	8.4%
Transfers and Contingency	1,440,631	1,382,549	1,410,867	1,410,868	28,319	2.0%
Total	16,223,098	15,837,775	13,722,378	13,722,379	(2,115,396)	-13.4%

- **Personnel** – accounts for salaries, overtime, FICA, retirement, 401k, medical insurance, and workers’ compensation insurance. Of note is a proposed 5% merit increase pool based upon outcomes in annual performance evaluations.
- **Operating** – accounts for all expenses for contracted services, professional services, supplies and materials, and small item purchases.
- **Capital** – accounts for large capital purchases (greater than \$5,000) and small “capital” purchases that, while they do not meet our \$5,000 capitalization threshold, are items we like to capture in a separate category due to their one-time nature for a specific purpose.
- **Debt Service** – accounts for principal and interest on outstanding debt issued by the Town.
- **Transfers and Contingency** – transfer of MSD tax revenue to the Beach Fund and a small Contingency amount for unexpected expenditures.

Expenditures by Type FY26-27



This graph shows the trend in expenditures by type over the past several years. Of note is that the “capital” portion of what is shown in FY 2023-24 contains just over \$4.5 million for the partially grant-funded Highway 12 elevation project, \$2 million in FY 2024-25 for the Herron property, and \$1.7 million in FY 2025-26 for the purchase of a ladder truck.



This graphic shows how each dollar of revenue is budgeted. Public Safety (Police and Fire) will remain one of our largest expenses due to how personnel-intensive they are. Environmental Protection includes annual debt service payments for Beach Nourishment.



AGENDA:**May 6, 2026****Regular Meeting****ITEM #7A:**

Old Business/Items Deferred from Previous Meetings

- A. Discussion/Consideration of Resolution 26-03, a Resolution of the Town Council of the Town of Duck, North Carolina, Revising the Personnel Policies

RECOMMENDED ACTION:

- Review and adopt Resolution 26-03

SUMMARY OF INFORMATION:

Following a winter storm event that caused the closure of the Town Hall for one day, staff did some research and found that we are the only town in the County that requires staff to use their accrued leave time if the office is closed. The proposed amendment to the Personnel Policy, as outlined in the resolution, would allow for employees to not use their leave time, for up to three days per year, if the office is closed, and will provide, as suggested at the Council's April 1, 2026 meeting, either compensatory time off or pay at the regular rate of pay to Public Safety personnel who are required to work in an amount equal to the number of hours the office is closed.

ATTACHMENTS:

- Resolution 26-03

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA, REVISING THE PERSONNEL POLICIES OF THE TOWN OF DUCK

Resolution #26-03

WHEREAS, the Town of Duck Personnel Policies were originally adopted by the Town Council on February 3, 2003; and

WHEREAS, the Town of Duck Personnel Policies were updated on June 16, 2021 and further updated on August 4, 2021, July 5, 2023, and September 3, 2025; and

WHEREAS, the Duck Personnel Policies provide guidance on the policies that govern the Town's personnel administration, including the appointment, classification, pay, promotion, demotion, dismissal, employment conditions, and grievance procedures; and

WHEREAS, a certain section of the Town of Duck Personnel Policies requires some revision; and

WHEREAS, Article XII, Section 3 states that the policy may be amended by resolution appropriately approved.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA, THIS 1ST DAY of APRIL, 2026 that the Town of Duck Personnel Policies are amended to read as follows:

ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE

Section 28. Adverse Weather/Hazardous Conditions

The Town has responsibility for several emergency services including law enforcement. Adequate staff are required to operate these critical services seven days per week and 24 hours per day in all weather. Department heads should designate which staff are in critical positions required to report to work regardless of weather or other hazardous conditions.

~~The adverse weather/hazardous conditions policy is established to be as fair as possible to all employees applying the following principles:~~

- ~~1. Maintain adequate staffing at all times of emergency services;~~
- ~~2. Provide for as much safety as possible for all employees in traveling to and from work in hazardous conditions; and~~
- ~~3. Not pay regular salaries to some people for not working when others are required to be at work.~~

~~Town offices and departments shall remain open for the full scheduled working day unless authorization for closing or other deviation is received from the Town Manager's office. The Manager will consider the hazard of driving conditions and other relevant factors in determining~~

~~whether to close Town offices. All departments and offices will be given sufficient advance notice of any authorized closing of noncritical Town functions. Upon authorizing a closing, non-critical staff may use vacation, earned compensatory time, or time without pay for the un-worked hours. Employees who leave work before an official early closing time, as well as employees who report for work late or do not report for work because of hazardous conditions may also use earned vacation or compensatory leave for days or hours not worked.~~

All Town departments are affected by extreme weather conditions. The Town Manager will make decisions related to the delayed opening, early closing, or full-day closure of Town Hall and administrative offices. When these circumstances occur, employee work attendance and compensation will be handled as described:

1. Non-emergency, non-exempt employees: If Town offices are closed due to adverse weather or other hazardous conditions, non-emergency, non-exempt employees will be paid their regular hourly rate for work hours missed due to the closing, up to a maximum of twenty-four (24) hours per fiscal year. If Town offices are open during to adverse weather or other hazardous conditions, non-emergency, non-exempt employees with supervisor approval may use accrued time, or leave without pay, if they are absent from work due to local (proximate to their home) extreme conditions.
2. Non-emergency, exempt employees: If Town offices are closed due to adverse weather or other hazardous conditions, non-emergency, exempt employees will be paid their regular salary for work hours missed due to a full day closing, for a maximum of three (3) full-day closures per fiscal year. If Town offices are open during to adverse weather or other hazardous conditions, non-emergency, exempt employees with Town Manger approval may use accrued time, or leave without pay, if they are absent from work due to local (proximate to their home) extreme conditions.
3. Emergency and weather-essential employees: Many of the Town's employees must function at all times regardless of weather conditions. Emergency and weather-essential employees are required to report to work. The Town Manager will exercise his/her best judgement for each weather situation as to which employees are considered essential. If Town offices delay opening, close early, or are closed for a full day, emergency and weather essential staff who work during this time will receive, **as agreed upon by the employee and department director, compensatory time, or compensation at the employee's regular rate of pay**, up to but not exceeding twenty-four (24) hours per year due to extreme weather conditions, in the equivalent amount as nonemergency employees.
4. There will be no accrual, no pay-out, and no carry-over of these days from one fiscal year to another.

In the case of mandatory evacuations, where access to the Town is prevented, use of earned leave is not required.

Mayor

ATTEST:

Town Clerk

AGENDA: May 6, 2026 Regular Meeting

ITEM #7B:

Old Business/Items Deferred from Previous Meetings

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

RECOMMENDED ACTION:

- Appoint two individuals to serve on the Planning Board ending May 1, 2029

SUMMARY OF INFORMATION:

The terms of Bob Wetzel and Bob Webb on the Planning Board expired on May 1, 2026. It should be noted that Mr. Wetzel serves as the Planning Board Chairman and Mr. Webb serves as the Vice Chairman and both expressed a desire to be reappointed. Staff advertised the vacancies and received three applications from Bob Wetzel, Bob Webb and Christopher Manganello. All three applicants will be present at the Council meeting to answer any questions Council may have.

ATTACHMENTS:

- Planning Board Roster
- Bob Wetzel Application
- Bob Webb Application
- Christopher Manganello Application

Town of Duck Planning Board

Bob Wetzel

Chair; 3 year term (expires 5/1/26)

P.O. Box 8353

141 Betsy Court

Duck, NC 27949

(804) 314-9566

email: rew611@gmail.com

Bob Webb

Vice Chair; 3 year term (expires 5/1/26)

1166 Duck Road

Duck, NC 27949

(615) 804-4045

email: bobwebb@comcast.net

James Cofield

Member; 3 year term (expires 5/1/28)

P.O. Box 8337

101 Bias Lane East

Duck, NC 27949

(252) 261-5623

email: jecofield@earthlink.net

Daniel Snyder

Member; 3 year term (expires 5/1/27)

139A Jaycrest Road

Duck, NC 27949

(703) 402-8652

email: snyderds@gmail.com

Irine Devroude

Member; 3 year term (expires 5/1/28)

134 Olde Duck Road

Duck, NC 27949

(443) 306-4774

email: irinelaw@msn.com



**APPLICATION FOR BOARDS, COMMITTEES, AND COMMISSIONS
TOWN OF DUCK**

FOR OFFICE USE ONLY		
Date Received	Time	Contacted by:
Appointed To	Date Appointed	Application Updated:

Please Complete Each Section (Print or Type)

Name Bob Wetzel

Home Address 141 Betsy Court, Duck, NC 27949

Mailing Address PO Box 8353, Duck, NC

Business Address _____

Home Phone 804-314-9566 **Business Phone** _____

Email REW611@GMAIL

Boards/Committees/Commissions I am most interested in:

- Planning Board**
- Zoning Board of Adjustment**
- Wall Décor and Artwork Committee**
- Parks & Recreation Advisory Committee**
- Other (please list)** _____

Education (Including Years of School Completed):

Virginia Tech, BS Finance
University of Richmond, MBA

Current Employer Retiree from Federal Reserve Bank of Richmond

Title/Position SVP and General Auditor **Years in Current Position** 12 yrs. as SVP. 37 yrs. total

Brief Description of Duties:

Managed staff of 60 financial and information technology auditors.

Also at FRB Richmond, managed the Bank's Finance Department for four yrs. with responsibility for the Bank's expenses and annual budget of \$250 million.

Other Employment History

Virginia Employment Commission

Various summer jobs during high school and college.

Interests/Skills/Areas of Expertise

I have a keen interest helping the Town of Duck evolve to meet the inevitable environmental, financial and social changes the future will bring.

My strong accounting, management and interpersonal skills will help me serve the Town in meeting these challenges.

Current Professional Organizations/Civic and/or Activities

Chairman of Town of Duck Planning Board

Active volunteer throughout the year at Town events

Past Professional Organizations/Civic and/or Activities

Institute of Internal Auditors; Past president, treasurer and volunteer of neighborhood civic association in Midlothian, VA

Comments

I have enjoyed my first term on the Planning Board and have a very strong desire to continue serving the Town in the role.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Town Council?

No

Yes (If yes, please attach an explanation of the possible conflict)

I certify that the facts contained in this application are true and correct to the best of my knowledge and belief. I understand that this application will be retained in the Office of the Town Clerk for two (2) years and must be updated after that time. If not updated as requested by the Town Manager, the application will be removed from the active consideration file. I understand if I am to be considered for a position that I will be required to give a presentation to Town Council on my qualifications and why I wish to serve. I further understand that upon submitting this application to the Town of Duck, this application and all information on it is considered a public record under North Carolina law.

Signature 

Date April 13, 2026

RETURN COMPLETED FORM TO:

Office of the Town Clerk
Town of Duck
Post Office Box 8369
Duck, NC 27949



**APPLICATION FOR BOARDS, COMMITTEES, AND COMMISSIONS
TOWN OF DUCK**

FOR OFFICE USE ONLY		
Date Received	Time	Contacted by:
Appointed To	Date Appointed	Application Updated:

Please Complete Each Section (Print or Type)

Name Bob Webb

Home Address 1166 Duck Road, Duck, NC

Mailing Address 1166 Duck Road, Duck, NC

Business Address _____

Home Phone 615-804-4045 **Business Phone** _____

Email Bobwebb@Comcast.net

Boards/Committees/Commissions I am most interested in:

- Planning Board**
- Zoning Board of Adjustment**
- Wall Décor and Artwork Committee**
- Parks & Recreation Advisory Committee**
- Other (please list)** _____

Education (Including Years of School Completed):

BA Psychology-SUNY Geneseo
MBA-Vanderbilt University Total of 18 years of formal education

Current Employer Retired from 37 year career at Ingram Entertainment

Title/Position Retired as President/CEO **Years in Current Position** _____

Brief Description of Duties:

Managed a workforce of 500+ employees. Interacted with customers and suppliers. Managed with the motion picture studios. Also worked on and coordinated building projects, including and renovations. Interacted with municipal governments to get projects approved and to

Other Employment History

Position prior to Ingram Entertainment, 3 years at Record Bar/Mid America in Durham, NC
Product Manager to General Manager.

Interests/Skills/Areas of Expertise

Walking our dog, music and sports.

Very analytical, good problem solver, strong people manager.

Current Professional Organizations/Civic and/or Activities

Town of Duck-Planning Board member since January, 2024

Town of Duck-Parks and Recreation Advisory Committee since November 2025

Four Seasons in Duck-HOA Board member since 2018

Past Professional Organizations/Civic and/or Activities

National Association of Video Distributors-Board member 1994 to 2020, Organization President
Belcourt Theater Board Member 2012 to 2018-Independent Cinema in Nashville, TN

Comments

I am applying to be reappointed to the Planning Board. I hope to build on what I have learned

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Town Council?

No

Yes (If yes, please attach an explanation of the possible conflict)

I certify that the facts contained in this application are true and correct to the best of my knowledge and belief. I understand that this application will be retained in the Office of the Town Clerk for two (2) years and must be updated after that time. If not updated as requested by the Town Manager, the application will be removed from the active consideration file. I understand if I am to be considered for a position that I will be required to give a presentation to Town Council on my qualifications and why I wish to serve. I further understand that upon submitting this application to the Town of Duck, this application and all information on it is considered a public record under North Carolina law.

Signature _____



Date 3/27/26

RETURN COMPLETED FORM TO:

Office of the Town Clerk
Town of Duck
Post Office Box 8369
Duck, NC 27949



**APPLICATION FOR BOARDS, COMMITTEES, AND COMMISSIONS
TOWN OF DUCK**

FOR OFFICE USE ONLY		
Date Received	Time	Contacted by:
Appointed To	Date Appointed	Application Updated:

Please Complete Each Section (Print or Type)

Name Christopher Manganello

Home Address [REDACTED]

Mailing Address [REDACTED]

Business Address _____

Home Phone [REDACTED] **Business Phone** _____

Email manganello.c@gmail.com

Boards/Committees/Commissions I am most interested in:

- Planning Board**
- Zoning Board of Adjustment**
- Wall Décor and Artwork Committee**
- Parks & Recreation Advisory Committee**
- Other (please list)** _____

Education (Including Years of School Completed):

Pittsburgh Technical Institute - 1986, Associates Degree in Architectural Design, Computer Graphics

Current Employer GF (GreenbergFarrow)

Title/Position Project Manager **Years in Current Position** 5

Brief Description of Duties:

Project Management oversight for commercial, retail and restaurant projects which include coordination with multiple engineering disciplines.
Coordination with Authority Having Jurisdictions (AHJs) from pre-development to Certificate of Occupancy across the country.

Other Employment History

40 years experience in Architecture, Engineering and Construction industry, including 20 years of Architectural Project Management experience in multi-use buildings (retail on ground floor, residential above), and single family dwelling, Nursery assistant - selection of landscaping materials

Interests/Skills/Areas of Expertise

My interests are architectural, interior and landscaping design, build and maintenance. I have been afforded opportunities to expand my knowledge and expertise in these areas through professional and personal endeavors.

Current Professional Organizations/Civic and/or Activities

Past Professional Organizations/Civic and/or Activities

HOA Role - President of Design review committee, Habitat for Humanity - home design lead, educator with JVS architectural design
Head Volleyball Coach - High School

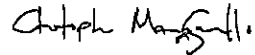
Comments

I appreciate your consideration of my application. As a full-time resident in Duck, I look forward to participating in discussions and decisions that will affect the community for years to come.

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Town Council?

No Yes (If yes, please attach an explanation of the possible conflict)

I certify that the facts contained in this application are true and correct to the best of my knowledge and belief. I understand that this application will be retained in the Office of the Town Clerk for two (2) years and must be updated after that time. If not updated as requested by the Town Manager, the application will be removed from the active consideration file. I understand if I am to be considered for a position that I will be required to give a presentation to Town Council on my qualifications and why I wish to serve. I further understand that upon submitting this application to the Town of Duck, this application and all information on it is considered a public record under North Carolina law.

Signature Christopher Manganello 

Date 04/20/2026

RETURN COMPLETED FORM TO:

**Office of the Town Clerk
Town of Duck
Post Office Box 8369
Duck, NC 27949**

AGENDA: May 6, 2026 Regular Meeting

ITEM #8A:

New Business

A. Discussion Regarding Dead Grass Along the Sound Shoreline

RECOMMENDED ACTION:

- Discuss Public Engagement opportunity

SUMMARY OF INFORMATION:

The Duck Town Council is aware that there has been an unprecedented amount of dead sea grass accumulating along the sound shoreline. This phenomenon is not unique to Duck alone. Much of the northern Outer Banks, including Corolla and the Town of Southern Shores, have been experiencing this same issue. Questions have been raised as to what is causing this. Are there health and safety issues associated with it? What is this doing to our water quality? What is causing and can be done about the smell? What can property owners do to address the matter?

Town staff have begun coordinating with the Town of Southern Shores and research/educators to provide a public education opportunity and would request Town Council's support in this effort.

Town staff will be happy to discuss details and entertain questions associated with this opportunity.

ATTACHMENTS:

- None

AGENDA: May 6, 2026 Regular Meeting

ITEM #8B:

New Business

- B. Discussion/Consideration of Resolution 26-10 a Resolution of the Town Council of the Town of Duck, North Carolina, Amending the Financial and Budgetary Policies of the Town of Duck

RECOMMENDED ACTION:

- Review and adopt Resolution 26-10

SUMMARY OF INFORMATION:

During the Town Council’s Budget Workshop on April 15, 2026, a suggestion was made to commit a portion of any funds to be added to the Fund Balance to be used for future Capital projects. This suggestion arose from the inability to fund some needed Capital projects, as shown in the Capital Improvement Plan, due to a lack of funding. The proposed resolution creates a Capital Projects Reserve Fund and directs 50% of funds added to Fund Balance at the conclusion of a fiscal year to this new reserve fund.

ATTACHMENTS:

- Resolution 26-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH
CAROLINA, AMENDING FINANCIAL AND BUDGETARY POLICIES

Resolution No. 26-10

WHEREAS, the Town Council of the Town of Duck, North Carolina, on May 5, 2025, established policies and procedures related to the management of the assets of the Town and to the management of debt and investments; and

WHEREAS, the establishment of and compliance with such policies provides reasonable assurance of compliance with statutory requirements, financial best practices, and the reliability of financial reporting; and

WHEREAS, the stewardship of the public's assets and trust is paramount in the operation of business affairs of the Town; and

WHEREAS, the Town Council has a duty to provide oversight and policy direction in matters related to financial matters.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA, THIS 6th day of May, 2026 that the Town of Duck Financial and Budgetary Policies are amended to read as follows:

Section VI. Reserve/Fund Balance Policy

5. Annual Surplus Allocation to Capital Projects Reserve Fund

In order to promote long-term financial stability, responsible fiscal management, and strategic investment in public infrastructure a portion of annual operating surpluses shall be committed to future capital needs.

- a. At the close of each fiscal year, one-half (50%) of any excess revenues over expenditures in the General Fund shall be assigned to a Capital Projects Reserve Fund for the purpose of funding future Capital improvements, major equipment purchases, and infrastructure needs.
- b. Excess Revenues Over Expenditures shall mean the amount by which audited General Fund revenues exceed audited General Fund expenditures for a completed fiscal year, after accounting for all required year-end accruals, transfers, and adjustments.
- c. Capital Projects Reserve Fund shall mean a designated reserve established to accumulate funds for future capital expenditures, including but not limited to buildings, vehicles, parks, pedestrian accommodation, drainage systems, and other long-lived public assets.

- d. Following completion of the annual independent audit, Finance staff shall calculate the audited excess of revenues over expenditures for the fiscal year. Fifty percent (50%) of that excess shall be assigned to the Capital Projects Reserve Fund. The remaining fifty percent (50%) may be retained in unassigned Fund Balance, allocated to other reserves, or appropriated by the Town Council.
- e. Amounts held in the Capital Projects Reserve Fund may be used only for:
- Capital construction or renovation projects.
 - Major maintenance that extends asset life.
 - Purchase or replacement of vehicles or heavy equipment.
 - Local match requirements for grants tied to Capital improvements.
 - Debt reduction related to Capital financing.

Use of these funds shall require formal appropriation by the Town Council.

- f. The Town Council may waive or modify the annual transfer requirement, by an affirmative vote of the Town Council, upon finding that extraordinary circumstances exist, including, but not limited to:
- Natural disaster recovery.
 - Significant economic downturn.
 - Emergency operation needs.
 - Major unforeseen liabilities.
 - Revenue losses materially affecting operations.

Adopted this 6th day of May 2026.

Mayor

ATTEST:

Clerk