

Town of Oriental – Board of Commissioners Meeting  
August 7, 2007

The Oriental Town Board of Commissioners met on Tuesday August 7, 2007 at 6:00 pm at the Oriental Town Hall. Present were Mayor Styron and Commissioners Bohmert, Herlands, Inger and Venturi. (Note: No agenda meeting held)

A meeting was held prior to the regular Town meeting to discuss the South Avenue litigation. Mr. Lacy Henry was present with his lawyers, “Buzzy” Stubbs and Mokey Lassiter. Also present was adjacent property owner Mr. Chris Fulcher with his lawyer, Steve Weeks. Oriental Town attorney, Scott Davis, mediated the discussion.

The Town believes it has a 60’ street right-of-way. Mr. Henry believes he owns the same 60’ strip of land. In an attempt to avoid going to court, Mr. Henry offered to “give” the Town two 15’ strips of land, fee simple.

MOTION: Commissioner Herlands made a motion to go into closed session according to NCGS 143.3.11A, stating attorney/client privileges to discuss the South Avenue litigation. Second by Commissioner Bohmert. Vote 4-0.

After returning to open session, Mayor Styron made a brief statement saying that Mr. Henry’s offer was not acceptable. Another offer was made involving the location of a 30’ strip which the Board may consider if more details are provided.

Mayor Styron then opened the regular meeting and led the Pledge of Allegiance.

MOTION: Commissioner Herlands made a motion to approve the July minutes as written. Second by Commissioner Venturi. Vote 4-0.

PLANNING BOARD REPORT – This Board did not meet in July. There are now two applicants for the open seat on the board. Both Mr. Richard Creighton and Mr. Ron Stevens will be asked to attend two regular Planning Board meetings before being considered for the position.

WHITTAKER HARBOR ANNEXATION - Mr. Propst modified his zoning request. As one lot has sold and another is under contract, Attorney Davis recommended getting voluntary petitions to annex from the new land owners.

MOTION: Commissioner Herlands made a motion that the property shown on the survey and map prepared by Suitt & Associates, P.A. dated November 13, 2003, entitled Final Plat of Whittaker Harbor- Phase I, which is recorded in Plat Cabinet A, Slide 153-1, 2, 3, and 4, of the Pamlico County Registry, be annexed into the Town of Oriental. The Board also recommends the following zoning for Whittaker Harbor: The 5.73 acre parcel shown as “Conservation Area not For Future Development” shall be placed in district R-1. The 5.75 acre parcel shown as “Reserved” shall be placed in district R-3. The portion of the parcel shown as “Whittaker Harbor, Phase II” that is north of its border with the Madison Avenue

right-of-way shall be placed in district R-3. All other property within the 72.57 acre tract shall be placed in the R-1 zone.

Second by Commissioner Bohmert. Vote 4-0.

ST. PETER CATHOLIC CHURCH ANNEXATION - No institutional zoning is currently in place. Commissioner Venturi suggested that the Planning Board explore creating a new zone.

MOTION: Commissioner Venturi made a motion to cancel the public hearing scheduled for September 4<sup>th</sup> to take public comment on the annexation of the St. Peter Catholic Church. Second by Commissioner Inger. Vote 4-0.

PARMLEY PROPERTY ANNEXATION – MOTION: Commissioner Herlands made a motion to recommend zoning the Parmley property on White Farm Road district R-1.

Second by Commissioner Inger. Vote 4-0.

DRAINAGE ORDINANCE – Commissioner Herlands stated that a minor change needs to be made to the existing drainage portion of the subdivision ordinance. The reference to a federal agency needs to be changed to a local agency.

TOURISM BOARD REPORT – Copy of report is in the minutes book.

MOTION: Commissioner Venturi made a motion to allocate Tourism occupancy tax monies to cover the costs of lodging TV crews who come to film Oriental. Second by Commissioner Bohmert. The motion was amended to cover 100% of the lodging costs for film crews up to twice a year. Second by Commissioner Inger. Vote 3-1 with Commissioner Venturi voting no.

PARKS & REC COMMITTEE REPORT: Copy of the report is in the minutes book. The Committee requested approval to have the appraisal done on the McCabe property.

MOTION: Commissioner Venturi made a motion to approve the cost of having an appraisal done on the McCabe property on Factory Street. The motion died for lack of a second.

BAY RIVER REPORT – Commissioner Inger gave the report (copy is in the minutes book).

POLICE REPORT – Copy of report is in the minutes book.

MANAGER’S REPORT –

1. Mosquito spraying is continuing 4 – 5 times per week.
2. The White Farm pipeline is finished. Pressure check is okay and should be online soon after testing is completed. The pressure will not increase but more water will be available.
3. The reef grant has been submitted. General interest in the reef restoration has increased.
4. The sidewalk at the Town Dock is broken and needs some major repair.
5. The 2006 audit should start next week.

FINANCIAL REPORT - Copy of the report is in the minutes book.

PUBLIC COMMENT PERIOD – No public comment

COMMISSIONERS' COMMENT - Commissioner Inger discussed the Sick Leave Transfer. She recommended adding Transfer of Sick Leave as Section 9 into the Personnel Ordinance of the Town of Oriental as follows:

Unused sick leave may be transferred from another unit of NC local government or the State of North Carolina to the Town of Oriental for retirement credit. A maximum of 12 days (96 hours) may be credited to the employee's current sick leave account with the Town. Any sick leave hours transferred above 96 hours will be applied towards the State retirement plan. Amounts transferred shall be verified in writing by the previous employing unit in a manner acceptable to the Town Manager or the Town Board.

Taking action was deferred until the next meeting.

NON AGENDA –

EEC PLANNING SERVICE CONTRACT: Commissioner Herlands raised concerns about the mileage allotment – from where to here? He questioned if the contract should specify where the mileage count begins.

MOTION: Commissioner Bohmert made a motion to accept the EEC Planning Service Contract. Second by Commissioner Venturi. Vote 4-0.

EMERGENCY MANAGEMENT MEETING - Manager Cutler attended this meeting which concentrated on hurricane preparation. The policy “shutting down the Town” was confirmed – The Mayor or the Mayor Pro-Tem will make the decision. The Town is typically “shut down” when the power goes off and/or there is major flooding.

MOTION: Commissioner Bohmert made the motion to adjourn. Second by Commissioner Venturi. Vote 4-0.

Meeting ended at 9:15pm

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Mayor

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Town Manager