



ORIENTAL TOWN BOARD MEETING

Friday, May 2, 2017 at 7pm
507 Church Street, Oriental, NC
Mayor Sally Belangia Officiating

6 The Town Board of Oriental Town Board Meeting on Tuesday, May 2, 2017 was called to order at 7:00pm. The
7 Mayor Sally Belangia determined a quorum to be present. She said we have a Public Comment period, if you wish
8 to speak please make sure you are signed up on the sheet. We will call the meeting to order with the Pledge of
9 Allegiance.

10

11 Present: Mayor Belangia, Commissioner Overcash, Commissioner White, Mayor Pro Tempore Venturi,
12 Commissioner Price, Commissioner Winfrey, Town Manager Diane Miller, Deputy Finance Director Tammy
13 Cox and Members of the Public

14

15 1. Approval of Agenda

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

18

19 2. Consent Agenda: (Tab 1)

- 20 (a) Minutes from Closed Session March 24, 2017.
- 21 (b) Minutes from Town Retreat March 24, 2017
- 22 (c) Minutes from Regular Town Board Meeting April 4, 2017
- 23 (d) Minutes from Closed Session April 17, 2017
- 24 (e) Minutes from Special Meeting April 17, 2017
- 25 (f) Minutes from Closed Session April 18, 2017

26

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

29

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

32

33 **Larry Summers:** Concerning proposed police changes, has a few problems with it, particularly where it concerns
34 changing the Chief of Police to selected office. He feels that in a town of this size, citizens or visitors would not feel
35 comfortable with the term "Selected Officer" and that Chief of Police is a good title. Secondly, he feels that if the
36 Town were looking to recruit a former police officer that the title may help with recruiting. We could also add
37 Auxiliary police as well. Manager Miller responded that the document was vetted by our attorney who advised the
38 Town to remove all reference to Auxiliary Police. Manager Miller stated she wanted to retain it to the emergency
39 section only. Our attorney stated that Auxiliary Police are an insurance liability. Removal of the title of Chief does
40 not mean we will not have one, just that we are not mandated to have one and increases our flexibility and covers
41 our current situation.

42

43 **Michael Wynne:** Represents the Friends of Whittaker Creek, which is a group that has interest in maintaining the
44 channel. On September 13, the Board of Commissioners adopted a resolution to assist the group in obtaining a grant
45 from the state to support efforts to dredge the channel. They have received a response from the state who said the
46 resolution needs two revisions: The Town is the Grantee so they need to be listed as receiver of the financial
47 assistance. The amount of the funds being requested needs to be listed, at the time the resolution was written, the
48 amount was unknown so that is new information. The administrator from the state put together a statement he would
49 like to see on the resolution: "The Board requests the State of North Carolina to provide the financial assistance to
50 the Town of Oriental for the Whittaker Creek dredging project in the amount of \$218,744 or 66 2/3% of project
51 construction costs, whichever is the lesser amount." Mr. Wynne is asking the Commissioners to consider putting this
52 on the agenda for the next meeting to make a decision. The state also asks that a Conflict of Interest Certification be
53 signed by the Town of Oriental as they are the Grantee. Commissioner White stated that our attorney would have to
54 review this, asked if the language changes, would the Town be held liable for the \$110,000 and also let the

55 attorneylook at the Conflict of Interest. Commissioner White asked when the state money runs out; Mr. Wynne
56 replied three years. Commissioner White asked if there is a time limit. Mr. Wynne stated the State has been
57 awarding these grants on an ongoing basis, not tied to legislation cycles. A response may be seen within two to three
58 weeks after submission. Commissioner White asked when dredging can begin due to fish cycle restrictions. Mr.
59 Wynne: Inside Whittaker Creek is a primary nursery area subject to a moratorium through the summer. Outside
60 Whittaker Creek is not subject to the same moratorium. As soon as they receive the grant and obtain a contractor,
61 they can begin as work is outside of this area. CAMA permit takes approximately 75 days and has not been
62 submitted. Commissioner White is for this project as it is restricting pleasure boats coming in. Manager Miller asked
63 for a copy of the grant agreement, which will need to be signed by both parties, to show to our attorney.
64

65 4. **Field Trip:** SEPVFD Quick Response Vehicle has been delivered and outfitted and will be available at Town
66 Hall for residents to check out. (See #15, Commissioner Comments)
67

68 **5. Public Hearing**

69 Mayor Belangia asked for a **MOTION** to open the Public Hearing. Commissioner White made a **MOTION** to open
70 the Public Hearing, seconded by Commissioner Winfrey.
71

72 **Mayor Belangia:** The Shulls, owners of 405 Mildred Street, have submitted an SUP request to rent their home as a
73 short term rental. The Manager has properly noticed the surrounding property owners and submitted and confirmed
74 publication in the local Pamlico News ahead of this hearing. The Planning Board forwarded its recommendation for
75 the application following the discussion on both March 30 and April 19 meetings. The Board must go through the
76 list of questions on the Special Use Permit and determine if it will be granted or denied. Manager Miller...

77 **Manager Miller:** Yes ma'am. The Planning Board did review this application. The property does have sufficient
78 parking for the contained number of bedrooms in the home and we have received no evidence of any detrimental
79 effects from the surrounding neighbors. The application was discussed twice. The applicant is also noting, on the
80 application, if you will note where it says "Does this property involve a combination of uses," yes, it will be part
81 time residential for the owners and part time seasonal rental so it won't be full time rental, it will just be when they
82 are not using the property. Those are the only notes of interest on this application.

83 **Commissioner White:** There are eight items that we have to go through, instead of voting on eight separate ones,
84 how about if we just summarize at the end and I will keep notes and summarize at the end and then we can make
85 one motion versus trying to make eight different motions if that's okay.

86 **Mayor Belangia:** Are we ready to go through that?

87 **Commissioner Venturi:** Do we need to close the Public Hearing before we go through with the checklist?

88 **Manager Miller:** If you are going to make your decisions, yes. If you are going to continue to take comment from
89 the public on each individual one, no. You would then close it at the end.

90 **Mayor Belangia:** Let's keep it open.

91 **Manager Miller:** And then you close it and then let the MOTIONS happen.
92

- 93 1. The permit is not within its jurisdiction. The property is within the jurisdiction. Does the public have any
94 comment on jurisdiction of the application? Commissioner questions?
- 95 2. The application is incomplete. The application has been deemed complete by the Land Use Administrator
96 and the Planning Board. Does the public have any comment on the completeness of the application? Any
97 questions?
- 98 3. If completed as proposed, will not comply with one or more requirements of the Chapter GMO. Does any
99 of the public have any evidence to offer concerning compliance with the GMO?
- 100 4. Will materially endanger public health or safety. Does any member of the public have any comment on
101 endangerment of public health and safety?
- 102 5. Will substantially injure the value of adjoining or abutting property. Does any member of the public have
103 any evidence to offer that indicates that the project will injure the value of adjoining or abutting property?
- 104 6. Will not be in harmony with the existing uses/development in the area. Does any member of the public
105 have any evidence that this project is not in harmony with existing use in the area?
- 106 7. Will not be in conformity of the Land Use Plan or other Plan officially adopted by the Town. Does any
107 member of the public have evidence that the project is not in conformity with the existing plan? Any
108 questions from the Commissioners?
109

110 **Mayor Belangia:** Make a **MOTION** to close the Public Hearing?
111 **Commissioner White** made a **MOTION** to close the Public Hearing, seconded by **Commissioner Overcash**.
112 **Mayor Belangia:** We've got a **MOTION** and a second, any discussion?
113 **Commissioner Venturi:** I do have a question. Is this permit being requested to come in line with the Town's
114 regulations?
115 **Manager Miller:** Yes ma'am.
116 **Commissioner Venturi:** Has this been rented before?
117 **Manager Miller:** It is either 405 Mildred or 405 High and one of the two is newly purchased. 405 High is on your
118 list for the next and one of them has been rented.
119 **Commissioner Winfrey:** High Street has been newly purchased.
120 **Manager Miller:** Okay, then this one has been rented.
121 **Commissioner Venturi:** Okay, well I appreciate that they are coming in line (inaudible) ordinances.
122 **Mayor Belangia:** Okay, I have a **MOTION** and a second to close the Public Hearing, all those in favor say aye.
123 **MOTION** passed, 5-0. The Public Hearing is closed.

124
125 **Commissioner White** made a **MOTION** to approve the short term SUP for 405 Mildred Street, seconded by
126 **Commissioner Venturi**.

- 127
128 1. The permit is within jurisdiction
129 2. The application is complete
130 3. If complete, it will comply with the GMO.
131 4. No evidence has been presented that it will materially endanger public health or public safety
132 5. No evidence was presented that it will injure adjoining or abutting property values
133 6. It is in harmony with existing uses
134 7. It will conform with the Land Use Plan

135
136 **Commissioner White** asked if they could add to the **MOTION** that it was discussed at the April 30 and April 19
137 Planning Boards and that the Planning Board has recommended Town Board approval. Changes seconded by
138 **Commissioner Venturi**. Motion passed 5-0. The SUP is granted.

139
140 **6. National Safe Boating Week Proclamation**

141 May 20-26 is Safe Boating Week in Oriental. The Board wishes to make a Proclamation for it and encourages all to
142 make safe boating practices part of every day on the water. **Commissioner Overcash** made a **MOTION** to approve
143 the Proclamation, seconded by **Commissioner Winfrey** to approve the Safe Boating Week May 20-26 Resolution.
144 Motion passed 5-0.

145
146 **7. Planning Board forwards request**

147 The Planning Board forwards two requests – one is the Johnson residence at 405 High Street, also requesting a short
148 term rental, very specifically limited use such as Cycle NC, Croakerfest and big events. The second Public Hearing
149 is from Lili and Frank Bacon, a request to apply for Special Use Permit for a microbrewery similar to a previous
150 application in a new location at 702 Broad Street. The information will be the same but the process needs to be done
151 again as the new surrounding property owners need to be notified. The Planning Board has taken this up in April and
152 will hear it again in May. If anyone has evidence against them to bring to the Planning Board's attention, now is the
153 time to bring this to the Planning Board's attention and to the Public Hearing when it is set. **Commissioner White**
154 addressed Frank and Lili Bacon and asked if the next meeting June 6 would be adequate, they stated that it is.

155
156 **Commissioner White** made a **MOTION** to schedule both SUP Public Hearings for the June 6 meeting, seconded
157 by **Commissioner Overcash**. Motion passed 5-0.

158
159 **8. Additional Budget Sessions**

160 Budget session to be held May 8 at Town Hall in the large board room at 8am.

161
162 **9. Board of Elections**

163 The Board of Elections has forwarded an agreement for their contracting of our elections scheduled for this coming
164 November. We need to elect whether or not to have absentee balloting and One-Stop Voting. The contract needs to

165 be signed and returned to the Election Board. **Manager Miller:** The Town has, in the past, done both One-Stop and
166 early voting as some of our residents travel. This allows our residents flexibility.
167

168 **Commissioner Venturi** made a **MOTION** to allow One-Stop Voting and absentee ballots at the next election,
169 seconded by **Commissioner White**. **Commissioner Venturi** believes that the public should have the opportunity to
170 vote and stated that although it may be a bit expensive, it is convenient. Motion passed 5-0.
171

172 10. Police Ordinance

173 Manager Miller stated that the purpose of this revision is to scrub the remainder of the former form of government
174 that was noted in the existing ordinance, specifically noting the Administrator and Police Commissioner, neither of
175 which we currently have. Our attorney recommended we remove the auxiliary police, which Manager Miller has
176 fought to keep for emergency purposes to have all of these tools at our disposal in the event of an emergency. It also
177 removed the Chief of Police as the responsibility/owner for some of the department tasks. This does not prevent us
178 from having a Chief, but will allow us to continue to function without one. As we do not currently have a Chief on
179 active duty, we are technically out of the Ordinance. This will allow us the flexibility to bring someone in and move
180 them up, or hire someone with more experience and change those ranks. Manager Miller stated it was changed to
181 Chief since her hiring. This will allow flexibility and cover all situations. Commissioner White asked for
182 clarification between a Reserve Police Officer and a regular Police Officer. Manager Miller stated a Reserve Officer
183 is one that can be called onto duty and has all of the credentials and are paid. For example, Officer Barnett will be a
184 Reserve Officer after retirement. He will maintain his certification and can be called upon if needed. Auxiliary are
185 volunteer but are required to be credentialed, harder to maintain control of them. Commissioner White asked if they
186 can be hired as contract employees versus an employee. Manager Miller stated we could. Commissioner White said
187 we can get into trouble with an employee as they can apply for unemployment and we get hit with the bill. His
188 recommendation is contract employee and agrees with allowing Manager Miller the flexibility to manage the way
189 she sees fit. Manager Miller believes the attorney's objection to Auxiliary was insurance and liability issues in case
190 of injury because they are unpaid and not covered by Worker's Compensation. Commissioner White's concern is
191 interfering with an employee's pension if they are called back after retirement. Commissioner Overcash asked for
192 clarification on Tab 6, which Manager Miller gave. Commissioner Venturi asked for clarification of the term
193 "emergency." Manager Miller stated Emergency Management defines "emergency" as civil, military, natural
194 disaster, act of God, very clearly defined by FEMA.
195

196 **Commissioner White** made a **MOTION** to adopt the Ordinance as written, but can we add contract employee for
197 Reserve Officers in Section 5, seconded by **Commissioner Winfrey**. Motion passed 5-0.
198

199 11. Police Report

200 Manager Miller stated Police Reports are in the packets and unavailable on screen due. Officer Barnett stated it was
201 not an active month, mostly building checks.
202

203 12. Sheriff's Report

204 No Sheriff's Report at this time.
205

206 13. Manager's Report

- 207 • Financials are uploaded to the web separately from the packet
- 208 • Purchased a vehicle this past month
- 209 • Hurricane Matthew – we are much closer to the original \$39,000 that we had asked to recover
- 210 • Cycle NC has ended – looking to have a meeting where we will take comment from residents and business
211 people. Manager Miller stated she has heard both good and bad. It seems the merchants did extremely well.
212 While the population tripled, a few inconveniences were expected. The Public Works crew worked very
213 long hours to address every problem we had. Manager Miller received a thank you letter from Reagan of
214 Cycle NC stating that while there were some challenges, nothing to keep them from continuing with the
215 event. Commissioner Price thanked Manager Miller for the letter that she sent out, a separate letter was sent
216 out to CarolinaEast to the medical professionals that donated their time to the event. There was only one
217 injury reported. Public Comment/Feedback for Cycle NC is scheduled for the Agenda Workshop on June 1
218 at 5:30pm in the large board room at Town Hall.

- 219 • Annual Burnout process is ongoing through May 25. Had some issues, a chlorine injector went bad.
- 220 Residents **should** smell chlorine in the water as the ammonia has been removed.
- 221 • Townwide Yard sale is May 6. Ol' Front Porch will hand out maps from Town Hall front porch.
- 222 Brown/White Goods pick up is May 13.
- 223 • Auditors will be here May 15-19.
- 224 • Manager Miller will be out May 24-26, hoping to get budget balanced and to the Board prior to that.

225

226 **14. Committee/Board Reports**

- 227 a. Parks & Recreation Advisory Board – did not meet
- 228 b. Planning Board – minutes not available 4/19
- 229 c. Tourism Board – no minutes submitted
- 230 d. Tree Board – 3/28/17
- 231 e. Water Advisory Board – did not meet
- 232 f. Harbor Waterfronts Advisory Committee – 3/9/17, 3/30/17
- 233 g. Bay River Metropolitan Sewer District – no quorum

234

235 No Commissioner Comments.

236

237 **15. Commissioner's Comment/Discussion Period**

238 Commissioner Overcash stated that Eric Kindle had arrived with the Quick Response Vehicle and since they would
 239 be going out to view it as they adjourn, he asked the members to recognize him and for him to talk about the vehicle.
 240 Mr. Kindle stated they have spent the past few months getting the QRV ready. The previous vehicle was in need of
 241 repair and with the damage to Town Hall, it also did not have a home so there has not been a QRV since the
 242 hurricane. In the interim, a fire department utility truck has been shared, a Dodge Ram, which is not always
 243 available. By County and medical (inaudible) standards, we do need a QRV if we want to have First Responders.
 244 The Dottie Gray Ambulance Fund dissolved, now known as ORCA (Oriental Regional County Ambulance), Mayor
 245 Sally Belangia, Ian Davis, firefighter, and Manager Miller, along with several others, approached an endowment
 246 fund about a grant to fund a new vehicle. The grant was approved and a 2017 Ford Explorer was purchased. Lights,
 247 sirens and graphics have been installed and will, hopefully, be up and running by the end of the week. A member of
 248 the public asked for the definition of "quick response." Mr. Kindle explained that typically the QRV is an acronym
 249 used for any type of first responder service, can be law enforcement, can be fire or medical – more popular in the
 250 medical field and in rural places without paramedics. For us, it should arrive first for medical emergencies as we are
 251 a certain distance away from rescue. They take vital signs, start CPR, get the ball rolling before the ambulance
 252 arrives, give updates. The difference between responding in the QRV as opposed to their personal vehicle is they
 253 are better equipped, able to keep potentially lifesaving meds and equipment. There are currently nine first
 254 responders and they are all volunteer and always do their best to respond to as many calls as possible. Commissioner
 255 White asked where the QRV will be kept. Mr. Kindle stated for the most part at the fire station but they are going to
 256 work out a system where the first responders can take the vehicle home when they know they are available to
 257 respond to calls. The vehicle will be dedicated to Oriental unless Pamlico dispatch requests and they are needed
 258 somewhere. Arapahoe currently does not have first responders, program was put on hold due to low numbers,
 259 sometimes they request help and we will respond. He also wanted to clarify, this vehicle is completely separate from
 260 the fire department, it was a grant and SPVFD has no financial obligation to replenish that and the tax dollars are
 261 going directly to Station 19, fire protection, etc. The endowment fund also provides a small grant to Station 19 to
 262 offset the cost of Pamlico Rescue housing the ambulance there. Manager Miller explained that this is a fund within
 263 the North Carolina Community Foundation which gives a certain amount annually to Station 19 so that we have the
 264 ambulance here in Oriental Monday through Friday, 8am to 5pm. This was part of the agreement to help with
 265 expenses for us to have the ambulance closer. The grant that provided the money for the QRV came from that
 266 principal fund to keep the ambulance here so the fundraising is to replace the principal so the interest can continue to
 267 support the ambulance being housed here. (Commissioners then went outside to view the QRV)

268

269 **12. Adjourn.**

270 **Commissioner Venturi** made a **MOTION** to adjourn, seconded by **Commissioner White**. Motion passed 5-0.

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272 **Meeting adjourned 7:57pm.**

273

274

275

276 _____
Sally Belangia, Mayor

Diane H. Miller, Town Manager/Clerk

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279 Approved _____, 2017_____