



A G E N D A
July 10, 2017
7:00 p.m.

1. Call to order and roll call
2. Invocation and Pledge of Allegiance
3. Approval of agenda
4. Approval of minutes: 06-12-17
5. Special presentation - employee
6. Public comment
7. Reports from committees
 - A. Appointment to Recreation Committee
 - B. Recommendations from Planning Board
8. Reports from departments
9. Reports from staff
10. Unfinished business
 - A. Major subdivision request – Ed Crumpler/Kyle Whitley
 - B. Other
11. New business
 - A. Request for rezoning – Arnold D. Turner
 - B. Resolution proposed by Princeton Mayor
 - C. Other
12. Mayor's minute
13. Announcements
14. Adjournment





TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
JULY 24, 2017
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, July 24, 2017 at the Pine Level Town Hall.

ROLL CALL

____ COMMISSIONER KAREN ANDERSON (death in family)
____ COMMISSIONER GREG BAKER (on vacation)
 X COMMISSIONER JIMMY GARNER
 X COMMISSIONER PHIL PITTMAN
 X MAYOR JEFF HOLT

STAFF PRESENT

Town Attorney Will Barham, Consultant Dan Simmons, Public Works Supt. Ray Stuckey, Planning Board Chairman Randy Jones, Recreation Coordinator Scottie Hayes, and Town Clerk Sharon Thompson

INVOCATION AND PLEDGE

Mayor Holt gave the invocation, remembering in particular the family of Commissioner Anderson, whose father recently passed away, and the family of Commissioner Garner, whose mother also recently passed away. The mayor then asked Town Attorney Will Barham to lead the Pledge of Allegiance.

AGENDA

ADDITION: Closed Session to discuss disposition of property (Holt)

MOTION TO APPROVE: Garner

SECOND: Pittman

VOTE: unanimous

MINUTES: 06-12-17

MOTION TO APPROVE: Garner

SECOND: Pittman

VOTE: unanimous

SPECIAL PRESENTATION

Mayor Holt then presented a Certificate of Achievement to Billie Kay Twigg, for reaching her 10th anniversary working full-time with the town. He said she has done an outstanding job with the town and he presented her with a certificate and gift card on behalf of the town. Everyone then gave Mrs. Twigg a round of applause and she expressed her appreciation.

PUBLIC COMMENT

The mayor asked if anyone wished to comment on a non-agenda item. Mrs. Vickie Capps, of 93 East Gordon Road, Selma, NC, was first to speak. Mrs. Capps commented that the developer of the 41 acres across in front of her residence recently unloaded a track hoe just down from her residence and drove it across the pavement and messed it up. She said it was a state road, and the DOT told her it was not scheduled for re-paving for two more years, and they told her to contact them if the contractors return. Mayor Holt said that would be a good idea for her to contact the town as well, if she sees them out there again, and the town could get someone to go out there. Mrs. Capps said she did call the town previously, and Scottie Hayes went right out there and she appreciated that.

Mayor Holt commented that Mrs. Anne Crawford had passed away since the last meeting, noting that Mrs. Crawford had come to the meetings many times and kept the board straight on issues affecting her community.

Mrs. Tonia Hill then said she would like to talk with the board about the need for a conditional use permit in reference to her plans for a new daycare center in front of the town hall. Mayor Holt said they could address that matter along with the planning issues.

APPOINTMENT TO RECREATION COMMITTEE

The board voted unanimously to appoint Terry Dale Johnson to a three year term on the Pine Level Recreation Committee. A copy of the Resolution of Appointment is included with and hereby made a part of these minutes by reference.

MOTION: Pittman

SECOND: Garner

VOTE: unanimous

RECOMMENDATIONS FROM PLANNING BOARD

Chairman Randy Jones advised the board that the Planning Board voted to recommend approval of the major subdivision for Edward Crumpler/Kyle Whitley in the ETJ, as directed by the town board at their last regular meeting. The board voted unanimously to approve the major subdivision plans as recommended.

MOTION: Pittman

SECOND: Garner

VOTE: unanimous

The chairman then mentioned the rezoning request for Arnold Turner, for his property on the eastern end of US Highway 70-A. He said the Planning Board would not recommend a rezoning of the property from RS to RA, because all the adjoining land is zoned RS and the uses in RA did not fit with the town's land use plan. He said Mr. Turner just wants to construct a building to store farm equipment, and it would be allowed in an RA district, although RS does not allow an accessory building on the property without a primary building. Mr. Turner said he wants to build a 24x40 building at the back of the property, but he does not want to build a house there. Commissioner Garner asked if he would want water and sewer, because he would then have to ask for voluntary annexation. Mr. Turner explained that he would want water to the building so he could have bathroom facilities. Mr. Jones stated that a memo was sent to the town attorney, to ask his opinion on whether or not Mr. Turner should be allowed to construct a building. Will Barham explained his opinion on the matter, quoting from pages 14 and 46 of the Zoning Ordinance, and the table in section 308. He felt that a building would be allowed that was of a nature subordinate to a possible future house that might be constructed on the property, as might be approved by the zoning administrator. He agreed that they should not approve spot zoning of the property, but he said that as an attorney he could make an argument for allowing the building. Mayor Holt commented that Greg Thomas had a similar request recently, and his request was denied, and he had to rezone his property. He ultimately felt that the matter was back in the hands of the Planning Board, and Mr. Turner should get the plans for whatever building he wanted to build and discuss it with the Zoning Administrator.

The third matter to come from the Planning Board was a request for the town attorney to attend Board of Adjustment meetings. Mr. Barham commented that he served at the pleasure of the board. The board voted unanimously to approve for Mr. Barham to attend Board of Adjustment meetings.

MOTION: Pittman
SECOND: Garner
VOTE: unanimous

Mrs. Tonia Hill, who resides at 368 East Gordon Road, and who operates Playmates Childcare, then addressed the board. She said that her contractor called the town on July 13th to request a zoning permit for a new daycare she plans to construct in front of the town hall. She said that Scottie Hayes contacted her and said she would need to file for a conditional use permit to construct a daycare facility. She explained that waiting until the next meeting on August 24th would put her plans behind schedule, and she asked if a special meeting could be held during the week of August 7th, in order to get her permits and proceed with construction plans. Mayor Holt said the town has the paperwork for her zoning permit as well as a conditional use permit, and she will come before the Planning Board this Thursday night on July 27th and make her case to the Board of Adjustment, and he asked how the town could assist with her development. Mrs. Hill said she talked with Scottie Hayes about a year ago and she thought a daycare could be constructed there with no problem. Randy Jones commented that he has not seen any plans for the proposed daycare, and he did not know how many board members would be available to meet early on her request. Mr. Barham said it would take 4/5 of the members to vote on her permit. Mr. Jones said it was not good business to schedule a special meeting and set a precedent. Randy Holloman asked if Mrs. Hill was saying the Planning Board was the hold-up, but she said no, she was just asking that a special meeting be held to move her plans along. Dan Simmons said the county had approved her grading plan, but not her building plans. Chairman Jones said they could try and schedule a meeting, and see if they would have enough members. Mayor Holt said he would like to see the Planning Board review her plans this Thursday night and then to hold a special meeting during the week of August 7th. Scottie Hayes said he was sorry that he was unaware of the need for a conditional use permit, and that he had not told her any earlier. Mayor Holt said they would meet as soon as possible to assist her, Mrs. Hill said that she appreciated the help from Scottie, and Randy Jones and everybody.

REPORTS FROM DEPARTMENTS

RECREATION: Scottie Hayes reported that registration is on-going for football, cheering, and fall soccer, but it was going slow. He said he heard many compliments on the fireworks on July Fourth at the park.

WATER/SEWER: Commissioner Pittman said the men are still working on breaks in waterlines. Dan Simmons reported they received the USDA contracts yesterday, and they should start in the next thirty days on the 2.7 million dollar water/sewer project.

STREETS: Ray Stuckey said the garbage truck is still an issue, and the board needs to make plans to replace the truck. Mayor Holt said they need to decide if they are going to stay in the garbage business.

POLICE: Commissioner Garner commented that it is summertime and kids are out playing everywhere. He encouraged citizens to make use of 9-1-1 and call if they see anything out of the ordinary. Mayor Holt agreed, saying there was no direct line here for people to get up with a police officer, and they need to use 9-1-1.

FINANCE: Town Clerk asked board to approve June amendments for the 2016-2017 budget. Board unanimously approved the amendments as presented. Copies are included with and hereby made a part of these minutes by reference.

MOTION: Garner
SECOND: Pittman
VOTE: unanimous

REPORTS FROM STAFF

Town Attorney Will Barham reported that he has been working on the Paymentus contract, which would give the town a method for customers to pay bills on-line. He said there was some good to come from it, and some not so good. The reporting period would be monthly, they would agree to a change from NJ law to NC law, they are sticking to their 5-year term upfront with automatic three year renewals. They would agree to litigation in North Carolina, and they want to keep the language concerning the Iran Divestment Act. Mr. Barham also said he was looking into the town cutting overgrowth at intersections, if it meant an imminent threat to the safety in town, it could be handled on a case by case basis. He said he was looking at an ordinance concerning panhandling in town, and he would distribute it when he felt it was ready.

RESOLUTION PROPOSED BY PRINCETON MAYOR

Mayor Holt commented that Mayor Rains is recommending to all the towns along the US 70 corridor to agree and adopt a resolution in reference to flooding impact along the lower Neuse River basin, from Wake County down to Carteret County, so that monies could be appropriated each year to improve the flow in the Neuse River basin. The board voted unanimously to adopt the resolution, a copy of which is included with and hereby made a part of these minutes by reference.

MOTION: Pittman

SECOND: Garner

VOTE: unanimous

ANNOUNCEMENTS

Mayor Holt said the town is scheduled to feed the PL Seniors group at their next meeting on August 9th. He stated that Rusty Jones, the town's resident grill master, is going to help cook the pork for lunch that day and he appreciates his help.

DISPOSITION OF PROPERTY

The mayor commented that he intended to discuss in closed session the possibility of disposing of a parcel of land on Rains Crossroads Road, that the town owns and formerly used as a dumpsite. He said it has been gated and padlocked for years and not used for anything, but the town does not need it, and he thought it would be a good idea to look into how the town could dispose of it. He said that anyone who wants it would probably have to hire an engineer and do some boring work and check out what is buried on the property.

MEETING ADJOURNED

There being no further business to discuss, the meeting was adjourned at 8:08 p.m.

MOTION: Garner

SECOND: Pittman

VOTE: unanimous

TOWN CLERK

MAYOR