



ORIENTAL TOWN BOARD MONTHLY MEETING

Tuesday, December 5, 2023, 8AM

507 Church Street, Oriental, NC

Mayor Sally Belangia officiating

1 The Town Board of Oriental Regular monthly meeting was held on Tuesday, December 5, 2023 was called to order  
2 at 8:00 AM. Mayor Belangia determined a quorum to be present. The meeting was open to the public. All  
3 documents for the meeting were available through the Town’s website at [www.TownofOriental.com](http://www.TownofOriental.com).

4  
5 Present: Mayor Belangia, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Winfrey,  
6 Commissioner Roe, and Commissioner Price. Town Manager Diane Miller, Administrative Director Tammy Cox,  
7 Public Works Director Cox, Officer Wichrowski several members of the Public. Mayor Belangia begins with the  
8 Pledge of Allegiance.

9  
10 Approval of Agenda: Commissioner Roe makes a MOTION to approve the agenda. Commissioner Overcash  
11 seconds. 5-0.

12  
13 Consent Agenda: Commissioner Overcash makes a MOTION to approve Consent Agenda. Commissioner Roe  
14 seconds. Commissioner Roe thanks the Manager for adjusting the Minutes as requested Nov 14. 5-0.

15  
16 Public Comment: 8:02: Buddy Kelley requests the Town address its feral cat issue at the harbor.

17  
18  
19 SUP request withdrawn: Ms. Brooks’ SUP request has been withdrawn following Planning Board discussion, which  
20 noted the activity (art instruction) is not a business for profit, but rather a hobby. No need to schedule Public  
21 Hearing. Application fund to be refunded.

22  
23 Approval of the FPIC response: As required, the response to our audit of the 22-23 Fiscal Year, as detailed by the  
24 auditor at your last meeting is presented for approval and signature. Concern is the age of the water system, which  
25 your \$5.5M award will address. Commissioner Roe asks about pension liability. Manager notes that since we charge  
26 part of salaries to the WF, also, part of the pension liability is attributed to the WF. Commissioner Roe asks the  
27 Manager to confirm with Auditor. Second concern- this grant will solve that system issue. Not unique to Oriental,  
28 our rates need to keep pace with the cost. Mgr notes raising water rates two years in a row will help with operating  
29 cost. Commissioner Overcash makes a MOTION to approve the FPIC response. Commissioner Roe seconds. 5-0.

30  
31 Mayor Belangia notes that was the last official business. She will now present plaques to those leaving the Board.

32 Mayor reads plaque for Commissioner Winfrey.  
33 Mayor reads plaque for Mayor Pro Tempore White.  
34 Both retiring Commissioners

35  
36 Commissioner Winfrey makes his last MOTION to adjourn, sine die. Mayor Pro Tempore White seconds. 5-0.

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39  
40 \_\_\_\_\_  
Sally Belangia , Mayor

\_\_\_\_\_

Diane H. Miller, Town  
Manager/Clerk

41  
42  
43 Approved , 2024



ORIENTAL TOWN BOARD MONTHLY MEETING  
Tuesday, December 5, 2023, 8AM  
507 Church Street, Oriental, NC  
Mayor Sally Belangia officiating

1 The Town Board of Oriental Regular monthly meeting was held on Tuesday, November 14, 2023 was called to  
2 order at 8:13 AM. Mayor Belangia The meeting was open to the public. All documents for the meeting were  
3 available through the Town's website at [www.TownofOriental.com](http://www.TownofOriental.com).

4  
5 Present: Mayor Belangia, Commissioner Overcash, Commissioner Roe, and Commissioner Price. Town Manager  
6 Diane Miller, Administrative Director Tammy Cox, several members of the Public. Mayor Belangia begins with the  
7 swearing in of new members.

8  
9 The Honorable Judge Paul Delamar was present to swear in the new Board. Following the swearing in, the new  
10 Board was seated.

11  
12 Commissioner Breena Litzenberger and Commissioner Bonnie Crosser were seated on the dais.

13  
14 Election of Mayor Pro Tempore (MPT): The Mayor discussed the process by which the MPT is elected. § 160A-70.  
15 Mayor pro tempore; At the organizational meeting, the council shall elect from among its members a mayor pro  
16 tempore to serve at the pleasure of the council. Commissioner Roe makes a MOTION to elect Allen Price as MPT.  
17 Commissioner Overcash seconds. 5-0. The Honorable Paul Delamar swore in the new Mayor Pro Tempore,  
18 Commissioner Allen Price.

19  
20 Approval of Agenda: Commissioner Overcash made a MOTION to accept the agenda. Commissioner Litzenberger  
21 seconds. Discussion: Commissioner Roe would like to table some items until the next regular meeting February 6.  
22 Proposes to table 7, 8, 9, 10, 11. Asks for comments from the Town Manager. Manager notes items 10 and 11 are  
23 forwarded by the Planning Board, simply to set Public Hearing- no action to be taken today, in either case. Asks the  
24 Planning Chair if this gives enough time to review the requests. Manager notes that the Board sets the date, which  
25 then regulates the notification process for both- we can't get the information out until you set a date for the hearing.  
26 Commissioner Roe amends request to **NOT remove** items 10,11 from the agenda. Commissioner Litzenberger asks  
27 if the CAMA rule change item is to be considered in this time frame before we would take it up, if tabled. Mgr notes  
28 the NC General Assembly is in recess currently through the holidays and likely would not take into consideration  
29 these changes until after the holidays. Commissioner Overcash seconds amendment to the motion. 5-0.

30  
31 Public Comment:

32 Vicki Rasmussen 8:35AM- requests reconsideration of moving the meeting time to night time, and consider time  
33 and pay for employees (including overtime).

34 Sheila Gould 8:38AM- please postpones decision to change meeting time, so group can continue to use the facility  
35 in prep for 125<sup>th</sup> anniversary.

36  
37 Organizational Assignments: We had a meeting Nov 20 to discuss which liaison positions each Commissioners will  
38 fill. Liaisons will be assigned by motion/second/vote.

39 Tree Board: Commissioner Litzenberger makes a MOTION that MPT Price be their liaison. Commissioner  
40 Overcash seconds. 5-0.

41 Parks and Recreation: Commissioner Overcash makes a MOTION that Commissioner Crosser be the P&R liaison.  
42 Commissioner Crosser seconds. 5-0. Commissioner Roe makes a MOTION that MPT Price is also appointed liaison  
43 to P&R. Commissioner Overcash seconds. 5-0.

44 Planning Board: Commissioner Roe makes a MOTION that he and Commissioner Overcash be appointed as the  
45 Planning Board liaisons. Commissioner Crosser seconds. 5-0.

46 Tourism: Commissioner Overcash makes a MOTION that Commissioner Roe be appointed liaison to Tourism.  
47 Commissioner Roe seconds. 5-0.

48 ECCOG: Commissioner Overcash makes a MOTION that MPT Price be the liaison to ECCOG. Commissioner  
49 Crosser seconds. 5-0.

50 Check Signing: Commissioner Roe makes a MOTION that Commissioner Overcash and Mayor Belangia be  
51 designated official check signers. Commissioner Overcash seconds. 5-0.

52 Bank Statement: Mgr notes that conversation on Nov 20, the concept was raised that fiscal duties might need  
53 rotation. While MPT White did MOST of the check signing, and Commissioner Overcash and Mayor Belangia were  
54 able to, they did so rarely. MPT Price has been opening statements consistently for years and has taken on several  
55 new duties- you might want to assign a new person to do this. Commissioner Overcash makes a MOTION to  
56 appoint Commissioner Crosser. Commissioner Litzenberger seconds. Commissioner Crosser declines the  
57 nomination. Commissioner Roe nominates Commissioner Litzenberger. MPT Price seconds. 5-0.

58 Water Advisory- Mayor explains we had discussed on Nov 20 with a large State grant coming up. Commissioner  
59 Roe makes a MOTION that we reinstate the Water Advisory Board (WAB) with designated Commissioners Crosser  
60 and Price. Commissioner Crosser seconds. 5-0.

61 HR- the evaluation of the Manager: Commissioner Roe nominates Commissioner Overcash. Commissioner  
62 Litzenberger seconds. 5-0.

63 HWAC: Commissioner Roe nominates Commissioners Overcash and Litzenberger as their liaisons. Commissioner  
64 Overcash seconds. 5-0.

65 Commissioner Roe makes a MOTION to reinstate the Financial Liaison as we had in 2011 and nominate  
66 Commissioner Crosser to the position. Commissioner Crosser seconds. Mayor Belangia references email from the  
67 attorney directing the Board to determine the duties of that liaison. Mgr notes the attorney wants the list to ensure all  
68 of those are legal. Commissioner Overcash believes it would be wise, as Commissioner Roe has counseled many  
69 times in the past for you to understand something completely before we vote on it. He suggests tabling and look at  
70 the proposal and then make an informed decision at the next meeting. Commissioner Crosser moves to vote. Mayor  
71 notes if we vote and this is approved, then we have to make sure what the duties are. Commissioner Overcash  
72 clarifies where we are on the motions. Mgr notes you have a motion and a second and are currently in discussion.  
73 Commissioner Overcash reads comments from NCLM [Commissioner Overcash named Ms. White as a member of  
74 ECCOG, while she represents the NCLM- corrected later]- who cautioned against as may cause issues with the  
75 Manager. Also our attorney cautioned against as may cause issues with Town staff. Attorney said if we do pursue he  
76 would like to see what we intend to have in this liaison position so he can look at it for legalities. Therefore, he  
77 thinks it is just wise counseling to look at what is proposed and then vote on it. Commissioner Crosser notes we  
78 have had the Financial Liaison in our form of government in prior years, while we also had an attorney- so our  
79 attorney- whether the current or former, had approved the position. Statute stipulates, and the attorney could not  
80 provide statute that says we cannot do this. So at odds with the UAL training stated that we have Board overview.  
81 Commissioner Litzenberger wants to know what the tasks would be. Commissioner Crosser asks for review of list  
82 of financial documents, as noted by UAL training, NC Treasurer, LGC- lists balance sheets, income statements,  
83 periodic review of general fund and enterprise fund, monthly reconciliations, check registers, credit card, in-store  
84 charge accounts, AP/AR. Documents to be made available at an agreed upon time not to exceed three weeks after  
85 completion of month close. Liaison will report to Board of Commissioners during monthly meeting. Only  
86 interaction with staff is questions- no guidance, no direction- that comes from the Board, per SOG. Commissioner  
87 Litzenberger notes the attorney says it is a time saver for liaisons to other Boards- simply review process suggested-  
88 then Board gets a recap. Commissioner Crosser agrees. She would use her expertise to review- UAL wants an  
89 independent review of key financial metrics within the period, instead of awaiting audit results, when all these issues  
90 come out and we have no opportunity to discuss as a group- as a Board. Commissioner Litzenberger asks if  
91 Commissioner Crosser would be willing to wait until we give that list to the attorney to make sure it's legal.

92 Commissioner Crosser states it is cited from the State Treasurer, so she questions legal and would like to move for a  
93 vote. 4-1, Commissioner Litzenberger against. Mayor states she wants the list to go to the attorney for review.  
94 Commissioner Roe asks if we have to do anything with Board of Adjustments? No, Sir- that is legally constituted.  
95 Regional Planning – MPT Price asks about regional planning. Mgr notes that she usually attends that because that is  
96 about getting projects into the State Transportation Improvement Plan, which is a 20 year plan that is adjusted  
97 annually for projects that are completed, no longer deemed required, projects that have taken longer than expected,  
98 etc. It helps us get in line for long term solutions, upgrades.  
99

100 Schedule Amendment: Manager notes the schedule is approved in June. You (the new Board) can change that if  
101 you so desire. Commissioner Litzenberger notes that discussion occurred concerning moving back to the evenings-  
102 she did an unofficial poll- overwhelming percentage that wanted it moved and 14% didn't care either way. Those  
103 who work the 9-5 can't come otherwise. She is fine keeping it until March, considering the request from the dance  
104 group, and then potentially doing a 6-month trial following that. Maybe track from now until then how many attend.  
105 Allison will do a poll on Town Dock-(recent events precluded that). Manager notes that every time someone  
106 schedules this room, it is with the understanding that your meetings take priority and that they can be bumped for  
107 your meetings. Totally up to the Board. Commissioner Litzenberger addresses overtime issues- office folks come in  
108 early, and then evenings- the staff that attend are salaried, so no financial impact on night meetings. Commissioner  
109 Roe asks Tammy to count humans in the room from now until March and see what the numbers are. He agrees with  
110 Commissioner Litzenberger- evening may be better- let's see how many show up. Commissioner Overcash makes a  
111 MOTION that we do not change until the March meeting. Commissioner Roe seconds. 5-0.  
112

113 #10-Rezoning request- 807 Broad St- lots of moving parts- a lot of documentation concerning this property and its  
114 past. New owner would like to pursue. There is a higher resolution version of these documents attached to the  
115 meeting notice as Commissioner Crosser and Mgr noted difficulty in reading actual documents. Mgr goes through  
116 access easement not being truly defined, praline that divides the property R-3/MU (legally) currently. Cannot do the  
117 MU use on the R-3 portion- that's the issue. Previous attempt to rezone objected to by Midyette St residents for  
118 traffic issues. Don't know if we can preclude the owner from accessing an abutting street. All legal questions plus  
119 anything the Planning Board may question. If you set for Feb 6, then the notification process starts 10-25 days prior,  
120 and Planning would get 2 passes at it before the Public Hearing. OR you can wait until after 1<sup>st</sup> Planning pass at it.  
121 Reminds the Board there is no burden of proof- purely political- anything that can happen in an MU must be  
122 considered. Commissioner Litzenberger asks if the praline be moved? Absolutely, BUT- that's not what they are  
123 asking for. Commissioner Roe asks why we are going through all of this- we're just supposed to set a date. Mgr  
124 notes that there is SO much information about this issue, she wanted to make sure the Board knew what all they  
125 were looking at. Notification distance and process is clarified. Commissioner Roe would like to table the whole  
126 discussion until we understand and set the discussion for February. Commissioner Overcash seconds. No public  
127 hearing set. 5-0.  
128

129 SUP/STR: request for Public Hearing- delayed request- the application ended up attached to other paperwork and  
130 was missed. Manager takes blame for that- in filing, found the neglected request. Commissioner Overcash makes a  
131 MOTION to set PH for Feb 6. Commissioner Litzenberger seconds. Commissioner Roe is concerned with  
132 proliferation of SUPs for STRs while we are not able to track because of the way internet based companies do  
133 business and do not forward required paperwork. Asks the Planning Board for a solution to track AirBnBs and make  
134 sure we get our Occupancy Taxes. Knows Chair is already working on this. 5-0.  
135

136 Appointments: 2 new appointments to Tree Board: Ms. Washburn and Ms. Langson offered for appointment to Tree  
137 Board. Commissioner Overcash makes a MOTION to appoint as recommended. MPT Price seconds. Commissioner  
138 Roe asks about appointment of people who are not inside our corporate limits. Mgr notes some Boards have  
139 residents or (limited #) of outside residents- will check the Ordinance to make sure. 5-0.  
140



141 January 25, 2024 Workshop topics: Mgr asks for topics for the scheduled workshop. Commissioner Roe asks for  
142 deadline for topics- 2 weeks. Commissioner Overcash asks to add changes to reports and how the Board would like  
143 to see these reports- Mgr, Police, Commissioners.  
144

145 Police Report: Officer Wichrowski goes through report- good stats. Police will be at the Net House with safety  
146 issues for residents at Christmas and Mayor Sally will have treats. Commissioner Roe thanks Officer Wichrowski  
147 that we are not reading the same issues we see from all around us. Ofc. Wichrowski states the perception is that this  
148 is not the place to get up to trouble.  
149

150 Manager's Report: Financials attached. Citizen request in your pkg for a street light- all residents on the street  
151 signed this request. Notes that every light is contracted for a 10 year period. Almost all of our lights are due for  
152 renewal in 2025. Police input taken into account- we GET that you want to see the sky- but in the neighborhood of  
153 high value homes where residents are away for months at a time presents a safety issue. It's usually a request to  
154 REMOVE a light. In THIS case, ALL residents on the street in question agree that they DO want another light.  
155 Commissioner Roe talks about driving down this street looking for Christmas lights and it is VERY dark.  
156 Commissioner Roe makes a MOTION to accept request for light. Commissioner Crosser seconds. 5-0. Whittaker  
157 Creek Dredge- 1<sup>st</sup> dredge with no GPS points, markers, etc. Last dredge GPS'd not in the "natural" channel-  
158 attempting to shift to that, requiring additional permitting. Need authorization to move forward with dredge RFQ for  
159 Pierce Creek Dredge as spoils site is ready. Commissioner Roe makes a MOTION to move forward. Commissioner  
160 Overcash seconds. 5-0. Awaiting Comprehensive Plan draft per your direction. Spirit of Christmas weekend this  
161 weekend. Ballots in your boxes for decorations- turn in to Marsha by Friday AM- moving to awards at Star lighting  
162 Friday night. MPT Price notes good ad on radio for SOC. Program will be published today. Volunteer appreciation  
163 party was last Friday- very well received and attended. Anyone who could not attend is welcome to come to Town  
164 Hall for their gift. Lead Line assessment is moving forward- Andrew is working diligently on that. Mgr and Mayor  
165 invited to ECCOG next week for mtg with Federal and State liaisons for updates. Town Hall will be closed Dec 25-  
166 27, January 1, short-staffed Dec 28-29. Last item- Notice of Violation- water sample vials broke at the lab delaying  
167 our sample. Notice on water bills as required and new sample has been sent. Commissioner Crosser asks about the  
168 sample. ORC clarifies- we got the sample there- they broke it at the lab. Commissioner Roe asks where the new  
169 truck is? Dep Finance Director Cox says it is on back order- expected delivery in January.  
170

171 Committee Reports: Planning Chair DeWeese discusses potential available software- working with developer to  
172 design something simple, easy that crawls over the web to find those STRs available in Oriental. Chair Jim  
173 Blackerby thanks Leslie Allen for work on the decorations at Boat House. Chair Marsha Paplham notes Tourism  
174 will not meet again until after holidays.  
175

176 Commissioner Comments: Commissioner Overcash asks about spill in the harbor over the weekend. Mgr notes  
177 USCG and NRC were notified. USCG came out- identified source and content as "shrimp slurry" byproduct of  
178 catch and processing, not manufactured or synthetic contaminant. Recommended we notify NCDEQ.  
179

180 MPT Price makes a MOTION at 9:46AM to go into **Closed Session for property acquisition according to**  
181 **N.C.G.S. 143-318.11 (a) (5)** Commissioner Overcash seconds. Commissioner Crosser asks to identify the parcel- no  
182 amendment is made to the motion. 5-0.  
183

184 Board returns from closed session at 9:57AM  
185

186 Mayor Pro Tempore Price makes the MOTION to adjourn at 9:58AM. Commissioner Roe seconds. 5-0.  
187

188 Next meeting scheduled: Town Board January 25, 8AM- Workshop meeting  
189

190

191 Sally Belangia , Mayor

192

193

194 Approved , 2024

195

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Diane H. Miller, Town  
Manager/Clerk



ORIENTAL TOWN BOARD REGULAR MEETING  
Tuesday, February 6, 2023, 8AM  
507 Church Street, Oriental, NC  
Mayor Sally Belangia officiating

1 The Town Board of Oriental quarterly workshop meeting was held on Tuesday, February 6, 2024 and was called to  
2 order at 8:00 AM. Mayor Belangia determined a quorum to be present. The meeting was open to the public. All  
3 documents for the meeting were available through the Town's website at [www.TownofOriental.com](http://www.TownofOriental.com).

4  
5 Present: Mayor Belangia, Mayor Pro Tempore Price, Commissioner Overcash, Commissioner Litzenberger,  
6 Commissioner Roe, and Commissioner Crosser. Town Manager Diane Miller, Administrative Director Tammy Cox,  
7 Public Works Director Cox, Officer Wichrowski, and several members of the Public.

8  
9 Approval of Agenda: Mayor Pro Tempore (MPT) Price makes a MOTION to approve the agenda. Commissioner  
10 Overcash seconds. 5-0.

11  
12 Public Comment: 8:01 Ginger Barnett- listed at #6 Board's choice- Ms. Barnett requests closing South Ave from  
13 Mildred to Neuse, and 1<sup>st</sup> to South for parking. Only on Saturday, March 2. For the 125<sup>th</sup> magazine, asks the Town  
14 to sponsor the pamphlet at \$250/\$500. Commissioner Litzenberger makes a MOTION to sponsor a half page ad and  
15 close the requested streets. Commissioner Overcash seconds. 5-0.

16 Mary Ellen Ham 8:05: Criticism around town about what's going on. These people (staff) work for us. We have a  
17 lawyer and auditor- stop criticizing and let them do their job. If you don't like the way things are done, resign. She  
18 will personally address the person causing this. Call the auditor and lawyer in here.

19  
20 Consent Agenda: In order to attempt to streamline the agenda, the consent has items not likely to cause discussion.  
21 You may remove any item and make it a discussion item. Commissioner Roe makes a MOTION to accept the  
22 Consent Agenda. Commissioner Overcash seconds. Commissioner Roe notes he asked the Manager to do this.  
23 Manager notes all of the items are attached.5-0.

24  
25 Public Hearing: Special Use Permit (SUP) on a Short Term Rental (STR): 304 Main Street- no police reports,  
26 nobody presented any evidence at the Planning Board meeting. Planning Board recommends granting on those  
27 grounds. Commissioner Roe asks how we notify residents. Certified letters are sent to everybody within 150 ft.  
28 MPT Price makes a MOTION to open the Public Hearing. Commissioner Roe seconds.5-0

29 Sally Belangia: The Public Hearing is now open. The Town Commissioners shall issue the requested permit  
30 UNLESS:

31 1) The permit is not within its jurisdiction (property is within jurisdiction of TOO) The permit IS in our jurisdiction.  
32 Does the Public have any comment on jurisdiction of the application?  
33 Commissioner questions?

34  
35 2) The application is incomplete (the application has been deemed complete by the Land Use Administrator and the  
36 Planning Board.)  
37 Does the Public have any comment on the completeness of the application?  
38 Commissioner questions?

39  
40 3) If completed as proposed:  
41 a) will not comply with one or more requirements of this chapter (GMO)  
42 Does any of the Public have any evidence to offer concerning compliance with the GMO?  
43 Commissioner questions?  
44 b) will materially endanger public health or safety  
45 Does any member of the public have any comment on endangerment of public health and safety?

46 Commissioner questions?  
47  
48 c) will substantially injure the value of adjoining or abutting property  
49 Does any member of the Public have evidence to offer that indicates that the project will injure the value of  
50 adjoining or abutting property?  
51 Commissioner questions?  
52  
53 d) will not be in harmony with existing uses/development in the area.  
54 Does any member of the public have any evidence that the project is not in harmony with existing uses in the area?  
55 Commissioner questions?  
56  
57 e) will not be in conformity of the Land Use Plan or other plan, officially adopted by the Town.  
58 Does any member of the public have evidence that the project is not in conformity with existing plans?  
59 Commissioner questions?  
60  
61 MPT Price (AP) makes a MOTION to close the Public Hearing.  
62 Commissioner Overcash (CO) seconds.  
63 SB: Any discussion? All those in favor say aye. 5-0.  
64 SB: The Public Hearing is now closed.  
65 MPT Price makes a MOTION to grant the SUP the permit is within jurisdiction and is complete. No evidence was  
66 presented here or at the Planning Board that it is detrimental in value or an issue of Public Safety to surrounding  
67 properties. It is consistent with the GMO and uses in the area. It is in general conformity with the Land Use Plan or  
68 other plans adopted by the Town. Commissioner Litzenberger seconds. No discussion. 5-0.  
69 The SUP is granted.  
70  
71 Manager's Report: Financials attached. You will see them in a new format next month.- more of a summary. Pierce  
72 Creek dredging is moving forward. Have filed a grant application to fund dock repair. RFP is out and due back Feb  
73 13. If we do not have 3 responses, we will have to re-bid. Comp Land Use plan has been adjusted per TB direction.  
74 Commissioner Roe makes a MOTION to set a Public Hearing for the Comprehensive Land Use Plan update for  
75 March 5. Commissioner Litzenberger seconds. 5-0. County Leadership meeting at Courthouse- water, projects,  
76 progress. Also discussed potential movement to terms coinciding with general elections. It would cost us less and  
77 extend terms by one year. We were told of a community who was a lone participant in NOT moving and bore the  
78 entire cost- similar to when we allowed early voting/one stop/all options- we bore the entire cost. So if all others  
79 move and you do not, you'll bear the entire cost. Early voting/mail in options and all other options will be available  
80 in general elections. Our letter of intent to fund arrived Feb 4. \$5.335M for water rehab. Our process begins with  
81 "what do we need to do, and in what order?" We'll need to work up an RFQ through Water Advisory Board- next  
82 meeting March 8. Board Ethics training scheduled for Feb 21 in New Bern. Town Hall closed Feb 12- Staff  
83 vacation day. Planning Board rescheduled from Feb 21 to Feb 14. Personnel (Cox's) out of town from tomorrow  
84 through the 12. We'll all be here the 13<sup>th</sup>, then Mgr will be out until the 21<sup>st</sup>.  
85  
86 Researching a new payroll module for replacing the one that is sunsetting. Have looked into ADP and Paychex.  
87 Our liaison with NCLM who was a finance/HR person and she advised against- overly complicated and rarely spits  
88 out desired reports. Cost offered is basic- each add on was very expensive- adding up to more than previous. Can  
89 only be accessed electronically- not by paper or timeclock. Someone would still have to do that and we do not have  
90 all staff on paid phones. We're looking for no less than what we already have. Current financial offers a replacement  
91 module. \$8K, back up, move over, seamless. ADP will not backup and keep older records. New module \$8,200  
92 now and then \$200 additional/month over what we pay currently. Dan Allen notes none of them will make an  
93 access portal to old data. ADP requires one very long journal entry (Tammy estimates an hour). Mgr notes we want  
94 similar service without additional tasks. Integration takes almost a year and old system sunsets March 2025. Dan  
95 Allen was asked to check into Paychex- \$71/payroll- \$142/month- uses a third party for W-2s. specializes in small  
96 groups. They do not handle unemployment. The integration would have to be discussed. We will likely have an  
97 integration fee from paychex and an integration fee from Edmunds/GovTech. There are a few others, but he has not



98 heard of any of those prior. Adjusting entries have been forwarded by the auditor. CAMA asking for comment on  
99 shoaling and another issue- this is not the one with adding their rules to our Ordinances. Commissioner Roe and Mr.  
100 Szerlag as our rep to CRAC believes this is not the time.  
101  
102 Additional funds from Powell- \$5K- don't know if this is \$2500 per allocation or \$5K for each allotment. Still  
103 going rounds with the State on our permit- paid for in July still not forwarded. Now hitting Drew on testing sites  
104 that are not the same in their system. (Their error) Golden Leaf has solicited additional information on South Water  
105 St. USDA communication forwarded. Town Dock- weakened from 2 unfunded events this summer and inspection  
106 was scheduled. This is what your unrestricted unreserved/HWAC Occ Tax reserve is for- we can pay ahead and  
107 recover from FEMA when funded. If not funded, it's on us, but I have applied for grant funding for this project  
108 from flood mitigation opportunities with NC Dept of Public Safety. Discussed FEMA assistance to parts of Carteret  
109 due to being harder hit.  
110  
111 New build at Neuse and 1<sup>st</sup>- trees suffering due to swale that stays full. Between PW Director and Dr. Miller,  
112 removal of diseased trees, fill of the swale will direct runoff straight to the duck ponds and save replacement trees.  
113  
114 Appointment: Planning Board is asking that you appoint Mr. Pete Flood to its membership with the vacancy created  
115 by the move from Mr. Quigley to being a part time resident. The Town is grateful to Mr. Quigley for his diligent  
116 thoughtfulness on some very difficult issues that have come in his tenure on the Board. Commissioner Overcash  
117 makes a MOTION to accept the recommendation and appoint Mr. Flood to the Planning Board. Commissioner Roe  
118 seconds. 5-0.  
119  
120 Police Reports: There are two Police Reports- December and January- noting that we did not meet in January for a  
121 regular meeting, so today you have both. Citations number is higher due to Officer Wichrowski's increased time on  
122 radar. He noted that the point is to enforce compliance with speed limits, but one was cited for drug paraphernalia as  
123 well. So it is an added benefit to speed patrols- getting the drugs out. Question on placement of speed sign. Have  
124 not been collecting data- problem areas have been identified(Commissioner Overcash). Biggest one is coming off  
125 the bridge. Also, Police enforce dock overstaying, unacceptable behavior on our docks. Percentage of increase in  
126 dock enforcement (Commissioner Crosser)? Usually at the end of the season, we might have more drifters- more  
127 causing problems- coming back and overstaying again. We need to handle the enforcement with the thought of how  
128 we treat visitors gets out.  
129  
130 Auxiliary Board reports: Marsha-Tourism: Brochures being printed- should take to end of budget. Looking for new  
131 members. Jim Blackerby for HWAC: thanks for moving quickly on the dock repair issue. Appreciate David's work  
132 on CRAC and Dan's work on active projects list. Whittaker Creek's dredge extended a year. Part of that is waiting  
133 for the spoils to dewater and be removed. Commissioner Roe inquires about the lift operability. Contractor inbound  
134 for fix. Schedule upended for high water, once for access and scheduling at the contractor. Allison: Planning:  
135 working on the complete list of STRs, to increase enforcement. Some are LUPs and some are SUPs, depending on  
136 zone. Parks and Rec will have some projects coming up.  
137  
138 Commissioner Comments: Commissioner Roe: Sign rusted near Public Restroom- doesn't say anything. Please  
139 remove. MPT Price- ferry schedule: no after 7PM until Mar 25. Paint drop off and Hazmat drop-offs under Town  
140 events. Commissioner Overcash in discussion with Commissioner Roe discussed moving meeting time. Asks where  
141 we are- trial period starting March, but not finalized. Allison notes that Town Dock would run the poll after today's  
142 meeting, so that you will have it for the March meeting. Schedule to be left in place until March for the group using  
143 the room. Commissioner Litzenberger asks how the poll will look. MPT Price does not want us in the habit of  
144 voting on things that come up under Commissioner Comments or Mgr Report- the public doesn't know about those  
145 items. Commissioner Roe- can see that State Reps respond to us- can see the results in the Powell adjustment. The  
146 ferry- as a work option- go to your representatives about no notice given for reduction in service, likely moving

147 toward fee for ferry service. Also- please consider Minutes- writing long Minutes vs what HAS to be done- we have  
148 to report on actions. Trying to eliminate work- we can shorten minutes. Commissioner Overcash says we had that  
149 and we can't find a good balance that allows us to understand what happened in the meeting. Commissioner Roe-  
150 speeding: people walking in street, people will get hit if we don't get it under control. Support Police efforts to take  
151 speeding into and around Town down. Mayor: Chinese New Year Saturday, March 1-3 Town's birthday!

152  
153 Commissioner Crosser- financial liaison report- had been in place 2009-2013. Scope was approved by attorney.  
154 Information is historical information. Doing this because we are under UAL. Told to put in new processes,- review  
155 balance sheets reconciliations, credit card statements, mileage records gas receipts- no fraud indicated. Good  
156 spreadsheet- miles on equipment. Intending to speak with Manager items that are not fraud, not improper, just  
157 management issues. Commissioner Litzenberger- duties have not been sent to me- heard rumblings around town  
158 about reducing staff- very concerning- feel like staff is different- feel like they are being micromanaged. Discussed  
159 the flow chart from the Ethics flowchart- and would love you to assuage my fear. Commissioner Crosser says there  
160 are other issues, that the auditor has called out. Not talking to anybody- just asking for statements and giving them  
161 back. Bank interpretation was difficult, asked for a legend. Gas receipts were not in that place. Have asked for  
162 documents and staff tells me when they can be available. Cannot be held for rumors and gossip. I do not talk to  
163 staff. We were charged to do this because we are on the UAL. Further discussion on cutting/not cutting town staff.  
164 Question from audience- discrepancies. Late audit- audit firm turnover, deficit in capital project fund \$490K, grant  
165 proceeds coming to reimburse. Software issues on consecutive audit. Questions allowed. Grant cycles not aligned  
166 with fiscal years. Noted in the report. Mayor Belangia cuts off discussion.

167  
168  
169 MPT Price makes the MOTION to adjourn. Commissioner Overcash seconds. 5-0.

170  
171 Next meeting scheduled: Town Board March 5, 8AM- Town Regular Meeting

172  
173

174 \_\_\_\_\_  
Sally Belangia , Mayor

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

176  
177 Approved , 2024

178

## RESOLUTION ADOPTING A CODE OF ETHICS FOR THE ORIENTAL

### BOARD OF COMMISSIONERS

Whereas, the proper operation of democratic government requires that public official be independent, impartial and responsible to the people; and

Whereas, government decisions and policy must be made in proper channels of the governmental structure; and

Whereas, the public office must not be used for personal gain; and

Whereas, the public must have confidence in the integrity of its government; and in recognition of these goals,

BE IT HEREBY RESOLVED by the Board of Commissioners of the Town of Oriental, North Carolina that the following is adopted:

### CODE OF ETHICS FOR THE ORIENTAL MAYOR AND BOARD OF COMMISSIONERS

The stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon the public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people. Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure. The purpose of this code is to establish guidelines for ethical standards of conduct for the Mayor and Board of Commissioners and all references herein to the Board of Commissioners shall be understood to include the Mayor. It should not be considered a substitute for the law or a Board of Commissioners member's best judgment.

Board of Commissioners members must be able to act in a manner to maintain their integrity and independence yet must be responsive to the interests and needs of those they represent. Board of Commissioners members serve in an important advocacy capacity in meeting the needs of their citizens and should recognize the legitimacy of this role as well as the intrinsic importance of this function to the proper functioning of representative government. At the same time, Board of Commissioners members must, at times, act in an adjudicatory or administrative capacity and must, when doing so, act in a fair and impartial manner. Board of Commissioners members must know how to distinguish these roles and when each role is appropriate and they must act accordingly. Board of Commissioners members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each Board of Commissioners member must find within his or her own conscience the touchstone on which to determine appropriate conduct.

## **Article I**

### **A Board of Commissioner Member Shall Obey the Law**

Board of Commissioners members shall support the Constitution of the United States, the Constitution of North Carolina and the laws enacted by the Congress of the United States and the General Assembly pursuant thereto. Members specifically acknowledge and agree to comply with the requirements of NCGS §14-234 entitled "Public officers or employees benefiting from public contracts; exceptions."

## **Article II**

### **A Board of Commissioners Member Should Uphold the Integrity and Independence of His or Her Office**

Board of Commissioners members should demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all their public activities in order to inspire public confidence and trust in town government. Board of Commissioners members should participate in establishing, maintaining, and enforcing, and should themselves observe, high standards of conduct so that the integrity and independence of their office may be preserved. The provisions of this Code should be construed and applied to further these objectives.

## **Article III**

### **A Board of Commissioners Member Should Avoid Impropriety and the Appearance of Impropriety in All His or Her Activities**

It is essential that town government attract those citizens best qualified and willing to serve. Board of Commissioners members have legitimate interests-economic, professional and vocational-of a private nature. Board of Commissioners members should not be denied, and should not deny to other Board of Commissioners members or citizens, the opportunity to acquire, retain and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Board of Commissioners members must exercise their best judgment to determine when this is the case.

Board of Commissioners members should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity of the office of Board of Aldermen and of town government.

Board of Commissioners members should not allow family, social, or other relationships to unduly influence their conduct or judgment and should not lend the prestige of the office of Board of Commissioners to advance the private interests of others; nor should they convey or permit others to convey the impression that they are in a special position to influence them. Board of Commissioners members shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

In accordance with Section 23 of the Town Charter, the Mayor or any member of the Board of Commissioners who has an interest in any official act or action before the Board shall publicly disclose on the record of the Board the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the Board pursuant to NCGS §160A-75.

#### **Article IV**

#### **A Board of Commissioners Member Should Perform the Duties of the Office Diligently**

Board of Commissioners members should, while performing the duties of the office as prescribed by law, give precedence to these duties over other activities. In the performance of these duties, the following standards should apply:

##### **A. Legislative Responsibilities**

1. Board of Commissioners members should actively pursue policy goals they believe to be in the best interests of their constituents within the parameters of orderly decision-making, rules of the Board of Commissioners and open government.
2. Board of Commissioners members should respect the legitimacy of the goals and interests of other Board of Commissioners members and should respect the rights of others to pursue goals and policies different from their own.

##### **B. Adjudicative Responsibilities**

1. Board of Commissioners members should be faithful to the general and local laws pertaining to the office and strive for professional competence in them. They should be unswayed by partisan interests, public clamor, or fear of criticism.
2. Board of Commissioners members should demand and contribute to the maintenance of order and decorum in proceedings before the Board of Commissioners.
3. Board of Commissioners members should be honest, patient, dignified and courteous to those with whom they deal in their official capacity, and should require similar conduct of their staff and others subject to their direction and control.
4. Board of Commissioners members should accord to every person who is legally interested in a proceeding before the Board full right to be heard according to law.
5. Board of Commissioners members should dispose promptly of the business of the town for which they are responsible.



### C. Administrative Responsibilities

1. Board of Commissioners members should clearly distinguish legislative, adjudicatory and administrative responsibilities and should refrain from inappropriate interference in the impartial administration of town affairs by town employees. Board of Commissioners members should diligently discharge those administrative responsibilities that are appropriate, should maintain professional competence in the administration of these duties and should facilitate the diligent discharge of the administrative responsibilities of fellow Board of Commissioners members and other town officials.
2. Board of Commissioners members should conserve the resources of the town in their charge. They should employ town equipment property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
3. Board of Commissioners members should require town employees subject to their direction and control to observe the standards of fidelity and diligence that apply to Board of Commissioners members as well as those appropriate for employees.
4. Board of Commissioners members who become aware of improper conduct by a town employee should promptly inform the Administrator, or, in the case of a Town employee who reports directly to the Board, initiate appropriate disciplinary measures.
5. Board of Commissioners members should not employ or recommend the appointment of unnecessary employees and should exercise the power of employment only on the basis of merit, avoid favoritism and refrain from illegal discrimination and nepotism. They should not approve compensation of employees beyond the fair value of services rendered.

### **Article V**

#### **A Board of Commissioners Member Should Conduct the Affairs of the Board of Commissioners in an Open and Public Manner**

Board of Commissioners members should be aware of the letter and intent of the State's Open Meetings Law, should conduct the affairs of the Board of Commissioners consistent with the letter and spirit of that law and consistent with the need to inspire and maintain public confidence in the integrity and fairness of town government and the office of Board of Commissioners. Consistent with this goal of preserving public trust, Board of Commissioners members should be aware of the need for discretion in deliberations when the lack of discretion would pose a threat to the resources of the town, to the reputation of current or potential town employees, to orderly and responsible decision making, to the integrity of other governmental processes or to other legitimate interests of the town.

## Article VI

### **A Board of Commissioners Member Should Regulate His or Her Extra Governmental Activities to Minimize the Risk of Conflict with His or Her Official Duties**

1. Board of Commissioners members should inform themselves concerning campaign finance, conflict of interest and other appropriate state and federal laws and should scrupulously comply with the provisions of such laws.
2. Board of Commissioners members should refrain from financial and business dealings that tend to reflect adversely on the Board or on town government or to interfere with the proper performance of official duties.

3. Board of Commissioners members should manage their personal financial interests to minimize the number of cases in which they must abstain from voting on matters coming before the Board.
4. Information acquired by Board of Commissioners members in their official capacity should not be used or disclosed in financial dealings or for any other purpose not related to official duties.

## **Article VII**

### **A Board of Commissioners Member Should Refrain from Political Activity Inappropriate to His or Her Office**

1. Board of Commissioners members have a civic responsibility to support good government by every available means, to continue to inform and educate the citizenry about the affairs and processes of town government, and to make themselves available to citizens of the town so that they may ascertain and respond to the needs of the community. In doing so, Board of Commissioners members may and should join or affiliate with civic organizations whether partisan or non-partisan, may and should attend political meetings, may and should advocate and support the principles or policies of civic or political organizations consistent with the Constitution and laws of the United States and North Carolina.
2. Candidates for the office of Board of Commissioners, including incumbents:
  - A. Should inform themselves concerning the laws of this state with regard to campaigns and relevant disclosure requirements and should scrupulously comply with the provisions of such laws;
  8. Should maintain the dignity appropriate to the office, and should encourage members of their families to adhere to the same standards of political conduct that apply to Board of Commissioners;
  - C. Should not make pledges or promises of conduct in office that they will not or cannot perform or would be illegal if it were performed;
  - D. Should not misrepresent their identity, qualifications present position, or other fact; and
  - E. Should avoid pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office.

#### **BE IT FURTHER RESOLVED** that:

1. A violation of this Code of Ethics may subject a Mayor/Commissioner to a censure Resolution by the Oriental Board of Commissioners; however, no such censure resolution shall be adopted until the person alleged to have committed the violation has been given notice of the alleged violation and provided with the opportunity to appear before the Board and be heard regarding the allegation.

2. When a Mayor/Commissioner has a question as to the applicability of this code to a particular situation, he or she may apply, orally or in writing, to the Town Attorney for advisory guidance. Upon receipt of a request for advisory guidance and based only upon the information given to the Town Attorney, the Town Attorney will provide advisory guidance to the Mayor/Commissioner. In the Town Attorney's discretion, he may retain outside legal counsel to advise him in connection with any request for advisory guidance. In no event will the Town Attorney's advisory guidance excuse a Mayor/Commissioner from complying with the Code of Ethics or other applicable law.

**ADOPTED THIS 5<sup>th</sup> Day of March, 2024**

\_\_\_\_\_  
**Mayor Sally Belangia**

**Attest:**

\_\_\_\_\_  
Diane Miller, Clerk to the Board

# Resolution 2024-04

## Arbor Day Proclamation

- Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- Whereas,* the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas,* Arbor Day is now observed throughout the nation and the world, and
- Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
- Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I Sally Belangia, Mayor of the Town of Oriental, North Carolina, do hereby proclaim April 6, 2024, as

# Arbor Day

In the Town of Oriental, North Carolina and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further,* I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

*Dated* this fifth day of March in the year 2024

Mayor \_\_\_\_\_