

Town of Oriental – Board of Commissioners Meeting
March 6, 2007

The Oriental Town Board of Commissioners met on Tuesday, March 6, 2007 at 7:00 pm at the Oriental Town Hall. Present were Mayor Styron and Commissioners Bohmert, Herlands, Inger, Johnson, and Venturi. Also present were Planning Board members Cox, and Sage as well as 37 members of the public.

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

APPROVAL OF MINUTES:

MOTION: Commissioner Johnson made a motion to approve the Feb. 1, 2007 minutes with one correction. Second by Commissioner Bohmert. Vote 5-0.

MOTION: Commissioner Johnson made a motion to approve the Feb. 6, 2007 minutes with one addition. Second by Commissioner Bohmert. Vote 5-0.

PUBLIC HEARING #1 – REQUEST BY RIVER NEUSE SUITES FOR A SUP:

Mayor Styron opened the first public hearing and asked that those wishing to speak to step forward and be sworn in.

Mr. Mike Rogers of River Neuse Suites gave a recap of the project. He entered into evidence the SUP application as well as a letter dated November 27, 2006 (Evidence #1 and #2 - SUP case 2007-15). He explained that each unit will be sold then put into a rental pool and run as a motel. He felt that the project is in compliance with Article VII, Section 126 of the GMO.

- Mr. Marvin Bullock then spoke explaining the timeline of events that led to the renovations exceeding 50% of the value. He submitted into evidence two drawings of the project (Evidence #3 and #4 – SUP 2007-15)
- Mrs. Elizabeth Harris spoke on behalf of her mother, Lillian Stahnton, who lives adjacent to the River Neuse Suites project. She submitted her letter into evidence (#5 – SUP 2007-15).
- Mrs. Kip Nicholas, an adjacent home owner, spoke voicing her concerns about the integrity of the builders, their lack of respect for other people's property, and the future additions they plan on adding (see Evidence #6 - SUP 2007-15).
- Mr. Joe Harris spoke briefly cautioning the Board to think carefully before issuing the SUP.
- Mr. Dick Moat entered into evidence his suggested conditions to the SUP. (Evidence #7 – SUP -2007-15).

Mayor Styron then addressed the 7 Elements with Mr. Rogers;

1. Is the requested Special Use Permit within the jurisdiction of the Board of Commissioners?
Answer: Yes
Public Comment: None
2. Is the application complete?
Answer: Yes
Public Comment: None

3. Does the development comply with all of the requirements of the GMO?
Answer: Yes
Public Comment: None
4. Will the development materially endanger the public health or safety?
Answer: No
Public Comment: None
5. Will the development substantially injure the value of adjoining or abutting property?
Answer: No.
Public response: None
6. Will the development be in harmony with the existing development and use within the area in which it is located?
Response: Yes
Public response: None
7. Will the development be in general conformity with the plans officially adopted by the Town Commissioners?
Response? Yes
Public response: None

The Commissioners then discussed the Planning Board's recommended conditions:

1. The developer shall not subdivide any portion of this MU-zoned property.
2. Upon the approval of the town attorney, the property owners shall adopt a similar covenant to those of the Oriental Marina Motel which require that all units remain in a rental pool as motel units and that the owner of each unit is restricted in personal use of the unit.
3. Obtain an agreement to keep the construction site clean so as not to disturb neighbors' properties.
4. Any maintenance required at the north or west sides of the building and property will require advance notice to and permission from adjacent neighbors and due diligence to protect their property.
5. A proper on-site drainage system including gutters and downspouts will be installed to insure that storm water runoff is addressed on the development's site.
6. Parking – the condition concerning parking and the wording will be supplied by Attorney Scott Davis.

MOTION: Commissioner Bohmert made a motion to approve the SUP with the six conditions. Second by Commissioner Johnson. Vote 5-0.

MOTION: Commissioner Johnson made a motion that the SUP application for River Neuse Suites meets the requirements of the seven elements and the SUP should be granted. Second by Commissioner Venturi. Vote 5-0.

MOTION: Commissioner Venturi made a motion to close the public hearing. Second by Commissioner Inger. Vote 5-0.

PUBLIC HEARING #2 – REZONING OF THE FRIEDMAN’S PROPERTY -Withdrawn

PUBLIC HEARING #3 – REZONING OF THE PALING’S PROPERTY -
Mayor Styron opened the third public hearing. There was no public input.

MOTION: Commissioner Bohmert made a motion to close the public hearing. Second by Commissioner Inger. Vote 5-0.

MOTION: Commissioner Venturi made a motion to approve the rezoning of the Paling property located at 412 Whittaker Point Road from MU to R1. Second by Commissioner Bohmert. Vote 5-0.

PUBLIC HEARING #4 – ZONING OF 3 PROPERTIES ANNEXED INTO THE TOWN
Mayor Styron opened the fourth public hearing. The location of the properties was clarified.

MOTION: Commissioner Bohmert made a motion to close the public hearing. Second by Commissioner Johnson. Vote 5-0.

MOTION: Commissioner Venturi made a motion to zone the 3 properties; 1450 Silverbrook Road, 6417 Straight Road, and 790 White Farm Road, MU. Second by Commissioner Johnson. Vote 5-0.

CAMP CREEK – Approval of revised final plat.

MOTION: Commissioner Johnson made a motion to excuse Commissioner Venturi, a partner in this project, from discussion. Second by Commissioner Bohmert. Vote 5-0.

There was discussion and input from the engineer for the project, Howard Nichols.

MOTION: Commissioner Bohmert made a motion to approve the revised preliminary plat (final plat if approved by the Planning Board). Mr. Cutler will check with the county fire marshal to ensure the plan has his approval. Second by Commissioner Herlands. Vote 4-0.

PLANNING BOARD REPORT was given by Chairman Dee Sage (copy of report is in the minutes book).

THE ‘DUCK POND’ ON MAIN & FACTORY STREETS – Petition

Mr. Charles Holton submitted a petition from citizens living around the Duck Pond. The portion of Main Street that crosses over Raccoon Creek is frequently flooded and the petition requests that that portion of the road be closed and the culvert removed. The Commissioners were favorable to the idea and discussed the possibility of having a pedestrian/bicycle bridge built over the creek. Should the road be closed, a public hearing will need to be held.

MOTION: Commissioner Johnson made a motion to have Mr. Cutler look into the feasibility and cost of this project. Second by Commissioner Bohmert. Vote 5-0.

MR. ED BYRANT’S LAND LEASE PROPOSAL FOR TOWN PARKING

A copy of the proposal is in the minutes book. The Commissioners thanked Mr. Bryant and stated that they will take his proposal into consideration.

TOURISM BOARD REPORT – (a copy of the report is in the minutes book).

MOTION: Commissioner Johnson made a motion to appoint Ms. Katy Pugh to be the point of contact and the Town’s representative at the Coastal Living magazine’s Concept House at River Dunes. Second by Commissioner Bohmert. Vote 5-0.

Commissioner Herlands pointed out that the tourism minutes needs a correction – Tom McElroy is not with the Oriental Harbor Marina.

PARKS & REC COMMITTEE REPORT – (a copy of the report is in the minutes book).

POLICE REPORT – (a copy of the report is in the minutes book.) Commissioner Venturi reported that they received a grant to upgrade the communications capabilities within the police vehicles and that Mr. Casassa and Mr. Careway are now certified to communicate directly with Raleigh. She further stated that to date, Oriental has not had any crime statistics as all the reports were filed through Bayboro. Now that the officers are filing directly to Raleigh, Oriental’s crime statistics will appear to go up but that is simply because there have never been any separate statistics. Sergeant Careway added that their reports have been 100% accurate and the Oriental Police Department has been placed in a type of police lottery and could receive a \$10,000 bonus.

MANAGER’S REPORT – (a copy of the report is in the minutes book).

FINANCIAL STATEMENT – (a copy of this is in the minutes book).

MOTION: Commissioner Herlands made a motion to tentatively schedule the Budget Workshops on March 29th, April 12th, 19th, May 10th, 17th and 24th, all at 8:00 am. Second by Commissioner Johnson. Vote 5-0.

ARBOR DAY PROCLAMATION:

MOTION: Commissioner Inger made a motion to adopt the Arbor Day Proclamation. Second by Commissioner Johnson. Vote 5-0.

CROAKER FESTIVAL – Request for use of Lou Mac park and adjacent streets on July 6th and 7th; to have Progress Energy check the power outlets; and to have live entertainment until 11:30 pm on Friday and from 7-9 pm on Saturday.

MOTION: Commissioner Johnson made a motion to approve these requests. Second by Commissioner Inger. Vote 5-0.

CHRISTMAS DECORATIONS - Request to purchase new Christmas decorations.

MOTION: Commissioner Inger made a motion to approve the purchase of nine (buy 6, get 3 free) new pole decorations. Second by Commissioner Venturi. Vote 5-0.

LOU MAC PARK PIER – Approval of drawing.

MOTION: Commissioner Bohmert made a motion to accept the pier drawing as proposed. Second by Commissioner Herlands. Vote 5-0.

CHILDREN'S THEATER – Request to use Town Hall July 2nd through July 27th.

MOTION: Commissioner Bohmert made a motion to approve the use of the Town Hall. Second by Commissioner Herlands. Vote 5-0.

SHARED PROFESSIONAL PLANNER – Update on the proposal to split the cost of hiring a professional planner with the County and other municipalities: the cost is estimated at \$80,000. The proposal is for the County to pay \$40,000; Oriental \$20,000 and the remaining \$20,000 to be split between the other towns.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE – Commissioner Venturi stated that the feedback from the community has been very favorable and knows that the five seats would be filled immediately should the Board decide to go ahead with this proposal.

MOTION: Commissioner Venturi made a motion to adopt the Chapter O Ordinance, with changes. Second by Commissioner Inger. After discussion, Commissioner Venturi withdrew the motion.

PUBLIC COMMENT PERIOD: No one spoke.

COMMISSIONERS' COMMENT PERIOD: Commissioner Bohmert recommended that a public hearing be held to change Section 160 of the GMO to include 'condotels'.

NON-AGENDA ITEMS:

1. The Board of Adjustment needs another board member. Mr. Doug Carmichael has asked to be considered. The Board directed Mr. Cutler to advertise the vacancy on the Town's website. The cut off date for submissions will be noon of March 29, 2007.
2. Debris Contract Preparation - Mr. Cutler asked the Board to review the proposal from Johnson Environmental & Disaster Consulting Services.
3. A proposal from Mr. Dick Moat to change the traffic flow at the post office.
4. The Board discussed the health insurance renewal contract with Blue Cross (current health insurance is with Blue Cross) which will be effective April 1st. To maintain the current coverage, premiums will increase 25%. The Board decided to maintain the current coverage.

Commissioner Inger made a motion to go into closed session per State Statue 143-318.11 Section 5. Second by Commissioner Bohmert. Vote 5-0.

Commissioner Inger made a motion to adjourn. Second by Commissioner Venturi. Vote 5-0.

Meeting ended at 11:50 pm.

Mayor

Town Manager

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Commissioner Inger reported that Mr. Frazer requested another appraisal at his cost. The second appraisal came in at \$430,000. Commissioner Inger recommended that they make an offer of \$361,000 with no contingences. The Board directed her to continue with the negotiations but not to exceed \$400,000.

Commissioner Bohmert made a motion to go out of closed session. Second by Commissioner Johnson. Vote 5-0.

Mayor

Town Manager