



**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**JULY 9, 2015**  
**7:00 P.M.**

**CALL TO ORDER**

Mayor Pro Tem Phil Pittman called a regular meeting of the Pine Level Board of Commissioners to order at 7:00 p.m. on Thursday, July 9, 2015 at the Pine Level Town Hall.

**ROLL CALL**

COMMISSIONER KAREN ANDERSON  
 COMMISSIONER GREG BAKER  
 COMMISSIONER JIMMY GARNER  
 COMMISSIONER PHIL PITTMAN  
 MAYOR JEFF HOLT (on vacation)

**STAFF PRESENT**

Town Attorney Frank Wood, Engineer Gene Cobb and Consultant Dan Simmons, Recreation Coordinator Scottie Hayes, Public Works Supt. Ray Stuckey, Town Clerk Sharon Thompson

**INVOCATION AND PLEDGE**

The Mayor Pro Tem gave the invocation. He then asked Commissioner Garner to lead the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES: 06-11-15**

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

## **PUBLIC COMMENT**

Kester Kornegay asked how the fireworks turned out this year for the annual celebration on the Fourth. Mayor Pro Tem Pittman said he heard many good comments on the fireworks this year. Commissioner Anderson said everything went well on the Fourth and the fireworks were over twenty minutes.

## **REPORTS FROM COMMITTEES**

Nester McClain reported that the Seniors Group had a good meeting this week. Mayor Pro Tem Pittman said there was a good turn out and he thanked everyone who helped with the lunch. He said Greg Fishel, meteorologist with WRAL, did a great job and that he talked about his visit on the evening weather report.

The Fire Department reported that they will have two firemen on duty for more hours at the fire station, and they thanked the town for the financial contribution they give to the department. He also mentioned the color coding on the town's fire hydrants, which should help with ISO ratings for the residents. Mayor Pro Tem Pittman thanked the fire department for what they do in town and said the town would help the department out in any way possible.

## **REPORTS FROM DEPARTMENTS**

**POLICE:** Commissioner Garner. Everything okay. Still awaiting delivery of new police car. Encouraged citizens to call 9-1-1 and report any suspicious activity in their neighborhood.

**RECREATION:** Commissioner Anderson. July Fourth celebration went smoothly. Helped out with seniors meeting and lunch. Getting ready for fall sports. Would like to take down some pine trees in the area of the newer tennis courts. Mayor Pro Tem suggested that she get an estimate on how much it would cost to take down the trees for the next meeting. Large ballfield closed off for grass planting before the fall season arrives. Scottie Hayes reported that three Pine Level teams finished their baseball seasons in first place.

**STREETS:** Commissioner Baker. Dump truck broke down recently in Smithfield and had to be towed in and repaired. Talked with Mrs. Rosie Bagley, who resides on West Main Street, about the ditch behind her home. Ditch is shallow and water stands in it. Congratulations to Scottie Hayes for his work on the Fourth celebration; everything went well. Mayor Pro Tem reported that the drainage project on West Main Street has been confirmed with the railroad and the plans were approved. Jiles Harrell, with the NCDOT, said the project will be made top priority and should be underway soon. Commissioner Baker agreed to contact Mrs. Anne Crawford and let her know about the project.

**WATER/SEWER:** Mayor Pro Tem Pittman. One issue to consider, referred to Dan Simmons for explanation. Mr. Simmons said there is a manufacturer located on US Highway 70, owned by Clyde Hunt, that is experiencing a failure of their septic system, and they would like to tie onto the sewer line that Jimmy Starling installed to serve his mobile park. According to the capital reimbursement agreement that Mr. Starling has with the town, Mr. Hunt would have to pay Mr. Starling \$65,000 to tie onto the sewer line. He said the agreement has one exclusion, which says if a residence has a failure of their septic system, they would not have to pay a fee to Mr. Starling. He said there was a question over whether he would be excluded or not, since it is a business venture. And he asked if Mr. Hunt was indeed found to be liable, could he negotiate a lesser fee directly with Mr. Starling. Town Attorney Frank Wood said he would need to review the agreement before giving a decision on whether or not Mr. Hunt should benefit from the exclusion or if he would be liable to fully reimburse Mr. Starling. Commissioner Garner asked what did Mr. Starling think about the matter. Jimmy Starling responded that he felt the key word was "residence" and that he might agree to negotiate a lesser fee with Mr. Hunt. Mayor Pro Tem Pittman asked what property would be affected if the two systems were connected. Dan Simmons said there was one property between the two systems, but there were alternate routes that could be used. Mayor Pro Tem Pittman said it would be agreeable to him if Mr. Starling wanted to negotiate on the reimbursement agreement, as long as Mr. Wood gave the okay. Mr. Starling pointed out that Mr. Hunt could also repair his existing system, and that might be the best route. Dan Simmons said he had not talked with the county health department about the matter. Mr. Starling said the property that lies between the two systems would be the biggest problem. Mr. Wood said that on the face of the agreement, it does say "residence," but he would want to review it before giving a final decision. Mayor Pro Tem Pittman said they would continue to review the matter and try to arrive at the best decision for all concerned.

## **REPORTS FROM STAFF**

Nothing to consider at this time.

### **SPECIAL USE FOR HINNANT FAMILY VINEYARDS**

Mayor Pro Tem Pittman explained that the Hinnants have asked to modify a special use permit granted to them several years ago, to change their product line at the winery. Bob Hinnant said they would like to make and sell fortified wines, as well as offer beer for events using their rental facilities. He explained that they would like to produce Sherry, Madeira, and Port wines, which could contain up to 21% alcohol. He said they could purchase the alcohol or distill it themselves and add it to their unfortified wine to make the fortified product, and that would be their preferred method. Frank Wood said they would have to go through permitting with the county and get approval from the town. He said they already have state and federal approval. Mayor Pro Tem agreed to call for a public hearing on Mr. Hinnant's request at the next regular meeting in August. The board later gave unanimous approval to a motion to call for the hearing in August. Mayor Pro Tem Pittman said the winery was a great facility and the town was glad to have it in the community.

*MOTION:* Garner  
*SECOND:* Baker  
*VOTE:* unanimous

### **SEARCH GRANT FROM RDA**

Dan Simmons said he talked with the Rural Development (RD) and USDA, and they were eager to give the town \$30,000 in SEARCH grant funds, to do a study on the town's sewer system to locate the problems with inflow and infiltration. He read the Project Narrative from their Inflow Evaluation, explaining their plans for doing a study on the sewer system. He said the total cost would be \$34,500, of which \$4,500 would have to be paid by the town. He went on to say that the funds have to be obligated by August 14th, so they could not wait until the regular town meeting on Thursday, August 13th to take action. They asked that the town hold a special meeting or move the regular meeting up a week in August. Mr. Simmons said they need for the town to authorize the report so they would have a contract and they could send the paperwork in to RDA. The board agreed unanimously to reschedule the August meeting up one week to Thursday, August 6th.

*MOTION:* Baker  
*SECOND:* Anderson  
*VOTE:* unanimous

The board then voted unanimously to approve the \$34,500 contract with Triangle Civilworks, subject to approval by Frank Wood and Mayor Pro Tem Pittman.

*MOTION:* Baker  
*SECOND:* Garner  
*VOTE:* unanimous

Next, the board voted for the Mayor Pro Tem to sign the grant application, to be forwarded on to RDA as quickly as possible.

*MOTION:* Garner  
*SECOND:* Anderson  
*VOTE:* unanimous

### **REQUEST FOR REZONING**

The board then reviewed a request filed by Teresa Arthur, for rezoning of property on North Pine Street. Elliot and Richard Arthur were in attendance, representing the property owners. Mayor Pro Tem Pittman said the board would hold a public hearing on the request, at their next regular meeting on Thursday, August 6, 2015. He said the Planning Board would review the request at their meeting on July 23rd, and have a recommendation for the town board in August. The board unanimously approved a motion to call for a hearing on Thursday, August 6th.

*MOTION:* Garner  
*SECOND:* Baker  
*VOTE:* unanimous

**OTHER BUSINESS**

The board noted the financial report from the Pine Level Seniors Group, for the last fiscal year. The group remains in good financial standing. Mayor Pro Tem Pittman said the group still needs someone to come forward to head up the senior activities, as he hopes to see that group continue.

**MEETING ADJOURNED**

There being no further business to discuss, the meeting adjourned at 7:40 p.m.

*MOTION:* Garner

*SECOND:* Baker

*VOTE:* unanimous

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**TOWN CLERK**

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**MAYOR**