

**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**FEBRUARY 9, 2009**  
**7:00 P.M.**

**CALL TO ORDER**

Mayor Jeff Holt called a regular meeting of the Pine Level Board of Commissioners to order at 7:00 p.m. on Monday, February 9, 2009 at the Pine Level Town Hall.

**ROLL CALL**

COMMISSIONER KAREN ANDERSON  
 COMMISSIONER JIMMY GARNER  
 COMMISSIONER ANTHONY GUDAC  
 COMMISSIONER PHIL PITTMAN  
 MAYOR JEFF HOLT

**STAFF PRESENT**

Town Attorney Frank Wood, Consultant Dan Simmons, Zoning/Subdivision Administrator Dave Holmes, Police Chief Keith Sparks, Public Works Supt. Ray Stuckey, Town Clerk Sharon Thompson

**INVOCATION AND PLEDGE**

Commissioner Gudac gave the invocation and Commissioner Garner led the Pledge of Allegiance. Mayor Holt then welcomed everyone to the meeting.

**APPROVAL OF AGENDA**

ADDITIONS: 10. B. Finances (PP)

CHANGE: move discussion on post office after public comment (JH)

*MOTION TO ADOPT:* Gudac  
*SECOND:* Garner  
*VOTE:* unanimous

**APPROVAL OF MINUTES: 01-12-09**

*MOTION TO APPROVE:* Pittman  
*SECOND:* Anderson  
*VOTE:* unanimous

**PUBLIC COMMENT**

Mayor Holt asked if anyone had comments to make on non-agenda items. Nester McClain once again reminded the board of his request for a sidewalk on South Peedin Avenue. Terry Rains said he would like to see a sidewalk on US Highway 70-A from the stoplight to the grocery store. Commissioner Garner said he also received another request for a sidewalk.

**POST OFFICE ISSUE**

Next the board addressed the issue concerning postal service inside Pine Level. Mayor Holt introduced Mrs. Tammy Newsome, the new postmistress at Pine Level Post Office. He said he has talked with Mrs. Newsome and with her supervisor, Chris Span, who is postal operations manager. He said Mrs. Newsome attended tonight's meeting so she could hear the concerns over mail service and take them back to the proper postal authorities. Mayor Holt said

one issue involves the many residents in Pine Level that receive their mail at a Selma mail address. The mayor said the town receives many funds that are based on population count and the town could be losing revenues on the Selma postal addresses. He said many of the new subdivisions in town have started putting up mailboxes for new residents to receive their mail using a Selma mailing address.

Terry Rains said he has a Selma address at both his house and the car sales lot. Commissioner Anderson asked how the addressing comes about and she said she has to type in Selma to find her own Pine Level address. Commissioner Gudac agreed that he also had trouble receiving a part when using his Pine Level address. Mayor Holt said Pine Level was already part of the Selma telephone exchange, and the board needs someone to explain how to make changes. Commissioner Gudac said he counted 160 residential boxes in town. He said at one time Pine Level would not allow mailboxes on town streets and restricted them to state roads. Mayor Holt said it was his concern that all citizens in Pine Level be accounted for, and have Pine Level addresses. Commissioner Anderson noted that her brother also had problems with getting his medicine delivered, because of his address.

Mayor Holt said the postal service lost huge sums of money last year and the chance for getting a carrier might be slim or none. Tammy Newsome advised the board to ask for a rural delivery, not a city delivery. Tracy Harned asked about the requirement to do a survey of local citizens to see if they are interested in local delivery and the need for 50% approval. She asked why the survey couldn't be carried out, because some citizens had been asking for a change in the mail system for over a year. Mrs. Newsome said she was not familiar with a survey requirement, but Mrs. Harned said that was what the former postal representative advised. Mayor Holt said that might be a later step in the process after the post office determines that a carrier is indeed needed. He asked Mrs. Newsome to inquire as to what needs to take place in Pine Level.

Commissioner Anderson asked about delivery inside the city; she asked if residents in new subdivisions get a choice to get a post office box or either rural delivery. Sal Navarro said he was advised at the post office that he could rent a box or get his mail on a Selma delivery. Kester Kornegay commented that the town should stay with a rural delivery and not drop that. Nester McClain asked if the post office could handle the increase if all those people decided to get post office boxes instead of Selma delivery. Mrs. Newsome said that the post office must offer free delivery of mail, and that Pine Level citizens were getting that option, even though it was through a Selma delivery route. Mayor Holt again asked that Mrs. Newsome take back the concerns she heard tonight to her supervisor and request someone to attend the March board meeting that could provide some answers. He thanked her for coming tonight and wished her well in her new job. Commissioner Pittman commented that Mrs. Newsome had been very helpful at the post office and Commissioner Anderson agreed.

## **REPORTS FROM COMMITTEES**

**PLANNING BOARD:** Dave Holmes, Zoning/Subdivision Administrator, addressed the board concerning the final plat for Pine South Phase II (B) Subdivision. He said the developer has installed all of the improvements except some pavement on Quebec Drive, and he is submitting a letter of credit in the amount of \$6007.55 to cover that work. He is also to provide a one-year defect guaranty of \$171,008.75 to cover water, sewer, streets, and that should be received tomorrow at the town hall.

Mr. Holmes said the plat could be approved subject to receipt of those items. Dan Simmons has looked at the drawings and approved them and Dalton Engineering and Associates, PA, has certified the water system installation. The sewer installation has been certified, excepting the line between manhole #10 and manhole #11, which is at 0.32% grade, when the state requires 0.4% grade.

Dan Simmons said the state would not approve anything on an 8" line of less than 0.4% grade. He went on to say that this section of line has actually been installed since Phase I was installed, and if the town already took responsibility for that portion of line, then there is no problem. He explained that it pertains to the scour velocity of the line and if the grade is too minimal, the wastewater will slow down and cause stoppages in the line. State regulations require the effluent to flow at two feet per second. Commissioner Gudac did not think that the line in question belonged to the town, along with Phase I, and it was just a dead stub-out of the line. Mayor Holt asked if a map showed that portion as being part of Phase I. Commissioner Pittman questioned if the 0.4% grade was required at that time; Dan Simmons said it had been in effect for about 20 years, and the state will not let anything less slide by anymore. But, he said the line could be grandfathered in if part of Phase I. Dave Holmes said the town could be responsible for any problems with the line if that part was accepted in Phase I. Commissioner Gudac did not think that the plat showed that part of line.

Dan Simmons said the engineer is supposed to submit as-built plans to the state, but he included that old section in his certification. He suggested that the developer talk with his engineers and get them to take that portion of sewer line off of their certification, if it belonged to the town. Mayor Holt asked what kind of problems could that 150 foot section cause. Dan Simmons answered that there are sewer lines all over the world that are flatter than that line, but if it existed already under town ownership, then it belongs to the town. Mr. Simmons said construction often goes a little bit further and stubs out for future development. Wade Braswell, who is developing the property, said the pavement extended past the lots in Phase I. Ray Stuckey asked why didn't they just certify the part of sewer lines that they actually installed. Mayor Holt agreed that they should get their engineers to only certify the new part of the sewer system.

Commissioner Gudac then moved to accept the final plat as presented, with the stipulations as specified by the Planning Board, including the certifications, pavement, and bonds. Commissioner Pittman finally seconded the motion, for the sake of discussion. Commissioner Garner asked when did this issue come up. Dave Holmes said he first heard of it earlier today. Commissioner Anderson asked if the board has all the facts needed to make a decision. She asked if the town would have to go in and replace the 150 feet of sewer line. Commissioner Gudac said no, but they might have to jet it out more often. Dan Simmons said that if problems arise, it will be when there are just a couple of houses connected to the line, and that after it builds up, the greater number of houses will create a greater amount of wastewater and it will flow better through the line. The board then voted unanimously to approve the motion to approve the final plat.

*MOTION TO APPROVE:* Gudac

*SECOND:* Pittman

*VOTE:* unanimous

The board then considered a request filed by Mrs. Mina Gray Rains for rezoning property on South Peedin Avenue from HB to RS. A public hearing was set for the next meeting on Monday, March 9, 2009.

And finally, Mr. Holmes advised the board on a dilapidated house on West Main Street, owned by Connie Foster, who lives in Maryland. He said the county had already inspected the structure and condemned it, but the owners did not appear at the hearing, so the county said the town could now go ahead and tear down the house and place a lien on the property, if that is how the town would like to proceed. The town clerk reported that Mrs. Foster called the town hall earlier in the day, and said she received the notice but she did not have the funds to pay for tearing down the house at this time. Commissioner Gudac said that was not the only house in town in that condition, and if the town did it for one they would have to do it for all of them. Mayor Holt told Mr. Holmes to come back to the board with estimates on getting the house torn down and hauled away.

## **DEPARTMENT REPORTS**

**STREETS:** Commissioner Garner. Everything okay. Mentioned need to set aside funds for purchase of another garbage truck in the future.

**RECREATION:** Commissioner Anderson. Spring sports sign-up in process. Senior citizens to meet on February 11th. Reverse Raffle to be held on February 28th. In the process of getting quotes on developing land across Crescent Street into ball fields. Mayor asked about putting some kind of release statement on recreation sign-up forms, stating that parents will be held liable if their children damage property while they are participating in recreation programs. Frank Wood said he had seen language similar to that, and he said that parents are liable for their children's actions.

**WATER/SEWER:** Commissioner Gudac. Okay.

**POLICE:** Commissioner Pittman, Chief Sparks. Department to increase traffic checkpoints. More people seem to be driving around without driver's licenses. Noted that the brother of the police chief's wife passed away this week.

**FINANCES:** Mayor Holt. Office staff has been working with Revenue Enhancement Program that was approved by the board last month. Clerk said they have found some extra revenues from gas taxes and will be looking at franchise taxes.

## **REPORTS FROM STAFF**

Frank Wood reported that he had been doing some legal work on the water tank issue, and the land to be given by Legends Real Estate LLC.

**LOSS CONTROL SURVEY**

The board briefly noted the Loss Control Survey that came in from the NC League of Municipalities, who handles the town's workers compensation insurance. The clerk said a response would be due to them in thirty days on how the town will handle their suggestions or deal with problems they might have noted on the survey.

**ECONOMIC SITUATION**

Commissioner Pittman encouraged the board to be vigilant with the town's finances and see that collections are made and that the taxpayers' money is handled frugally.

**MEETING ADJOURNED**

There being no further business, at 8:10 p.m. the meeting was adjourned.

*MOTION:* Gudac  
*SECOND:* Pittman  
*VOTE:* unanimous

\_\_\_\_\_  
**TOWN CLERK**

\_\_\_\_\_  
**MAYOR**