



ORIENTAL TOWN BOARD MEETING

Tuesday, March 5, 2019 at 7pm

507 Church Street, Oriental, NC

Mayor Sally Belangia Officiating

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

10 Present: Mayor Belangia, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons,
11 Commissioner Price, Commissioner Dammeyer, Town Manager Diane Miller, Deputy Finance Director Tammy
12 Cox, Administrative Assistant Jeannine Russo, Officer Nic Blayney, Officer Bill Wichrowski and Members of the
13 Public.
14

15 1. Approval of Agenda

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17 **Commissioner Overcash** made a **MOTION** to approve the Agenda. Seconded by **Commissioner Simmons**.
18 Motion passed 5-0.
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20 2. Consent Agenda (Tab 1)

21 a. Consider Approval of Minutes from Town Board Regular Meeting February 5, 2019
22

23 **Mayor Pro Tempore White** made a **MOTION** to approve the Consent Agenda. Seconded by **Commissioner**
24 **Dammeyer**. Motion passed 5-0.
25

26 3. Public Comment Period

27 **Madeline Sutter, 300 Whittaker Point Road** – Mrs. Sutter commended the Town staff and Commissioners on
28 their good humor and **inaudible** during Hurricane Florence and thanked them. Reading from a typed statement, Mrs.
29 Sutter spoke about the Whittaker Creek Dredging project and the opportunity to review safety protections and
30 design better ones. She spoke about a report called “Dangerous by Design 2019” and can be found online, which
31 states between 2008-2017 drivers struck and killed 49,340 pedestrians in the United States. North Carolina places
32 13th in pedestrian fatalities. She related personal experiences with vehicles while walking her dog and feels this
33 issue she be looked at.
34

35 **Larry Summers** – Mr. Summers spoke about the ramp at the Small Boat Dock, states it is being used differently,
36 has not seen a boat launched from there in about two years. He believes we do not need such a wide ramp. Also, the
37 pilings around the dock is missing three of the four u-bolts. Regarding the fishing pier bid, where it states “restore to
38 previous design, we should take other action as he feels this design failed. Regarding the change to Article 5,
39 Chapter E by adding abandoned vessels, he feels we should speak with the attorney first and made references to
40 state and county laws.
41

42 4. Public Hearing #1 (Tab 2) (Annexation of property at 604 Shorey Drive)

43 Mayor Pro Tempore White stated the person is not present as there were problems with documentation.
44

45 **Mayor Pro Tempore White** made a **MOTION** to continue the Public Hearing. Seconded by **Commissioner**
46 **Overcash**. There was no discussion. Motion passed 5-0.
47

48 5. Public Hearing #2 (Tab 3) (Zoning request regarding property at 604 Shorey Drive)

49
50 **Mayor Pro Tempore White** made a **MOTION** to continue this Public Hearing as well. Seconded by
51 **Commissioner Overcash**.
52

53 Manager Miller gave a brief explanation. When the documents were being compiled, several documents were not
54 matching the maps – there were inconsistencies – nor were they consistent with other paragraphs within themselves.

55 There was a five-acre difference in one instance. There is no plat map recorded with this property and are still in the
56 process of surveying. Manager Miller showed a map/photo of the parcels, which should have been recombined, and
57 could not find metes and bounds for the smaller parcel anywhere, too many gray areas to proceed. If we do this
58 annexation and it is incorrect, the legal work to change it will be extensive. The Planning Board will see the new
59 map at the March 20 meeting. If the owner can produce one at that time, we will start the process over. It can be
60 continued for one month and set the Public Hearing for April 2.

61
62 Motion passed 5-0.

63 64 **6. Cycle NC Event Discussion (Tab 4)**

65 Chuck Hobgood, Director of Cycle NC, addressed the Town Manager and Board of Commissioners. He gave a brief
66 explanation of how the Cycle NC ride got started in an effort to promote safer riding, small towns and generate an
67 economic impact. The first coastal ride was held in 2008 and have been rotating on a three year basis. In 2017,
68 approximately 1,400 cyclists came in from about 30 states. In January, they reached out to see if Oriental would host
69 the event in 2020. There were concerns from the last event and hurricane damage they wished to address but need to
70 decide where they will hold the event. Manager Miller gave a recap – the businesses were overwhelmingly
71 supportive, business was great, cyclists were polite and cooperative. Staff did not fare as well. A fire hydrant blew
72 out that was hooked up to the shower truck where staff was laying fire hose out at 10pm and cyclists were cursing at
73 the staff. This is unacceptable. Cyclists were walking through the park and in the streets with alcohol and this is not
74 allowed. This was brought to the attention of the manager and nothing was done. We were overwhelmed with trash.
75 With other events, they rent dumpsters and police their own trash. Spaces that were used by the large campers are in
76 different hands and would need to be individually negotiated. EMS, fire and emergency management and the
77 hospital had issues with scheduling where changes were made and no one notified them. There would need to be
78 more discussions longer before the event to be prepared and also limit the number of cyclists. Commissioner
79 Dammeyer asked if there would be officials or volunteers to do some policing on their behalf. Mr. Hobgood stated
80 they can do that and that the alcohol they provided had to stay in a certain area as they held the ABC permit but
81 states it is hard to ensure everyone follows those rules. Mayor Pro Tempore White stated he would like to see the
82 event return and suggested we may reach out to other homeowners to use their properties as well. Manager Miller
83 reiterated we may not be able to accommodate those larger vehicles as those properties are in different hands. Mr.
84 Hobgood stated May is their timeline to see if they are coming back to Oriental and would need an answer by Mid-
85 April. Marsha Papham, Chair of Tourism Board, stated it was a major windfall for the businesses and would like to
86 see them come back. She asked if people on both sides could sit down face to face and have some discussions prior
87 to the event. Mr. Hobgood stated this is not a problem but feels there will always be last minute changes at an event
88 like this.

89 90 **7. Resolutions (Tab 5)**

91
92 **2019-02 – Disposal of the Dodge Durango** – sealed bids allows more people to submit a bid and whoever bids the
93 highest get the vehicle – open to everybody. We will take those bids on April 8, will be reported on May 7 and
94 awarded on June 4. This is the most open process.

95
96 **Commissioner Simmons** made a **MOTION** to dispose of the Durango. Seconded by **Commissioner Price**. Motion
97 passed 5-0.

98
99 **2019-03 – Resolution Proclaiming March 23, 2019 ARBOR DAY in Oriental** – Mayor Belangia read the
100 Resolution to the Board.

101
102 **Commissioner Dammeyer** made a **MOTION** to approve. Seconded by **Commissioner Overcash**. Motion passed
103 5-0.

104
105 **2019-04 – Resolution for Mini-Brooks Exemption for Engineering Services for Phase 1 Whittaker Pointe**
106 **Restoration Services** – Manager Miller explained there are two Mini-Brooks, which is an exemption from North
107 Carolina General Statute that allows us to award engineering, surveying and design services without going to bid if
108 under \$50,000. This is for the Whittaker Pointe project engineering contract.

110 **Commissioner Simmons** made a **MOTION** to approve. Seconded by **Commissioner Dammeyer**. Motion passed
111 5-0.

112
113 **2019-05 – Resolution for Mini-Brooks Exemption for Surveying Services for water’s edge survey of Town**
114 **Limits.** This is part of the project that was discussed at Retreat where we were talking about gaining jurisdiction
115 over the water. We must first have this survey to see at 10’ how far from the land’s edge we are. We have a proposal
116 from a local engineer under \$50,000 and will do a Mini-Brooks Exemption to not bid out this project.

117
118 **Commissioner Dammeyer** made a **MOTION** to approve. Seconded by **Commissioner Simmons**. Motion passed
119 5-0.

120
121 **8. Award of Waterline Replacement Contract: (Tab 6)**
122 Manager Miller stated we were hoping to award but are out for our second solicitation which comes back this Friday
123 (March 8, 2019 at 2pm) as we did not get the required three bids. If we do not secure three bids this time, we can
124 legally award the project to the lowest responsive responsible bidder. Manager Miller asks the Board to allow her to
125 award the contract on that basis. Mayor Pro Tempore White asked if there were two bids, which is correct, and if
126 they were holding. Manager Miller responded they are – they stood by their original bid. This puts us behind two
127 more weeks as this needs to be done before the road.

128
129 **Commissioner Simmons** made a **MOTION** to allow Manager Miller to award the contract for replacement of the
130 waterline. Seconded by **Commissioner Dammeyer**. Motion passed 5-0.

131
132 **9. RFQ – Fishing Pier Repair (Tab 7)**
133 Manager Miller stated this project is also out for its second solicitation due next Friday (March 15, 2019). We also
134 did not receive three bids for this project and went out for re-bid. For this bid, RFQ, we select the most qualified.
135 Manager Miller asks the Board to allow her to award this contract when it comes due March 15. Commissioner
136 Overcash asked if the trouble with the plans was straightened out and it was. The retrofit on these bids were that it
137 would be refitted with ADA compliant cement boards so it will be handicap accessible. We will also run the
138 concrete from the sidewalk up to the edge so there is a continual way for the handicapped to access the pier. Mayor
139 Pro Tempore White asked about the other change being the **inaudible** of stainless steel bolts as the bolts failed on the
140 pier and cracked through. Manager Miller stated if they had been inspected, they would have likely been replaced
141 and may not have been in the same situation. Mayor Pro Tempore White added the allowing for the opening at the
142 end for the possibility of a floating dock to facilitate sailing events.

143
144 **Mayor Pro Tempore White** made a **MOTION** to allow Manager Miller to award the contract at her discretion.
145 Seconded by **Commissioner Simmons**. Motion passed 5-0.

146
147 **10. Award of Contract to Quible and Associates, PC (Tab 8)**
148 Manager Miller stated Quible and Associates have won the contract for the design and engineering for the Whittaker
149 Pointe project and would like to start their survey work. The proposal was reviewed and accepted by the attorney
150 and reviewed by the North Carolina Coastal Federation, our partner in this project, and accepted that proposal.
151 Manager Miller requests that the Board allow her to execute the contract.

152
153 **Commissioner Overcash** made a **MOTION** to allow Manager Miller to move forward with this contract. Seconded
154 by **Mayor Pro Tempore White**. Motion passed 5-0.

155
156 Mayor Pro Tempore White inquired since they approved the Mini-Brooks on the survey study for the
157 waterfront.....Manager Miller stated that information came in that afternoon about the water survey and has a
158 proposal to award the contract to an engineering firm to do the surveying of the water. If the Board wishes, they can
159 add that and move forward with that as well. He added the Board would like to give Manager Miller the discretion
160 to move forward with that as well. That will go to Robert Chiles Engineering.

161
162 **Mayor Pro Tempore White** made a **MOTION** to allow Manager Miller to award the Mini-Brooks contract for the
163 water survey. Seconded by **Commissioner Dammeyer**. Motion passed 5-0.

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11. Reappointments

Manager Miller asks the Board to reappoint both Lisa Thompson and Jim Blackerby back to Harbor Waterfronts Advisory Committee and Carol Mabe has agreed to continue with the Tourism Board.

Commissioner Simmons made a **MOTION** to make these reappointments. Seconded by **Commissioner Price**. Motion passed 5-0.

12. General Ordinance – Chapter E Revision (Tab 9)

Manager Miller explained this revision is a “may” not a “must” proposing that we add abandoned vessels and vessels in violation of Chapter E Ordinances that we can remove them should they become a danger. The project that the water survey is contracted for, which is the abandoning, is what the Duke Lawyers are working on for us.

Mayor Pro Tempore White made a **MOTION** to approve the change to Chapter E of the General Ordinances. Seconded by **Commissioner Overcash**.

Mayor Pro Tempore White stated two things came up at the HWAC meeting – one was a dinghy placed on the dock that was sinking. The Town does not have authorization to move anything that is sinking. We also have in our Ordinance boaters with multiple violations cannot dock with us and if they do, we have no way to remove them. This will allow us the discretion to move these boats. We also have a provision in the Ordinance for emergency docking as long as they notify Town Hall.

Motion passed 5-0.

13. Police Report (Tab 10)

Officer Blayney stated everything went very well in February, not very many incidents. Mayor Pro Tempore White mentioned we did take delivery of the new police vehicle. Officer Wichrowski stated he believes the low number of incidents is indicative of the quality of the patrol he and Officer Blayney have created. Manager Miller spoke about the Dodge Durango and any bidders are welcome to inspect it and can sit in the passenger seat while one of the officers drives it. Until all of the equipment is removed, civilians cannot drive it.

14. Manager’s Report (Tab 11)

- Financials are attached
- Contract to replace the gangway came in and has gone back out. It will be \$7,700 to replace – parts and labor. It has been ordered. The original was 7’ wide by 20’ long. Its replacement will be 6’ by 20’ – going to 7’ adds a significant amount.
- The Community Rating System – the system that ranks flood insurance – Pamlico Region Hazard Mitigation Plan, is being redone because the consulting firm that did the last one used the wrong guidance and our rating went from 8 to 9 (10 being the worst). Things we do differently from the rest of the county give us a decrease in points. We are participating in the required four meetings. Martin Barrow and Dan Allen are our resident representatives. Manager Miller and Deputy Finance Director represent staff. Manager Miller encourages everyone to participate in the survey – link is on our website. We do things other communities do not and need to be given points associated with these things to lower this rating.
- There is a request that we forward a letter to the Department of Insurance (2018homeowners@ncdoi.gov) asking the Commissioner of Insurance not to give us a 17-30% increase in homeowners insurance.
- Manager Miller spoke about a letter in the Board packet from Sen. Tillis regarding the outer continental shelf oil exploration asking those that make that decision to reconsider their actions off the coast of North Carolina due to our extensive commercial and recreational fishing.
- FOI request Manager Miller was directed to ask for from the City of Havelock . Their sampling plan and results are attached.

Commissioner Dammeyer addressed Manager Miller regarding the discussion at Annual Retreat and the rating system. He feels it would be helpful to explain to the audience that when the Town moves from a 7 to an 8 on this scale, even though it is not good, we are not trying to get to a 1. The typical rating is around 7-8. Manager Miller

220 explained the best Oriental will ever do is a 7 because of where we are geographically. Commissioner Dammeyer
221 feels the public may get the wrong impression about being 7 or 8/10. Manager Miller explained the criteria to be
222 rated a 1. Commissioner Simmons asked about the deadline to get the letter to the Insurance Commissioner. The
223 deadline for this decision is September 19, however, the Commissioner can/may make a decision prior to September
224 19, so the sooner those letters are received, the better. The original call asked for them by February 26 as there was a
225 public open forum but this has passed and they are still accepting those letters.

226
227 **15. Committee Reports (Tab 12)**

228 Tree Board January Minutes
229

230 Mayor Pro Tempore White added that each Board presented to the Commissioners so they have a complete list of
231 everything they are doing and their requests for next fiscal year. Manager Miller related a story about Oriental
232 resident Mrs. Kennedy and an issue with her electric meter, its placement out of the flood zone and the steps that
233 need to be built to access it.
234

235 **16. Commissioners Comments**

236 Mayor Pro Tempore White spoke about Croakerfest and its use of the waterfront and feels there should be a trip
237 with the Commissioners and Public Works to look at potential liabilities with the road doubting it will be completed
238 in time. There are pieces of rebar sticking up, gullies and feels the organizers need to understand the liabilities.
239 Manager Miller feels all projects except the road should be completed by then.
240

241 **17. Manager's Evaluation (Closed Session):** The Board will go into Closed Session for personnel matters
242 according to N.C.G.S. 143-318.11 (a) (6) for the Manager's annual evaluation.
243

244 **Mayor Pro Tempore White** made a **MOTION** to go into Closed Session based upon N.C.G.S. 143-318.11 (a) (6).
245 Seconded by **Commissioner Dammeyer**. Motion passed 5-0.
246

247 **Commissioner Overcash** made a **MOTION** to return to Open Session. Seconded by **Commissioner Simmons**.
248 Motion passed 5-0.
249

250 Mayor Pro Tempore White stated Manager Miller received an excellent review. As a result, the Town Board
251 recommended a 10% raise for Manager Miller.
252

253 **Mayor Pro Tempore White** made a **MOTION** that Manager Miller receive a 10% raise. Seconded by
254 **Commissioner Overcash**. Motion passed 5-0.
255

256 **Adjourn:** Next meeting scheduled as April 2, 2019.
257

258 **Commissioner Simmons** made a **MOTION** to adjourn. Seconded by **Commissioner Price**. Motion passed 5-0.
259 Meeting adjourned at 8:23pm
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261

262 _____
263 Sally Belangia, Mayor

_____ Diane H. Miller, Town Manager/Clerk

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267 Approved _____, 2019 _____