

Town of Oriental
Town Board Meeting
September 3, 2013

A regularly scheduled meeting of the Town of Oriental Town Board was held at Oriental Town Hall on Tuesday, September 3, 2013, beginning at 7:00 PM.

PRESENT: Mayor Sage, Commissioners Bessette, Johnson, Styron, Venturi and Summers; Heidi Artley, Town Attorney Scott Davis, Assistant Town Manager Artley, Administrative Assistant Beyer, Police Captain Moore, and public

ABSENT: Town Manager Cutler

Mayor Sage called the meeting to order and determined that a quorum was present. He opened the meeting and led the Pledge of Allegiance.

MOTION: Commissioner Summers made a Motion to approve the Agenda as presented. Commissioner Johnson seconded. Motion passed 5-0.

The **CONSENT AGENDA** listing approval of the Special Meeting Minutes from June 17, 2013, the Minutes from the Town Board Meeting, June 4, 2013 and the Minutes from the Town Board Meeting Recessed to May 8, 2013.

MOTION: Commissioner Summers made a Motion to approve the Consent Agenda as presented. Commissioner Bessette seconded. Motion passed 5-0.

Mayor Sage read the Proclamation concerning Constitution Week, September 17th through September 23rd, 2013. A small ceremony will be held at Lou Mac Park and a reading of the Preamble will be held on the front porch of Town Hall.

The Mayor opened the floor to Public Comment, and many voiced their opinions against the Walmart coming to the area, including local business owners Ed Denton and Ruth Ireland.

Steve Snyder, representing Oriental Harbor Condominiums, read a letter supporting Grace Evans' endeavors to prevent the paving of the Wildlife Ramp on Midyette Street.

Mayor Sage then open the Public Hearing portion of the meeting regarding the proposed change to the GMO concerning RVs and travel trailers. Discussion followed. Mayor Sage made the following change to the working associated with Section 60 (2) (c): Change sentence, "...by a majority vote of the Planning Board, but the travel trailers/RVs must vacate the lot..." to read "...by approval of the Land Use Administrator, but the travel trailers/RVs must vacate the lot..."

MOTION: Commissioner Summers made a Motion to Amend Section 60 (d) to change the time limit of temporary from two weeks to four weeks, with extensions being approved by the Land Use Administrator. There were no votes; the Motion did not carry. Discussion followed.

MOTION: Commissioner Johnson made a Motion to accept the proposed changes to Section 60 (2) (c) with the change made from majority vote of the Planning Board to approval of the Land Use Administrator. Commissioner Bessette seconded. Commissioner Summers voted Nay. *Motion passed 4-1.*

MOTION: Commissioner Johnson made a Motion that the wording in the proposed change to Section 60 (2) (d), is consistent with the Long Range Vision and Comprehensive Plan, and move that this wording change be accepted as written. Seconded by Commissioner Venturi. Commissioner Summers voted Nay. *Motion passed 4-1.*

Mayor Sage then moved to Item 4a, Mr. Preston Royster, NC Wildlife Resource Commission; paving of the Wildlife Ramp. Mr. Royster explained the reasons behind the request to pave the ramp are due to the considerable distance from any maintenance station, and grant money has been issued for the purpose of repaving. By repaving the ramp, drainage will be improved, and prevent silt runoff from the gravel surfaces into the creek. It was also determined by the NCWRC engineers that the grassy area adjacent to the ramp was considered as an impervious surface due to compaction from vehicles parking on it. Discussion followed. Town Attorney Scott Davis reminded Mr. Royster that a right of way cannot be designated as a parking lot. Mr. Royster agreed to look into the matter of not paving the Town right of way, but creating an ADA compliant space. He will notify the Town Manager of his findings.

Item 5 concerned the matter of the Board of Adjustment. The Board consists of 4 members and 2 alternates. Discussion followed regarding combining the Planning Board and Board of Adjustment, and length of member terms must be decided. Town Attorney Davis recommended caution when issuing permits and also recommended staggered terms for Board members. It was recommended to make this an Agenda Item for the October 2, 2013 Town Board Meeting.

Mr. Jim Barton was introduced as the Chairman for the Water Advisory Committee, Item 6a on the Agenda. Chairman Barton gave a brief summary of the purpose and mission of the Committee, and introduced committee members. Jackie Mahan, Vice Chairman, Wyatt Cutler, Ex Officio member, Larry DeChesser, Bob Maxbauer and Commissioner Warren Johnson. The Committee has created a Operations and Maintenance Manual for the Water Plant, and procedural manuals for Cross Control and Backflow. Once finished, these will be forwarded to the Town Board for approval.

MOTION: Commissioner Johnson made a Motion that the Water board will now become the Water Advisory Committee and is not a recommended change to Chapter K in the General Ordinance. The Water Advisory Committee will remain as an ad hoc committee. Commissioner Johnson also proposed the Board approve the attached Statement of Purpose with the composition of the committee as written by the Committee. Commissioner Summers seconded. *Motion passed 5-0.*

MOTION: Commissioner Johnson made a Motion to charge the Water Advisory Committee to review our current tap fees and make a proposal regarding any possible increases to the Town Board at the October meeting. Commissioner Bessette seconded. *Motion passed 5-0.*

MOTION: Commissioner Summers then made a Motion to present a proposed bill to ask NC Representatives to introduce a bill to amend the charter to allow the Town to have authority over harbor waters. There was no second to the Motion; Motion did not carry.

Heidi Artley presented the Town Manager report beginning with a calendar change for meetings. The November Agenda Workshop date is currently scheduled for Thanksgiving Day, November 28, 2013.

MOTION: Commissioner Johnson made a Motion to move the November Agenda Workshop Meeting from Thursday, November 28, 2013 to Tuesday, November 26, 2013 at 4:00 PM. Commissioner Bessette seconded. Motion passed 5-0.

Discussion followed concerning the November 5, 2013 regularly scheduled Town Board Meeting, which is also Election Day. With no objection from the Board, the meeting date was changed to Tuesday, November 7, 2013 at 7:00 PM.

A Budget Amendment was presented regarding the Grant received for the tennis courts, a copy of which is in the Minute Book. The Amendment will Increase line item 64800, Tennis Court Repair, \$22,000 and Increase line item 35700 Fund Balance Appropriation, \$6,624.36.

MOTION: Commissioner Venturi made a Motion to approve the Budget Amendment as presented. Commissioner Bessette seconded. Motion passed 5-0.

Commissioner Venturi announced that donations were now being accepted towards the tennis court repairs.

Flood insurance has been obtained for the Town Hall building and contents. Coverage for the building is \$175,000 and Contents is \$100,000.

A dedication plaque was presented to Mayor Sage; Town Manager Cutler will consult with Bob Maxbauer for mounting location of plaque.

Much work has been done to the Town Parks, including replacing the mulch, and sprucing up the park areas.

In regard to the South Avenue dock, the dolphin will be removed in the next two weeks. Bobby Prescott presented a quote for the floating dock repair. No approval will be made at this Board meeting; the Board will await Town Manager Cutler's approval and recommendation.

In the matter of Cox vs. Town of Oriental, at the end of the year this case will go before the Court of Appeals.

MOTION: Commissioner Johnson made a Motion to go into Closed Session per NCGS 143-318.11 (a) (6) Personnel Matters, to discuss the matter of the Town Manager Search. The Board went into Closed Session at 9:05 PM.

The Board returned to Open Session at 9:25 PM.

The next Agenda Item concerned the Police Report, given by Captain Moore. Captain Moore described the month of August as a quiet month. He also reported that the repeater for the hand held radios would be here by the end of September.

The Committee Reports began with the Harbor Water Fronts Committee's report. Commissioner Venturi stated that this committee's purpose is to improve harbor and waterfronts.

Commissioner Johnson advised that Dick Moat resigned from the Water Advisory Committee.

Commissioner Comment and Discussion followed with Commissioner Summers inquiring why the Board would not approve his proposal concerning jurisdiction of the harbor. Commissioner Venturi stated that there needs to be a consensus amongst the Commissioners. She also stated that there was some redundancy in the proposal as the Harbor Water Fronts Committee was already working on the same matter.

Commissioner Venturi stated that she is working on a resolution concerning Walmart. The Town has worked hard to grow the Community and Walmart should be approached with the Town Vision and Mission.

There being no further business, Commissioner Johnson made a motion to adjourn the meeting. Commissioner Bessette seconded. Motion passed 5-0.

The meeting was adjourned at 9:40 PM.

William R. Sage, Mayor

Wyatt Cutler, Town Manager