



ORIENTAL TOWN BOARD MEETING

Tuesday, February 5, 2019 at 7pm

507 Church Street, Oriental, NC

Mayor Pro Tempore David White Officiating

6 The Town Board of Oriental Town Board Meeting on February 5, 2019 was called to order at 7pm. Mayor Pro
7 Tempore White determined a quorum to be present and called the meeting to order with the Pledge of Allegiance.
8 He said we have a Public Comment period, if you wish to speak please make sure you are signed up on the correct
9 sheet.

10

11 Present: Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons, Commissioner Price, Town
12 Manager Diane Miller, Deputy Finance Director Tammy Cox and Members of the Public. Mayor Sally Belangia,
13 Commissioner Eric Dammeyer and Administrative Assistant Jeannine Russo were absent.

14

15 1. Approval of Agenda

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17 **Commissioner Simmons** made a **MOTION** to approve the Agenda. Seconded by **Commissioner Overcash**.
18 Motion passed 4-0.

19

20 2. Consent Agenda (Tab 1)

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- a. Consider Approval of Minutes from Town Board Regular Meeting January 8, 2019
- b. Consider Approve of Workshop Minutes from January 31, 2019

22

23
24 **Commissioner Overcash** made a **MOTION** to accept the minutes. Seconded by **Commissioner Simmons**. Motion
25 passed 4-0.

26

27 3. Public Comment Period

28

29 **Candy Bohmert (Pamlico County Commissioner):** Wished to speak to the Board regarding the debris pick up that
30 the County has been involved in. A lot has been picked up but there is still more. They thought the last pick up date
31 would be the end but more residents called asking for pick up. A third round was considered and asked residents
32 were asked to fill out a form so the County could have a more concentrated effort. 70 forms were received just
33 before their Board meeting – 38 state road, 14 private road and 18 town roads. There were 22 C & D, 21 vegetative,
34 6 both and 21 whole house demolitions. There is approximately 15,000 cubic yards which comes to \$420,000, some
35 in Oriental, Vandemere and Arapahoe. The County was hoping to pick up from the residents who filled out forms
36 when their attorney stated they cannot do that if they would FEMA reimbursement; they have to do the whole
37 County. The county has already spent \$3,500,000 with \$800,000 in unpaid receipts. Their concern is if they go into
38 next season without FEMA reimbursement, they will not be able to do anything including keeping the government
39 open during a storm as they did this time and food and water distribution. The County decided this would not be a
40 good idea. County Manager Tim Buck is still looking for ways to help those residents that still need help. Ms.
41 Bohmert stated this is the first time the County has picked up Towns, have never been responsible for them before.
42 The stated said they would do whole house, this is the first time that has ever happened and whole house is a huge
43 amount of cubic yardage. Approximately \$1,500,000 was spent in Irene believes they are looking at around
44 \$5,000,000. This is the reality they are facing, getting ready to go into budget and tough decisions will have to be
45 made, will be a tight year. She also stated that \$420,000 is three cents on your tax, if they were to do a tax increase.
46 Fortunately, they have a “healthy” fund balance, no longer as healthy as it was. They have completed FEMA
47 requirements but have not heard when reimbursement will begin. Ms. Bohmert felt she wanted to come to explain
48 the reasons that they are holding off face to face. Commissioner Overcash asked what the FEMA reimbursement
49 might be versus what the County has laid out. She stated FEMA should reimburse them for everything keeping in
50 mind that after Irene, it took four to five years to be fully reimbursed. Mayor Pro Tempore White asked what
51 direction they might give the Town residents as he has seen trucks making pick-ups. Ms. Bohmert stated they are
52 currently making the last pass and this is it. Anything placed out now, residents can be ticketed for. The County is
53 sympathetic to these residents, but unfortunately, are running out of money.

54

55 **Jim Edwards:** Mr. Edwards wanted to provide information for an event the second week of March where NC State,
56 Vermont, Virginia Tech and George Washington University here, approximately 60-65 college students will be here
57 all week. They take a week off and then another 25-30 from **inaudible** coming and about two weeks later there will
58 be a regatta the same weekend as the boat show. There will be 20 college teams there from up and down the east
59 coast, about 150 college sailors with more groups coming through after that. He is happy with what is going on at
60 the fishing pier as Lou Mac Park is a perfect venue and would like to be involved with that.

61
62 **Bill Hines:** Mr. Hines discussed a problem with the City of Havelock and stated they have put raw sewage into the
63 Neuse River, a quantity of approximately 430,000 gallons in the last three years. He stated they received a \$657 fine
64 for one spill of 192,000 gallons. This is coming out of one manhole. Sound Rivers has spoken with DEQ, who says
65 they are looking into it, since 2002, and there have been 42 spills since then with 28 since 2015 out of one particular
66 manhole. Riverkeeper is keeping all of the documentation and working with DEQ but their funding has been cut,
67 very difficult for them to do anything. Their Board will go to Southern Environmental Law to give a 60 day notice
68 of suit and express their concerns and how this impacts our economy. Mr. Hines asked the Board to pass something
69 on this.

70
71 **4. Public Hearing Request (Tab 2)**

72 Manager Miller spoke about an Annexation Petition and requests that the Board set a Public Hearing for March 5,
73 2019 for both the Hearing on the Annexation of the property detailed in their packets. It is a 32.74 acre piece of
74 property off of White Farm Road. They traded access easement so the actual entrance into the property will come
75 off of Shorey Drive. The Board has a list from KMSJ Engineering of the adjacent property owners to be notified and
76 a copy of the deed, two amending easements – one that swapped the access easement and the other from Duke
77 Energy. The owner, Mr. Martin Spratt, and a corporation named Chas 1, LLC, is the one requesting annexation with
78 R3 zoning, which will be the second Public Hearing on the same day. They understand annexing requires them to
79 hook onto our water system and Bay River Sewer as there is no septic allowed in Town limits. Manager Miller
80 stated once it is zoned, in this case R3, anything in the Permissible Use Table under that zone, can go on that
81 property. Planning Board has made significant changes recently, which will ensure the right things go in the right
82 places. Manager Miller showed a photo of the property and surrounding area. One parcel is an undeveloped
83 development zoned R1. Several are R3 and one is MU along with a spoil site property that is not annexed into the
84 town. The mix of uses justifies the creation of an R3. Preliminary designs have been presented with, potentially, up
85 to 50 duplexes. The new additions to Chapter K forces a developer to loop the line back to the main which will
86 increase water quality to that development and past so less treated water will be put on the ground at Dolphin Point –
87 good for our water system and great for our tax income. Manager Miller stated one cent on the tax rate for the Town
88 of Oriental is \$22,000 – not including boat, cars, etc. In time roads would be deeded over. Without annexation, they
89 could develop under the county’s guidelines – less impervious surface restriction, no height requirements as the
90 county uses state building code. The county denied this before as the original plan included wells and septic
91 systems. There is a process to move forward – put signage on the property, notify adjacent owners, advertise and
92 people can comment at Public Hearing. Manager Miller stated both annexation and zoning are political decisions –
93 no burden of proof. Draft had been presented to Planning Board and they were happy with the original design. They
94 are on top of all permitting and Manager Miller feels they will build responsibly. Mayor Pro Tempore White asked
95 if the Planning Board still needs to look at it; they do and will do so at their February meeting and make a
96 recommendation for the zoning request. Manager Miller stated the Board needs to approve Resolution 2019-01
97 directing her to do what is necessary for this annexation. Mayor Pro Tempore asked about the time frame, can they
98 vote for annexation at the same meeting? Manager Miller stated they do not have to but they generally do.

99
100 **Commissioner Simmons** made a **MOTION** to approve the Resolution 2019-01 and establish a Public Hearing for
101 the same evening for zoning. Seconded by **Commissioner Overcash**. Motion passed 4-0.

102
103 **5. Budget Amendment (Tab 3)**

104 Manager Miller stated there is a \$132,000 Budget Amendment - \$59,000 of which is the seawall repair and
105 extension. Much of the rest is expenses from Hurricane Florence, including a \$4500 expense for removal of loose
106 debris on South Avenue and other debris removal, \$16,500, and we are not finished with that yet. She further stated
107 after January 1, Public Works surveyed the Town and made a list of all debris and locations and sent this to the
108 County. Manager Miller’s concern is the large debris we do not have the equipment to move such as root balls from
109 very large trees. We still have C & D and green waste dumpsters and can pick up small piles ourselves. Manager

110 Miller is meeting with FEMA on Friday (February 8). Our projects have been submitted and expense quoting is
111 being done to see how much they will reimburse us for the larger projects. We go to bid on Friday, February 8, on
112 the fishing pier and the water line replacement. The sea wall is not yet finished, will not be until the pier is attached
113 – project is almost finished. Drainage project will be done in house. We will be contracting the water line
114 replacement, some playground equipment to replace. We need three formal bids to do the road; will be difficult to
115 get these and will be the very last project. Water tap expense portion has gone up. We cannot change our fees until
116 July 1 so this will run short as we have had several new builds this year at this higher cost.

117
118 **Commissioner Simmons** made a **MOTION** to approve the Amendment. Seconded by **Commissioner Price**.
119 Motion passed 4-0.

120 121 **6. Citizen Appointment to Hazard Mitigation Plans review: (Tab 4)**

122 Manager Miller stated over the next six months Beaufort, Craven, Carteret and Pamlico Counties are updating the
123 Regional Hazard Mitigation Plan and requires us, as a participant, to provide staff and citizen representatives.
124 Commissioners are not allowed to participate in any revisions to this plan. This will consist of four meetings – two
125 short, two long. Manager Miller feels there will not be a lot of adjustment but we do need citizen representation and
126 asked for volunteers. For staff it will be either Manager Miller or Deputy Finance Director Tammy Cox. Mayor Pro
127 Tempore asked if anyone in the audience would like to sign up. Resident Dan Allen volunteered.

128 129 **7. Appointments to Harbor Waterfront Advisory**

130 Mayor Pro Tempore White stated there are two appointments to Harbor Waterfronts Advisory Committee.
131 Chairperson Lisa Thompson said there are two great new additions – Dan Allen and Don McGuire were presented
132 for approval. Mayor Pro Tempore White stated he read their resumes and feels they will be wonderful additions to
133 the committee.

134
135 **Mayor Pro Tempore White** made a **MOTION** to approve the two new Harbor Waterfront Advisory Committee
136 members. Seconded by **Commissioner Simmons**. Motion passed 4-0.

137 138 **8. Contract Award**

139 On Friday (February 8), Manager Miller is meeting with an engineering firm that was selected from the 11 that were
140 solicited and the eight that submitted applications to be the engineering firm to design and oversee the Whittaker
141 Pointe project. Manager Miller is confident they have a good firm and will make sure they understand the scope and
142 immediacy of the need. She hopes to have a contract in place by the end of February and if the Board will allow her
143 to negotiate and sign, she can move before the next Board meeting. Manager Miller stressed this is not only her
144 decision. Dr. Lexia Weaver, subject matter expert, is also on the committee along with Lisa Thompson and Jim
145 Blackerby. They all feel this firm can do the best service for Oriental.

146
147 **Mayor Pro Tempore White** made a **MOTION** to authorize Manager Miller to be the designated agent for this
148 contract award for the engineering study. Seconded by **Commissioner Overcash**. Mayor Pro Tempore White
149 inquired if this firm will also do the day to day...Manager Miller stated they will be the daily oversight. Motion
150 passed 4-0.

151 152 **9. Award of NCDEQ Grant for Whittaker Pointe Restoration: (Tab 5)**

153 Manager Miller spoke about the award we were granted in December from North Carolina Department of
154 Environmental Quality for the Whittaker Pointe Restoration Project. This is the official documentation and requests
155 that the Board allow her to be authorized designated agent and accept the award.

156
157 **Commissioner Overcash** made a **MOTION** to appoint Manager Miller as agent and accept the award. Seconded by
158 **Commissioner Simmons**. Motion passed 4-0.

159 160 **10. Police Report (Tab 6)**

161 Officer Nic Blayney reported that there really has not been a lot going on. There was one larceny call which was a
162 dispute on a fishing boat between the captain and the owner of the boat. Everything went very well. Mayor Pro
163 Tempore White added that he had signed the check for the new patrol car. Officer Blayney said that is coming along
164 very well and thinks they will be heading up soon to pick up the vehicle. He is waiting for an email with a date for

165 pick up. Manager Miller stated it will not be on the street immediately as it needs to be properly marked and in-car
166 camera needs to be installed. Mayor Pro Tempore White stated it worked well for the Town as money for this
167 vehicle has been budgeted for the past six years. Manager Miller told the Board she will present a proposal for
168 disposition of the existing vehicle at the March 5 meeting (Dodge Durango).

170 **11. Manager's Report (Tab 7)**

- 171 • Financials are attached
- 172 • Daniel Early sits for his distribution test and will be qualified for both water system and distribution
173 system. One of the items in the amendment was the addition of a phone allowance. Once someone is a
174 certified operator, they need to be accessible by phone and we pay a \$50 stipend toward their phone bill
175 when they receive that certification
- 176 • Engineering contract - discussed
- 177 • Two projects go to bid this week – discussed
- 178 • February 12 is the tentative first meeting for the group Mr. Dan Allen agreed to go to but has not been
179 confirmed
- 180 • February 13, Manager Miller will be in Carteret County for EOC Hot Wash – where EOC people discuss
181 what worked, did not work, what can be added
- 182 • Budget Retreat is March 1, will start at 8:30am with breakfast, ends between 2-3pm. The public is welcome
183 to join for all of parts of this. Please bring calendars to start setting budget meetings – generally around
184 April 1. Will go through revenues first. Mayor Pro Tempore White made a plea to the public to please join
185 us as this is where the Board sets what we focus on for the year and set parameters for budget meetings.
186 Budget has to be in place and agreed upon by June 1. This is also where the staff presents what they
187 want/need.
- 188 • Manager Miller spoke about a letter in the Board packet from Mr. Midyette, Assistant Regional Engineer
189 for NC Department of Environment and Natural Resources decreasing the requirements on our water
190 system as we have met all of the standards. She commended ORC Andrew Cox and staff on a job well done
191 at the water plant and have done so well on testing that our requirements have been lowered.

192
193 Mayor Pro Tempore White stated there was a lot of pick-up with the contractor picking up some of the larger piles.
194 He feels we need to have something on our website stating if we will accept more debris that is put out or issue a
195 directive that if someone has trash, it is up to them to get rid of it. Ms. Bohmert stated they will not make another
196 pass. Manager Miller stated we, at the County's direction, let the residents know if they had debris to be picked up,
197 it had to be out by January 1. While it is understandable some people are just now getting repairs done, generally,
198 contracted work includes removal of any debris so we will fine any contractors seen dumping in Town limits.

200 **12. Committee Reports (Tab 8)**

201 Planning Board – October, November, December 2018 Minutes
202 HWAC – January 10, 2019
203 Tree Board December Minutes

205 **13. Commissioners Comments**

206 Commissioner Simmons asked her fellow Commissioners to direct Manager Miller to contact Havelock, ask them
207 what their sampling plan is and if they have done a sample – this is under the Freedom of Information Act. She
208 addressed Bill Hines asking if he took a sample from them. Mr. Hines stated DEQ lets Havelock do its own
209 sampling so it chooses when and where it samples. Commissioner Simmons would like for us to ask under the FOI
210 Act what their sampling plan is and what their sample revealed as what goes on in their water is important to
211 Oriental as well – commercial and recreational fishing, etc. and we have a right to know. Commissioner Overcash
212 stated they are policing themselves so do not know where the sampling is coming from or when it is being done. Mr.
213 Hines stated it is an infrastructure problem as it is the last manhole before it hits the sewage treatment plant and feels
214 it is decomposing and needs to be replaced. Mayor Pro Tempore White asked Mr. Hines if Sound Rivers has reached
215 out to the YMCA Camps as they would like to hear what is going on – they will be bringing in over 1,500 kids per
216 camp – twice. Mr. Hines stated he would like to contact Minnesott Beach and Arapahoe and both of the Y Camps.
217 Mayor Pro Tempore White stated he noticed that the dinghy that was sinking was picked up but was prepared to
218 discuss that this evening. He read Chapter E of our Ordinances and we do not have anything for the large boats and
219 the dinghy dock that allows us to remove an abandoned boat or has overstayed. Regarding our new kayak rack, we

220 can get rid of a kayak per our Ordinance. He suggests that we add similar language as in the Kayak Ordinance to the
221 large boats and dinghy dock. If a boat is left at the dock, the person will receive a fine but sometimes we do not
222 know who left the boat. Secondly, something sinking is not only an eyesore but a hazard. Manager Miller stated we
223 could possibly refer this to Harbor Waterfronts. Mayor Pro Tempore White continued with an Ordinance, we do not
224 need to have a Public Hearing and Manager Miller confirmed – General Ordinance can be changed without a Public
225 Hearing. There is still a difference between removing a dinghy as opposed to a 36’ boat. Mayor Pro Tempore White
226 believes this is something we should look into.

227
228 **14. Adjourn:** Next meeting scheduled as March 1, 2019 Annual Retreat and March 5, 2019 regularly scheduled
229 Town Board meeting.

230
231 **Commissioner Simmons** made a **MOTION** to adjourn. Seconded by **Commissioner Overcash**. Motion passed 4-
232 0.
233 Meeting adjourned at 7:54pm

234
235
236
237 _____
238 Sally Belangia, Mayor

237 _____
238 Diane H. Miller, Town Manager/Clerk

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241 Approved _____, 2019 _____