

Town of Oriental  
Town Board Meeting  
October 1, 2013

A regularly scheduled meeting of the Town of Oriental Town Board was held at Oriental Town Hall on Tuesday, October 1, 2013, beginning at 7:00 PM.

**PRESENT:** Mayor Sage, Commissioners Bessette, Johnson, Venturi and Summers; Town Manager Cutler, Deputy Town Clerk Beyer, Police Captain Moore, and public

**ABSENT:** Commissioner Styron

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 4-0.

The **CONSENT AGENDA** listing approval of the Town Agenda Workshop Minutes, August 29, 2013, Town Board Minutes, September 3, 2013, Closed Session Minutes, September 3, 2013, Special Meeting Minutes, September 19, 2013.

**MOTION:** Commissioner Summers made a Motion to approve the Consent Agenda as presented. Commissioner Johnson seconded. Motion passed 4-0.

**PUBLIC COMMENT:** Mayor Sage then opened the floor to Public Comment.

*Roger Bullis* spoke against Walmart obtaining Town water without annexation;

*Bob Miller* feels the Board doesn't fully understand how deeply Walmart is affecting the Town and its people. He encouraged the Town Board to not provide water service to Walmart unless they agree to annex;

*Al Herlands* spoke in support of Chris Daniels' use of the Rec Park's parking lot for his upcoming Motown concert;

*Lili Stern* spoke of the Walmart issue creating dissension amongst the citizens;

*Grace Evans* expressed her concern about runoff from Walmart's parking lot, and requesting that the original dedication plaque be donated to the Oriental Museum.

*Lori Wagoner* complimented the Town Public Services staff on the sprucing up of the Town Parks;

*Marlene Miller* asked that the Town Board table the Walmart agenda item until the new Board is elected.

There being no further citizens wishing to speak, Mayor Sage closed the floor to Public Comment.

**THE SILO'S CONCERT:** Chris Daniels requested use of the Rec Park's parking lot for overflow parking. The Silo's will be presenting a concert to be held on October 18 and 19, 2013.

He went on to discuss having security guards in the parking lot area, a shuttle bus to transport concert goers from the parking lot to the restaurant, and also will be obtaining a Noise Permit to comply with the Town's ordinances.

**MOTION:** Commissioner Summers made a Motion that the Town Board approve Mr. Daniel's request to use the Rec Park Parking lot for the overflow parking for the October 18 & 19, 2013 concert, provided he submits proof of liability insurance and secures approval from Oriental Police Department and Town Manager Cutler. Commissioner Johnson seconded. Motion passed 4-0.

**TOWN MANAGER'S REPORT:** Town Manager Cutler presented the Financial Statements which included a Budget Amendment. The Budget Amendment, which concerns the tennis court will rescind the earlier Budget Amendment done on September 3, 2013.

**MOTION:** Commissioner Johnson made a Motion to rescind the September 3, 2013 Budget Amendment. Commissioner Bessette seconded. Motion passed 4-0.

**MOTION:** Commissioner Venturi made a Motion to adopt the October 1, 2013 Budget Amendment. Commissioner Summers seconded. Motion passed 4-0.

The additional FEMA monies expected are being slightly delayed as Neil Coles is questioning excess wages for Hurricane cleanup personnel.

Town Manager Cutler provided the Town Board with copies of a proposed Usage Policy for the Town Dinghy Dock and a Usage Ordinance. This handout is for informational purposes only.

The Water Plant has been running on automatic operation, and the humidity issues within the plant have been considerably reduced. The readings taken have also been in the satisfactory ranges. Town Manager Cutler is planning a tour for the Public Works employees of the Aurora Water Plant.

The Oriental Steamer has complied with the Town's request and has removed the RV and boats that were parked in the parking lot.

**TAP FEE RESOLUTION:** A Resolution was presented increasing the Tap Fees as follows: 3/4 inch fee increase from \$3300 to \$3950; 2 inch short tap fee increase from \$5500 to \$5700; and 2 inch long tap fee increase from \$550 to \$7150.

**MOTION:** Commissioner Johnson made a Motion to approve the Resolution concerning Tap Fee Increases. Commissioner Summers seconded. Motion passed 4-0.

**PUBLIC HEARING REQUESTS:** In the matter of proposed changes to the GMO, a request for Public Hearing was presented for hearing on Wednesday, November 13, which is the next regular Town Board Meeting. The following items will be listed as being part of the Public Hearing: Proposed change to Article IV-Permissible Uses by Districts, Section 66 (3) adding a new section to read: ‘Storage of vehicles, boats and other items not related to the principal use associated with the business.’ And Article II, Administrative Mechanisms, Part II, Section 30 3), delete the following: ‘Members may be appointed to not more than two successive terms; members may continue to serve until after a replacement is appointed.’ There was also discussion concerning a Special Use Permit for the Oriental West Condo Association, but it was decided to hold a public hearing concerning this item until January, 2014.

**MOTION:** Commissioner Summers made a Motion to go to Public Hearing on the GMO Changes to be held on Wednesday, November 13, 2013 at 7:00 PM. Commissioner Johnson seconded. Motion passed 4-0.

### **COMMITTEE & BOARD REPORTS**

Parks and Rec Advisory Committee reported on the docks. The repairs should continue on the docks in Town; the floating dock bids range from very high to very low. By the next Town Board meeting there should be a report available as to who won the contract for the dock work. Concerning the small boat dock, a railing is needed, but this work will be done in house.

Bay River Metropolitan Sewer District has reduced tap fees.

**WATER SERVICE, WALMART:** In the matter of providing water service to Walmart, As per the Town Attorney, there are no laws that state ‘you must’ provide water service and discretion lies with the Town Board.

**MOTION:** Commissioner Summers made a motion to provide water service to Walmart. Commissioner Venturi seconded. Discussion followed.

Commissioner Summers stated that Town water service has been provided to businesses and residential customers outside of town limits. There is no moral reason to deny Walmart water service and residents will still have the ability to choose where they shop.

Commissioner Venturi discussed the petition signed by approximately 450 people. She went on to say that petitions had no request for action by the Board, and furthermore, many of the names were not local residents, or there were duplicate copies of some pages. After reading through all the signatures, she determined roughly 10% of Town residents were against Walmart. She also reminded the audience that the fight for Extra-Territorial Jurisdiction (ETJ) was addressed several years ago, and little interest was shown by the citizenry of the Town for this endeavor. If the Town had been given ETJ, the Town would have control over the area outside of Town limits, such as where the Walmart is being situated. She went on to suggest that changes be made to the Ordinances and GMO that would require all outside Town limits entities to annex.

**MOTION:** Commissioner Johnson then amended the Motion as follows: The Town Board will approve providing Town water service to Walmart if, upon completion of the store, Walmart agrees to request voluntary annexation into the Town. Commissioner Venturi seconded the amended Motion. Motion passed 4-0.

Town Manager Cutler reminded the Board that once Walmart had their preliminary land studies and permits completed, the construction would begin.

Mayor Sage recommended holding a Special Meeting upon receipt of Walmart's response concerning the Annexation and Water Service, and tasked Town Manager Cutler with contacting Walmart to present the issue and requesting a prompt response.

**ASSISTANT TOWN MANAGER AND DEPUTY TOWN CLERK POSITIONS:** Town Manager Cutler recommended appointment Heidi Artley as Assistant Town Manager, and Jayne Beyer as Deputy Town Clerk.

**MOTION:** Commissioner Summers made a Motion to appoint Heidi Artley as Assistant Town Manager. Commissioner Bessette seconded. Motion passed 4-0.

**MOTION:** Commissioner Summers made a Motion to appoint Jayne Beyer as Deputy Town Clerk. Commissioner Johnson seconded. Motion passed 4-0.

**MOTION:** Commissioner Summers made a Motion to appoint Town Manager Wyatt Cutler as Town Clerk. Commissioner Johnson seconded. Motion passed 4-0.

**CLOSED SESSION:** Commissioner Johnson made a **Motion** to go into Closed Session per NCGS 143-318.11(6) Personnel Matters. Commissioner Venturi seconded. The Board went into Closed Session at 8:37 PM.

**TOWN HALL DEDICATION PLAQUE:** Commissioner Johnson stated that the Board should have input as to the design and format of the plaque. Town Manager Cutler will get quotes for a new dedication plaque that is close in format to the original plaque.

**COMMISSIONER COMMENT/DISCUSSION PERIOD:** Commissioner Bessette appealed to the audience on behalf of the Food Bank who is seeking volunteers to help unload delivery trucks the first Wednesday of every month.

There being no further business to discuss a Motion to Adjourn was made.

**MOTION:** Commissioner Bessette made a Motion to adjourn the meeting. Commissioner Venturi seconded. Motion passed 4-0. The meeting adjourned at 8:58 PM.

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Mayor Bill Sage

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Town Manager Wyatt Cutler