



ORIENTAL TOWN BOARD MEETING

Tuesday, March 3, 2020 at 7pm

507 Church Street, Oriental, NC

Mayor Sally Belangia Officiating

6 The Town Board of Oriental Town Board Meeting on March 3, 2020 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 Simmons,
10 Commissioner Price, Commissioner Barrow, Town Manager Diane Miller, Director of Administrative Service
11 Tammy Cox, Administrative Assistant Mary Barnes, Administrative Assistant Heather Hall, and Members of the
12 Public.

13 14 **1. Approval of Agenda:**

15 Commissioner Overcash made a **MOTION** to accept the Agenda. Seconded by Commissioner Simmons. Motion
16 passed 5-0.

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

19 a. Consider Approval of Minutes from Town Board Meeting February 11, 2020.

20
21 Commissioner Overcash made a **MOTION** to approve the Consent Agenda. Seconded by Commissioner Simmons.
22 Motion passed 5-0.

23
24
25 **3. Public Comment Period :** Nobody signed in for Public Comment.

26
27 **4. Public Hearing 1:** Mayor Belangia asks for a **MOTION** to open the Public Hearing for the Village Hardware
28 Store at the corner of Hwy 55 and Broad St.

29
30 Manager notes that this request is a little different and that the question before the Board this evening is installing a
31 hardware store directly adjacent to the existing hardware store. This does not get into the building parameters nor
32 any of its requirements for construction, simply allowing/not allowing the existence of a high-volume traffic
33 generating business on that specific lot. Both owner and operator are present if anyone has any questions.

34
35 Mayor Belangia asks for a **MOTION** to open the Public Hearing. Mayor Pro Tempore makes a **MOTION** to open
36 the Public Hearing, Commissioner Barrow seconds. 5-0.

37
38 Mayor Belangia asks if there is anybody who wanted to talk to the Public Hearing. OK If you do, you get to be
39 sworn in! (laughter) Nobody comes forward to speak.

40
41 Mayor Belangia: I'll proceed with reading the...

42 Manager Miller: Yes Ma'am.

43 MB: OK. 86.1.4.1 The requested permit **is** within its jurisdiction and according to the Table of Permissible Uses,
44 Section 9.250.

45 86.1.4.2 The application **is** complete.

46 The 1.4.3.1-**Does** comply with the requirements of this chapter.

47 1.4.3.2 the Planning Board nor the Manager have not been presented any evidence and therefore does not have an
48 opinion on whether the project endangers public health or safety. Additional evidence may be presented to the Board
49 of Commissioners at the Public Hearing. Does anyone have any evidence that the project endangers public health or
50 safety? (no speakers)

51 86.1.4.3.3 The Planning Board nor the Manager have been presented evidence that the property value of
52 adjoining/abutting properties would decrease in value due to the project. Additional evidence may be presented to

53 the Board of Commissioners at the Public Hearing. Does anyone have any evidence that the project devalues
54 adjacent/abutting properties? (no speakers)

55 86.1.4.3.4 The Planning Board nor the Manager have been presented evidence that the proposed use will not be in
56 harmony with the existing uses in the area. Does anyone have any evidence that the project will not be in harmony
57 with development and uses in the area? (no speakers) Additional evidence may be presented to the Board of
58 Commissioners at the Public Hearing.

59 86.1.4.3.5 The Planning Board nor the Manager finds that the proposed project will be in conformity with the Land
60 Use Plan adopted by the Board of Commissioners. The Planning Board does not have an opinion on the conformity
61 of the project as to its adherence to the Pamlico County Flood Prevention Ordinance and has deferred to the Pamlico
62 County Building Inspector to determine if any measures need to be taken to mitigate repeated losses at that address.
63 Does anyone have any evidence that the project is not in conformity with the existing plans? (no speakers)
64 OK.
65

66 Mayor Pro Tempore White makes a MOTION to close the Public Hearing.
67 Commissioner Simmons seconds. 5-0.
68

69 Discussion: none.
70

71 Mayor Pro Tempore White will make one motion that encompasses all of the parameters necessary:
72 A MOTION to approve the permit: The request within the jurisdiction of the Town, is complete, is compliant with
73 the provisions of the GMO, does not in any way endanger public health and safety, does not in any way devalue
74 property abutting/adjacent, is in harmony with existing development in the area, and is in conformity with current
75 Land Use and other plans adopted by the Board of Commissioners.
76 Commissioner Overcash seconds. 5-0.
77

78 Mayor Pro Tempore White and Commissioner Price complimented the agent of the owner who constructed the
79 responses in the application as complete and thorough.
80

81 **5. Public Hearing 2:** Manager Miller opens the discussion with an overview of the project as similar to the
82 application they heard last month. Mr. Roger Cordes is applying to raise a nonconforming building on the existing
83 footprint, simply to raise the structure out of the floodplain. There is no increase to the nonconformity (too close to
84 adjoining property), but will make the structure compliant with the Flood Prevention Ordinance.
85

86 Manager notes that this is different than Special Use Permit requests in the past in that the normal seven (7) items to
87 be addressed are not what we are looking at tonight. According to Section 194.2, this is required to address a
88 structure that is nonconforming, and likely should have been a special kind of permit, but not called a Special Use
89 Permit, as that is specifically defined by General Statute and requires a very specific process and questions. Town
90 Attorney advises that this was missed during review of the Growth Management Ordinance (GMO).
91 Section 194.2 allows you to replace or rebuild a structure that comes down, needs to come down, or otherwise
92 addressed due to flooding issues like other exceptions made for hurricane damage. It allows you to rebuild a
93 nonconforming structure. This exception allows them to rebuild the failing structure, lit it out of the floodplain,
94 making it compliant with the floodplain ordinance. According to 194.5, there is also the ability for the Town Board
95 to add other requirements (reasonable) to the rebuild.
96

97 Mayor Pro Tempore White makes a MOTION to open the Public Hearing. Commissioner Simmons seconds. 5-0.
98

99 Mayor Belangia asks if anyone wants to speak. Hearing none, she starts the required questions leading to
100 approval/disapproval of the permit.
101

102 Manager Miller notes she had two phone calls from people who could not be here tonight. One neighbor was fully in
103 favor of granting this application and another asked that we make sure the applicant is aware that they must stage
104 and work on the property in question only. I told her that was a given.
105

106 One other was concerned when she received the letter that we were going to be lifting HER SHED and I verified
107 indeed that we were not.

108 Commissioner Overcash: As an adjoining neighbor- I approve.

109

110 MB: Let's get started with these questions.

111

112 Commissioner Barrow: Madame Mayor:

113 MB: Yes.

114 CB: Might we reference the street address as we go through it?

115 MB: Sure.

116 MM: 403 Hodges St.

117 CB: Thank you.

118

119

120 194.4 The Town Board Commissioners shall issue a Special Use Permit as authorized by this section if they find
121 that completing the renovation, repair, or replacement work:

122

123 Mayor Belangia 194.4.1:, There is no increase in the total area devoted to the nonconforming use.

124 : Does anyone have any evidence concerning the area covered by the nonconforming use?

125

126 194.4.2: There is no greater nonconformity with respect to dimensional restrictions, such as setback requirements,
127 height limitations, density requirements, or other requirements such as parking, loading, landscaping requirements.

128 Does Anyone have any evidence that there is any increase in the dimensional nonconformity?

129

130 194.4.3:There is no significant adverse impact on surrounding properties or the public health or safety.

131 Does Anyone have any evidence that there is any adverse impact on surrounding properties?

132

133 194.4.5: In issuing a Special Use Permit, the Town Commissioners may affix other reasonable and appropriate
134 conditions such as, but not limited to, landscaping and buffering to separate dissimilar uses or to screen parking and
135 loading areas.

136

137 Mayor Pro Tempore White makes a MOTION to close the Public Hearing. Commissioner Overcash seconds.

138 Mayor Belangia: All those in favor say "aye". 5-0

139

140 Mayor Belangia asks for any additional Board discussions. Mayor Pro Tempore White makes the MOTION that the
141 SUP application be approved because there was no evidence submitted that there is a greater nonconformity, of
142 either total area or dimensional nonconformity, there was no evidence submitted of adverse impact on surrounding
143 properties. And one condition is that trucks doing the work be confined to your own property. Commissioner
144 Overcash approves of the added condition. Commissioner Simmons seconds. 5-0.

145

146 **6. Arbor Day:** Manager Miller notes that Dr. Bob Miller of the Tree Board has forwarded us the proclamation for
147 this year's Arbor Day and notes that Arbor Day around the Country is not a single day, but a day designated locally
148 that coincides with a good planting schedule, obviously earlier in the South and later in the North. Our best Day is
149 April 4, 2020 in Oriental. Dr. Bob says he will forward the list of events as we get closer to the time. Commissioner
150 Simmons makes a MOTION to approve the Arbor Day Proclamation.. Commissioner Overcash seconds. No
151 discussion. 5-0.

152

153 **7. Progress on Dredging and Pointe Restoration:** Manager Miller notes that WPR- original opening scheduled
154 while we had snow inbound. Due to bidders usually picking up the bid bond from their banks the day of bid due,
155 there was concern that the financial institutions would not be able to issue those bonds, so the opening was moved to
156 the following week. On the new date we opened 3 bids for the project. Winning bids in your package. Base bid by
157 barge was (2 submissions) \$1.93M and alternate bid (by road) (3 submissions) \$1.612M - low bid to the same
158 contractor on both options. The bids were quite spread from those above to \$4.6M. Request to award the bid to
159 Carolina Marine Structures. Contract has already been approved by the attorney- Board needs to award this bid.
160 Mayor Pro Tempore White makes a MOTION to award the bid to the lowest bidder. Commissioner Overcash
161 seconds. Discussion: Commissioner Barrow asks if the \$1.9M bid will they still be staging off of the road. Manager
162 notes that equipment would be staged and the rock would come by barge- road damage still anticipated, not as

163 much- chance to do parts of the road. If we come in by truck it all has to be replaced. Estimates for road repair
164 currently sit at \$206,000 to do the whole thing if by road- may come down further. Questions on start date-
165 dependent on notice to proceed and all parties signing the contract, and then they have 180 days- two adjustments
166 were to provide an alternate and to extend completion requirement 30 days to 180. Still has other acceptable delays-
167 weather and availability of rock. Currently planning to use Vulcan granite in Virginia, but the contracts aren't signed
168 yet. Mayor Pro Tempore White asks about other agencies restricting our movement- i.e. Fisheries, CAMA, etc.
169 Manager notes ALL of those entities commented on our permit, so once we have the permit and its restrictions, we
170 go. Commissioner Barrow asks for total granted numbers- Manager Miller gives approximate numbers, noting
171 Golden Leaf Foundation, NCDEQ, Fish and Wildlife and USDA. He then asks about anything we do not spend-
172 Manager notes it is simply not drawn down- but the newly added funds are on a longer period, so we can go back in
173 the spring following and add plantings, oysters, upland planting, something that needs to be bolstered before we say
174 it is complete. Engineers will be the managing entity. Also, Dr. Lexia Weaver with NCCF will be with us to the end
175 also. 5-0 to award.
176 Dredging was awarded to King Dredging out of Beaufort at \$8/cubic yard. Ask to award- that contract is still with
177 the attorney. We expect to get started some time after March 9, when our permit application comment period ends.
178 We want to be poised to dredge as soon as the permit arrives. Moratorium March 31- we need to be finished. Mayor
179 Pro Tempore White makes a MOTION to approve the award of the dredging contract to King Dredging.
180 Commissioner Overcash seconds. Discussion: These are the same dredgers that just finished Pecan Grove. 5-0.

181
182 **8. Duke Energy lighting:** We're all aware that none of our Christmas decorations on Broad St lit this year. The old
183 wires failed, Duke did not allow a

184
185 **9. Police Report** Officers Wichrowski notes with the assistance of Mrs. Barrow, the Police have applied for a grant
186 that will provide them additional computer and radio equipment. Thanks Mrs. Barrow for her assistance. Everything
187 else has been pretty quiet.

188
189 **10. Manager's Report :**

- 190 • Financials attached.
- 191 • March- Manager will be out March 13 FOR THE LAST WEDDING.
- 192 • Much of the crew will be out for required re-certification trainings this month.
- 193 • Grant application received by NCORR for the tractor and has requested additional information- good sign.
- 194 • NCRWA is sending Mike Hill to us this week to construct our Consumer Confidence Report.
- 195 • Flood Prevention Ordinance Draft is attached in this TAB. That color coded document you have seen
196 before- this is a draft that incorporates the new FEMA maps, our suggestions for which parts of the State
197 suggestions to incorporate (propane tank securing, etc) and that Mr. Buck understands on this round, we
198 will have to incorporate it into the GMO rather than simply allowing the County to enforce a County
199 Ordinance in our jurisdiction. There was a layer in the old one that designated the County BOA to
200 adjudicate appeals and we cannot delegate that authority. Having said that- we really have no choice, but
201 to approve- we can't have 7 different Ordinances in Pamlico County for Mr. Lee to enforce, and we must
202 have the Ordinance to secure flood insurance- all of us- the whole town. They HAVE incorporated our
203 suggestions, and now it needs to be worked into our numbering system.
- 204 • Request for intern:- full disclosure- Manager's daughter-in-law from Auburn University- asking to intern
205 for this summer- driving toward her MPA- if you are OK with it, I'll sign the contract with Auburn that
206 requires me to file a report following her time here. Unpaid, and she is staying with the Manager.
207 Commissioner Price notes that there are no Alabama fans on the Board and her resume is impressive-
208 especially for such a young person. Manager would appreciate the assistance. WAR EAGLE!
- 209 • Census: not doing this tonight- we'll move this on to a future meeting- really important- determines all of
210 the federal money that we can access for the next ten years- we will assist anyone who needs it.
- 211 • Audit response: we were solid at the end of the year, but once capital expenses and depreciation is counted
212 in, it makes it look like the Water Fund is operating at a loss.
- 213 • We have received a check for \$242,000 for the road repair.
- 214 • Retreat Friday: you'll receive a schedule ASAP- schedule almost set- if any other info to be distributed,
215 please get it.
- 216 • Next week is Severe Weather Awareness Week.

- 217 • Picture of the Day- Tammy had the whole staff in here on the snow day and went through the entire file
218 room and sifted and re-filed- great work!
219 Question about Link/Ragan repair (where tractor broken).
220 Question about bridge replacement- too much disagreement

221
222 **11. Committee Reports:** none reported

223
224 **12. Commissioner Comments:** None

225
226 **13. Manager's Evaluation:** Mayor Pro Tempore White asks the Board to adjourn to a Closed Session to **for**
227 **personnel matters according to N.C.G.S. 143-318.11 (a) (6)** for the Manager's annual evaluation. Commissioner
228 Overcash seconds. 5-0.

229
230 **14. The Board returned to Public Open Session:** The Mayor re-opened the meeting. Mayor Pro Tempore White
231 noted that the Manager received a very good review from the Board- we'll vote that she should get a raise – a \$6,000
232 raise (7.5%) to become effective April 1- make that a MOTION. Commissioner Overcash seconds. Discussion:
233 none. 4-1 Mayor Belangia confirms that Commissioner Barrow opposes the action.

234
235 Commissioner Price notes- if you got an email from Sally asking for money- that is most definitely SPAM.

236
237 **19. Adjourn.** Next meeting scheduled as April 7, 2020.

238
239 Commissioner Simmons made a **MOTION** to adjourn. Seconded by Commissioner Price. Motion passed 5-0.

240
241 Meeting adjourned at 8:12PM

242
243
244 _____
245 Sally Belangia, Mayor

Diane H. Miller, Town Manager/Clerk

246
247
248
249 Approved _____, 2020 _____