The Town Board of Oriental Town Board Meeting on February 5, 2019 was called to order at 7pm. Mayor Pro Tempore White determined a quorum to be present and called the meeting to order with the Pledge of Allegiance. He said we have a Public Comment period, if you wish to speak please make sure you are signed up on the correct sheet.

Present: Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons, Commissioner Price, Town Manager Diane Miller, Deputy Finance Director Tammy Cox and Members of the Public. Mayor Sally Belangia, Commissioner Eric Dammeyer and Administrative Assistant Jeannine Russo were absent.

1. Approval of Agenda

Commissioner Simmons made a MOTION to approve the Agenda. Seconded by Commissioner Overcash. Motion passed 4-0.

2. Consent Agenda (Tab 1)
   a. Consider Approval of Minutes from Town Board Regular Meeting January 8, 2019
   b. Consider Approve of Workshop Minutes from January 31, 2019

Commissioner Overcash made a MOTION to accept the minutes. Seconded by Commissioner Simmons. Motion passed 4-0.

3. Public Comment Period

Candy Bohmert (Pamlico County Commissioner): Wished to speak to the Board regarding the debris pick up that the County has been involved in. A lot has been picked up but there is still more. They thought the last pick up date would be the end but more residents called asking for pick up. A third round was considered and asked residents were asked to fill out a form so the County could have a more concentrated effort. 70 forms were received just before their Board meeting – 38 state road, 14 private road and 18 town roads. There were 22 C & D, 21 vegetative, 6 both and 21 whole house demolitions. There is approximately 15,000 cubic yards which comes to $420,000, some in Oriental, Vandemere and Arapahoe. The County was hoping to pick up from the residents who filled out forms when their attorney stated they cannot do that if they would FEMA reimbursement; they have to do the whole County. The county has already spent $3,500,000 with $800,000 in unpaid receipts. Their concern is if they go into next season without FEMA reimbursement, they will not be able to do anything including keeping the government open during a storm as they did this time and food and water distribution. The County decided this would not be a good idea. County Manager Tim Buck is still looking for ways to help those residents that still need help. Ms. Bohmert stated this is the first time the County has picked up Towns, have never been responsible for them before. The stated said they would do whole house, this is the first time that has ever happened and whole house is a huge amount of cubic yardage. Approximately $1,500,000 was spent in Irene believes they are looking at around $5,000,000. This is the reality they are facing. Getting ready to go into budget and tough decisions will have to be made, will be a tight year. She also stated that $420,000 is three cents on your tax, if they were to do a tax increase. Fortunately, they have a “healthy” fund balance, no longer as healthy as it was. They have completed FEMA requirements but have not heard when reimbursement will begin. Ms. Bohmert felt she wanted to come to explain the reasons that they are holding off face to face. Commissioner Overcash asked what the FEMA reimbursement might be versus what the County has laid out. She stated FEMA should reimburse them for everything keeping in mind that after Irene, it took four to five years to be fully reimbursed. Mayor Pro Tempore White asked what direction they might give the Town residents as he has seen trucks making pick-ups. Ms. Bohmert stated they are currently making the last pass and this is it. Anything placed out now, residents can be ticketed for. The County is sympathetic to these residents, but unfortunately, are running out of money.
Jim Edwards: Mr. Edwards wanted to provide information for an event the second week of March where NC State, Vermont, Virginia Tech and George Washington University here, approximately 60-65 college students will be here all week. They take a week off and then another 25-30 from inaudible coming and about two weeks later there will be a regatta the same weekend as the boat show. There will be 20 college teams there from up and down the east coast, about 150 college sailors with more groups coming through after that. He is happy with what is going on at the fishing pier as Lou Mac Park is a perfect venue and would like to be involved with that.

Bill Hines: Mr. Hines discussed a problem with the City of Havelock and stated they have put raw sewage into the Neuse River, a quantity of approximately 430,000 gallons in the last three years. He stated they received a $657 fine for one spill of 192,000 gallons. This is coming out of one manhole. Sound Rivers has spoken with DEQ, who says they are looking into it, since 2002, and there have been 42 spills since then with 28 since 2015 out of one particular manhole. Riverkeeper is keeping all of the documentation and working with DEQ but their funding has been cut, very difficult for them to do anything. Their Board will go to Southern Environmental Law to give a 60 day notice of suit and express their concerns and how this impacts our economy. Mr. Hines asked the Board to pass something on this.

4. Public Hearing Request (Tab 2)
Manager Miller spoke about an Annexation Petition and requests that the Board set a Public Hearing for March 5, 2019 for both the Hearing on the Annexation of the property detailed in their packets. It is a 32.74 acre piece of property off of White Farm Road. They traded access easement so the actual entrance into the property will come off of Shorey Drive. The Board has a list from KMSJ Engineering of the adjacent property owners to be notified and a copy of the deed, two amending easements – one that swapped the access easement and the other from Duke Energy. The owner, Mr. Martin Spratt, and a corporation named Chas 1, LLC, is the one requesting annexation with R3 zoning, which will be the second Public Hearing on the same day. They understand annexing requires them to hook onto our water system and Bay River Sewer as there is no septic allowed in Town limits. Manager Miller stated once it is zoned, in this case R3, anything in the Permissible Use Table under that zone, can go on that property. Planning Board has made significant changes recently, which will ensure the right things go in the right places. Manager Miller showed a photo of the property and surrounding area. One parcel is an undeveloped development zoned R1. Several are R3 and one is MU along with a spoil site property that is not annexed into the town. The mix of uses justifies the creation of an R3. Preliminary designs have been presented with, potentially, up to 50 duplexes. The new additions to Chapter K forces a developer to loop the line back to the main which will increase water quality to that development and past so less treated water will be put on the ground at Dolphin Point – good for our water system and great for our tax income. Manager Miller stated one cent on the tax rate for the Town of Oriental is $22,000 – not including boat, cars, etc. In time roads would be deeded over. Without annexation, they could develop under the county’s guidelines – less impervious surface restriction, no height requirements as the county uses state building code. The county denied this before as the original plan included wells and septic systems. There is a process to move forward – put signage on the property, notify adjacent owners, advertise and people can comment at Public Hearing. Manager Miller stated both annexation and zoning are political decisions – no burden of proof. Draft had been presented to Planning Board and they were happy with the original design. They are on top of all permitting and Manager Miller feels they will build responsibly. Mayor Pro Tempore White asked if the Planning Board still needs to look at it; they do and will do so at their February meeting and make a recommendation for the zoning request. Manager Miller stated the Board needs to approve Resolution 2019-01 directing her to do what is necessary for this annexation. Mayor Pro Tempore asked about the time frame, can they vote for annexation at the same meeting? Manager Miller stated they do not have to but they generally do.

Commissioner Simmons made a MOTION to approve the Resolution 2019-01 and establish a Public Hearing for the same evening for zoning. Seconded by Commissioner Overcash. Motion passed 4-0.

5. Budget Amendment (Tab 3)
Manager Miller stated there is a $132,000 Budget Amendment - $59,000 of which is the seawall repair and extension. Much of the rest is expenses from Hurricane Florence, including a $4500 expense for removal of loose debris on South Avenue and other debris removal, $16,500, and we are not finished with that yet. She further stated after January 1, Public Works surveyed the Town and made a list of all debris and locations and sent this to the County. Manager Miller’s concern is the large debris we do not have the equipment to move such as root balls from very large trees. We still have C & D and green waste dumpsters and can pick up small piles ourselves. Manager
Miller is meeting with FEMA on Friday (February 8). Our projects have been submitted and expense quoting is being done to see how much they will reimburse us for the larger projects. We go to bid on Friday, February 8, on the fishing pier and the water line replacement. The sea wall is not yet finished, will not be until the pier is attached – project is almost finished. Drainage project will be done in house. We will be contracting the water line replacement, some playground equipment to replace. We need three formal bids to do the road; will be difficult to get these and will be the very last project. Water tap expense portion has gone up. We cannot change our fees until July 1 so this will run short as we have had several new builds this year at this higher cost.

Commissioner Simmons made a MOTION to approve the Amendment. Seconded by Commissioner Price. Motion passed 4-0.

6. Citizen Appointment to Hazard Mitigation Plans review: (Tab 4)
Manager Miller stated over the next six months Beaufort, Craven, Carteret and Pamlico Counties are updating the Regional Hazard Mitigation Plan and requires us, as a participant, to provide staff and citizen representatives. Commissioners are not allowed to participate in any revisions to this plan. This will consist of four meetings – two short, two long. Manager Miller feels there will not be a lot of adjustment but we do need citizen representation and asked for volunteers. For staff it will be either Manager Miller or Deputy Finance Director Tammy Cox. Mayor Pro Tempore asked if anyone in the audience would like to sign up. Resident Dan Allen volunteered.

7. Appointments to Harbor Waterfront Advisory
Mayor Pro Tempore White stated there are two appointments to Harbor Waterfronts Advisory Committee. Chairperson Lisa Thompson said there are two great new additions – Dan Allen and Don McGuire were presented for approval. Mayor Pro Tempore White stated he read their resumes and feels they will be wonderful additions to the committee.

Mayor Pro Tempore White made a MOTION to approve the two new Harbor Waterfront Advisory Committee members. Seconded by Commissioner Simmons. Motion passed 4-0.

8. Contract Award
On Friday (February 8), Manager Miller is meeting with an engineering firm that was selected from the 11 that were solicited and the eight that submitted applications to be the engineering firm to design and oversee the Whittaker Pointe project. Manager Miller is confident they have a good firm and will make sure they understand the scope and immediacy of the need. She hopes to have a contract in place by the end of February and if the Board will allow her to negotiate and sign, she can move before the next Board meeting. Manager Miller stressed this is not only her decision. Dr. Lexia Weaver, subject matter expert, is also on the committee along with Lisa Thompson and Jim Blackerby. They all feel this firm can do the best service for Oriental.

Mayor Pro Tempore White made a MOTION to authorize Manager Miller to be the designated agent for this contract award for the engineering study. Seconded by Commissioner Overcash. Mayor Pro Tempore White inquired if this firm will also do the day to day….Manager Miller stated they will be the daily oversight. Motion passed 4-0.

9. Award of NCDEQ Grant for Whittaker Pointe Restoration: (Tab 5)
Manager Miller spoke about the award we were granted in December from North Carolina Department of Environmental Quality for the Whittaker Pointe Restoration Project. This is the official documentation and requests that the Board allow her to be authorized designated agent and accept the award.

Commissioner Overcash made a MOTION to appoint Manager Miller as agent and accept the award. Seconded by Commissioner Simmons. Motion passed 4-0.

10. Police Report (Tab 6)
Officer Nic Blayney reported that there really has not been a lot going on. There was one larceny call which was a dispute on a fishing boat between the captain and the owner of the boat. Everything went very well. Mayor Pro Tempore White added that he had signed the check for the new patrol car. Officer Blayney said that is coming along very well and thinks they will be heading up soon to pick up the vehicle. He is waiting for an email with a date for
Manager Miller stated it will not be on the street immediately as it needs to be properly marked and in-car camera needs to be installed. Mayor Pro Tempore White stated it worked well for the Town as money for this vehicle has been budgeted for the past six years. Manager Miller told the Board she will present a proposal for disposition of the existing vehicle at the March 5 meeting (Dodge Durango).

11. Manager’s Report (Tab 7)
- Financials are attached
- Daniel Early sits for his distribution test and will be qualified for both water system and distribution system. One of the items in the amendment was the addition of a phone allowance. Once someone is a certified operator, they need to be accessible by phone and we pay a $50 stipend toward their phone bill when they receive that certification
- Engineering contract - discussed
- Two projects go to bid this week – discussed
- February 12 is the tentative first meeting for the group Mr. Dan Allen agreed to go to but has not been confirmed
- February 13, Manager Miller will be in Carteret County for EOC Hot Wash – where EOC people discuss what worked, did not work, what can be added
- Budget Retreat is March 1, will start at 8:30am with breakfast, ends between 2-3pm. The public is welcome to join for all of parts of this. Please bring calendars to start setting budget meetings – generally around April 1. Will go through revenues first. Mayor Pro Tempore White made a plea to the public to please join us as this is where the Board sets what we focus on for the year and set parameters for budget meetings. Budget has to be in place and agreed upon by June 1. This is also where the staff presents what they want/need.
- Manager Miller spoke about a letter in the Board packet from Mr. Midyette, Assistant Regional Engineer for NC Department of Environment and Natural Resources decreasing the requirements on our water system as we have met all of the standards. She commended ORC Andrew Cox and staff on a job well done at the water plant and have done so well on testing that our requirements have been lowered.

Mayor Pro Tempore White stated there was a lot of pick-up with the contractor picking up some of the larger piles. He feels we need to have something on our website stating if we will accept more debris that is put out or issue a directive that if someone has trash, it is up to them to get rid of it. Ms. Bohmert stated they will not make another pass. Manager Miller stated we, at the County’s direction, let the residents know if they had debris to be picked up, it had to be out by January 1. While it is understandable some people are just now getting repairs done, generally, contracted work includes removal of any debris so we will fine any contractors seen dumping in Town limits.

12. Committee Reports (Tab 8)
- Planning Board – October, November, December 2018 Minutes
- HWAC – January 10, 2019
- Tree Board December Minutes

13. Commissioners Comments
Commissioner Simmons asked her fellow Commissioners to direct Manager Miller to contact Havelock, ask them what their sampling plan is and if they have done a sample – this is under the Freedom of Information Act. She addressed Bill Hines asking if he took a sample from them. Mr. Hines stated DEQ lets Havelock do its own sampling so it chooses when and where it samples. Commissioner Simmons would like for us to ask under the FOI Act what their sampling plan is and what their sample revealed as what goes on in their water is important to Oriental as well – commercial and recreational fishing, etc. and we have a right to know. Commissioner Overcash stated they are policing themselves so do not know where the sampling is coming from or when it is being done. Mr. Hines stated it is an infrastructure problem as it is the last manhole before it hits the sewage treatment plant and feels it is decomposing and needs to be replaced. Mayor Pro Tempore White asked Mr. Hines if Sound Rivers has reached out to the YMCA Camps as they would like to hear what is going on – they will be bringing in over 1,500 kids per camp – twice. Mr. Hines stated he would like to contact Minnesott Beach and Arapahoe and both of the Y Camps. Mayor Pro Tempore White stated he noticed that the dinghy that was sinking was picked up but was prepared to discuss that this evening. He read Chapter E of our Ordinances and we do not have anything for the large boats and the dinghy dock that allows us to remove an abandoned boat or has overstayed. Regarding our new kayak rack, we
can get rid of a kayak per our Ordinance. He suggests that we add similar language as in the Kayak Ordinance to the large boats and dinghy dock. If a boat is left at the dock, the person will receive a fine but sometimes we do not know who left the boat. Secondly, something sinking is not only an eyesore but a hazard. Manager Miller stated we could possibly refer this to Harbor Waterfronts. Mayor Pro Tempore White continued with an Ordinance, we do not need to have a Public Hearing and Manager Miller confirmed – General Ordinance can be changed without a Public Hearing. There is still a difference between removing a dinghy as opposed to a 36’ boat. Mayor Pro Tempore White believes this is something we should look into.

14. Adjourn: Next meeting scheduled as March 1, 2019 Annual Retreat and March 5, 2019 regularly scheduled Town Board meeting.

Commissioner Simmons made a MOTION to adjourn. Seconded by Commissioner Overcash. Motion passed 4-0.

Meeting adjourned at 7:54pm

Sally Belangia, Mayor

Diane H. Miller, Town Manager/Clerk

Approved, 2019_____________