

Town of Oriental
Town Board of Commissioners
August 5, 2014

A regularly scheduled meeting of the Town of Oriental Town Board was held on Tuesday, August 5, 2014 at 7:00 PM. Mayor Sage determined a quorum to be present, and opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Sage, Commissioners Overcash, White, Venturi, Summers and Winfrey, Town Manager Miller, Police Chief Moore, Deputy Town Clerk, and many members of the public

Mayor Sage presented the Agenda and Consent Agenda for Board approval.

MOTION: Commissioner Venturi made a Motion to accept the Agenda as presented. Commissioner White seconded. Motion passed 5-0.

Corrections were made on the Minutes of July 1, 2014 as follows: Mayor Sage made a correction to page 2, paragraph 11 to read: “There is a pending trial court case that had been stayed pending resolution of the Avenue A appeal. Commissioner Summers noted that \$59,542 was spent by the Town in legal fees.” Commissioner White asked to include his comments concerning the legal fees as follows: “based on our recent success at the Court of Appeals and the fact that we have spent close to \$60,000 defending the Town’s position on the new Town Dock, he would like the Town to explore the feasibility of the plaintiff picking up the Town’s legal expenses if the plaintiff decides to continue suing the Town.”

MOTION: Commissioner Summers made a Motion to approve the June 26, 2014 Agenda Workshop Minutes as presented, and the July 1, 2014 Town Board Meeting Minutes with corrections. Commissioner Overcash seconded. Motion passed 5-0.

The Mayor then opened the floor to Public Comment beginning with Mr. Art Tierney. Mr. Tierney spoke of regatta participants who are encouraged to come to town to eat at local restaurants and make purchases from Town Businesses. He indicated that, if the Dragon’s Breath Regatta had not been rained out, there would’ve been no room for them to raft up at the Town Dock. Mr. Tierney inquired why Mr. Fulcher was keeping large commercial vehicles and other items on the piece of property that is supposed to belong to the Town. He asked if the land swap deal had been consummated. Mayor Sage assured him that it had been consummated. The street has been closed, which reverts that portion of the property to the adjacent property owner, which is Chris Fulcher.

Mr. Warren Johnson spoke next and discussed the commercial vessels docked at the Town Docks, which were constructed with taxpayer funds. He also questioned the grant money received for the public restrooms, and, whether or not the Town specified on the Grant application that the docks would be used for commercial vessels as well as recreational vessels.

Carol Small asked about the progress of the tennis courts especially the cracks and center net support. She also inquired as to why the water bills were sent to Texas instead of using local bookkeeping companies to compute and mail out the bills. She also spoke about preserving the Town Docks and the fishing boats using them.

Mr. Gerry Crowley stated that Chapter E included in the Agenda packets stated that commercial vessels were allowed to tie up at the Town Docks and that they were to provide their insurance information. Mayor Sage indicated that this was on the Agenda for discussion.

Ms. Madeline Sutter read a letter of support (letter referenced herein and attached hereto to the Minutes) for the electrical boards installed near Lou Mac Park for the Croaker Fest and future activities and events.

Ms. Flora Moorman reminded everyone of the Dragon Boat Races Friday and Saturday, August 8 and 9, 2014 at River Dunes.

Ms. Cheryl Thompson, Chairman of the 2014 Croaker Fest discussed the electrical boards that were recently installed near Lou Mac Park. She explained that electricity has always been an issue for the various vendors that participate in the festival; she referenced the many generators that had to run continuously to support these vendor's electrical needs. The new electrical boards eliminated the use of generators which in turn eliminated the noise they created. She suggested making them attractive, perhaps by painting them or using them as a Town information board.

Mr. Dick Osmun spoke of the upcoming Old Front Porch Music Festival, which will be held on the Town Hall front porch on Saturday, September 13, 2014 from noon to 4:00 PM. It will be a free concert, and will hopefully expand into an annual event.

Mr. Donald Guthrie discussed the Habitat for Humanity house being built on White Farm Road for the Sylvester family. He indicated that the Habitat for Humanity group is always looking for volunteers both on the building site, as well as in the Restore in Grantsboro. Anyone interested in volunteering can do so by contacting the Restore at 252-745-1106.

Mayor Sage read a letter from Mr. Sherrill Styron in support of allowing the trawlers and commercial vessels to dock. He stated that they spend money at Town businesses, including the grocery stores, hotels and bed and breakfasts, and restaurants.

There being no further sign ups for Public Comment, the floor was closed to further comment.

Mr. Sam Meyers was given the floor to give the final tally for the In Water Boat Show, held in April, 2014, noting that a gross profit of \$34,700 was collected. \$24,000 of that was Rotary profit. He also stated that the Rotary Booth at this year's Croaker Fest grossed \$2,999. The Rotary Club is also actively involved in the Habitat for Humanity house currently being constructed on White Farm Road. He encouraged everyone to come out and lend a hand, regardless of what your carpenter skills may be.

The next agenda item discussed the three electrical boards installed near Lou Mac Park.

MOTION: Commissioner Venturi made a Motion to assign the Tourism Board, the Tree Board and Parks and Rec Advisory Committee with creating a more useful and attractive presentation of the boards, with a report of same to the Town Board at the November meeting. Commissioner White seconded. Discussion followed.

It was suggested that Commissioner Winfrey, with his construction background, assist in developing a type of cover or door on the receptacle side of the boards.

Commissioner Overcash encouraged people to attend the meetings to be better informed about events and situations such as the electrical boards.

Commissioner White pointed out the cost associated with dismantling the boards and reinstalling them, a cost exceeding \$1400. He recommended leaving them where they are, and try to make them work. He also pointed out that there is a fourth board that was unused available for future use should the need arise. Motion passed 5-0.

The amendment to Chapter E of the General Ordinances was the next item up for discussion. Commissioner White provided additional verbiage to be added to the Ordinance, a copy of which is incorporated hereto and attached herein these Minutes. This verbiage read as follows: “Article I, Section 11 – Commercial Vessels: Commercial vessels of any size, other than those of recreational charter fishing groups, tow boat companies, recreational charter boating groups or recreational boat rentals, are prohibited from using the Town Docks for overnight stays.”

Commissioner Summers felt commercial vessels should be allowed to use the pumpout station once it is installed.

Mayor Sage reminded the Board that standards must be set for commercial overnight docking.

Commissioner Venturi stated that she wished for commercial and recreational vessel owners to coexist harmoniously. She also stated that she would like the Harbor Water/Fronts Advisory Committee to work on future amendments to this Ordinance.

MOTION: Commissioner White made a Motion to adopt the language for Chapter E and approve Chapter E in its entirety. Commissioner Venturi seconded. Motion passed 5-0.

The proposed amendments to General Ordinance Chapter K, Water Service were presented by Town Manager Miller as follows: The billing cycle will be change to the 25th to allow a 5 day time frame for the billing cycle. This time frame will eliminate the crossing of payments and bills in the mail. The amendment also includes changes to the Water Advisory Board portion of the Ordinance; making changes to the meeting schedule and scope of WAB responsibilities.

MOTION: Commissioner White made a Motion to adopt the changes as presented. Commissioner Venturi seconded. Discussion followed.

Commissioner White stated that the Water Advisory Board is just that, an advisory body that makes recommendations and suggestions to the Town Board and Town Manager; the ultimate responsibility lying with the Town Manager. He also agreed the meetings should be held on a quarterly basis instead of monthly.

Commissioner Summers stated that all Boards work for the Town Board, not the Town Manager. He recommended changing the wording of the paragraph concerning the prohibition of WAB members contacting state or local water board authorities on behalf of the Town.

MOTION: Commissioner Summers made a Motion to revert these changes to the WAB portion of the Ordinance to the WAB for further discussion and recommendation. There was no second, and the Motion did not carry.

The Motion concerning the adoption of the amendments to Chapter K was voted upon; Commissioner Summers voted Nay. Motion passed 4-1.

The addition of the new General Ordinance, Chapter R, Harbor Water/Fronts Advisory Committee (HWAC) was presented by Commissioner Venturi. In this Ordinance, the HWAC would make recommendations to the Board concerning the Town's water, water fronts, and harbors and docks. The committee will be comprised of 5 members, and 2 Commissioner liaisons.

MOTION: Commissioner Venturi made a Motion to adopt the new General Ordinance Chapter R, Harbor Water/Fronts Advisory Committee as presented. Commissioner White seconded. Motion passed 5-0.

MOTION: Commissioner Venturi made a Motion to make herself and Commissioner White as Liaison and Co-Liaison, respectively, to the HWAC. Commissioner White seconded. Motion passed 5-0.

The list of candidates wishing to serve on the HWAC was included in the agenda packets, and the Board then voted to fill the 5 spots as specified in Chapter R. The selected candidates were Gerry Crowley, Bill Hines, Ed Bliss, Art Tierney and Lisa Thompson.

The next Ordinance Amendment concerned Chapter S, Town Rates and Fees, amending the parking ticket fee schedule. The schedule would be changed to a sliding scale as follows: if the parking ticket is paid within 24 hours, the fine would be \$25, if paid within 48 hours the fine increases to \$50 and after 48 hours, \$75.

MOTION: Commissioner White made a Motion to adopt the Ordinance Amendment to Chapter S, Town Rates and Fees, Parking Ticket fees to the sliding scale as presented. Commissioner Summers seconded. Discussion followed.

Commissioner Overcash felt the current sliding scale should be amended to read as follows: If paid within 1 business day, \$25, 2 business days, \$50 and 3 or more, \$75.

Motion passed 5-0 to amend the Ordinance Amendment to read as business days, not hours.

The Budget Amendment was presented as the next agenda item, with an increase in line item 63200, Powell Paving by \$20,000 and line item 54060, Generator for Town Hall, by \$500. These will decrease line items 63000, Powell sidewalks and curbs, and 61000, Supplies, Repairs and Maintenance, Public Works.

MOTION: Commissioner Overcash made a Motion to adopt the Budget Amendment as presented. Commissioner Summers seconded. Motion passed 5-0.

Town Manager Miller presented her Manager's Report, beginning with a recap of Hurricane Arthur preparation and after the storm. Croaker Fest went on as planned and was a success. Residents were under the impression that the Town would clean up any debris from the storm, but there was no funding. A communication stating same went out via social media and email.

Overhead doors were installed at the Public Works yard to secure equipment and tools, and an alarm system for plant fail has also been installed. Internet and phone were also supplied to the Plant and shop office.

Water tank maintenance schedule has been deferred one year, as it is not necessary to have an inspection during this fiscal year. This savings can be applied towards continued plant improvements.

Grants were awarded for the pumpout station as well as the public restrooms. Commissioner Venturi suggested involving the newly formed HWAC be involved in the public restroom at the South Avenue property.

Commissioner Summers recommended creating a policy for debris removal and storm preparedness.

The Town Manager has issued evaluation forms to the staff to provide their opinions and suggestions to the Town Manager. Commissioner White stated that her 6 month review will be held at the end of September 25, 2014 Agenda Workshop meeting in Closed Session. There being no objection from the Board, the evaluation will be held on that date.

Chief Dwaine Moore presented his police report and praised the great crowd at the Croaker Fest and stated that it was very quiet.

Committee and Board reports were presented, with the reappointment of Bill Marlowe to the Board of Adjustment for a period of 3 years.

MOTION: Commissioner Venturi made a Motion to reappoint Bill Marlowe to the Board of Adjustment for a term of 3 years. Commissioner Summers seconded. Motion passed 5-0.

MOTION: Commissioner Summers made a Motion to reappoint Larry DeChesser to the Water Advisory Board for a 2 year term. Commissioner Overcash seconded. Motion passed 5-0.

MOTION: Commissioner White made a Motion to go into Closed Session per NCGS 143-318.11(6) Personnel Matters. Commissioner Overcash seconded. Motion passed 5-0. The Board went into Closed Session at 9:00 PM.

The Board returned to Open Session at 9:10 PM, and there being no further business to discuss, adjourned the meeting.

Commissioner Venturi made a Motion to adjourn the meeting. Commissioner Winfrey seconded. Motion passed 5-0.

The meeting adjourned at 9:12 PM.

Bill Sage, Mayor

Diane H. Miller, Town Manager