



TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
MAY 10, 2012
7:00 P.M.

CALL TO ORDER

Mayor Jeff Holt called a regular session of the Pine Level Board of Commissioners to order at 7:00 p.m. on Thursday, May 10, 2012 at the Pine Level Town Hall.

ROLL CALL

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

STAFF PRESENT

Town Attorney Frank Wood, Consultant Dan Simmons, Police Chief Keith Sparks, Public Works Superintendent Ray Stuckey, Deputy Clerk Connie Capps, Town Clerk Sharon Thompson

INVOCATION AND PLEDGE

The mayor asked Mr. Nester McClain to give the invocation. Commissioner Gudac then led the Pledge of Allegiance.

APPROVAL OF AGENDA

ADDITIONS: 12. Change to Closed Session (JH)
to consider property disposition

DELETIONS:

MOTION TO APPROVE: Gudac

SECOND: Garner

VOTE: unanimous

APPROVAL OF MINUTES: 04-12-12

MOTION TO APPROVE: Pittman

SECOND: Garner

VOTE: unanimous

SPECIAL RECOGNITION

Mayor Holt then recognized Deputy Clerk Connie Capps, for having worked with the town since May 10, 1985. He presented her with a service pin and a gift certificate and thanked her for 27 years of service to the town. Mrs. Capps' husband, Ken, and two daughters, Kelly and Caitlin, were also in attendance at the meeting. All of those present honored Mrs. Capps with a round of applause for her years of service with the town.

PUBLIC COMMENT

The mayor then called for comment on any non-agenda items. He suggested that Mrs. Keri Christensen, representing HARBOR, might wish to address the board at this point, rather than waiting for a later agenda position. Mrs. Christensen readily agreed. She informed the board that HARBOR assisted 26 Pine Level residents in 2011. She said the average stay at HARBOR lasted 120 days, and they provide food, clothing, and legal assistance for their residents. She explained that HARBOR lost their funding this year for lost child advocacy; she said it was critical to work with children because they often repeat the cycle. Mrs. Christensen thanked the town for their past support of HARBOR and she said they would greatly appreciate any financial assistance from the town. Mayor Holt said it is budget time again and they would be happy to consider the request from HARBOR. He said that HARBOR provides valuable services and he thanked Mrs. Christensen for her work and for coming before the board with her request.

REPORTS FROM COMMITTEES

SENIORS: Mayor said he and Commissioner Pittman met last week with the Seniors Board of Directors and they talked with Council on Aging representatives about various activities the seniors could be involved with.

PLANNING BOARD: Randy Holloman, Nester McClain, and Terry Rains were in attendance from the Pine Level Planning Board. Mayor Holt said the board had a memo from the Planning Board, wherein they suggested that the board amend the town's Zoning Ordinance to address "Internet café" businesses that might want to locate within the town's zoning jurisdiction. Mr. Holloman said the Planning Board discussed the matter at their own meeting and came up with seven suggestions for the board to consider in regulating Internet café businesses. He said the Planning Board would like to see guidelines established on that type of business, and they based their suggestions on information received from the School of Government in Chapel Hill. He also said that the Planning Board recommended that the ordinance be amended on page 23 to require a special use permit for any gaming machines, so that both the town board and planning board would have to consider the request. Mayor Holt said it might be a good time to consider such regulations since no such business is currently in operation in town. He said the board would have to decide just how restrictive they want to be on such businesses in town. He asked what would be the next step and Mr. Holloman said they could call for a public hearing and proceed with amending the Zoning Ordinance. The mayor also directed the town attorney to review the information from the Planning Board and advise the board on how to proceed. The board unanimously agreed to call for a public hearing at the next regular meeting in June and to declare a moratorium on issuing any further permits for such businesses until such time as the ordinance amendment is approved.

MOTION: Garner

SECOND: Pittman

VOTE: unanimous

FIRE DEPARTMENT: Greg Johnson informed the board that Saturday, May 12th, would be Firemen's Day in Pine Level. They will have a bake sale, flower sale, prize raffle, hot dog lunch, etc. Tickets are \$20 and sales are coming along. Commissioner Gudac noted there would be a \$10,000 grand prize, guns, computer, TV, Kindle reader, a weekend for two, etc. to be given away. Mr. Johnson also reported that the fire department has ordered a new fire truck. Mayor Holt commented that he has received the budget request from the fire department and the board will be talking budget in the very near future.

DEPARTMENT REPORTS

RECREATION: In the absence of the recreation commissioner and recreation coordinator, Mayor Holt reported spring sports are underway. Planning is also underway for July Fourth, which will be held on Wednesday, July 4th. Softball tournaments are occurring on the weekends; there has been some concern expressed over the timing of the ballgames on the weekend.

Commissioner Gudac said they are supposed to furnish portable restrooms too, and they have not been meeting that requirement. He said there were 400 girls playing last weekend and there were only two bathrooms at the park. He said they even started a ballgame after midnight. Mayor Holt said those things definitely need to be plainly spelled out in an agreement with the tournament sponsors. Unanimously appointed three new members to the Pine Level Recreation Committee, Josh Adams, Benjamin Creech and Samantha Cutchins. Resolution of appointment included with and hereby made a part of these minutes by reference.

MOTION TO APPROVE: Gudac

SECOND: Garner

VOTE: unanimous

WATER/SEWER: Commissioner Gudac. Everything okay. Infiltration in town's sewer system has decreased, many damaged areas that were causing inflow have been repaired. Also working to replace water taps on Peedin Avenue.

STREETS: Commissioner Pittman. Everything going well. Warm weather approaching, grasses and weeds will be growing and will need to be maintained. Limbs hanging over street should be cut back. Dan Simmons reported that town is to receive a \$50,000 federal grant for sidewalks through the DOT. Town will be responsible for survey and plans, must not be paid out of the grant money. Town must certify to DOT that ROW is sufficient for sidewalk project. The town would then enter an agreement with the DOT and they would install the sidewalks, so the project would not have to be let out for bids. Mayor Holt said it would be a Powell bill expense. The board voted unanimously to proceed with the sidewalk project on South Peedin Avenue.

MOTION: Pittman

SECOND: Garner

VOTE: unanimous

POLICE: Commissioner Garner. Everything okay. Since police department wants to operate with a police auxiliary force, the town needs to adopt ordinance pursuant to NCGS 160A-282 (a) and (b), approving auxiliary and including them under the town's workers compensation insurance. Unanimously approved ordinance as provided by NCLM Risk Management Services. A copy is included with and hereby made a part of these minutes by reference.

MOTION TO APPROVE: Garner

SECOND: Gudac

MOTION: unanimous

UPDATE ON CABLE FRANCHISE

Frank Wood reported that he left a message for a Time Warner representative concerning the town's cable TV franchise. Mr. Wood said the town first granted a franchise in 1980 followed by a renewal in November 1993. He thought that the franchise would have expired in July 2010. He said the franchise fees have fallen off from over \$6,000 to only \$136 in the last check. He said it appeared that the franchise has expired. Mayor Holt asked Mr. Wood if the fees paid by Time Warner meant that other companies could not operate in town. Mr. Wood said that satellite TV had probably cut down on cable subscribers. Mayor Holt said Time Warner needs to come to a meeting and address the board if they wish to renew a franchise. Mr. Wood said he would try once again to contact Time Warner and advise them to come to a meeting.

EMERGENCY NOTIFICATION

Tabled until June to allow the board to gather more information.

USE OF OLD TOWN HALL BUILDING

Mayor Holt commented that at the last meeting, the board considered using the old building as a community library. Since that time, however, Commissioner Pittman talked with the county library and the county does not have the funds to facilitate such a venture.

TOWN HALL DAY

The mayor stated that Town Hall day would occur on Wednesday, June 6th and that the Town of Clayton will be hosting a dinner for Johnston County officials, with registration beginning at 6:00 p.m. at The Clayton Center. He asked the commissioners to notify the town clerk if they plan to attend the dinner, prior to the reply date of May 21st. He felt it was important for town officials to participate in the county events.

2012-2013 BUDGET

Mayor Holt distributed a budget document to the board members, to enable them to begin budget deliberations. He reviewed a few points of interest from the budget provisions, and he noted that the public could get a copy of the proposal next week, after the board has reviewed it. He said the tax rate remained \$.44 per hundred and fees remained constant, as well. He also commented that Johnston County is proposing slight water and sewer rate increases. He said that a provision was included for 3% salary increase for town employees and that health and property insurance stayed just about equal to the current year. He thought the board should schedule a night next week to meet and talk about the budget. He advised the board members to be prepared to bring up any necessary equipment purchases, etc. and a proposal for funding those expenditures. The board agreed to meet again on Thursday, May 17th at 6:30 p.m. to review the budget.

CLOSED SESSION

At 8:00 p.m. the board voted unanimously to enter closed session pursuant to NCGS 143.318.11(a)(5), to consider the disposition of municipal property.

MOTION: Gudac
SECOND: Pittman
VOTE: unanimous

All four board members attended the closed session, along with the town attorney and town clerk. After a discussion of only three minutes, the board resumed regular session and Mayor Holt made the following announcement. He said that they received an offer from Van Jones to purchase the old town hall building at 214 North Peedin Avenue for the purchase price of \$35,000, accompanied by a deposit of \$3500. The board voted unanimously to adopt a resolution to accept the offer pursuant to NCGS 160A-269, and to proceed as soon as possible with advertising the bid. A copy of the resolution is included with and hereby made a part of these minutes by reference.

MOTION: Gudac
SECOND: Garner
VOTE: unanimous

ANNOUNCEMENTS

Frank Wood said he just attended a meeting concerning the Salvation Army and he presented the mayor with a certificate of thanks for all of the board members' participation in the Salvation Army bell ringing campaign during the holiday season.

MEETING RECESSED

There being no further business the meeting was recessed until Thursday, May 16, 2012 at 6:30 p.m.

TOWN CLERK

MAYOR