

Town of Oriental  
Town Board Meeting  
July 3, 2012

A regular scheduled meeting of the Town of Oriental Town Board was held at Oriental First Baptist Church, July 3, 2012, beginning at 7:00pm.

**Present:** Mayor Sage; Commissioners Bessette, Johnson, Summers, Styron, and Venturi; Town Manager Maxbauer; and Bylon Whitsett.

**Absent:** None

Mayor Sage 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 Styron seconded. Motion passed. 5-0

**MOTION:** Commissioner Summers, with regards to the consent agenda, made a motion to approve the minutes from June 4, 2012. Commissioner Venturi seconded. Motion passed. 5-0

The minutes from June 5, 2012 were pulled from the consent agenda for review.

**MOTION:** Commissioner Venturi made a motion to approve the June 5, 2012 Budget Workshop minutes and the June 5, 2012 Town Board Meeting minutes. Commissioner Summers seconded. Motion passed. 5-0

The minutes from June 11, 2012 were corrected to read in paragraph 5 that Commissioner Venturi made the motion and not Commissioner Bessette.

**MOTION:** Commissioner Summers made a motion to approve the June 11, 2012 minutes as corrected. Commissioner Bessette seconded. Motion passed. 5-0

The Council discussed the modifications to the Contract Agreement regarding South Avenue/Avenue A. It was noted that all modifications applied only to the attachments.

**MOTION:** Commissioner Summers made a motion to accept the amendment to the agreement and to authorize and direct the Mayor and Town Clerk to sign it.. Commissioner Venturi seconded. Motion passed. 5-0

**MOTION:** Commissioner Summers made a motion to open the public hearing. Commissioner Styron seconded. Motion passed. 5-0

The following people spoke at the public hearing for the proposed street closures:

- |                       |                        |
|-----------------------|------------------------|
| 1. David Cox          | 12. Ken Brandon        |
| 2. Barbara Stockton   | 13. Ken Midyette       |
| 3. Jim Privette       | 14. Dawn Hines         |
| 4. John Zeren         | 15. Dee Sage           |
| 5. Bob Miller         | 16. Pat Herlands       |
| 6. Bill Marlowe       | 17. Irma Bond-Maxbauer |
| 7. Bob Pittman        | 18. Grace Evans        |
| 8. Clare Pittman      | 19. Ben Cox            |
| 9. Fay Midgette Bond. | 20. Art Tierney        |
| 10. David White       | 21. Jennifer Roe       |
| 11. Marshall Tyler    |                        |

**MOTION:** Commissioner Johnson made a motion to close the public hearing. Commissioner Bessette seconded. Motion passed. 5-0

Mayor Sage reviewed various options for the street right of way closure and acceptance of property. There was some question as to whether or not the transaction would be considered an exchange.

**MOTION:** Commissioner Summers made a motion to find that none would be deprived of reasonable access to their property and that it is not contrary to the public interest to close Avenue A. Commissioner Styron seconded. Motion passed. 4-ayes (Summers, Venturi, Bessette, Styron) 1-nay (Johnson)

Town Manager Maxbauer stated that the town needs to make sure that we retain a public utility easement on Avenue A.

**MOTION:** Commissioner Summers made a motion to reserve all public utility easements on Avenue A. Commissioner Venturi seconded. Motion passed. 5-0

The town attorney pointed out that the state statute requires ten days notice of an exchange being contemplated by the town board and that a statement of value be included in the notice.

Regarding South Avenue, there was some discussion regarding the values in connection with an exchange and whether an independent professional appraisal be made.

**MOTION:** Commissioner Venturi made a motion to pursue hiring an independent professional appraiser to report back at the next council meeting. Commissioner Johnson seconded. Motion passed. 3-ayes (Venturi, Johnson, Bessette) 2-nays (Summers, Styron)

There was some discussion regarding the annexation of property owned by Jerome Buckman. The Town of Oriental Planning Board presented a recommendation to pursue the annexation and zone it as R1.

**MOTION:** Commissioner Johnson made a motion to set the public hearing date to hear concerns regarding the annexation for August 7, 2012. Commissioner Styron seconded. Motion passed. 5-0

**MOTION:** Commissioner Summers made a motion to direct Town Manager Bob Maxbauer to sign the RESOLUTION OF INTENT TO ANNEX PROPERTY OWNED BY JEROME L. AND ELIZABETH M. BUCKMAN, WHICH IS NON-CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES OF THE TOWN OF ORIENTAL and the RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S.160A-58.1. Commissioner Venturi seconded. Motion passed. 5-0

During the public comment period, Ben Craven spoke about a fence being removed by the Town. The Town Manager reiterated to Mr. Craven the fence was on Town right of way and removal was an action decision of the Board.

The porch encroachment issue on the Baskerville property on Midgette Street was commented on by Al Herlands. The matter of reappointments to the Parks & Recreation Committee were discussed.

**MOTION:** Commissioner Venturi made a motion to reappoint Sue Magnuson and Jim Edwards. Commissioner Summers seconded. Motion passed. 5-0

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

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William R. Sage, Mayor

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Robert J. Maxbauer, Town Manager