

Town of Oriental – Board of Commissioners Meeting
May 5, 2009

The Oriental Town Board of Commissioners met on Tuesday, May 5 at 7:00 pm at the Oriental Town Hall.

Present were: Mayor Sage and Commissioners Bohmert, Cox, Inger and Styron
Commissioner Kellam arrived after the meeting started
Town Attorney Davis
Chief Casassa
Planning Board Vice-Chairman Barton
Long Range Planning members Venturi and Sage
County Commissioner Mele
10 members of the public

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

APPROVAL OF MINUTES:

MOTION: Commissioner Bohmert made a motion to approve the April 2 agenda, April 7 (with corrections) and April 22 Budget meetings minutes. Second by Commissioner Styron. Vote 4-0.

MOTION: Commissioner Bohmert made a motion to approve the April 16 closed session minutes. Second by Commissioner Inger. Vote 4-0.

PUBLIC HEARING # 1 – ROOF PITCH – Mayor Sage opened the Public Hearing. As no one signed up to speak;

MOTION: Commissioner Bohmert made the motion to close the public hearing. Second by Commissioner Styron. Vote 4-0.

MOTION: Commissioner Bohmert made a motion to approve the amendment to Article V, Section 74 entitled 'Roof Pitch'. Second by Commissioner Inger. During the discussion period Commissioner Cox gave a brief recap on the history of the proposed change and voiced his objection to the fact that the changes were done to accommodate one business that provided inaccurate information as to his building needs. Vote 3-1 with Commissioner Cox voting no.

PUBLIC HEARING # 2 – VESTING – Mayor Sage opened the second Public Hearing. As no one signed up to speak;

MOTION: Commissioner Bohmert made the motion to close the Public Hearing. Second by Commissioner Cox. Vote 4-0

MOTION: Commissioner Bohmert made a motion to approve the Vesting Ordinance. Second by Commissioner Cox. Vote 4-0.

PUBLIC HEARING #3 – SEVERAL CHANGES TO THE GMO – Mayor Sage opened the third Public Hearing. As no one signed up to speak;

MOTION: Commissioner Bohmert made the motion to close the public hearing. Second by Commissioner Cox., Vote 4-0.

MOTION: Commissioner Bohmert made a motion to approve all of the changes to the GMO. Second by Commissioner Cox. Vote 4-0.

Both Commissioners Bohmert and Cox thanked the Planning Board for all the work they did in working on the ordinances.

TOWN ATTORNEY REPORT – Attorney Davis recommended a few changes to the Progress Energy Franchise Agreement.

TOWN MANAGER’S REPORT – A copy of the report is in the minutes book. He also reported that D.O.T. has given the town permission to paint whatever curbs it needs to denote no parking zones as long as the town maintains them. Mr. Cahoon also stated that an inventory is being done on broken sidewalks and Powell Bill money will be used to get them repaired. Commissioner Cox asked that he look into using pervious material. Commissioner Inger complimented the staff for having the uneven sidewalks painted orange.

PUBLIC COMMENT PERIOD -

1. Mr. Jim Barton stated that he was representing the town at the Coastal Strategy Workshop in Wilmington on May 7. At that workshop the Division of Water Quality will be doing a presentation on storm water management. On June 3 he will attend another workshop where pervious versus impervious surfaces will be discussed as well as storm water runoff. He will report back to the board in June.

2. Barb Venturi spoke in support of having the police boat. As a boating community, she said, it makes sense to equip the police department with a means to patrol the surrounding creeks and river.

3. County Commissioner Mele reported that she serves on the Environmental Steering Committee for the Association of County Commissioners and there are some bills that might be of interest to the town. One of them would compel water systems, in times of necessity or emergency, to work together by combining forces. Another bill would require the reuse of water taken from the aquifer (she used PCS Phosphates as an example).

PLANNING BOARD REPORT – A copy of the report is in the minutes book. Vice-Chairman Barton commended Mr. Bob Miller for his five years of hard work serving on the board. He also discussed the revised definition of Bed & Breakfast that was presented to the commissioners. Mayor Sage said that they will delay scheduling the public hearing for the definition change until a later date. After more discussion;

MOTION: Commissioner Bohmert made a motion to send the revision of the definition of Bed & Breakfast back to the Planning Board. Second by Commissioner Cox. No vote was taken.

TOURISM BOARD - A copy of the report is in the minutes book. Commissioner Bohmert stated that she is going to recommend that the Tourism Board submit monthly financial reports.

Commissioner Inger and Mayor Sage questioned the need for monthly reports versus quarterly. The Board will discuss the Tourism Board's budget at the next Budget Workshop.

Ms. Pugh submitted a letter requesting the Board hire a person to take over the administrative duties of the Tourism Board. After a brief discussion, the Board tabled the matter.

PARKS & REC - A copy of the report is in the minutes book.

MOTION: Commissioner Bohmert made a motion to reappoint Mr. Midyette, Mr. Paré and Mr. Cordes to the Parks & Rec committee. Second by Commissioner Cox. Vote 4-0.

TREE BOARD – A copy of the report is in the minutes book. The Tree Board submitted an ordinance to incorporate their by-laws into the General Ordinance. This will be acted on at a later date to be included with a number of other requested changes to the General Ordinance.

LONG RANGE PLANNING – Ms. Venturi reported that all of the data they create from the questionnaires is posted on the town's website. The next data to be posted are all of the comments to the individual questions. She praised Ms. Wagoner for the accuracy with which she entered all the answers to the questionnaires into the data base. The committee continues to process the information.

BAY RIVER REPORT – A copy of the report is in the minutes book.

MOTION: Commissioner Bohmert made a motion to reappoint Commissioner Inger to the Board of B.R.M.S.D. Second by Commissioner Cox. Vote 4-0.

FINANCIAL STATEMENTS – A copy of the statements is in the minutes book.

(Commissioner Kellam arrived at this point.)

PROGRESS ENERGY FRANCHISE AGREEMENT - This agreement must be presented and approved at two meetings.

MOTION: Commissioner Cox made a motion to approve the franchise agreement with the changes recommended by Attorney Davis. Second by Commissioner Bohmert. Vote 5-0.

POLICE REPORT – A copy of the report is in the minutes book. The Board asked the police department to patrol Midyette St. on the weekends when there are more boaters driving to the Wild Life Ramp.

Commissioner Kellam reviewed the revised Police Boat Policy. Commissioner Inger pointed out two corrections (changing the words "should" to "shall"). Mr. Michne, on behalf of the First Responders, spoke in favor of the police boat (a copy of a letter he wrote stating this is in the minutes book). Mayor Sage asked him if they would take the boat or help with the upkeep cost. Mr. Michne replied that he cannot answer that question until after budget time.

Commissioner Styron questioned the purpose of the weekly patrols. Chief Casassa stated the patrols are “to be presence on the water” in the hopes of deterring more boat thefts and break-ins.

In regards to the \$800 the Oriental Boat Show wants to donate to the Town, Mr. Rob Lucey, organizer of the event, explained that the proceeds of the Boat Show were being given to ‘worthy nautical causes’ and the Oriental police boat was considered as such.

Commissioner Kellam explained that the Oriental Police Department has had a long standing ‘wish list’ with the Law Enforcement Support Services and one of the items was a boat. When one became available last September, Chief Casassa asked her if he could procure it and she said yes. When it came to spending money to fix the boat, Commissioner Kellam said that would need Board approval. The rumors that the Chief took it upon himself to accept the boat are not true.

Commissioner Bohmert asked a few questions about some of the expenditures and stated again that she wished the whole Board had been consulted before accepting the boat. Commissioner Inger estimated that the expenses for this first year with a boat come to about \$100/month and is well worth that cost.

MOTION: Commissioner Kellam made a motion to adopt the Police Boat Policy while working on #(1) (a) to develop an agreement with the First Responders. Second by Commissioner Cox. Mayor Sage pointed out that the wording in #(2) Weather conditions (a) implies that the boat can only be used during 2-3 foot seas and winds of 10-15. It should read “ Patrol boat can only operate when the seas are less than 3’ and the winds are less than 15 knots”. Vote 4-1 with Commissioner Bohmert voting no.

MOTION: Commissioner Kellam made a motion to gratefully accept the community based contribution from the Oriental Boat Show of \$800 to help cover the costs of the boat expenses. Second by Commissioner Cox. After some discussion the motion was amended with the addition of ‘upon approval from the town’s attorney’. This amendment was seconded by Commissioner Cox. Vote 5-0.

The issue of ‘no parking’ on the west side North St. was tabled as this is a D.O.T. decision.

Mayor Sage then addressed the proposed change to the General Ordinance regarding Chapter B – Police, Article 1 – Organization and Duties, Section 4 – Chief of Police. The proposed change reads:

‘The chief shall have control over the police department under the supervision of the Town Manager, with general direction from the Town Board through an identified Commissioner. Accountability for daily activity is to the Town Manager. Policy, procedure, personnel and equipment matters are the province of the Town Board. The Chief will make reports from time

to time to the Board as required, and shall perform such other appropriate duties consistent with his position as may be required of him by the Board.'

MOTION: Commissioner Cox made a motion to approve the proposed change to the General Ordinance regarding Chapter B – Police, Article 1 – Organization and Duties, Section 4 – Chief of Police. Second by Commissioner Inger. Vote 5-0.

Regarding the police car lettering;

MOTION: Commissioner Styron made a motion to approve the new lettering on the police cars for the amount of \$525. Mr. Cahoon will check and see if the lettering on Sergeant Careway's car is covered by insurance. Second by Commissioner Bohmert. Vote 5-0.

Mr. Hugh Grady requested that the curb be painted yellow starting from the corner of Church St. down past the driveway at the Inn of Oriental.

MOTION: Commissioner Bohmert made a motion to approve the No Parking curb painting as requested by Mr. Grady, from the corner on Church St. to 8' past Mr. Grady's driveway. Second by Commissioner Kellam. Vote 5-0.

In another curb painting issue,

MOTION: Commissioner Bohmert made a motion to repaint the yellow curb in front of the Baptist Church on Broad St. and change it to blue for handicapped parking. Second by Commissioner Styron. Vote 5-0.

DUCK POND UPDATE – Commissioner Inger stated that the town is not in a financial position to pursue purchasing the lots at the Duck Pond. She will review all the work done to date and have it available should an opportunity arise to revisit the project.

PUBLIC COMMENT PERIOD #2 – Mr. Gwinn Hedrick spoke in favor of having the police boat patrol to watch for boaters who go too fast and cause destructive wakes.

COMMISSIONER COMMENT PERIOD – Commissioner Cox reported that he attended the county commissioners meeting and one of the topics was tax reassessments.

NON-AGENDA ITEMS – Ms. Wagoner relayed a message from Mr. Edward Lupton who would like the town to consider buying the lot for sale next to Lupton Park. She also informed the board that Robert Fears, in an attempt to get his B-well license, has been attending night school to get his GED, a requirement for taking the test. Mayor Sage reported that the Methodist parsonage is now empty and up for sale.

There being no further business;

MOTION: Commissioner Bohmert made the motion to adjourn. Second by Commissioner Styron. Vote 5-0.

William Sage, Mayor

Attest: _____
Randall Cahoon, Town Manager