

Town of Oriental
Town Board Meeting
March 3, 2015

The Town Board of Oriental held its regularly scheduled monthly meeting on Tuesday, March 3, 2015 at 7:10 pm. The Mayor 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, Town Attorney Davis, Administrative Assistant Dimond, and public.

The Agenda and Consent Agenda were presented for Board approval.

Motion: Commissioner Venturi motioned to approve the agenda, Commissioner Overcash seconded.

Commissioner Summers requested that agenda item “8. A” be moved ahead of the closed session in the agenda. Commissioner Venturi suggested that the Board request Town Attorney Davis to stay after the closed session instead. All agreed and the motion to approved the agenda passed 5-0.

Motion: Commissioner Venturi moved to approve the 02.03.2015 Board Meeting minutes, Commissioner Overcash seconded.

Commissioner Summers requested that the vote on the RV Ordinance be amended from 5-0 to 4-1. Motion passed 5-0.

Motion: Commissioner Venturi motioned to adopt the January 29, 2015 workshop minutes. Commissioner Overcash seconded. Motioned passed 5-0, Commissioner Venturi abstained.

In the general comment period; Grave Evans and Flora Moorman signed up to speak. Grace Evans questioned the Board on several topics, including; whether a vote at an agenda meeting is binding, what properties the Town owns and where it would be possible to find maps illustrating said property, and whether the public is entitled to know about votes taken during attorney-client, closed session meetings. The Mayor responded that votes can be taken at agenda workshop meetings, which are open to the public. It is required for the Board to announce under which statute it is going into closed session and what matter will be discussed. It is not required to announce what actions are taken, but the Board will generally announce any actions taken either at the resumption of open session or as soon possible. Town Manager Miller recommended that Ms. Evans use Pamlico County’s online GIS map to view all Town held properties.

Flora Moorman gifted the Town with dragon paddle in thanks for the Town’s support of the

Oriental Indoor Dragon Boat Festival. She also thanked the Tourism Board for their help in organizing the event.

Following the public comment period, the Rotary Club gave a presentation on the upcoming, 7th Annual In-Water Boat Show, April 9-12, 2015. In the presentation, Rotary requested restrictions and closings on New Street, South Water Street and West Water Street to facilitate the event – noting that they had already negotiated these closings with local businesses on those streets. Last year, the In-Water Boat Show raised over \$20,000, a large portion of which goes towards the local Rotary Scholarship Fund.

Motion: Commissioner White motioned to approve the requested street closings/limitations from 8:00 AM, April 9, 2015 – 5:00 PM, April 12, 2015, Commissioner Venturi seconded. Motion passed 5-0.

The amended Cross Connection and Backflow program was approved at the 02.26.2015 Agenda Workshop Meeting.

Andy Darnell from CRI gave a presentation on the Town's last audit. Overall, minor issues were found, but there was nothing major in the audit. The Commissioners Venturi and Summers asked Mr. Darnell several questions about the division of funds. This year's audit was later due to a new DMV system getting property tax reports – not anticipated to be a problem next year.

Motion: Commissioner White motioned to go into closed session, Commissioner Venturi seconded. Motion passed 5-0.

The Board went into closed session at 8:03 PM.

The Board recommenced open session at 8:28 PM.

Returning from closed session, the Board addressed proposed amendments to general ordinances B, G, and K. It was proposed in General Ordinance B, regarding police and firefighters, to change the responsibility of hiring/ firing to that of the Town Manager as opposed to the Town Board. Commissioner Summers asked the Town Attorney if this was permissible, the Town Attorney verified that there was nothing wrong with changing this.

Motion: Commissioner Overcash motioned to adopt the proposed amendments to Chapter B, Commissioner Venturi seconded.

A discussion followed to verify that the proposed amendment didn't contradict any current personal policy. Motion passed 5-0 with the agreement that in section 3, article b, "off one's own premises" be changed to "off of one's own premises."

The proposed amendment to chapter G clarifies that all residents with water and sewer must also have trash and recycling.

Motion: Commissioner Summers motioned to approve the amendment to chapter G as written, Commissioner Winfrey seconded. Motion passed 5-0.

The proposed amendment to chapter K is to align the ordinance with current water billing practices; allowing accounts owing \$10 dollars or less at the end of the month to remain on.

Motion: Commissioner Venturi motioned to adopt the amendment to chapter K, Commissioner White seconded.

A discussion followed as to whether the amendment should be changed to reflect that it was the Town Manager's decision as to whether to waive cut off requirements at their discretion.

Motion: Commissioner Summers motioned to amend the original motion to change Article 1-, section 5 to include that the Town Manager maintains discretion to stop cut offs in exceptional circumstances, Commissioner Venturi seconded. Motion passed 5-0.

The discussion on the level of discretion held by the ordinance versus the Town Manager continued. The Board agreed to adopt the voted on changes and to move the topic to next month to further amend the ordinance.

The next topic was a budget amendment. The Town Manager explained that the amendment would account for some of the overdrawn lines in several departments, brought to attention by Commissioner Summers during the last Board Meeting. Unemployment, attorney fees, generator repairs, and workers compensation were all larger than budgeted or not budgeted at all.

Motion: Commissioner Venturi motioned to adopt the budget amendment, Commissioner Overcash seconded. Motion passed 5-0.

The next item of business was the Town Manager's report. Town Manager Miller touched on the following topics;

- The Town Retreat is gearing up and will be going over future and potential projects, Commissioners were invited to add any items that they thought of interest.
- The Town has sent a response letter to CAMA regarding the application made by Knute Bysheim.
- The Town has signed a lease agreement with Rotary.
- The Town has been issued a water violation for a quarterly dissolved solids test; the processing lab received the test one day too early for it to be deemed as within the quarter. Town has to comply and send notice to Town residents either via mail or CCR, Town Manager Miller recommended CCR.
- Town Hall will be hosting Pamlico Community College, Tai Chi for Arthritis classes for 8 weeks, beginning March 10, 2015. The class's previous location had broken heating.
- New companies were interviewed for water tower services. Believes it is in the Town's best

interests to move with the Town's current contract, with high dollar items spread out over several years.

-The Water Advisory Board has a new member to approve, Howard Cheetum.

Motion: Commissioner Summers motioned to appoint Howard Cheetum to the Water Advisory Board, Commissioner Overcash seconded. Motion passed 5-0.

In questions about the Manager's report, Commissioner Overcash mentioned that the Whittaker Creek Yacht Owners Association had also written to CAMA. Commissioner Venturi advised that she did not believe Mr. Bysheim to be in possession of a Special Use Permit, as regulated for his proposed project, and as such that it was important for all commissioners to remain neutral in the case that an application is filed for a SUP. Commissioner Summers commented on the financials provided, including a question as to why nothing has currently been spent on Powell budget salaries. Town Manager Miller commented that Powell funds are only moved twice a year, but that she would check with Heidi Artley, who prepares the budget. Commissioner White asked that it be specifically pointed out in the minutes that South Avenue litigation fees have now amounted to \$75,662. Commissioner Overcash concluded comments with the idea of adding a Town marquee board in Lou Mac Park.

In the police report, Police Chief Moore reported that it had been an excellent month. He commented on the In-Water Boat Show, mentioning that it was really well run and that nothing should be too different from how traffic was managed last year. Commissioner White questioned whether Police Chief Moore had responded to an accident that occurred on Straight Road; Police Chief Moore had not. Commissioner Summers praised Police Chief Moore for his selfless community service work.

In the committee and board reports; the Tourism Board is organizing the annual town wide yard sale that will be on May 2, 2015. The Tree Board will be planning their 1,000th tree this month and the Mayor will be signing off on the Arbor Day Proclamation.

In the commissioner discussion period, Commissioner White reminded the Board that the Town Manager's annual review was due by the next meeting and proposed a schedule for the Board and Town Manager to submit and consolidate their respective portions. Commissioner Overcash gave notice to the Board that he would be making a motion next meeting to establish a dragon sanctuary in the Town of Oriental.

Motion: Commissioner Venturi motioned to adjourn, Commissioner Winfrey seconded. Motion passed 5-0.

The meeting adjourned at 9:16 PM.

William Sage, Mayor

Diane H. Miller, Town Manager