

**Town of Oriental
Town Board Meeting Minutes
February 7, 2017**

The Town Board of Oriental Town Board Meeting on Tuesday, February 7, 2017 was called to order at 7:00pm. The Mayor Sally Belangia determined a quorum to be present, she said we have a Public Comment period and Public Hearing if you wish to speak for either please make sure you are signed up on the correct sheet. We will call the meeting to order with the Pledge of Allegiance.

Present: Mayor Belangia, Commissioner Overcash, Commissioner White, Mayor Pro Tempore Venturi, Commissioner Price, Commissioner Winfrey, Town Manager Miller, Deputy Finance Director Tammy Cox, Admin Asst Jeannine Russo, Chief Dwaine Moore and Members of the Public.

1. Approval of Agenda

- (a) **Commissioner White** made a **MOTION** to approve the Agenda, seconded by **Commissioner Overcash**. Motion passed 5-0.

2. Consent Agenda:

- (a) Consider approval of Town Board Workshop Meeting Minutes from December 1, 2016
- (b) Consider approval of Town Board Meeting Minutes from January 3, 2017.

Commissioner Overcash made a **MOTION** to approve the Consent Agenda, seconded by **Commissioner Winfrey**. Motion passed 5-0.

3. Public Comment Period: Mayor Belangia asks that if anyone would like to speak. Limit comments to 3 minutes and comments to full board not individual.

No Public Comment.

4. PUBLIC HEARING (Tab 2). **Mayor Belangia** asked for a **MOTION** to open the Public Hearing on the SUP application from Mr. and Mrs. Bacon on opening a taproom/microbrewery at the old Croakertown facility on Broad Street.

Commissioner Venturi made a **MOTION** to open the Public Hearing, seconded by **Commissioner White**. Motion passed. 5-0.

Larry Summers, 415 Whittaker Point Road: I am speaking in favor of this brew pub. This isn't our first one. Those of you that were around for a while, we approved one before and they had problems. They didn't finally get it going. I have actually talked to them. They are in Turkey now and they wish Lili and Frank well on their effort. But one thing I have to say is when it brings a lot of people into town for kayaking, our biggest attraction was our Birding/Wine Tasting paddle. That was really good. Unfortunately, the winery has gone under and I think this may be another thing to give us to help compete. There is a lot of places to paddle in eastern Carolina and this is one more thing we can possibly use to get them to come to Oriental. Thank you.

Mayor Belangia: Thank you. The next person is Miss Madeline Sutter. State your address please.

Madeline Sutter: I live at 300 Whittaker Point Road. I own my home. I am here because I have been here 27 years and I have known the Cheneys, Lili's grandparents and her mother and her father and her brother and her siblings that came around from time to time. This is a family with longstanding good character and integrity in the community. It's a new business. It's an attractive business. It will go well. It won't be an empty store front. They are smart people.

Mayor Belangia: Thank you. Was there anybody else? Okay, Manager Miller, do you want to present the request?

Manager Miller: Yes, ma'am. Mr. and Mrs. Bacon have presented to you a request. Attached to that request is a Change of Use Form. We have had significant conversations and the process that they go through with us tonight is

simply to confirm that the business proposed is allowed in the location proposed. I advised them to jump through our hoop first because it is the easiest and least expensive of all of the hoops they need to jump through. The additional local hoop that they need to jump through is with Bay River Metropolitan Sewer District. That is at the bottom of their Change of Use Form and until location is approved, there was no sense in going through that process as well. So they are very much aware that they need to go speak to Bay River as they move forward, that that will likely be a cost added to them getting up and running. The proposed microbrewery in the location is allowed by use according to the GMO with a Special Use Permit, which is why we are here this evening. Everything in their application is complete. The Planning Board has reviewed it and their review is attached in your package. Do you want me to go through what their recommendations are?

Commissioner Venturi: It might be a good idea.

Manager Miller: The Planning Board recommends approval of this permit according to the following:

1. The permit requested is within the jurisdiction according to the table of permissible uses.
2. The application is complete
3. It complies with the requirements of this Chapter and the Planning Board has presented no evidence and therefore does not have an opinion on whether this project endangers public health or safety.
4. There were no interested parties present at any of the Planning Board meetings where this was discussed so they were not presented any evidence.
5. The Planning Board has been presented no evidence that property value will be devalued.
6. The Planning Board has not been presented evidence that the proposed project will not be in harmony with the development and uses currently in the area.
7. The Planning Board finds that the proposed project will be in general conformity with the Land Use and CAMA Plans adopted by the Board of Commissioners.

Additional evidence may be presented to the Board at their Public Hearing. The Planning Board also asked several questions concerning the project. The project is to be established as a permitted use in an MU zone. The service of alcohol is intended to be secondary to brewing and distribution and there will be no service of hot or cold food in connection with the project. That was submitted by your Chair, Eric Dammeyer and that is all of the information that I have.

Mayor Belangia: Thank you. (inaudible)

Commissioner Overcash: Do you want to close the Public Hearing yet? If you haven't, some people came in. I don't know if you want to see if anybody else...

Manager Miller: I can give instructions if you choose.

Mayor Belangia: Is there someone else that wanted to speak?

Manager Miller: The general way that we go through this process is there are seven questions, those listed, and according to our Ordinance, the Board is required to grant the permit unless one of those conditions is satisfied. Because our Ordinance is written in the negative, it is kind of backwards. So, they will go through each of those and if you have evidence to provide the Board that one of those conditions will be satisfied, you should hold your questions until they get to that particular item on the list of seven items.

Commissioner Overcash made a **MOTION** to close the Public Hearing, seconded by **Commissioner White**.

Mayor Belangia: A motion and a second, is there any discussion?

Commissioner White: I would like to make the point of discussion that as we go through, there are six or seven points. Let's not vote on each one. Let's just wait until the end and do one vote on them all. I will keep track of what is said and we will make only one motion at the end.

Motion passed 5-0.

Mayor Belangia: Okay, we will continue on. Let's start.

1. Condition: The permit is not within its jurisdiction. Property is within jurisdiction. Does the public have any comment on jurisdiction of the application. Commissioner's questions?
2. Condition: The application is incomplete. The application has been deemed complete by the Land Use Administrator and the Planning Board. Does the public have any comment on the completeness of this application? Commissioner questions?
3. If completed as proposed, will not comply with one or more requirements of this Chapter, GMO. Does any of the public have any evidence to offer concerning compliance with the GMO? Commissioner questions?

4. Condition: Will materially endanger public health or safety. Does any member of the public have any comment on endangerment of public health and safety? Commissioner questions?
5. Condition: Will substantially injure the value of adjoining or abutting properties. Does any member of the public have any evidence to offer that indicates that the project will injure the value of adjoining or abutting property?
6. Condition: Will not be in harmony with existing uses, development in the area. Does any member of the public have any evidence that the project is not in harmony with existing uses in the area?
7. Condition: Will not be in conformity of the Land Use Plan or other plan officially adopted by the Town. Does any member of the public have evidence that the project is not in conformity with the existing plans?

Have all questions been asked by the Commissioners that you all want to ask?

Commissioner White made a **MOTION** (in the positive)

1. The property is within jurisdiction
2. The application is complete
3. If completed as proposed, it is in compliance with the GMO
4. The application, as presented, will not endanger public safety or health and no evidence has been submitted that it will
5. Application, as presented, will not injure property values and no evidence has been provided that it will
6. The application is in harmony with existing uses and property
7. The SUP as submitted will be in compliance with the Long Range Plan and the CAMA Plan

I think it is going to be a great addition to Town.

Mayor Belangia: I have a **MOTION** on the floor by **Commissioner White**, seconded by **Commissioner Winfrey**. Is there any discussion? Motion passed 5-0.

Commissioner Venturi: I am delighted to see some youth and vigor and it was a shame when the last attempted beer garden did not show up. I want to say I wish you well and I am glad you are risking yourself on this town. Thank you very much.

Commissioner Price: I wish you well and you do bring a good crowd to the Town meeting.

5. Floodplain mapping.

Approximately 15 slides were shown to the public. Oriental currently gets a 10% discount due to the Community Rating System due to the Ordinances in place. After the 90 day comment period on the preliminary maps, there will be a six month period where a final determination will be made. The new maps will likely become effective this time next year. Homeowners can appeal or make comments on the current maps if information is incorrect. There have been many changes in mapping and technology since 1981. Base flood elevation has been changed, for example if you were 3' above flood, you are now 4.5' above flood. Almost 200 structures are now not in flood zone. In the floodplain, insurance companies are allowed, by law, to increase premiums 18%. Surcharge fees are not included in this. There is a new allowance to raise it an additional 25% on second or vacation homes or rental properties. There is a new surcharge, \$25 for each residential unit in the floodplain program and \$250 for non-primary residential homes and commercial property. If a homeowner was not in the floodplain before but is now under the new mapping, rates cannot be increased as long as there is no lapse in policy or change of ownership. Building codes: Base flood elevation plus 2' is standard. Premium will be higher if those standards are not met. If a home was in the flood zone and is no longer in a flood zone with the new mapping, the homeowner can, at their own cost, have their policy reevaluated and premium reduced after presenting updated information to FEMA.

6. Scheduling – March 2 Workshop, Retreat March 24, Manager's Evaluation

Commissioner White made a **MOTION** to cancel the March 2 Workshop, seconded by **Commissioner Winfrey**. Motion passed 5-0.

7. Duke ROW agreement.

Commissioner Venturi made a **MOTION** to approve, seconded by **Commissioner Overcash**. Motion passed 5-0.

8. FEMA authorized agent agreement.

Commissioner Venturi made a **MOTION** to designate **Manager Miller** as the Authorized Agent and **Mayor Belangia** as the second, seconded by **Commissioner White**. Motion passed 5-0. Current reimbursement is approximately \$39,400.

9. Police Report by Chief Dwaine Moore.
Nothing new to report.

10. Manager's Report

- Financials are in your packet
- We are down to \$1,000 on reconciliation in March, and we know what it is, but it's apparently counted twice somewhere- looking for the path from receipt.
- Drainage – Public Works crews are moving in large stretches and are farther ahead than this time last year
- Public is welcome to send projects and ideas to be sent in by the public to admin@townoforiental.com
- Mike Hill from NC Rural Water Authority is coming to the office February 24
- Manager Miller and Tammy Cox are attending a continuing education course on Water and Wastewater Finance, Water Impact Fee litigation.
- Pickle Ball/Tennis Court – waiting for weather to warm up for sealing and placing lines
- Reappoint Regina Dubiel to Parks and Recreation Committee

Commissioner Overcash made a **MOTION** to reappoint Regina Dubiel to Parks and Recreation Committee, seconded by Commissioner Winfrey. Motion passed 5-0.

- Dump truck bed – cannot be fixed, getting quotes to replace dump bed.
- Wit's End – donating property to the Town.
- Commissioner Winfrey inquired about the path to the Piggly Wiggly. Manager Miller stated that there are issues where our property adjoins Piggly Wiggly. The output to the store is across wetlands and to the back side of the building.

11. Committee/Board Reports

- a. Parks & Recreation Advisory Board – No quorum
- b. Planning Board – December minutes
- c. Tourism Board – No minutes submitted
- d. Tree Board – 1-31-17 ARBOR DAY RESOLUTION
- e. Water Advisory Board – Did not meet
- f. Harbor Water/Fronts Advisory Committee – DRAFT 1-12-17
- g. Bay River Metropolitan Sewer District –

Commissioner Venturi made a **MOTION** to approve the ARBOR DAY RESOLUTION, seconded by **Commissioner White**. Motion passed. 5-0.

12. Commissioners' Comment/Discussion Period

Commissioner Overcash – the Ham Radio group is interested in getting the county youth involved. They should contact him if interested.

Commissioner Price – The walkway at the restrooms came out very nice. The History Museum has an exhibit called “Forgotten Landmarks” that is worth looking at.

Our next Board meeting will be held on March 7 at 7pm.

13. Adjourn.

Commissioner Winfrey made a **MOTION** to adjourn. Seconded by Commissioner Price. Motion passed 5-0.

Meeting adjourned 7:45pm.

Sally Belangia, Mayor

Diane H. Miller, Town Manager/Clerk

Approved _____, 2017 _____