

**TOWN OF DUCK
TOWN COUNCIL
REGULAR MEETING
November 4, 2020**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 7:00 p.m. on Wednesday, November 4, 2020.

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

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Interim Town Manager Joseph Heard; Police Chief Jeffrey Ackerman; Fire Chief Donna Black; Town Attorney Robert Hobbs; Attorney John Leidy; Director of Marketing and Special Events Christian Legner; Public Relations Administrative Assistant Betsy Trimble; Assistant to the Town Manager Alyson Flynn; Deputy Town Clerk Kristiana Nickens; and Town Clerk Lori Ackerman.

OTHERS ABSENT: None.

Mayor Kingston called the meeting to order at 7:00 p.m. He asked Patricia Scarlett to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

Mayor Kingston thanked everyone that was viewing the meeting remotely and to ensure an orderly meeting, he asked the audience to follow the guidelines for those that wished to submit comments during the Public Comment period. He noted that if the comments were submitted via email it would be read into the record and if comments were submitted for a later comment, it could be done through the question and answer function in Zoom and would be read into the record. He stated that the meeting recording would be available on the Town's YouTube channel as soon as possible after the meeting.

PUBLIC COMMENTS

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

SPECIAL PRESENTATION

Introduction of New Firefighter Christian Dick

Fire Chief Donna Black was recognized to speak. Fire Chief Black went on to introduce Duck Fire Department's newest firefighter, Christian Dick, to Council and the audience.

Mayor Kingston and Council welcomed Christian Dick to the Town.

CONSENT AGENDA

Minutes from the September 9, 2020, Reconvened Meeting; Minutes from the September 16, 2020, Mid-Month Meeting; Minutes from the September 23, 2020, Special Meeting; and Budget Amendment

Councilor Whitman moved to approve the consent agenda as presented.

Motion carried 5-0 via roll call.

OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

Update/Discussion/Consideration on Duck Trail Repaving

Permit Coordinator Sandy Cross was recognized to speak. Permit Coordinator Cross stated that Council had budgeted \$200,000 for trail improvements as part of the Fiscal Year 2020-2021 budget, for repaving the Duck Trail shared use path north and south of Martin Lane. She stated that Barnhill Contracting Company was nearing completion of these improvements at a cost of \$125,695. She added that after surveys, design work and tree trimming, the Town has an approximate budget balance of \$46,097.30 for construction of the section between Oyster Catcher Lane and Blue Heron Lane. She explained that in order to do the work the following funds would be needed to complete the work:

- 690 linear feet of conventional concrete would cost \$0.00
- 1,010 linear feet of conventional concrete would cost \$19,529.48
- 706 linear feet of pervious concrete would cost \$88,811.99
- Total funds to complete all remaining 1,716 linear feet would cost \$108,341.47

Mayor Pro Tempore Thibodeau asked if Barnhill Contracting Company could do all of the work this fiscal year. Permit Coordinator Cross stated that they could. Mayor Pro Tempore Thibodeau stated that she looked at the chart that was in Council's packets and clarified that the \$108,000 was in addition to the surplus \$46,000. Permit Coordinator Cross stated she was correct. Mayor Pro Tempore Thibodeau clarified that the Town needed an additional \$108,000 to finish up the project. She stated that she was in favor of doing that.

Mayor Kingston stated that he was concerned as Council added \$100,000 to the project, the cost came under that and now the Town has some additional money to spend; however, the Town was only four months into the fiscal year. He pointed out that it has been an unknown year with respect to revenues and expenses. He noted that the Town had received some good news recently with regard to occupancy, but there has also been a lot of excess expenses. He stated that he would like to see the Town finish up without exceeding the \$200,000. He understood that concrete was less expensive but thought the Town would have a risk if Council continued to authorize and spend money every year

when there wasn't a forecast of what would be left at the end of the year. He reiterated that the Town was only four months into its budget year and thought the Town should proceed with caution, adding that the Town has had some unusual expenses and thought the Town needed to proceed with caution, finish up the \$200,000 worth of work and come back and complete it next year as planned.

Councilor Whitman asked if it would get from Oyster Catcher Lane to Sanderling. He further asked how far it would take the \$40,000-\$45,000 up the road. Permit Coordinator Cross stated that it would be more cost efficient by going south as it would get 690 linear feet out of 1,725 linear feet. Councilor Whitman clarified that it would get the Town about half. Permit Coordinator Cross stated that it would not, adding that 800 would be closer.

Councilor Caviness asked if the Town stayed with the allotted amount, Permit Coordinator Cross would prefer getting more done at the southern end of the project. Permit Coordinator Cross stated that it would only be approximately 400 linear feet if a permeable pavement could be installed at Oyster Catcher Lane going north. Councilor Caviness asked what that meant. Permit Coordinator Cross stated that if only 425 feet of permeable pavement was installed, there will still be an area that will hold water. She added that she would rather see it all completed at once to fix the problem.

Councilor Mooney agreed with Mayor Pro Tempore Thibodeau's comments that the project should be finished now. He pointed out that the conditions could get bad and thought finishing it now would help.

Mayor Pro Tempore Thibodeau stated that she was looking at it as a public safety issue and appreciated the fact that Council had allocated the additional funds. She pointed out that Council had another item on the agenda. She added that Council postponed a large expense while looking at grant money. She understood that the Town would gain quite a bit of money on the project with efficiency and use of the Town's dollars. She felt that the Town has the ability to fund the project for those reasons, plus it was public safety. She asked what the next recommendation would be for sidewalks. Permit Coordinator Cross stated that it would leave one section remaining at Sanderling between Waxwing Lane and Blue Heron Lane. She stated that the area did not have any flooding issues, has a lot less trees and was adjacent to a large pond. She stated that based on the numbers this year, the section from Martin Lane north and Martin Lane south, the next section could be finished under \$100,000 subject to engineering costs.

Interim Town Manager Heard noted that the bids came in extremely low because NC Department of Transportation has had financial issues and have deferred and delayed projects. He noted that prices were unlikely to occur again next year if the Town rebid the project next year as it may be higher. He added that the Town could not rely on this cost per linear foot. Permit Coordinator Cross stated that the next section, if it was split, would be easier to complete.

Councilor Mooney asked if the last section presented the same public safety issues. Permit Coordinator Cross stated that it did not as it was at a higher level.

Mayor Pro Tempore Thibodeau moved to allocate \$108,000 to have the project completed.

Councilor Whitman asked if the extra \$20,000 would give another 300 feet. Permit Coordinator Cross stated that it would. Councilor Whitman asked if the rest would be completed using permeable materials. Interim Town Manager Heard stated that it would cost almost \$89,000, but that was a separate figure. Councilor Whitman stated that he was looking at the unit pricing at \$154,000. Permit Coordinator Cross stated that the \$154,000 was for the entire section. Councilor Whitman noted that \$62,000 was for the concrete. Permit Coordinator Cross stated that it was for the pervious concrete. She stated that there was an amount of excavation and grading associated with that section.

Councilor Caviness asked if any of the engineering work on this section required people giving access or easements. Permit Coordinator Cross stated that Joe Anlauf completed the survey work and prepared a plan. She stated that they looked at the site where Mr. Anlauf was proposing some shallow grading on some common space that Sanderling owns, but in order to get to the common space, one has to get over a hump and there were a lot of live Oak trees as well. She stated that the ability to make it manageable without losing a lot of trees, installing a basin was not preferable. She stated that Mr. Anlauf reworked the survey and decided that the parcels that Town staff thought may be options were not going to be effective. She added that the time it would take to obtain easements did not make sense to do, so it was decided that permeable concrete could be used.

Mayor Kingston reiterated that Council needed to be cautious with regard to funding projects. He added that the Town will be applying for a BRIC grant but there was no guarantee that the Town would receive it. He stated that the Town has exceeded expenditures already this year with increased accounting and legal services as well as paying the search firm for a new Town Manager. He stated that basing things on a good month in October would not carry the Town through the entire year, adding that there were three more requests that would be coming before Council for budget amendments. He stated that there was a limit as to how many things the Town could afford. He noted that the Town put \$200,000 towards the project and thought Council needed to err on the side of caution; finish the project with the conditions and budget that was approved and then plan for the additional expenses next year. He understood the arguments for the project as well as the cost of concrete, but it will be a tough year and NC Department of Transportation may not have the money to spend later in the year. He reiterated that he was opposed to spending \$108,000 for the project and would not be voting in favor of the motion.

Mayor Pro Tempore Thibodeau clarified that the agenda item on the grant and the deferral of the sidewalk phase was so it could be incorporated in. She asked if it was the whole strategy in the same budget year or it would be decided after the fiscal year ends. Interim Town Manager Heard stated that it was possible that the Town would receive

notice on the grant toward the end of the fiscal year. He stated that more than likely, the Town would be planning to transfer that money. He stated that there was no way that staff could design the bid documents in this fiscal year if the grant was obtained.

Mayor Kingston pointed out that if the BRIC grant does not come through, the monies for the living shoreline and the pedestrian plan need to move forward. He added that the Town would be putting those projects in jeopardy.

Councilor Caviness stated that she would prefer that the project use the money that's been allocated to it in the best possible way and not go over.

Mayor Pro Tempore Thibodeau stated that she pushed to get more done this year. She pointed out that Council has heard public comment on it, adding that she doesn't walk it every day but the thought of people walking or bicycling that part and having to go out onto Duck Road was a safety concern. She thought it made good sense, the Town was not spending the money this year for the pedestrian plan, but there was opportunity there. She thought the Town would see increased revenue this year, adding that Duck has made up for what was lost in the Spring. She felt that, fiscally speaking, the Town was in good shape.

Councilor Mooney agreed with Mayor Pro Tempore Thibodeau's comments. He stated that it was a dangerous situation even after a normal rain event. He thought if the Town had the opportunity to do this with decreased material costs, it should be done.

Mayor Kingston reiterated that there were three more requests on the agenda that would cost the Town in excess of \$108,000. He stated that the Town does not have an unlimited amount of money to spend and doesn't have a good handle on this year. He added that occupancy tax could dry up as quickly as it comes in. He reiterated that he will not be voting in favor of the motion.

Mayor Pro Tempore Thibodeau clarified that during the budget discussions, Council discussed the \$108,000. She stated that it was something in the budget discussion and was something the Town Manager put out there and Council had the conversation that Duck would have a little more in occupancy tax. She stated that the Town received a lot of extra money. She felt that the project should be finished up while the costs were good. She reiterated that it was a budget discussion and was allocated by the Town Manager to put \$100,000 in and Council agreed to have \$200,000.

Mayor Kingston stated that he wasn't disagreeing, he was pointing out that only the budgeted amount should be spent.

Motion defeated via roll call 2-3 with Mayor Kingston, Councilor Whitman and Councilor Caviness dissenting.

NEW BUSINESS

Discussion/Consideration of the Authorizing the Town Manager to Execute a Contract with VHB for Design and Engineering Services in Preparation of a BRIC Grant Application

Interim Town Manager Heard stated that at their October 7, 2020 meeting, Council considered the opportunity to submit for the BRIC grant. He stated that Council voted unanimously to defer construction of the living shoreline and Phase 4 sidewalk projects so that they may be included as part of the BRIC grant application. He added that Council also authorized staff to proceed with the submission of a letter of intent to apply for BRIC grant funding, including a description of the proposed, combined resiliency project.

Interim Town Manager Heard stated that on October 27, 2020, the Town received notice from the NC Department of Public Safety that the Town of Duck Living Shoreline and NC Highway 12 Resiliency Project was selected from a pool of 65 applications. He stated that the Town has been invited to submit a full application for FEMA's consideration for funding through the BRIC project. He stated that he was recommending that the Town retain VHB to prepare the engineering, design, and other materials necessary for the BRIC grant application.

Mayor Pro Tempore Thibodeau clarified that with regard to the contract with VHB, if the Town was not successful with the BRIC grant, the engineering would do anything else for the Town or hold any kind of value. Interim Town Manager Heard stated that it would. He explained that if the Town did not receive the grant this time, it would be a federal program that would continue annually. He stated that the Town always has the potential to look at it in the future. He added that this was something that the Town has identified as a significant piece of its resiliency moving forward and identified as something that the Town wants to do.

Mayor Kingston clarified that without engineering support, the project could not move forward. Interim Town Manager Heard stated he was correct.

Mayor Pro Tempore Thibodeau moved to authorize the Interim Town Manager to execute a contract with VHB as presented.

Motion carried 5-0 via roll call.

Discussion/Consideration of the Authorizing the Town Manager to Enter Into a Contract with the NCLM to Review and Update Town Personnel Policies and Conduct a Salary/Classification Study

Interim Town Manager Heard stated he and Town department heads have recognized the need to review, update, and amend Duck's existing personnel policies. He stated that after identifying issues and sections of the policies needing further review, staff was prepared to work with a consultant to conduct a comprehensive review of the personnel policies. He added that the NC League of Municipalities offers this service to its member communities through a partnership with the MAPS Group, a consulting firm specializing

in public sector human resources. He explained that under this arrangement, the MAPS Group would conduct a salary/classification study for the Town. He added that the proposed contract has a fee of \$8,595 plus itemized expenses for mileage, meals, lodging, printing and supplies, and actual travel time at \$25.00 per hour. He noted that the Town will work with the League separately on a review of Fire and Police Department policies.

Mayor Pro Tempore Thibodeau asked what the timeframe would be for this. She further asked if Interim Town Manager Heard envisioned representatives from the MAPS Group coming to Duck to meet with employees one on one. She wondered if there would be another budget item for the League of Municipalities for the review of the Fire and Police Departments. Interim Town Manager Heard stated that there was no additional charge for the Police and Fire Department review. He stated that the MAPS Group informed him that they have an opening toward the beginning of December when they would be able to initiate things and begin working with staff. He added that there was no firm end date as far as how long it may take. Councilor Whitman pointed out that the contract had three months in it.

Councilor Caviness moved to authorize the Interim Town Manager to execute a contract with the NC League of Municipalities as presented.

Motion carried 5-0 via roll call.

Discussion/Consideration of Full-Time Firefighter Position

Fire Chief Black stated that the Fire Department was requesting to add one Firefighter-EMT position to fulfill the immediate need by the Duck Fire Department. She stated that the proposal would cover funding already budgeted for part-time positions in Fiscal Year 2020-2021 to fund a full-time position. She noted that the position already existed in the current Fiscal Year 2020-2021 Pay Plan with a salary range of \$41,613 to \$67,648.

Fire Chief Black stated that the adopted Fiscal Year 2020-2021 budget included \$58,500 for part-time assistance for the Fire Department. She stated that she was proposing to reduce the part-time budget to \$30,000, allowing \$28,500 to be applied to a full-time position. She noted that since it would be prorated for the remaining seven-month period, the estimated cost would be \$37,900 to \$40,000 for a full-time firefighter position in Fiscal Year 2020-2021 and the budget amendment request was for an additional \$11,500.

Bob Mack of the Duck Volunteer Fire Department was recognized to speak. Mr. Mack stated that the Fire Department Board of Directors has been working with Fire Chief Black for several years regarding personnel and staffing issues. He stated that the Board of Directors was in concurrence with Fire Chief Black's request. He went on to read a statement from the Board of Directors to Council and the audience endorsing Chief Black's request for a full-time firefighter.

Mayor Pro Tempore Thibodeau asked if the Town was responsible for paying firefighters when they are out on FMLA or surgery. Chief Black stated that the Town uses the NC

League of Municipalities for the long-term absence to make sure they were doing things correctly. She stated that with regard to FMLA, the employee is given 12 weeks where they could utilize their sick time for that. She added that for the long-term absence, the employee will use available sick time and then short-term disability will be used. Mayor Pro Tempore Thibodeau asked if Fire Chief Black and Deputy Fire Chief Clarence Batschelet would fill in during an absence. Fire Chief Black stated that they are very flexible when there is an absence and would fill in. Mayor Pro Tempore Thibodeau asked if Deputy Fire Chief Batschelet fills in on weekends. Fire Chief Black stated that she was usually scheduled to work Monday through Friday and Deputy Fire Chief Batschelet will work one week Tuesday through Thursday, off for the weekend, and then working Monday through Tuesday and off Wednesday through Thursday and working Friday through Sunday. She added that she is on call when Deputy Fire Chief Batschelet is not working.

Mayor Kingston asked Fire Chief Black if she had any candidates in mind for the position. Fire Chief Black stated that they need to complete a process as the part-time firefighters were not interested in the position. She stated that she also has to complete a search for additional part-time firefighters. Mayor Kingston asked how many volunteer firefighters live in Duck. Fire Chief Black stated that there were none that were considered red tag firefighters, adding that Bob Mack would do it if he has to. Mayor Kingston asked if the position would be filled around December 1, 2020. Fire Chief Black stated he was correct.

Councilor Caviness moved to approve one new full-time firefighter, including approving a budget amendment to fund the firefighter position, and authorizing the Interim Town Manager to fill the new position as presented. Mayor Pro Tempore Thibodeau asked if the two additional positions would be considered permanent ones. Fire Chief Black stated she was correct.

Mayor Kingston suggested tracking each shift to see how many of the three were on as well as tracking the vacancies before the Retreat. Fire Chief Black stated that in the last two to three months, there have been more days with just two firefighters than three.

Motion carried 5-0 via roll call.

Discussion/Consideration of Format & Dates for Winter Celebration and Annual Retreat

Interim Town Manager Heard stated that because of the COVID-19 restrictions, the Winter Celebration and annual Council Retreat were upcoming, which were two significant events for the Town. He added that staff needed to start planning for them, noting that the Council's 2021 schedule would be decided at their December 2, 2020 meeting. He stated that the format of the events as well as the dates for the events needed to be established for planning purposes.

Interim Town Manager Heard stated that, with regard to the Winter Celebration, staff had concerns regarding the ability of the Town to hold the event in its typical format. He stated that Public Relations Administrative Assistant Betsy Trimble and Director of Marketing and Events Christian Legner have been working on ideas that could be considered with regard to the format of the event. He stated that staff was looking at authorization from Council to hold a virtual event for the celebration.

Public Relations Administrative Assistant Betsy Trimble was recognized to speak. Public Relations Administrative Assistant Trimble stated that it was an idea that stemmed from something else and she and Director Legner had brainstormed on it.

Mayor Pro Tempore Thibodeau asked how much was budgeted for the Winter Celebration when it was done in a normal year. Public Relations Administrative Assistant Trimble thought it was approximately \$6,000 to \$7,000, which included the food and the gift. Mayor Pro Tempore Thibodeau asked if there were many engaged volunteers this year. Public Relations Administrative Assistant Trimble stated that there were as there have been some programs this past year that individuals volunteered to help with. Mayor Pro Tempore Thibodeau thought if people were willing to celebrate via Zoom, she was in favor of it. She wasn't sure if the gift card would be needed this year. Public Relations Administrative Assistant Trimble agreed, adding that the Town did not have to spend as much this year, but if Council wanted to have the gift cards, they needed to be ordered soon. Mayor Pro Tempore Thibodeau thought everyone could receive a gift instead of a meal since there would not be a gathering.

Mayor Kingston pointed out that there weren't that many volunteers this year. He cautioned not to mix the beach planting volunteers as they are recognized separately. He stated that with regard to the gift certificate, he pointed out that the Outer Banks Restaurant Association has \$25 gift certificates. He thought each staff member and volunteer could receive a \$25 gift certificate. He noted that it was for the entire beach and not just Duck, but there were fine restaurants in Duck. He added that in lieu of the meal, everyone could receive a small memento. He stated that Council could be in person for the event and stream it via Zoom. Public Relations Administrative Assistant Trimble stated that the restaurant gift certificate stemmed from the idea of providing dinner for everyone.

Mayor Pro Tempore Thibodeau thought there seemed to be an expectation on Town staff to entertain everyone. She stated that she didn't want staff to feel that they had to entertain everyone this year. She thought it should be that everyone says thank you and keep it simple as opposed to making staff work hard to come up with something entertaining.

Director of Marketing and Events Christian Legner was recognized to speak. Director Legner explained that Zoom could be set up with separate rooms for different activities. She added that if people wanted the opportunity to visit through Zoom, there could be different rooms for people to interact with each other.

Councilor Caviness thought it was smart that staff was making plans given the problems with COVID. She felt that having a celebration of community should coincide with the anniversary of the Town's incorporation in May. She thought if things have to be changed up, this would be a nice way to have a celebration in the spring and do it outside. She thought that the start of the season may bring other complications but felt it would be very well received. She added that she was also fine with doing something virtually.

Mayor Kingston stated that he liked Councilor Caviness' idea and thought it could be a barbeque with everyone outside. Councilor Caviness thought it would be a nice way to celebrate the anniversary of the Town. Mayor Pro Tempore Thibodeau agreed and thought both could be done. Councilor Whitman stated that he would leave the decision to staff. Mayor Kingston thought it may be easier to do both events. Councilor Caviness added that it would be a great way to introduce the new Town Manager to the community.

Director Legner stated that she loved the ideas that Council was providing. She thought if Council wanted to move toward the change, since the volunteer numbers were growing, something smaller could be done virtually and then moving things to May in order to recognize more volunteers may work. She added that she could bring more information to Council at their December 2, 2020 meeting.

Interim Town Manager Heard stated that a date was needed for the Winter Celebration. He pointed out that the most similar date to past events would be January 22, 2021. It was *consensus* of Council to have the Winter Celebration on January 22, 2021 via Zoom.

Interim Town Manager Heard stated that with regard to the annual Retreat, it was usually held the third week of February. He stated that typically Town staff liked to have as many people attend as possible, but because of COVID-19, it may be better to hold it virtually with Council in person for it. He noted that the tentative dates were February 17-18, 2021 or February 24-25, 2021.

Mayor Pro Tempore Thibodeau stated that she would prefer to hold it on February 24-25, 2021 because her daughter was expecting, and she wanted to be there for it. She added that if it was held via Zoom, she could attend that way. Interim Town Manager Heard noted that staff did not have a preference on the dates.

Mayor Kingston pointed out that the preference was always between the two Council meetings. He added that he was fine with either date. Mayor Pro Tempore Thibodeau reiterated that she could attend via Zoom if the rest of Council wanted to hold the Retreat on February 17-18, 2021. It was *consensus* of Council to hold the annual Retreat on February 17-18, 2021.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY

Town Attorney Robert Hobbs was recognized to speak. Town Attorney Hobbs stated that he did not have anything to report.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER

Departmental Updates

Interim Town Manager Heard gave a brief overview of the past month's permit activities to Council and the audience.

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

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

Director Legner gave a brief overview of activities to Council and the audience.

Contract with Blue Cross/Blue Shield for Employee Insurance Benefits

Interim Town Manager Heard stated that the Town contracts with Blue Cross/Blue Shield of North Carolina for health insurance. He stated that beginning December 1, 2020, costs for employee medical insurance will increase by 5.1% and dental insurance will increase by 3.6%. He noted that an Employee Assistance Program has been added to the list of benefits. He pointed out that the Town's insurance plan is grandfathered, and alternative options were evaluated but resulted in higher rates or greater costs for employees.

Mayor Kingston asked what percentage increase in a medical insurance increase was budgeted. Interim Town Manager Heard stated that he would have to check and get back to Council.

Councilor Caviness asked if anyone had a traumatic experience and had to go to counseling, they could use the Town's EAP program for it. Interim Town Manager Heard stated she was correct as long as they were full-time employees.

Presentation on Town Landscaping Bids

Permit Coordinator Cross stated that at the bid opening on October 29, 2020, only one bid package was received. She stated that per State bidding requirements, the Town was re-advertising the RFP for another bid opening at 10:00 a.m. on November 18, 2020. She stated that she would be providing Council with a recommendation at Council's December 2, 2020 meeting based on the bids received at the second bid opening.

Mayor Kingston pointed out that there was a mandatory pre-bid meeting with one response received. He added that now staff was re-bidding the project. He asked what

happens to the mandatory pre-bid meeting with new bidders. Permit Coordinator Cross stated that there would not be a second mandatory pre-bid, which opens it up to other people to bid. Mayor Kingston pointed out that it opened it up to contractors that don't have the required qualifications. Permit Coordinator Cross agreed. Mayor Kingston asked how it would be compared to the legitimate bidders. Permit Coordinator Cross stated that there was a process with reference requirements and details regarding the equipment the contractor would use as well as their plan of action.

Beach Nourishment/Maintenance Updates

Permit Coordinator Cross stated that CP&E was on target with everything with regard to the beach renourishment project. She pointed out that they sent out boats in early September to investigate new borrow areas and found areas that had less than ideal sand composition. She stated that based on the materials obtained, they did not expect to find anything better. She added that after consulting with the towns involved, CP&E stopped the continuation of the search for a new borrow area, which resulted in a 50% cost savings.

Permit Coordinator Cross stated that staff was waiting on the FEMA report that goes along with the permitting, for the storm damage. She stated that Ken Willson of CP&E will be keeping track of that and will keep staff informed.

Mayor Pro Tempore Thibodeau clarified that all of the towns would be using the same borrow area that was used for the first beach nourishment project. Permit Coordinator Cross stated she was correct. Mayor Pro Tempore Thibodeau clarified that there was enough sand to do the renourishment project. Permit Coordinator Cross stated that there would be. Interim Town Manager Heard pointed out that there were two borrow areas and the sand would be pulled from the area that was further south, which will increase the cost for the project since it was a longer distance. Mayor Pro Tempore Thibodeau clarified that they would not be using the smaller borrow area to the northeast at all. Interim Town Manager Heard stated that they had used up that area.

Permit Coordinator Cross gave a short overview of the beach conditions to Council and the audience.

October 2020 Financial Presentation

Assistant to the Town Manager Alyson Flynn was recognized to speak. Assistant Flynn reviewed the financial statements with Council and the audience.

MAYOR'S AGENDA

Mayor Kingston stated that the chairman and mayors have started meeting again, with the meetings held outdoors. He stated that the COVID-19 biweekly meetings are continuing every other Wednesday. He stated that he has a NC League of Municipalities finance meeting on November 30, 2020 via Zoom as well as a Board meeting on December 10,

2020 via Zoom. He noted that two of the potential Town Manager candidates will be part of the Board meeting. He stated that he had his annual conversation with Lisa Murphy with regard to the Town's annual audit and one issue the Town would be hit with was a budget amendment in June that was skipped that had to do with Fire Department payroll. He added that the Local Government Commission will most likely contact that Town to find out what will be done, but other than that the audit was clean.

COUNCIL MEMBER'S AGENDA

Mayor Pro Tempore Thibodeau stated she had no report.

Councilor Mooney stated that he had no report.

Councilor Whitman stated he had no report.

Councilor Caviness stated she had no report.

OTHER BUSINESS

Additional Public Comments

Mayor Kingston opened the floor for public comments.

Director Legner stated that no additional public comments had come in.

There being no comments, Mayor Kingston closed the time for public comments.

CLOSED SESSION

Mayor Pro Tempore Thibodeau moved to enter closed session pursuant to North Carolina General Statute 143-318.11(a)(3) and (6) in order to confer with the Town Attorney regarding a matter within the attorney/client privilege and to preserve that privilege and to discuss a confidential personnel matter in accordance with North Carolina General Statute 160A-168, including but not limited to considering the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

Motion carried 5-0 via roll call.

The time was 10:07 p.m.

Upon return from closed session, Attorney Leidy stated that Council conferred with the attorney to discuss some personnel matters, but no action was taken.


Mayor Kingston noted that the next meeting would be the Mid-Month Meeting on Wednesday, November 18, 2020 at 1:00 p.m.

ADJOURNMENT

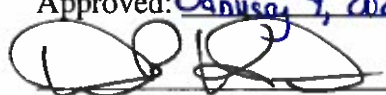
Councilor Whitman moved to adjourn the meeting.

Motion carried 5-0.

The time was 11:47 p.m.



Lori A. Ackerman, Town Clerk

Approved: January 4, 2021


Don Kingston, Mayor

