

Town of Oriental  
Town Board Meeting/Public Hearing  
September 4, 2012

A regular scheduled meeting of the Town of Oriental Town Board was held at Oriental First Baptist Church, September 4, 2012, beginning at 7:00pm.

**Council Present:** Mayor Sage; Commissioners Bessette, Johnson, Summers, Styron, and Venturi.

**Others Present:** Town Manager Maxbauer; Interim Police Chief Dwaine Moore; Town Attorney Scott Davis; Barbara Baker; various town residents; and media.

Mayor Sage determined that a quorum was present. He opened the meeting and led the Pledge of Allegiance.

**MOTION:** Commissioner Johnson made a motion to approve the agenda as presented. Commissioner Styron seconded. Motion passed. 5-0

The approval of agenda minutes from August 2, 2012 and regular minutes from August 7 and August 10, 2012 was discussed. Commissioner Bessette made a clerical correction on the minutes of August 7, 2012. In the public comment period, in the next to the last sentence the "semicolon" between the words "a" and "motion" should not be there and was removed.

**MOTION:** Commissioner Johnson made a motion to approve and adopt the consent agenda with the one correction to the August 7, 2012 minutes. Commissioner Bessette seconded. Motion passed. 5-0

Mayor Sage presented a Proclamation designating September 17, 2012 as Constitution Day and September 17 through 23 as Constitution Week. There was no objection to having Mayor Sage enter this Proclamation.

**Public Comment Period:** Mayor Sage opened the floor for public comments. Ms. Grace Evans spoke about the ongoing issue of Midgette Street and the dirt and sludge that has been deposited on it by the dredging. She also spoke about the ongoing encroachment issue involving Oriental West.

Mr. Kenneth Brandon spoke regarding a drain that ran from Hodges Street to a ditch that used to run behind his house at 603 Hodges.

Ms. Dee Sage spoke and thanked the Council for the Proclamation recognizing Constitution Day and Week.

**South Avenue Update:** Mayor Sage announced that Town Attorney Scott Davis was in attendance and is available to give the Council an update. Attorney Davis stated that he does not currently have a hearing date set, but is hoping to have it heard in October. Attorney Davis responded that it was doubtful if we could recoup any attorney fees. Mr. Brandon reminded the Council of an email he had sent stating that he would fund any lawsuits opposing the South Avenue and Avenue A proposal.

**Manager's Report:** Town Manager Maxbauer reported that preparation for the annual audit has begun. He complimented the administrative staff on their work in preparing for the audit. He also reported on the on-going progress with the new town hall building. Town Manager Maxbauer stated that the following mandated projects are completed: The Aerator Project, the Sample-tap Project, and the Pre/Post Chlorine Separation Project. Finally, he also reported that he has addressed the real-estate sign compliance issue on South Avenue.

Town Manager Maxbauer requested the Council to review some type of permitting for anyone wishing to do any marine type dredging and hauling away of debris in order to relieve the damage of the town streets and roadway.

Regarding the drainage at the corner of Hodges and Hwy 55, because Hwy 55 (known in town limits as Broad Street) is a DOT street and the problem rests within DOT right of way, the matter has to be reviewed by the DOT engineers.

The Town Manager was made aware of a sink hole out by the water plant. The matter will be investigated and appropriate steps taken to get the sink hole repaired.

The Council reviewed the financial statements and the Town Manager stated that in the near future there may be a budget amendment regarding the building of the new town hall. There was some discussion regarding the finances and the FEMA reimbursement. The issue of transferring funds from the fund balance to the checking account will be further discussed at the next town council meeting. The Town Manager will have an estimated total amount regarding the expense of the new town hall.

**Police Report:** The police report was received and reviewed by the Council.

**Committee/Board Reports:** The minutes to the Committees/Boards were reviewed. No action taken.

**Commissioners' Comment/Discussion Period:** Commissioner Summers recognized the new owners of the Pigeon Hole, located at the corner of Broad and Hodges. The issue of drainage once again came up regarding this business with a possible solution of building an access ramp. The Town Manager has been in contact and has reviewed the matter of an access ramp which should help with the drainage issue. He recommends the Council approve the permit application to build an access ramp.

**MOTION:** Commissioner Summers made a motion to go into closed session citing G.S. 143-318.11(a)(3) for the purpose of consulting the Town's Attorney to discuss the South Avenue matter, the Evans/Baskerville and Oriental Steamer setback issues, and the Internet Sweepstakes issues. Commissioner Venturi seconded. 5-0

**MOTION:** Commissioner Johnson made a motion to close the closed session and resume the regular meeting. Commissioner Venturi seconded. 5-0

There being no further business, Commissioner Johnson made a motion to adjourn. Commissioner Bessette 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