Manager's Report

Period Covered April 1, 2021- April 30, 2021

Submitted by: Diane Miller, Manager

1. Financial records attached – YTD
2. Upcoming Events: May 8, shred event at Courthouse, bulk waste pickup, May 15- HazMat dropoff at Courthouse.
3. Potential for new property to be requesting annexation off Silverbrook Rd. Remember requirement to get tapped onto our water system is petition for annexation. Potential multi-family development. 3% satellite currently.
4. AEDs installed at 5 restaurants/coffee house from NC Community Foundation (Dottie Gray) grant. Training is coming shortly.
5. Additional planting scheduled for 2nd/3rd week of May. Permit for jetty denied.
6. SB349 (Increasing Housing Opportunities)On April 26 was re-referred to Finance, if favorable review, re-ref to Judiciary, if favorable review, re-ref to Rules and Operations of the Senate. Many hoops.
7. SB 279 (Local Govt Regulate Navigable Waters) Apr 8- passed 3 readings in Senate, passed to House, passed 1st reading, Referred to Committee on Rules, Calendar, and Operations of the House.
8. Movement on projects at Rec Park to clean up, make ADA accessible, and provide new activity/space for use.
9. Powell corrections finished, signed, stamped, ready for 21-22 FY.
10. MOWING and the right-of-way 101. (Discussion about who is responsible for what)
11. Hurricane Prep- NWS issuing advisories early, meeting for preps with EM Team and presentation for residents.
12. Annual Consumer Confidence Report for our water system is posted on our website and the link to that report goes out in the note section of our water bills this month.
13. Demetrius Green and Thomas Jones just finished C-Distribution School and will sit for exam in August.

Coates' Canons Blog: Mowing the Grassy Strip

By David Lawrence

Article: https://canons.sog.unc.edu/mowing-the-grassy-strip/

This entry was posted on June 20, 2011 and is filed under Nuisance Abatement, Ordinances & Police Powers

A recent discussion among local government attorneys concerned whether a city may adopt an ordinance that requires abutting property owners to mow or otherwise maintain the grassy strip that often lies between a public sidewalk and the curb. The discussion was inconclusive, and because I was a part of it I thought I'd investigate any relevant case law. There wasn't much, but I've concluded that such an ordinance is valid. Actually I couldn't find *any* cases directly involving a grassy strip ordinance. But there are a great many cases involving a comparable sort of ordinance – one that requires the abutter to clear and maintain the sidewalk itself, and especially to clear ice and snow from the sidewalk within a specific number of hours after a storm. This sort of ordinance has been almost universally upheld, beginning long ago with an influential 1835 decision from the Supreme Judicial Court of Massachusetts. In *In re Goddard* (16 Pick. 504) the long-time chief justice of that court, Lemuel Shaw, concluded that an abutter enjoys a special interest in and special benefits from the sidewalk abutting his or her property and therefore Boston was reasonable to impose on the abutter the duty of clearing ice and snow. Abutters, the court noted, are so placed "that they can most promptly and conveniently perform" the obligation. This case has been widely followed and was endorsed by Thomas Cooley, in his treatise on constitutional law, and John Dillon, in his on municipal corporations.

There has been no North Carolina case in which an ice-and-snow ordinance was attacked as invalid, but in *Browder v. City of Winston-Salem* (231 N.C. 400, 1950) the court suggested that adoption and enforcement of such an ordinance would tend to show that the adopting city had taken appropriate steps to fulfill its duty to maintain safe passage on city sidewalks. (In that regard, it should be noted that the courts are also almost unanimous in holding that adoption of such an ordinance *does not* transfer to the abutter the city's liability for injuries arising from icy sidewalks, including the North Carolina supreme court in *Hartsell v. City of Asheville* (164 N.C. 193, 1913). Of course, if an abutter creates a dangerous situation, such as excavating under the sidewalk so that it collapses, that person can be held liable for any injury resulting from the situation.)

Getting back to the grassy strip, it is normally part of the street easement; indeed, a number of courts have specifically held it is part of the sidewalk (e.g., *Labruzza v. Boston Ins. Co.*, 198 So.2d 436 – La. App. 1967). Chief Justice Shaw's rationale in support of Boston's ice and snow ordinance seems to apply as well to an ordinance requiring an abutter to mow and otherwise maintain such a strip – the abutter also has a special interest in and gains benefit from the strip, both in providing access to the abutting property and in promoting the aesthetics of that property. In addition, the clear validity of city ordinances requiring periodic mowing of vacant lots, and the more recent judicial endorsement of ordinances adopted for aesthetic purposes, each provide additional support for grassy-strip ordinances. For all these reasons they seem an appropriate and reasonable exercise of a city's police power.

David Lawrence is retired from the faculty of the School of Government. For questions about the subject of this blog post, please refer to our **list of faculty expertise** to identify the appropriate faculty member to contact.

Links

- www.sog.unc.edu/node/1553

2020 Annual Drinking Water Quality Report
Town of Oriental

Water System Number: **NC 04-69-020**

We are pleased to present to you this year's Annual Drinking Water Quality Report. This report is a snapshot of last year's water quality. Included are details about your source(s) of water, what it contains, and how it compares to standards set by regulatory agencies. Our constant goal is to provide you with a safe and dependable supply of drinking water. We want you to understand the efforts we make to continually improve the water treatment process and protect our water resources. We are committed to ensuring the quality of your water and to providing you with this information because informed customers are our best allies. **If you have any questions about this report or concerning your water, please contact Diane Miller at 252-249-0555. We want our valued customers to be informed about their water utility. If you want to learn more, please attend any of our regularly scheduled meetings. They are held at town hall the first Tuesday night of the month at 7:00 PM.**

What EPA Wants You to Know

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Oriental is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at http://www.epa.gov/safewater/lead.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife; inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming; pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses; organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water, which must provide the same protection for public health.

When You Turn on Your Tap, Consider the Source

The water that is used by this system is groundwater wells around town.

Source Water Assessment Program (SWAP) Results

The North Carolina Department of Environmental Quality (DEQ), Public Water Supply (PWS) Section, Source Water Assessment Program (SWAP) conducted assessments for all drinking water sources across North Carolina. The purpose of the assessments was to determine the susceptibility of each drinking water source (well or surface water intake) to Potential Contaminant Sources (PCSs). The results of the assessment are available in SWAP Assessment Reports that include maps, background information and a relative susceptibility rating of Higher, Moderate or Lower.

The relative susceptibility rating of each source for Oriental was determined by combining the contaminant rating (number and location of PCSs within the assessment area) and the inherent vulnerability rating (i.e., characteristics or existing conditions of the well or watershed and its delineated assessment area). The assessment findings are summarized in the table below:

Susceptibility of Sources to Potential Contaminant Sources (PCSs)

Source Name	Susceptibility Rating	SWAP Report Date
Well # 1A	Moderate	September 10, 2020
Well # 2	Lower	September 10, 2020

The complete SWAP Assessment report for Oriental may be viewed on the Web at: https://www.ncwater.org/?page=600 Note that because SWAP results and reports are periodically updated by the PWS Section, the results available on this web site may differ from the results that were available at the time this CCR was prepared. If you are unable to access your SWAP report on the web, you may mail a written request for a printed copy to: Source Water Assessment Program – Report Request, 1634 Mail Service Center, Raleigh, NC 27699-1634, or email requests to swap@ncdenr.gov. Please indicate your system name, number, and provide your name, mailing address and phone number. If you have any questions about the SWAP report please contact the Source Water Assessment staff by phone at 919-707-9098.

It is important to understand that a susceptibility rating of "higher" does not imply poor water quality, only the system's potential to become contaminated by PCSs in the assessment area.

Help Protect Your Source Water

Protection of drinking water is everyone's responsibility. We have implemented the following source water protection actions: You can help protect your community's drinking water source(s) in several ways: (examples: dispose of chemicals properly; take used motor oil to a recycling center, volunteer in your community to participate in group efforts to protect your source, etc.).

Water Quality Data Tables of Detected Contaminants

We routinely monitor for over 150 contaminants in your drinking water according to Federal and State laws. The tables below list all the drinking water contaminants that we detected in the last round of sampling for each particular contaminant group. The presence of contaminants does not necessarily indicate that water poses a health risk. **Unless otherwise noted, the data presented in this table is from testing done January 1 through December 31, (2020).** The EPA and the State allow us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year. Some of the data, though representative of the water quality, is more than one year old.

Unregulated contaminants are those for which EPA has not established drinking water standards. The purpose of unregulated contaminant monitoring is to assist EPA in determining the occurrence of unregulated contaminants in drinking water and whether future regulations are warranted.

Important Drinking Water Definitions:

Action Level (AL) - The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Treatment Technique (TT) - A required process intended to reduce the level of a contaminant in drinking water.

Maximum Residual Disinfection Level (MRDL) – The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfection Level Goal (MRDLG) – The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

Locational Running Annual Average (LRAA) – The average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters under the Stage 2 Disinfectants and Disinfection Byproducts Rule.

Level 1 Assessment - A Level 1 assessment is a study of the water system to identify potential problems and determine (if possible) why total coliform bacteria have been found in our water system.

Level 2 Assessment - A Level 2 assessment is a very detailed study of the water system to identify potential problems and determine (if possible) why an E. coli MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.

Maximum Contaminant Level (MCL) - The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG) - The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Tables of Detected Contaminants

Inorganic Contaminants Inorganic Contaminants

Contaminant (units)	Sample Date	MCL Violation Y/N	Your Water	Range Low High	MCLG	MCL	Likely Source of Contamination
Fluoride (ppm)	12/31/2020	N	0.447	N/A	4	4	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories

Unregulated Inorganic Contaminants

Contaminant (units)	Sample Date	Your Water (average)	Range Low High
Chloride	9/30/2020	19.5	15.0 - 24.0

Lead and Copper Contaminants

Contaminant (units)	Sample Date	Your Water	# of sites found above the AL	MCLG	MCL	Likely Source of Contamination
Copper (ppm) (90^{th} percentile)	8/7/2019	1.02	0	1.3	AL=1.3	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Lead (ppb) (90^{th} percentile)	8/7/2019	7.0	0	0	AL=15	Corrosion of household plumbing systems, erosion of natural deposits

Disinfectant Residuals Summary

	Year Sampled	MRDL Violation Y/N	Your Water (highest RAA)	Range Low	Range High	MRDLG	MRDL	Likely Source of Contamination
Chlorine (ppm)	2020	N	1.40	1.40	1.40	4	4.0	Water additive used to control microbes
Chloramines (ppm)	2020	N	2.34	0.58	3.10	4	4.0	Water additive used to control microbes

Stage 2 Disinfection Byproduct Compliance - Based upon Locational Running Annual Average (LRAA)

Disinfection Byproduct	Year Sampled	MCL Violation Y/N	Your Water (highest LRAA)	Range Low	Range High	MCLG	MCL	Likely Source of Contamination
TTHM (ppb)						N/A	80	Byproduct of drinking water disinfection
Location B01	2020	N	11.0	N/A				
Location B02			45.0					
HAA5 (ppb)						N/A	60	Byproduct of drinking water disinfection
Location B01	2020	N	24.0	N/A				
Location B02			40.0					

For TTHM: ***Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.***

For HAA5: ***Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.***

Other Disinfection Byproducts Contaminants

The PWS Section requires monitoring for other misc. contaminants, some for which the EPA has set national secondary drinking water standards (SMCLs) because they may cause cosmetic effects or aesthetic effects (such as taste, odor, and/or color) in drinking water. The contaminants with SMCLs normally do not have any health effects and normally do not affect the safety of your water.

Other Miscellaneous Water Characteristics Contaminants

Contaminant (units)	Sample Date	Your Water	Range Low	Range High	SMCL
Manganese (ppm)	3/23/2017	0.184	N/A		0.05 mg/L
Sodium (ppm)	12/31/2020	187.0	N/A		N/A
pH	12/31/2020	7.96	N/A		6.5 to 8.5

SB 349

Introduced in Senate | Senate | House | Governor

Mar 24, 2021

North Carolina Senate Bill
- 2021-2022 Session

Increase Housing Opportunities.

View Latest Bill Text (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S349v1.pdf)

Sign In to Follow (/accounts/signup/?next=/nc/bills/2021/SB349/)

BILL SUBJECTS

Economic Development | Housing | Infrastructure | Local Government | Local Ordinances | Municipalities | Planning & Zoning | Property | Public | Urban Development | Utilities | Water & Sewer Systems

ABSTRACT

BILL SPONSORS (3)

Chuck Edwards
Republican • Senator
- District 48

PRIMARY

(/person/chuck-edwards-dHOkTduJkkWfW9lQdfd7u/)

Paul Newton
Republican • Senator
- District 36

PRIMARY

(/person/paul-newton-7Adl6mqN7eABoJPGkbkqK1/)

Milton F. "Toby" Fitch, Jr.
Democratic • Senator
- District 4

COSPONSOR

(/person/milton-f-toby-fitch-jr-6AlMjSKbtXu1e3do1W46GS/)

Votes

No votes to display

Actions

APR 26, 2021	SENATE	Re-ref to Finance. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate
	SENATE	Withdrawn From Com
MAR 25, 2021	SENATE	Ref To Com On Rules and Operations of the Senate
	SENATE	Passed 1st Reading
MAR 24, 2021	SENATE	Filed

Bill Text

BILL TEXT VERSIONS	FORMAT
Filed	PDF (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S349v0.pdf)
Edition 1	PDF (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S349v1.pdf)

Related Documents

DOCUMENT	FORMAT
No related documents.	

Sources

Data on Open States is updated nightly from the official website of the North Carolina General Assembly (http://www.ncleg.net/).

If you notice any inconsistencies with these official sources, feel free to file an issue (https://github.com/openstates/issues/issues).

- http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2021&BillID=S349&votesToView=all (http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2021&BillID=S349&votesToView=all)

SB 279

Introduced in Senate	Passed Senate	House	Governor
Mar 11, 2021	Apr 01, 2021		

North Carolina Senate Bill
- 2021-2022 Session

Local Governments/Regulate Navigable Waters.

View Latest Bill Text (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S279v1.pdf)

Sign In to Follow (/accounts/signup/?next=/nc/bills/2021/SB279/)

BILL SUBJECTS

Boats & Watercraft | Bridgeton | Counties | Craven County | Emergency Services | Extraterritoriality | Lakes & Rivers | Law Enforcement | Local | Local Government | Municipalities | New Bern | Oriental | Pamlico County | Planning & Zoning | Transportation | Trent Woods | Water Resources

ABSTRACT

BILL SPONSORS (2)

Norman W. Sanderson
Republican • Senator
- District 2

COSPONSOR

(/person/norman-w-sanderson-3Xyd3CdQBiqlk7mLjkJZdP/)

Bob Steinburg
Republican • Senator
- District 1

COSPONSOR

(/person/bob-steinburg-35IYDcrY11yz62ylqal4IT/)

Votes

No votes to display

Actions

APR 08, 2021

HOUSE

Ref To Com On Rules, Calendar, and Operations of the House

HOUSE

Passed 1st Reading

APR 05, 2021

HOUSE

Regular Message Received From Senate

SENATE

Regular Message Sent To House

APR 01, 2021

SENATE

Passed 3rd Reading

SENATE

Passed 2nd Reading

MAR 31, 2021

SENATE

Reptd Fav

MAR 30, 2021

SENATE

Re-ref Com On Rules and Operations of the Senate

SENATE

Reptd Fav

MAR 15, 2021

SENATE

Re-ref to Agriculture, Energy, and Environment. If fav, re-ref to Rules and Operations of the Senate

SENATE

Withdrawn From Com

SENATE

Ref To Com On Rules and Operations of the Senate

SENATE

Passed 1st Reading

MAR 11, 2021

SENATE

Filed

Bill Text

BILL TEXT VERSIONS	FORMAT
Filed	PDF (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S279v0.pdf)
Edition 1	PDF (http://www.ncleg.net/Sessions/2021/Bills/Senate/PDF/S279v1.pdf)

Related Documents

DOCUMENT	FORMAT
No related documents.	

Sources

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If you notice any inconsistencies with these official sources, feel free to file an issue (https://github.com/openstates/issues/issues).

- http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2021&BillID=S279&votesToView=all (http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2021&BillID=S279&votesToView=all)