



## ORIENTAL TOWN BOARD MEETING

Tuesday, October 1, 2019 at 7pm  
507 Church Street, Oriental, NC  
Mayor Sally Belangia Officiating

6 The Town Board of Oriental Town Board Meeting on October 1, 2019 was called to order at 7pm. Mayor Belangia  
7 determined a quorum to be present and called the meeting to order with the Pledge of Allegiance.

8  
9 PRESENT: Mayor Belangia, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Dammeyer,  
10 Commissioner Simmons, Commissioner Price, Town Manager Diane Miller, Director of Administrative Service  
11 Tammy Cox, Officer Bill Wichrowski and Members of the Public.

### 12 13 1. Approval of Agenda

14  
15 Mayor Pro Tempore White made a MOTION to approve the Agenda. Seconded by Commissioner Overcash  
16 Motion passed 5-0.

### 17 18 2. Consent Agenda (Tab 1)

- 19 a. Consider Approval of Minutes from Town Board Regular Meeting September 3, 2019  
20 b. Consider Approval of Special Meeting Minutes from September 10, 2019

21  
22 Commissioner Overcash made a MOTION to approve the Consent Agenda. Seconded by Commissioner  
23 Simmons. Motion passed 5-0.

24  
25 3. Public Comment Period : Jim Roesch: feral cats in the Whittaker Point area- people are feeding and thereby  
26 attracting. Trapped/spayed/neutered/released. Released into the neighborhood- concern for another rabies issue.  
27 Ordinance must come from us. Asks to enact an Ordinance to address the feeding and care of feral cats which are  
28 loose, doing destruction on neighboring properties, leaving feces on properties. Can we not use the limits to the  
29 number of cats caring for to address this issue?

30  
31 4. Public Hearing for 305 Vandemere St short term rental. Manager Miller: History: Owner (Aberle)  
32 previously appeared before the Board to rezone a property that was zoned R-1 to R-2. That request was denied as it  
33 would have been the very definition of spot zoning which is illegal. So we could not grant that request. The  
34 Aberle's have since sold that property, and purchased a property in an R-2, so that they could- the problem with the  
35 R-1 property was that they could not come down when they wanted to when they had a long term renter. Their plan  
36 is to spend time they can here while working toward becoming full time residents. So they purchased the property  
37 on Vandemere in an R-2, eligible for a SUP for short term rental, and have asked that the permit be granted so that  
38 they can rent that property in the times they are not here. We have properly noticed this hearing and all of the  
39 neighbors within 150ft of this property, and the Planning Board took it up at their 9/18 meeting and you have their  
40 recommendation in your package. You do not have the signed copy of that recommendation, but we do have it on  
41 file. They have found that another property that was owned by the applicant did not have any history with Police,  
42 which is one of the things we check on the application for health and safety of the neighborhood in Section 86.  
43 Some things that need to be satisfied- the number of parking spaced required and available is sufficient for the  
44 number of bedrooms in the home, and the Planning Board received no other evidence of detrimental effects of the  
45 action at their meeting that would change their recommendation to approve.

46  
47 Mayor Belangia: OK, we're ready to open up the Public Hearing. Can I have a MOTION?

48 Mayor Pro Tempore White: I'll make a MOTION to open the Public Hearing.

49 Commissioner Simmons: I'll second it.

50 MB: Any discussion? All those in favor? 5-0. The Public Hearing is now open. Toni? Do you want to go on?

51 Toni Leavitt: Yeah.

52 Manager Miller: Ma'am- we have to swear her in.

53 MB: uh oh- we have to swear you in.

54 MM: left hand on the Bible, right hand in the air. Repeat after me (Ms. Leavitt repeats verbatim): I, Toni Leavitt, do  
55 solemnly swear, that the testimony I will provide will be the truth, the whole truth, and nothing but the truth, so help  
56 me, God.  
57  
58 TL: I'm Toni Leavitt, I live on Vandemere St, I'm a direct neighbor, except for a grassy lot that's in between us. In-  
59 I've lived here for 20 years, and I moved to this area because of the neighborhood community- the civility of  
60 constant- constancy and I think that- that having no person living in that house where they're ya know-allowing  
61 visitors in, um...they're not there- they're in Wisconsin, years away from being here. They have a child- years  
62 away. I think the Town is changing- for many factors and this is one of them. And I know in our direct area, High  
63 St has one or two others in High St that have been approved. And I'm not worried about who's going to be there,  
64 I'm worried about who's not going to be there, or who- you know- how the community is deteriorating. The Town is  
65 changing in so many ways and this is one of the factors that's changing the Town. And I hope you consider that  
66 integrity and stability of the neighborhoods-ah- is important and this doesn't help.  
67  
68 MB: OK, thank you.  
69  
70 Shall we get started on the Special Use Guidelines?  
71 It has been submitted to the Planning Board  
72 Reviewed recommendations at their August and September meetings.  
73 The Planning Board Recommendations are attached.  
74 Planning Board requested that the Board of Commissioners set a Public Hearing date.  
75 And of course, that's today.  
76 Notice was required, and has been given properly.  
77 Notice posted at doors, advertised two consecutive weeks with Pamlico News.  
78 So, The Town Commissioners shall issue the requested permit UNLESS:  
79 The permit is not within its jurisdiction (property is within jurisdiction of TOO)  
80 Does the Public have any comment on jurisdiction of the application? (None heard)  
81 Commissioner questions?  
82 Commissioner Dammeyer: I'm sorry, I'm not able to find the document on my tablet.  
83 MB: I can give you a copy.  
84 MM: Generally, the Mayor is the only one with the question list- I can make more. (MM goes to copy the SUP  
85 checklist)  
86 MB: Does everyone have one now?  
87 CD: OK, I have one now. You go ahead, I'll catch up.  
88 MB:Do you have an extra one?  
89 MB: Ok, so on number one- are there any Commissioner questions on number one?  
90 CD: no.  
91 MB: #2:The application is incomplete (the application has been deemed complete by the Land Use Administrator  
92 and the Planning Board.)  
93 Does the Public have any comment on the completeness of the application? (none heard)  
94 Commissioner questions? none.  
95 If completed as proposed:  
96 a) will not comply with one or more requirements of this chapter (GMO)  
97 Does any of the Public have any evidence to offer concerning compliance with the GMO? None heard.  
98 Commissioner questions? NO? OK.  
99 b) will materially endanger public health or safety  
100 Does any member of the public have any comment on endangerment? None heard  
101 c) will substantially injure the value of adjoining or abutting property  
102 Does any member of the Public have any evidence to offer that indicates that the project will injure the value of  
103 adjoining or abutting property? None heard  
104 d) will not be in harmony with existing uses/development in the area.  
105 Does any member of the public have any evidence that the project is not in harmony with existing uses in the area?  
106 None heard.  
107 e) will not be in conformity of the Land Use Plan or other plan, officially adopted by the  
108 Town.

109 Does any member of the public have evidence that the project is not in conformity with existing plans? None heard  
110 Alright, do the Commissioners have any questions?  
111 Commissioner Simmons: I'd like to ask the Manager a question. The kind of evidence that's needed-is- is pretty  
112 hard to come by- could you go over that?  
113 MM: It would have to be-like-either for the safety issue- from the Police Department that they had been called to a  
114 residence owned by this particular owner, on a regular basis, and had proven that they are not the best of neighbors.  
115 As related to property value, it would require some kind of a study, whether it be done by realty professionals or  
116 something that's out there- an article that's juried, published that would say something like a property located within  
117 X number of feet of a rental property declines in value X percent. That would be acceptable evidence.  
118 Commissioner Overcash: Might want to add in here that during Planning Board is the time people could have come  
119 and asked those questions and had plenty of time to come up with it.  
120 CS: And then the "not be in harmony with other uses"- once again, that would rely on some pretty strong evidence.  
121 The procedure is that the Planning Board looks at this WAY before it comes to Public Hearing and comes up with  
122 an approval or not, and then it comes to us, having already been vetted for pretty much all these things.  
123 CO: That's the normal sequence of things.  
124 MM: They will send you a recommendation.  
125 MB: Do the Commissioners want to ask anymore questions? (None heard)  
126 MB: Do we have a MOTION to close the Public Hearing? Commissioner Overcash makes a MOTION to close the  
127 Public Hearing. Mayor Pro Tempore White seconds.  
128 MB: Any discussion? (none heard)  
129 MB: All in favor? Aye (unanimous) 5-0. Public Hearing is closed.

130  
131 Mayor Belangia notes the Board must vote. Mayor Pro Tempore White makes the cumulative MOTION: That the  
132 SUP be approved because: The Application is complete (by LUA and Planning Board), in our jurisdiction, No  
133 evidence was presented today or at the Planning Board that the approval will decrease value, affect public health and  
134 safety. The project is consistent with current uses in the area, and is consistent with rules in the GMO.  
135 Commissioner Overcash seconds. No further discussion. 5-0 SUP is granted.

136  
137 **5. Public Hearing Request:** The Manager forwards a request for Public Hearing on changes to the GMO  
138 concerning the Sign Ordinance portion (Sections 171-181) which will be prepared and noticed to the Public  
139 in advance of the potential scheduled meeting. Changes will include adjusting the procedure by which the  
140 LUA can remove temporary signage from ROW and Town Property. Planning Board will take up this  
141 revision at their regularly scheduled meeting this month. Minutes in your package from October 2018 for  
142 recommended changes that have been sitting awaiting additional changes to the GMO prior to scheduling a  
143 PH. Generally, we would certainly address it with identifiable owners- some are not so clear. In addition  
144 case law from 2016 may make some of the Ordinance inconsistent with State Statute. This must also be  
145 reviewed for consistency with decisions issued from the Reed case. Mayor Pro Tempore White discusses the  
146 potential to ban all signs on all Town Property. Do we even need a Public Hearing? Manager Miller notes  
147 that any change to the GMO requires a Public Hearing. Mayor Pro Tempore White- maybe if the Board is  
148 leaning toward NO signs, and then direct a review of the rest. Commissioner Simmons asks if the proposal  
149 ends ALL signs on public property. Commissioner Overcash notes that the original direction to the Planning  
150 Board is NO signs on public property. Direction to Planning Board: Town Board is leaning toward NO signs  
151 on any public property. Manager Miller notes that excluding all signs will affect event signs- parks, ROW,  
152 directional signage. Commissioner Dammeyer- Reed case can have authority to allow dated event signage.  
153 Once you allow event signs for any event, then you have to allow for ALL events. Free Speech issue makes  
154 it best practice to allow NO signs on any public property to avoid litigation/potential conflict. Signs on docks  
155 are safety issues- reservation issues. Mayor Pro Tempore White and Commissioner Dammeyer leaning  
156 toward no signage. Mayor Pro Tempore White offers a MOTION to set a Public Hearing for changes to Sign  
157 Ordinance for November 5, 2019 at 8PM- with direction passed to the Planning Board on potential changes.  
158 Commissioner Dammeyer seconds, 5-0. Direction concerned exploring the potential for NO SIGNAGE on  
159 Town Property.

160 **6. Legislative Update:** Summary of legislative action at the General Assembly- movement of the State's budget and  
161 the wrangling in Raleigh and its impact on us. Because of the lack of supermajority, consensus is necessary and not

162 happening. NCLM priorities listed- big issue was taxes on Air B&B- they are not forwarding as required by State  
163 Statute- no forcing them to file. Powell funding increased and changed the algorithm to favor smaller communities.  
164 Assistance available for Florence recovery. Law Enforcement recording struggles- when the public can see it, when  
165 the administration can withhold it- lots of immigration discussions. Still debating privatization of ABC. NCLM  
166 surveyed all municipalities for criminal penalties- we were exempt due to population. Struggling over the ability of a  
167 Tree Board to regulate prevention or requirement to remove trees on private property. Potential of removal of  
168 limitations on size of homes (victory for tiny home proponents. Also taking on forcing of per capita split of taxes as  
169 opposed to ad valorem.

170

171 **7. Fall Weather Warnings from NWS:** National Weather Service puts out each season preps to have done for each  
172 season. In our latitude, we are encouraged to take caution on burning (wind/dryness factors), be prepared for nor'  
173 easters, drought issues- inside outside precautions, floods- before, during and after. NWS, NOAA, Weather.gov,  
174 National Hurricane Center- NOT national affiliated weather- remember they are competing for viewers and trying to  
175 keep you tuned in- rely on trusted weather service stations instead- no hype. Fog can become an issue with drastic  
176 temp changes day to night. Straight line winds become more an issue in the fall. Green waste disposal has removed  
177 some of that fuel, but people will burn- stay on top of it.

178

179 **8. Appointment:** Mr. Tankersley, following appointment, has decided to move from the area. Mr. Craig Welling  
180 has graciously stepped forward to take his place on the Board, if you'll appoint. Mayor Pro Tempore White mad a  
181 MOTION to appoint Craig Welling to the Board of Adjustment. Commissioner Overcash seconds. 5-0.

182

183 **9. Florence Updates:** Road almost finished (photos shown)- grading of lawns, seeding/straw. Curbstones will be  
184 painted yellow- please keep vehicles away. Door on Town Hall replaced. Commissioner Overcash noted that NO  
185 PARKING signs need to be replaced. Manager notes signs have been ordered. Friday road will be open BRIEFLY  
186 and then closed for the OFPMF. Big savings on the South Ave railings were done in house- back to the list of things  
187 we can do with overage funds- capital projects. PEV is in house, awaiting installation. Lift is repaired and  
188 operational. Additional playground equipment has been installed- one more piece plus mulch. Welcome to Oriental  
189 sign in progress. **Dorian update:** 95% in old town debris gone, PW has been in Dolphin Point this last week and  
190 will be there until all debris picked up. Still do not have a Federal Declaration. We are likely in about \$25,000 to  
191 debris removal. Even with this cost, we are in good shape removing this for people who otherwise would be burning  
192 or throwing it into ditchlines. Dumpsters go from 4 daily to 2 daily tomorrow.

193

194 **9. Police Report** Officer Wichrowski reports the Town is \$25 richer for his efforts to keep South Ave clear during  
195 construction- police have been going in circles trying to keep traffic off during construction. Note that the traffic  
196 enforcement- in a month, we issued 11 citations for traffic- noticeably issues are down. In "assists other law  
197 enforcement"- we are assisting Sheriff Dept.- we have a good working relationship with the Sheriff's Office. There  
198 will likely be revisions coming to the form you have today. Officer Wichrowski explains the procedure on residence  
199 checks. Notes that if you leave a door open, they're going in, and then will make contact with you. Office has those  
200 forms.

201

## 202 **10. Manager's Report (Tab 6)**

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- Financials are attached.
- Manager at conference Oct 18-23.
- Permits are coming through for the Whittaker Pointe project- stormwater permit is in. Added homeowners to the added on list. Looks like our CAMA permit is almost ready.
- Daniel is finishing Backflow and Cross Connection school- last license to have all backups.
- OFPMF- new roadway traffic patterns- Church St will become one way 12 noon Friday until 6PM Saturday. Other closures laid out as always. NJROTC will assist with traffic flow.
- Car Show the following weekend- more cars registered than ever- beautiful weather promised.
- Requests authority to execute dredging project paperwork. Commissioner Overcash makes a **MOTION** to grant authority to the Manager to execute Dredging paperwork. Seconded by Commissioner Simmons. 5-0.
- Mid January-February will be the time frame.
- Consider date/time for quarterly meeting- scheduled for 8AM Oct 31. Board agrees to leave as scheduled.
- New Staff- Heather Hall has joined our staff and she is with us this evening. She came to us following assisting Miss Dottie for the OI Front Porch Music Festival.

217 • Night operations from Cherry Point and also targeted crew/acquisition training..

218

219 **11: Auxiliary Board Reports:**

220

221 **12. Commissioner Comments:** Mayor Pro Tempore White- Saturday proclamation to the Brewery for their awards-  
222 presentation 3PM.

223

224 **14. Adjourn.** Next meeting scheduled as October 31, 2019.

225 **Commissioner Simmons** made a **MOTION** to adjourn. Seconded by **Commissioner Overcash**. Motion passed 5-  
226 0.

227

228 Meeting adjourned at 8:08pm

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233 \_\_\_\_\_  
Sally Belangia, Mayor

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Diane H. Miller, Town Manager/Clerk

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237 Approved \_\_\_\_\_, 2019\_\_\_\_\_



## ORIENTAL TOWN BOARD MEETING

Tuesday, October 31, 2019 at 8pm

507 Church Street, Oriental, NC

Mayor Sally Belangia Officiating

6 The Town Board of Oriental Town Board Meeting on October 31, 2019 was called to order at 8am. Mayor Belangia  
7 determined a quorum to be present and called the meeting to order with the Pledge of Allegiance.

8

9 PRESENT: Mayor Belangia, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons,  
10 Commissioner Price, Town Manager Diane Miller, Director of Administrative Service Tammy Cox, and Members  
11 of the Public.

12 ABSENT: Commissioner Dammeyer

13

14

15 **1. Approval of the Agenda:** Mayor Pro Tempore White made a **MOTION** to accept the Agenda as presented.

16 Commissioner Overcash seconds. 4-0.

17

18 **2. Public Comment Period :** No comment

19

20 **3. Dorian Updates:** Manager requests that the Board authorize her to execute paperwork to seek Public Assistance  
21 for reimbursement for expenses incurred during Hurricane Dorian. The Town is in about \$12,000 for debris from  
22 Waste Industries (not including our labor. In addition, we'll be claiming our costs for preparation. Manager  
23 estimates final costs will come in between \$22,000 and \$25,000. The solicitation came out this Tuesday and is due  
24 back to FEMA this Friday. Mayor Pro Tempore White made a **MOTION** that the Manager be authorized to execute  
25 paperwork to Public Assistance for Hurricane Dorian, approval for resolution stating same. Commissioner Overcash  
26 seconds. 4-0.

27

28 **4. Hurricane Florence Updates:** (See attached powerpoint slides for detailed information.) Mayor Pro Tempore  
29 White notes that one storm of this magnitude can wipe us out, so this is why we hold so much in reserve. This has  
30 been a priority for years. We were at 91% before this storm. Very important we keep that reserve where it is-  
31 FEMA is a reimbursement grant- we have to put it out up front.

32

33 **5. Whittaker Pointe Restoration:** Separate drawings- the drawing here today (attached) is significantly different  
34 from the original drawing. Granite sill wraps around, there is a small jetty, there is sill on the back side. The sill  
35 also looks to have reefmaker in front- making it a living shoreline. Washover will be trapped on the back side. The  
36 oyster restoration will include both bagged and cultch. Still collecting shells. Showed diagram that requires signoff  
37 with some of our neighbors. In order to build a substantial structure at the right angle to refract the waves, other  
38 owners must sign off. Manager notes full and partial breaches and the plan to hold that line and restore it. Jetty was  
39 included when the permits come back. Stormwater permit and water quality permit have been received. CAMA  
40 notice was posted- no objections this far. We expect to be able to drop rock early in the year. Will it be a park  
41 environment? Not likely- dangerous to get to, dangerous to navigate. No stopping fishing boats from approaching?  
42 No. Designate it as a park? You can have it as a Public Trust area- but not a park. Size of the sill? 10-18 ft wide at  
43 the bottom, X feet above mean sea- that was being negotiated. Mr. Blackerby asked questions concerning the size  
44 and height of the proposed sill. Cultch would be 2feet? 10 ft wide, 2 feet tall. Northern breach- is that rock? Yes. Is  
45 that all rock along the front? Yes. Is there spat included? Not sure- will ask. How tall will the jetty be? Relative to  
46 the one at Raccoon Creek- not quite as tall. News- USDA application for gap funding. USDA granted the entire  
47 cost- an additional \$1.8mil. Allows for additional engineering, reinforced shoreline. Dredging- we are on several  
48 schedules, depending on which dredger wins the bid. Spoils site: usually, you fill and then empty. We have  
49 forwarded a request to empty and then fill, allow Pierce Creek to remove the final spoils following conclusion. Total  
50 \$3.34Mil. Again, this project has been run through our budget- so our percentage of reserve will be a percentage  
51 including that extra \$4mil- expect the reserve percentage will decrease SUBSTANTIALLY- officially.

52

53 **6. Sign Ordinance Revision:** Remove all signs from ROW- Currently it takes a certified letter to remove. While I  
54 can remove anything that is a safety issue without notice. One thing to consider if you remove ALL signs off ALL

55 Public Property, may have consequences that we did not expect. Sight obstructions are already taken care of. The  
56 other question was signs at Town Hall. Planning Board took your direction and reworked those sections- TB sent  
57 back to Planning Board for additional work. There are unintended consequences with granting what you want.  
58 According to recent case law- content cannot be regulated. Can either allow all or ban all- but you can ban all signs  
59 on Town property- including Moore's Corner, and Lou Mac Park, and all signs on ROW- directional signs included.  
60 Planning Board struggled to incorporate what you wanted with legally defensible. Fixing one creates more issues.  
61 Current Ordinance is NOT consistent with the Reed provisions- nonprofits don't pay for the same sign a for-profit  
62 does pay for- not defensible. While we would not enforce it- we would change it in any revision. Lawyer  
63 recommends we start over- use a current (new) Ordinance as an example. Manager offers to draft new language,  
64 have it legally reviewed, reviewed by Planning, then set a new Public Hearing (likely after the holidays). Not  
65 necessary to cancel now, can cancel when we get to it on the agenda Tuesday. Mayor Pro Tempore White notes that  
66 the ROW was not the impetus for the revision request. For now, continue to remove obstructive signs, and then  
67 consider which Town Properties should NOT have signs. So we need to regulate which properties, and then make  
68 sure you have the ability to remove those we want removed. Compromise seems to work. Perhaps if the Manager  
69 writes a draft and then it is reviewed, we might be OK. We gave the Planning Board direction, and then changed that  
70 direction. Commissioner Overcash also notes that we could place limitations on how long they can be in the ROW  
71 or on Town Property. He also asked about a time frame. Manager Miller noted we usually do not have great  
72 participation over the holidays and we certainly do want to make any changes with public participation, so it would  
73 likely be a request to set the Public Hearing shortly after the holidays. Manager Miller asks for direction of which  
74 properties should be restricted- concurrence on Town Hall and waterfront properties. Mr. Barrow and Ms. Lohmar,  
75 from the Planning Board were in attendance and offered their views which helped to get all contributors onto one  
76 page.

77  
78 **14. Adjourn.** Next meeting scheduled as October 31, 2019.

79 **Commissioner Simmons** made a **MOTION** to adjourn. Seconded by **Commissioner Overcash**. Motion passed 5-  
80 0. Manager Miller reminded the Board that their Tuesday, Nov 5 meeting was moved to 8PM due to elections.

81  
82 Meeting adjourned at 8:46am

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86

87 \_\_\_\_\_  
Sally Belangia, Mayor

\_\_\_\_\_ Diane H. Miller, Town Manager/Clerk

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90  
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Approved \_\_\_\_\_, 2019 \_\_\_\_\_

# Town Qtrly workshop

10/31/19



# Hurricane Dorian

- Resolution
- Designation of authorized agent
- Tax Identifier Information
- State Applicant for Assistance Agreement

Allows us to apply for reimbursement of Emergency Protective Services prior to and debris removal following Dorian.

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# Hurricane Florence Updates

## DEBRIS: PAID-COMplete

DEBRIS 69167			
Labor- Regular Time	\$8,763.73	431.16 reg hours	
Equipment Hours	\$7,353.60	235 hours	
Contracts-Pamlico Tree	\$5,897.50	cut and shove	
Contract- Waste Ind	\$7,773.05		
Contracts-Pamlico Tree	\$1,032.50	leaners and hangers	
Materials	\$741.65	purchase of chainsaw	Correct number left- this was entered incorrectly 791.61
<b>additional- FEMA did NOT count</b>		\$5,512.91	Waste Industries 11/15/18
		\$77.93	Village Hardware-10/04-10/12 materials to rope off/tarp up blowing insulation debris and tree dangers
		\$633.14	Waste Industries 3/13/19 Green Waste/ C&D
	\$31,562.03	\$6,223.98	FEMA did not count
FEMA paid on 6/7/19	\$32,029.55		
	\$467.52	467.52	
		\$5,756.46	we paid amount over reimbursed amount for this project

# Hurricane Florence-PAID

- Emergency Protective Measures **COMPLETE**

<b>69169- EMERGENCY PROTECTIVE</b>			
Labor- Overtime Time	\$5,599.08	188.25 Hours	
Equipment Hours	\$14,251.36	141 hours/ 1286 mi	
Contracts-dock repair (safety)	\$282.00	Town Dock 1	
Materials	\$2,179.85	from FEMA sheet	Correct number at left- this was entered incorrectly->\$2230.15 (tax added to last-four six items)corrected 7/25/19
<b>additional- FEMA did NOT count</b>			\$221.32 Fastenal- safety glasses and gloves 9/11/18
			\$10.50 Dollar General trash bags, bleach, soap 10/5/08
			\$180.49 Fastenal- safety cans, funnels, disinfecting soap 10/19/18
			\$182.93 Fastenal-hose, fittings, oil, anitfreeze- 9/7/18
			\$48.16 Cellular Sales- phone in rising water 9/11/18
			\$54.47 Amazon-headlamp/ chainsaw parts
			\$6.50 Village Hardware- nuts/bolts
			\$70.03 Village Hardware-wire,poles, beach cleanup (safety) 9/30/18
			\$49.90 Village Hardware- rope 9/12/18
			\$86.73 Amazon-10/11/18 (radio batteries and chargers failed)
			\$55.96 Village Hardware 9/30/18 rope, metal
			\$24.98 Amazon- charger for Public Works radio 10/11/18
Total from FEMA count	\$22,312.29		\$991.97 Total of unlisted items
FEMA paid on 6/7/19	\$22,362.59		
Overage due to tax added	\$50.30		\$50.30
			\$941.67 we paid amount over reimbursed amount for this project

**NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT  
SUMMARY OF DOCUMENTATION IN SUPPORT OF AMOUNT  
CLAIMED FOR ELIGIBLE DISASTER WORK NCEM:PA001**

(1) Applicant: Town of Oriental (2) Disaster Number: FEMA-4393-DR-NC  
 (3) FIPS No. 137-49380-00 (4) Project Worksheet (PW) No. PA-04-NC-4393-PW-00582(0)

FEMA cost  
estimate:  
**\$323,306.00**  
**COMPLETE**

(5) Applicant's Check No., Reference No., Warrant, Voucher, Claim, or schedule No.	(6) Delivery Date of articles or performance services	(7) DOCUMENTATION List Documentation (Applicant's payroll, material out of applicant's stock, applicant owned equipment and name of vendor or contractor) by category and line item in the	(8) Applicant Proposed Eligible Costs
<b>Force Account Labor</b>			
	<b>Dates</b>		
timesheet activity logs	9/24/18-2/24/19	activity logs from timecards- force labor (attached)- railing work	6,352.05
timesheet activity logs	2/24/19-5/7/19	logs from High St/South Ave drainage (attached)	7,486.29
<b>timesheets/activity- painting NOT COMPLETE</b>	9/27/19-10/02/19		
		<b>Total</b>	<b>13,838.34</b>
<b>Equipment</b>			
	<b>Dates</b>		
<b>Materials</b>			
	<b>Dates</b>		
<b>South Ave Railings</b>			
Invoice 337934/check 32056	11/26/2018	tool (needed specifically for this project)/Pamlico Home Builders	287.75
Invoice 338560/ check # 32056	11/26/2018	tool (wore out existing on this project)/ Pamlico Home Builders	199.99
Invoice 338560/ Check # 32056	12/4/2018	lumber	1,724.24
invoice 339422/ check 32056	12/18/2018	materials/supplies/Pamlico Home Builders	85.92
invoice 338562/check#32056	12/4/2018	materials/supply /Pamlico Home Builders	257.40
November invoice/ check 32022	11/2-11/28/18	materials/supplies/Village Hardware	194.98
November invoice/ check 32022	11/2-11/28/18	materials/supplies/Village Hardware	194.98
December Invoice/ check # 32071	12/3/18-1/10/19	materials/supplies/Village Hardware	505.74
inv D37835, check32078	12/14/2018	welding supplies/Hunnings	415.68
inv 822355269, check 32042	12/17/2018	welding supplies/Grainger	170.81
January Invoice/Check #32126	1/1/2019	supplies/Village Hardware	125.56
inv 340929, check 32122	1/17/2019	supplies/Pamlico Home Builders	61.97
Item # 233104209110/ Check # 3213	1/24/2019	impact drill(wore out 1st two) eBay/Visa	158.95
NCNEW148134, check32099	1/30/2019	materials/Fastenal	514.19
<b>South Ave Drainage</b>			
inv 328415, check #31703	6/28/18*	drain pipe materials (purchased for another project)	1,623.77
inv 8/5-9/1/19, check 32544	8/30/2019	supplies/Village Hardware	7.29
<b>South Ave Waterline Replacement</b>			
K382450, 375167,K375187, check 32	4/12/2019	materials for waterline replacement	1,088.77
<b>South Ave Road Repair</b>			
inv WAPDXWJ3V78ZV, check 3236	5/23/2019	temp fence to restrict access/ECOMM/Amazon/Fastenal	591.85
<b>NOT COMPLETE</b>		paint/labor for striping	
inv 397822, check31948	11/7/2018	signage road closed, broken pavement	1,327.60
inv 18390, check 32529	8/12/2019	legal review of contract	
	7/5/2019	signs no parking	585.50
		<b>Total</b>	<b>10,122.94</b>
<b>Contract</b>			
inv 18390, check 32529	8/12/2019	legal review of paving contract	122.70
inv 39517, check 32388	6/12/2019	1st RFP	90.00
inv 39605, check 32451	7/10/2019	2nd RFP	60.00
inv 7726, check 32134	2/11/2019	removal of broken asphalt/ Bobby Cahoon Construction	4,500.00
inv 1904-109, check 32259	4/29/2019	James L. Cayton Assoc.- waterline replacement	61,424.24
<b>NOT COMPLETE</b>		Bamhill Contracting/ road replacement (bid)	195,695.00
<b>TOTAL</b>			<b>261,891.94</b>
<b>Other</b>			
		<b>(9) Grand TOTAL</b>	<b>\$285,853.22</b>
		<b>(10) -PW AMOUNT</b>	
		<b>(11) ADJUSTED TOTAL (+ OR -)</b>	

# Water Plant damage

## COMPLETE

69174- WATER PLANT REPAIR	cost incurred	Ins pmt	FEMA request	force labor cost	complete	
Satellite dish repair	\$298.89	N/A	\$298.89		X	Digital Consulting
**LABOR- Sat dish (Jesse)	\$78.54	N/A	\$78.54	\$78.54		in email to Peggy 3/15/19
PAX mixer- 200K gal tank-total	\$14,400.00	\$9,400.00	\$5,000.00		X	(ins deductible)
Fence repair		N/A				
parts- other pump/valve affected	\$194.24	N/A	\$194.24		X	
female socket weld conector kit	\$693.72	N/A	\$693.72		X	
**LABOR- CI2 repair (Jesse)	\$44.88	N/A	\$44.88	\$44.88	X	in email to Peggy 3/15/19
Mason Oliver supply (half pump)	\$1,148.28	N/A	\$1,148.28			half parts purchased/half inbound, approx hours of ORC time (from quote)
Close coupled pump meter	\$2,250.90	N/A	\$2,250.90		X	invoice 9134563395, check #32247
**LABOR- EST 24hrs (ORC)(Drew)	\$761.04	N/A	\$761.04	\$761.04		
**LABOR- EST 24 hrs (cert operator)(Daniel)	\$446.64	N/A	\$446.64	\$446.64		
fence material		N/A	\$0.00			
**LABOR to remove/replace broken fencing		N/A	\$0.00			
labor only- force				\$1,331.10		
Actual cost of repair	\$20,317.13					
Ins Payment		\$9,400.00				
FEMA paid on 8/6/19 #791736			\$15,228.71			
	\$20,317.13	\$9,400.00				
Cost-Ins-FEMA reimbursement			\$2,980.48			FEMA/ins have paid more than actual cost

# Recreation estimates from FEMA

ST68189-DI#220271- Lupton Park

Data Release : Year 2019

Unit Cost Estimate

Quantity	LineNumber	Description	O&P	Total	Ext. Total O&P
2	015436501200	Mobilization or demobilization, delivery charge for small equipment, placed in rear of, or towed by pickup truck	\$	144.28	\$ 288.56
1	015433406420	Rent portable toilet chemical, recycle, flush type, Incl. Hourly Oper. Cost.	\$	104.45	\$ 104.45
181	024113680300	Selective demolition, wood fences & gates, fence, to 8' high	\$	2.55	\$ 461.55
181	323129205050	Wood fences & gates, rail fencing, redwood, select grade, 2" x 4", 8' high, includes excavation	\$	6.12	\$ 1,107.72
17	323129206020	Wood fences & gates, fence post, select redwood, 4 x 4 x 6', set in concrete, includes concrete	\$	49.48	\$ 841.16
1	024119190725	Selective demolition, rubbish handling, dumpster, 20 C.Y., 5 ton capacity, weekly rental, includes one dump per week, cost to be added to demolition cost	\$	625.00	\$ 625.00
4186	321816130200	Playground protective surfacing, wood chip mulch, 6" deep	\$	2.75	\$ 11,511.50
1	312213200140	Rough grading sites, 3,100-5,000 S.F., skid steer & labor	\$	1,706.70	\$ 1,706.70
1	024113951400	Selective demolition, athletic/playground equipment, slides, 12' long	\$	236.55	\$ 236.55
1	024113951600	Selective demolition, athletic/playground equipment, swings, 4 seat	\$	314.93	\$ 314.93
1	116813101900	Playground equipment, slides, stainless steel bed, 12' long, 6' high	\$	4,722.66	\$ 4,722.66
1	116813102200	Playground equipment, swings, plain seats, 4 seats, 8' high	\$	2,442.35	\$ 2,442.35
1872	321816130200	Playground protective surfacing, rubberized chip mulch, 6" deep	\$	2.75	\$ 5,148.00
840	321816130200	Playground protective surfacing, rubberized chip mulch, 6" deep	\$	2.75	\$ 2,310.00
			\$	10,363.32	\$ 31,821.13

# Recreation estimates from FEMA

ST69189-220272				
ST68189-DI#220272-RecPark				
Data Release : Year 2019		Unit Cost Estimate		
2	015436501200	Mobilization or demobilization, delivery	\$ 144.28	\$ 288.56
2	015433204880	Rent loader, skid steer, wheeled, 10	\$ 1,019.46	\$ 2,038.92
1297	321816130200	Playground protective surfacing,	\$ 2.75	\$ 3,566.75
11	073113100205	Asphalt shingles, fiberglass shingles,	\$ 171.10	\$ 1,882.10
11	073113100825	Asphalt shingles, #30 felt underlayment	\$ 18.62	\$ 204.82
1	073113109000	Asphalt shingles, minimum	\$ 134.20	\$ 134.20
1	024119190725	Selective demolition, rubbish handling,	\$ 625.00	\$ 625.00
			\$ 2,115.41	\$ 8,740.35

# Recreation estimates from FEMA

## Insurance payments: \$3940.76

### To Be Done: Fencing in Lupton, mulch at Rec Park

ST69189-220272				
		ST68189-DI#220272-RecPark		
	Data Release : Year 2019	Unit Cost Estimate		
2	015436501200	Mobilization or demobilization, delivery	\$ 144.28	\$ 288.56
2	015433204880	Rent loader, skid steer, wheeled, 10	\$ 1,019.46	\$ 2,038.92
1297	321816130200	Playground protective surfacing,	\$ 2.75	\$ 3,566.75
11	073113100205	Asphalt shingles, fiberglass shingles,	\$ 171.10	\$ 1,882.10
11	073113100825	Asphalt shingles, #30 felt underlayment	\$ 18.62	\$ 204.82
1	073113109000	Asphalt shingles, minimum	\$ 134.20	\$ 134.20
1	024119190725	Selective demolition, rubbish handling,	\$ 625.00	\$ 625.00
			\$ 2,115.41	\$ 8,740.35



# Dinghy Dock, TD1,TD2

## COMPLETE

<b>69186- Dinghy dock, TD#1, TD#2</b>			
Labor- Overtime Time		Hours	
Equipment Hours		hours/ mi	
Contracts-dock repair (safety)			
Materials			
Town Dock#1 (Hodges St railing and dock)	\$1,801.50	12/3/2018	Pamlico Home Builders Inv # 338427/ lumber/hardware/ck#32056
	\$196.82	12/14/2018	Pamlico Home Builders inv # 339232/hardware
	\$552.14	10/3/2018	Absorbentsonline/ replacement pads/booms (TD1)/inv#39607/ck#31920
	\$35.96	12/14/2018	PAMLICO Home Builders/inv#339232
	\$56.99	10/10/2018	Fastenal/equipt/batteries burned up in reno/inv#NCNEW146545/ck#31887
	\$195.80	9/27/2018	Fastenal/hardware/inv#NCNEW145977/ck#31887
	\$266.98	Order 11/26/18	repalcement impact hammer (worn out replacement)
equipt-TD1			
Labor Town Dock 1/Hodges Railing			
	\$4,414.00	6/25/2019	LiliyPad EV/inv#498/ck#32382
	\$6,950.00	6/19/2019	Liftavator replacement of lift/inv/ck#32364 (deposit)
	\$5,560.00	8/30/2019	Liftavator replacement of lift/inv16868/ck#32546 final lattice screening
equipt-Dinghy Dock			
Labor TownDock 2			
Dinghy Dock	\$3,084.06	7/25/2019	lumber- replacement of dinghy dock decking/Pam Home Build inv#353272/ck#32465
	\$364.85	8/6-8/8/19	lumber/Pam Home Build inv#353966/354081/ck#32507
	\$710.22	7/31/2019	hardware/Fastenal/inv #NCNEW153358/ck#32477
	\$44.08	July invoice	Village Hardware/july 2019/ck#32497
	\$430.31	Aug invoice	Village Hardware/Aug 2019/ck#32544
	\$590.00	3/12/2019	Nautical Wheelers/inv#TOR0003/ck#32568
Equipt-Dinghy Dock			
Labor-Dinghy Dock			
Total from FEMA count	\$25,253.71		
FEMA paid on 9/9/19	\$69,353.38		

# Fishing Pier/Lou Mac/Small Boat ramp

- COMPLETE
- Lou Mac Park Boardwalk, Fishing Pier, Electrical, water fountain.
- Estimated reimbursement: **\$123,514.00**
  - Fishing Pier contract: \$49,937.90
  - Fishing Pier adjusted ramp (concrete):\$943.00
  - Small Boat Pier Restoration: \$11,780.00
  - Water Fountain:\$3450.23
  - Boardwalk materials: \$3405.58
  - Tree safety
  - Electrical Repair: \$5487.71
  - Force Labor
  - Sink replacement
    - » Total \$75,004.42

# Town Hall, Misc, and Generator

- Insurance Reimbursement: \$31,413.82
- FEMA Reimbursement paid: \$49,226.26
  - Total \$80,640.08

## COSTS:

Generator/install: \$38,871.75

Cement(pedestal) \$483.33

Front Door \$2682.00

Refrigerator: \$555.00

Truck insert for fuel tank: \$744.84

Parts- repair of old generator: \$312.92

## Labor:

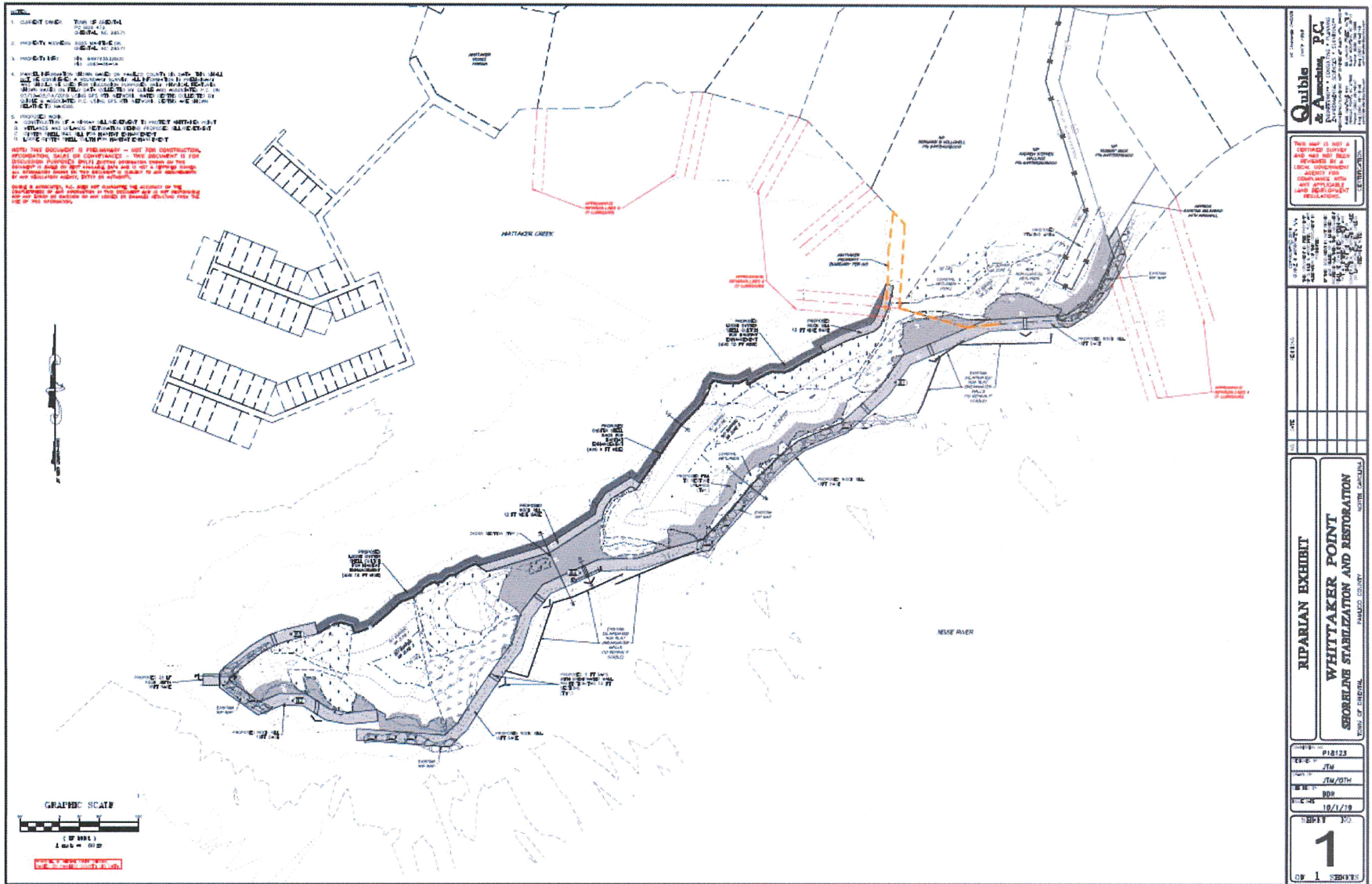
**Known costs: \$43,649.84**

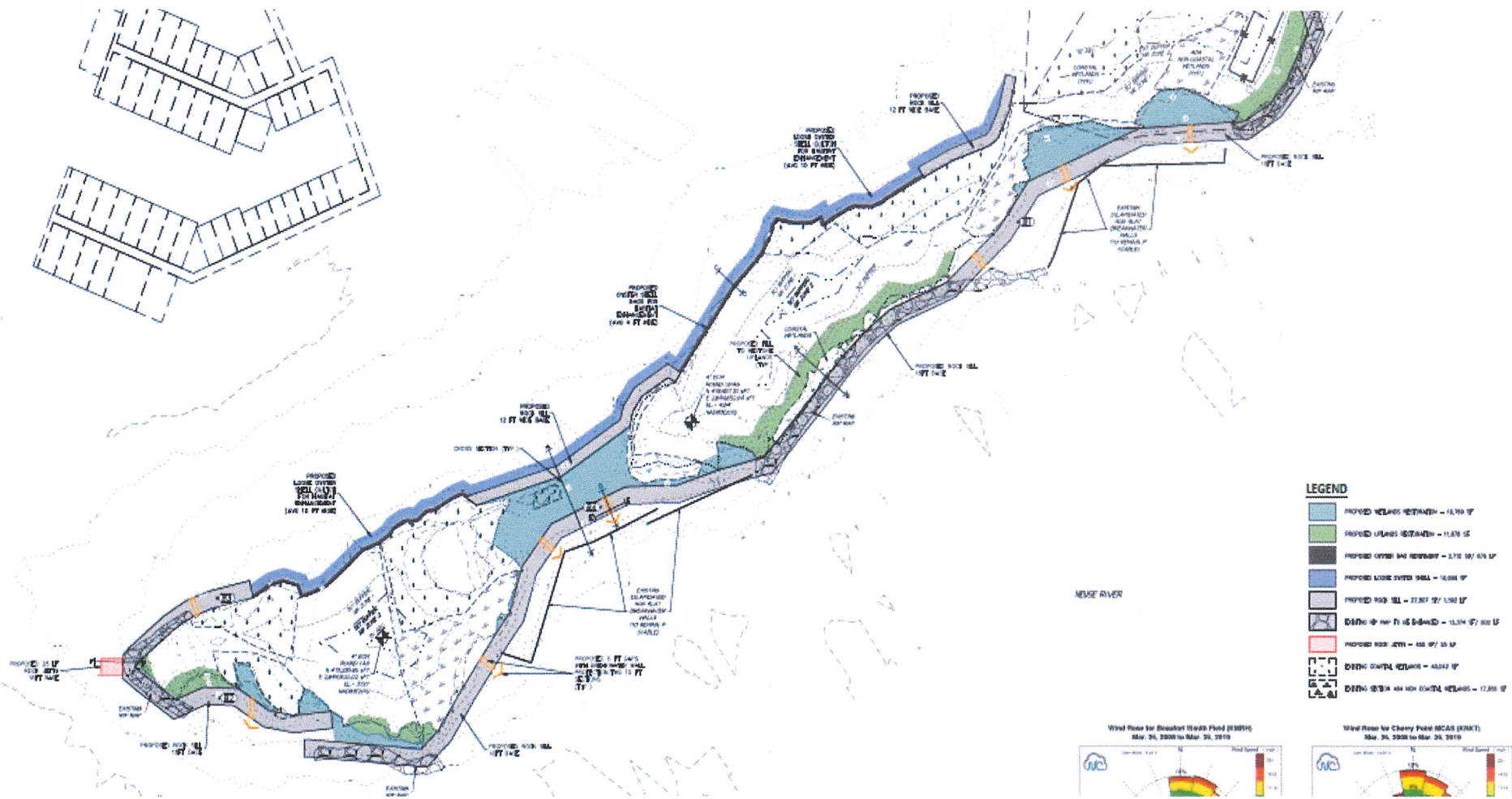
**TO BE FINISHED: Paint pedestal**

# Seawall- COMPLETE

- Contracted: \$59,569.50
  - Seawall reinforced with vinyl sheet piling landward of existing failed wooden wall
  - Cap engineered and extended to cover entire seawall
  - Added to granite at both ends of seawall
- FEMA Expected payment: \$61,414.50

# Whittaker Pointe Restoration







NORTH CAROLINA  
Environmental Quality

ROY COOPER  
*Governor*  
MICHAEL S. REGAN  
*Secretary*  
LINDA CULPEPPER  
*Director*

October 18, 2019

DWR Project # 2019-1111 v1  
Pamlico County

Town of Oriental  
ATTN: Diane Miller, Town Manager  
PO Box 472  
Oriental, North Carolina 28571

Mr. Andrew S. Wallace  
2112 Faucette Mill Road  
Hillsborough, North Carolina 27278

**Subject: APPROVAL OF 401 WATER QUALITY CERTIFICATION WITH ADDITIONAL CONDITIONS**  
5005 Maritime Drive, Oriental NC – install shoreline stabilization measures for protection of uplands and restoration of wetlands

Dear Ms. Miller and Mr. Wallace:

You have our approval for the impacts listed below for the purpose described in your application dated July 24, 2019 and received by the Division of Water Resources (Division) on August 20, 2019. These impacts are covered by the attached Water Quality General Certification Number 4175 and the conditions listed below. This certification is associated with the use of Regional General Permit Number 291 once it is issued to you by the U.S. Army Corps of Engineers. Please note that you should get any other federal, state or local permits before proceeding with your project, including those required by (but not limited to) CAMA Major, Sediment and Erosion Control, Non-Discharge, and Water Supply Watershed regulations.

This approval requires you to follow the conditions listed in the enclosed certification(s) or general permit and the following additional conditions:

1. The following impacts are hereby approved, provided that all the other specific and general conditions of the Certification are met. No other impacts are approved, including incidental impacts. [15A NCAC 02B .0506(b)(c)]

Type of Impact	Amount Approved (units)		Plan location/ Reference Attached
	Permanent	Temporary	
<b>Waters</b>			
W1 -rock sill	0.64 (acres)	0 (acres)	Sheet 1 of 2
W2 – rip rap enhancement	0.31 (acres)	0 (acres)	Sheet 1 of 2
W3 – jetty	0.01 (acres)	0 (acres)	Sheet 1 of 2
W4 – oyster bags/loose shell	0.31 (acres)	0 (acres)	Sheet 1 of 2

2. Water Quality Certification

The proposed project must comply with all the conditions of the General Water Quality Certification(s) 4175. [15A NCAC 02B .0507(c)]



ROY COOPER  
Governor  
MICHAEL S. REGAN  
Secretary  
S. DANIEL SMITH  
Director



September 13, 2019

Town of Oriental  
Attn: Ms. Diane Miller  
PO Box 472  
Oriental, NC 28571

**Subject: Stormwater Permit Exemption  
Stormwater Project No. SW7190806  
Whittaker Point Restoration Project  
Pamlico County**

Dear Ms. Miller:

On August 20, 2019, the Washington Regional Office of the Division of Energy, Mineral, and Land Resources received a copy of your CAMA Major application for the subject project. The proposed project involves the placement of rip rap along the shoreline and the restoration of wetlands near Whittaker Point in Oriental, NC. Staff review of the plans and specifications has determined that the project, as proposed, consists of activities that will not pose surface water quality threats from stormwater runoff. The Director has determined that projects that are reviewed and approved by the Division as not posing water quality threats from stormwater runoff should not be subject to the stormwater management permitting requirements of 15A NCAC 2H.1000. For this reason, we are informing you by way of this letter that the current project will not require a State Stormwater management permit.

The stormwater rules require the Division to permit the common plan of development, therefore, any future development on the property, regardless of whether a SEC plan or CAMA Major permit is also required, will require a Stormwater Management Permit application and permit issuance from the Division of Energy, Mineral, and Land Resources prior to any construction. Any construction on the subject site, prior to receipt of the required permit, will constitute a violation of 15A NCAC 2H.1000 and may result in appropriate enforcement actions by this Office.

Please keep in mind that this determination does not affect your legal obligation to obtain other permits and approvals, which may be required by Federal, State, or local government agencies, rule or law. If you have any questions, or need additional information concerning this matter, please contact this office at (252) 946-6481.

Sincerely,

Bill Moore  
Environmental Engineer  
Washington Regional Office

cc: WARO  
Ec: [manager@townoforiental.com](mailto:manager@townoforiental.com)  
[gregg.bodnar@ncdenr.gov](mailto:gregg.bodnar@ncdenr.gov)



In the comment period

# NOTICE

## CAMA PERMIT APPLIED FOR

PROJECT: Proposes to rip rap the shoreline and restore wetlands  
on a point in Oriental, Pamlico County

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COMMENTS ACCEPTED THROUGH September 10, 2019

APPLICANT:

Town of Oriental and Andrew Wallace  
P.O. Box 472  
Oriental, NC 28571  
252-249-0555



FOR MORE DETAILS CONTACT  
THE LOCAL PERMIT OFFICER BELOW:

Division of Coastal Management  
Rep. Kevin Hart  
943 Washington Square Mall  
Washington NC 27889  
(252)948-3936

# From our Engineer

1. This is related to a message from the Major Permits Coordinator, Gregg Bodnar, related to the adjacent riparian owners, Hollowell and Buck. If you recall, the field reps we had been working with indicated we needed a waiver from them (which we have received). We talked about this at our scoping meeting too. Since there is a significant amount of work to be performed on Wallace, they wanted to see him as a co-applicant (which we have received authorization for). This morning, the Major Permits Coordinator indicated that since there is work in front of both of those properties, he would need them to be co-applicants, similarly to Wallace. But, after some quick research, there may actually be a strip of land in front of Hollowell that is part of what is owned by the Town. I sent these 2 attachments to DCM and I think this will satisfy them to show that the work will not be on Hollowell's actual land at all. I told DCM I would continue to research this more to better confirm. If so, Gregg Bodnar said that he is good with the waiver only from Hollowell. Worst case on this side, we'll either: a) need authorization from Hollowell as a co-applicant along with deed and signed statements, or 2) we stop the rock a little short on the Hollowell creek-side only. For Buck, if we want to add to their rock near the property line on their side, we need them to be a co-applicant. They have been very helpful to date so I don't think that will be a problem. I'll speak to them about it.

Also, I have obtained a quote from Ellen Colodney of Wetland Plants, Inc. in Edenton who has been a supplier of several other projects requiring wetland plants that we have been involved with. They have reviewed our project description and have based their quote on the number of plants we need for wetland and upland restoration. Please see quote attached. I am checking back in with them to see if they will have more *juncus roemerianus* (black needle rush) available since I would like to see more of that included. To make it easier on the contractors who's forte is generally not in wetland restoration, we can provide this quote to them and they could choose to order plants from them or another comparable source. If the Town and NCCF wants to do the plantings with volunteers, we can either buy the plants under separate contract or have the contractor buy under the same contract and have them delivered when we are ready for them.

At this time, I still think we can get the permit in October and will be ready to put it out to bid in early November.

Natural Resources  
Conservation Service

North Carolina  
State Office

4407 Bland Road  
Suite 117  
Raleigh, NC 27609  
Voice 919-873-2100  
Fax 844-325-6833

Oct. 9, 2019

Diane Miller  
Town of Oriental  
PO Box 472  
Oriental, NC 28571

Dear Diane Miller:

The Natural Resources Conservation Service (NRCS) is pleased to announce that the funding request for Federal assistance through the Emergency Watershed Protection Program (EWP) to restore damage sustained by Hurricane Florence on September 14, 2018 has been approved!

The site number listed below is funded; as a sponsor, you should have a damage survey report (DSR) for the individual site. In addition, NC PE-sealed designs are noted. The *maximum* allowable funding received is shown. "FA" is the reimbursable amount of 75% of approved, on-the-ground construction costs, and "TA" is the reimbursable amount for approved technical and administrative costs. Reimbursement will be made upon submission of approved proof of expenditures (with a '270' form NRCS will provide), visual confirmation by the NRCS government representative (GR), and should not exceed amounts shown. Funds not used at project close-out will be de-obligated.

A. The estimated construction costs for the Project:

1. 379: Whittaker Point Peninsula: \$1,842,525.00 (NC PE Sealed Design Required)

The budget includes:

Financial Assistance (FA):

Site 379

Available NRCS Construction Assistance (75% NRCS) =

\$1,381,893.75

Technical Assistance (TA):

Sites 379

Available NRCS Technical Assistance (12% of NRCS FA) =

\$165,827.25

2. NRCS pays up to 75 percent of eligible construction costs, and Sponsor pays 25 percent of construction costs. NRCS will contribute up to shown amounts for contract administration and construction management costs. It is possible that technical and administrative costs will exceed this amount, requiring the Sponsor to contribute resources to complete technical and administrative work.

# Sign Ordinance

- Town Board to Planning Board (September, 2019)
- Draft to Town Board with request for Public Hearing October 2019
- Public Hearing set for November 5, 2019
- Town Board returns the draft with additional instruction.
- Planning Board, in concurrence with attorney, ask for more time to look at all issues

# Sign Ordinance

- What problem are we trying to fix?
- In fixing that problem, how many others are created? (unintended consequences)
- Is the Ordinance enforceable? defensible?
- Reed case 2016
- Legal recommendation



