

Town of Oriental – Board of Commissioners Meeting  
And Public Hearing  
July 11, 2006

The Oriental Town Board of Commissioners met on Tuesday, July 11 at 7 pm at the First Baptist Church Fellowship Hall. Present were Mayor Styron, Commissioners Bohmert, Herlands, Inger, Johnson and Venturi. Public attendance was standing room only.

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

Commissioner Bohmert made a motion to approve the minutes after correcting the spelling of Mr. George Duffie's name and including the discussion that took place concerning street names. Second by Commissioner Johnson. Vote 5-0.

Mayor Styron opened the first public hearing pertaining to the Special Use Permit requested by Mr. Allen Propst for a four unit condominium at 504 North Street. There being no public comment, Commissioner Johnson made a motion to close the public hearing. Second by Commissioner Bohmert. Vote 5-0.

Commissioner Inger questioned whether a provision should be added stating what happens if the experimental pervious concrete does not get State approval. Planning Board member Dee Sage explained that the Board gave approval wanting to experiment with this alternative to other pervious surfaces such as stone that can become compacted over time. Commissioner Bohmert asked about maintenance; Mr. Propst stated that maintenance would be addressed in the home owners' association covenants. After more discussion, Commissioner Herlands made a motion to approve the Special Use Permit on the condition that the home owner's association agreement shall provide that the home owner's association must maintain the pervious concrete and that the home owner's agreement shall provide that the Town of Oriental has the ability to enforce that provision and the Town will get a copy of the agreement. Second by Commissioner Johnson. Vote 5-0.

Mayor Styron then opened the second public hearing pertaining to Section 160 (5) of the GMO modifying applications for a special use permit to be submitted a minimum of 10 days prior to the Planning Board meeting. There being no public comments, Commissioner Bohmert made a motion to close the public hearing. Second by Commissioner Venturi. Vote 5-0. Commissioner Bohmert made a motion to approve the amendment after adding, "The notification of this meeting shall also be given to the administrator to be distributed to the Planning Board and the Town Board prior to submitting an application...". Second by Commissioner Johnson. Vote 5-0.

Mayor Styron then opened the third public hearing pertaining to Section 52 entitled "Who May Submit Permit Applications/Submission Requirements." There being no public comments, Commissioner Johnson made the motion to close the public hearing. Second by Commissioner Bohmert. Vote 5-0. Commissioner Herlands questioned if this

wasn't already addressed in Section 60. Planning Board member Ms. Sage stated that while it may be redundant it is put there for clarity's sake. Commissioner Venturi made a motion to adopt the amendment. Second by Commissioner Johnson. Vote 3-2 with Commissioners Herlands and Bohmert voting no.

Mayor Styron then opened the fourth public hearing pertaining to Article XIV, Sections 226, 163, 150 (b) (d) and 154 (2) of the GMO entitled, "Definitions of Basic Terms – Planned Residential Development and Planned Unit Development." Town Manager Cutler read a definition of PUD (included in minute book) and, because of misinformation circulating around Town, clarified the role of the Board of Adjustments in regards to issuing variances.

Ms. Sage paraphrased her letter to the Commissioners regarding PUDs, gave a recap of Planning Board Chairman Don Mau's summary from the previous meeting and emphasized that the PUD is an "unfinished document and the input from the public tonight will help the town to create a PUD ordinance that is right for Oriental."

Planning Board members Katy Pugh, Bob Miller and Paul Olson each spoke outlining the PUD ordinance and the importance of public input.

Comments against the proposed PUD were made by Dan Miller, Bill Donaldson, David Cox, Grace Evans, Charlie Overcash, Michael Bardy, Kathy Enzerink, Barbara Stockton, John Zeren, Jennifer Roe and a few other people who did not state their names. Missy Baskervill spoke in favor of PUDs. Rosemond Boyles suggested that at any future public hearings a chalkboard be used to list the pros and cons of an issue. Mr. Zeren suggested that when voting on a PUD application, the vote should be unanimous. Paul Olson and Bill Speas spoke to defend Dee Sage against allegations of possible conflict of interest.

Commissioner Bohmert made a motion to close the public hearing. Second by Commissioner Venturi. Vote 5-0. Commissioner Johnson made a motion to send the PUD ordinance back to the Planning Board for more work. Second by Commissioner Bohmert. Vote 5-0.

The Planning Board report was given by Ms. Sage (copy of report is in minute book).

The Tourism Board report was given by Candy Bohmert (copy of report in minute book). Commissioner Bohmert made a motion to appoint Pat Ciccone and Jennifer Pare to the Tourism Board. Second by Commissioner Johnson. Vote 5-0.

The Parks & Recreation report was given by Commissioner Venturi (copy of report in minute book). The new granite/marble memorial bench at Lou Mac was discussed. Some people feel it is not at all appropriate there. The Committee is working on an ordinance that will prevent such things from being placed without approval from the Committee.

The Bay River report was given by Commissioner Nancy Inger (copy of report is in minute book). She informed the Board that Bay River voted to increase the base minimum from \$10 to \$20 and increase the usage rate by 4 ½%.

The Police Report was given by Chief Casassa. He recognized and thanked Sigrid Howells for the donation she made to buy a new defibrillator for his police department. He discussed getting another one for the other police car. He stated that no parking tickets were issued during the Croaker Festival and that there were only two incidents that occurred during the festival.

Managers report: (copy in minute book)

Steve Williams of the Oriental Harbor was on the agenda to discuss the Croaker Festival but asked to delay it until the next meeting.

Mr. Cutler gave the Financial Report: Once all the revenue and expensed are received and posted for the fiscal year ending June 30, 2006, the General Fund will show a “net income” of \$55,000 (+/-). The Water Fund shows a substantial “loss” but this is not unexpected and is due to the water tank and water pipe line projects.

The Board reviewed the proposal from Johnson Environmental & Disaster Consulting Services. As the Town already has a contract with Pamlico Tree Care to assist us for the first 72 hours after a hurricane and since the Town has done a very good job in the past receiving reimbursements from FEMA, Commissioner Herlands made a motion not to pursue the contract with Johnson Environmental. Second by Commissioner Bohmert. Vote 5-0.

The Board set the date for the joint session with the Board of Commissioner and the Planning Board. It is set for Tuesday, July 18 at 7:30 pm.

The following Public Hearings were set for August 1, 2006:

1. Commissioner Herlands made a motion to hold a Public Hearing for the Special Use Permit request for Pierce Creek Landing. In addition to the list of questions submitted to the developers by Planning Board member Bob Miller, additional answers, in writing, are needed to the following: Will the road be open to all vehicles, bicyclists, and pedestrians? Will the bike path, nature trails, boardwalk and small boat launch pier provide for public access?  
Second by Commissioner Johnson. Vote 5-0. Commissioner Johnson also requested that Emergency Manager Ben Barnett, and SPVFD Fire Chief Alan Arnfast be present at this hearing.

2. Commissioner Herlands made a motion to hold a Public Hearing for the Special Use Permit requested by Mr. Don Staub for a brew pub at 513 Broad Street. They too need to answer, in writing, questions asked at the last Planning Board meeting. Second by Commissioner Johnson. Vote 5-0.
3. Commissioner Johnson made a motion to hold a Public Hearing for a Special Use Permit for a B&B at 501 First Avenue. Second by Commissioner Herlands. Vote 5-0.
4. Commissioner Johnson made a motion to hold a Public Hearing to make changes to the GMO as required by new State statutes in sections 21, 22, 32, 71, 212, 213, 214, and 216. Second by Commissioner Bohmert. Vote 5-0.

An updated emergency phone list was distributed. Commissioner Bohmert made a request that her work telephone and fax number not be given out.

Commissioner Venturi stated that work on Long Range Plan will begin in September.

Commissioner Johnson gave a brief update on E.T.J. Manager Cutler had spoken with Alice Underhill who stated that legislation enabling the Town to do an E.T.J. is a relatively simple process. It would require public hearing(s) and the Town must submit its request in October to get on the docket. She cautioned to be certain of what we are asking. Mr. Lee Padrick will be attending the next Town Board meeting presenting the feasibility study on annexation.

The Planning Board requested that they get secretarial assistance with regard to taking and writing the minutes of their meetings. Commissioner Bohmert made a motion to have someone do the minutes. Second by Commissioner Venturi. Vote 5-0.

Commissioner Johnson asked about progress being made in the South Avenue litigation. The case should go to a judge by the end of the summer.

The contract from the auditor, Seiler Zachman & Assoc. came in with a price increase not to exceed \$10,000. The auditor costs have increased from last year due to a number of new requirements by the State. Commissioner Herlands made a motion to accept the contract. Second by Commissioner Johnson. Vote 5-0.

Meeting adjourned at 10:11 pm.

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Mayor

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Town Manager