

TOWN OF PINE LEVEL  
MINUTES OF REGULAR  
BOARD OF COMMISSIONERS MEETING  
AUGUST 17, 2010  
7:30 P.M.

CALL TO ORDER

Mayor Jeff Holt called a regular meeting of the Pine Level Board of Commissioners to order at 7:30 p.m. on Tuesday, August 17, 2010 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, Zoning Administrator Dave Holmes, Police Chief Keith Sparks, Public Works Supt. Ray Stuckey, Town Clerk Sharon Thompson

INVOCATION AND PLEDGE

Commissioner Pittman gave the invocation and Commissioner Garner led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES: 07-12-10

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

PUBLIC COMMENT

Mayor Holt opened the floor for comment on non-agenda items. Sal Navarro had a complaint on updating the town's website and he suggested that board members start checking on the budget in their departments and look for places money could be saved and not have big increases in next year's budget. Mayor Holt said that would be a good idea, since they need to keep up with the budget at all times.

Kester Kornegay asked about progress being made on the new town hall. Mayor Holt said that requests for bids could be put out as early as next week and that town employees had been working to tear out the building's interior portion. He said a bid could be awarded possibly by mid October. Mr. Kornegay also asked about the post office project. Mayor Holt said he was not sure where that stood, but they could contact the postal service again.

## REPORTS FROM COMMITTEES

SENIORS GROUP: Nester McClain said the seniors were doing well, staying busy with activities, and they appreciated the assistance received from the town.

PLANNING BOARD: Dave Holmes advised the board to call for a public hearing on proposed zoning ordinance amendments. The Planning Board will review the text amendments at their August meeting and have a recommendation for the board at the next meeting. A public hearing was arranged for the next board meeting on September 13th.

*MOTION:* Pittman

*SECOND:* Gudac

*VOTE:* unanimous

Commissioner Garner questioned the provision on political signs. He thought residents should be allowed to have small political signs in their yards whenever they wanted to, not just for 45 days before an election. Mr. Holmes said they were mainly concerned with signs left on street rights of ways and they could change the wording in that section. Mayor Holt advised everyone to review the amendments during the next month, prior to the public hearing.

The mayor then jumped over to item 10. (A.) concerning a request for rezoning filed by Venture Capital Partners. The mayor said that the Planning Board would review this request at their next meeting and make a recommendation to the board. He said the board could then take action or decide to take no action on the request. The board agreed unanimously to hold a hearing on the request at the September meeting.

*MOTION:* Pittman

*SECOND:* Gudac

*VOTE:* unanimous

## REPORTS FROM DEPARTMENTS

RECREATION: Mayor Holt read a report on recreation activities from P & R Coordinator Scottie Hayes. He said there are 75 kids signed up for football, 65 for cheerleading, and 60 for soccer.

STREETS: Commissioner Garner. Men working hard, starting earlier on hottest days. Reminder to keep recyclable items out of the garbage stream. Mayor Holt asked about paving streets, Commissioner Garner said there were no plans for resurfacing at the present.

WATER/SEWER: Commissioner Pittman. Things going well, new tank project well underway. Ray Stuckey said that piping was being installed for the water tank. He said they hoped to have no "down time" when switching over to the new water tank.

POLICE: Commissioner Gudac. Ordered two refurbished laptops for police cars to replace broken ones. Otherwise going well.

FINANCE: Clerk reported on budget amendments for 06-30-10. Commissioner Garner had questions on the amendments. Said he would like to see monthly comparisons.

## ORDINANCE ON NOISE CONTROL

In response to a complaint received last month, the board briefly reviewed the town's old ordinance on miscellaneous offenses, which includes a provision on noise pollution. Mayor Holt commented that the ordinance needs an update. Chief Sparks noted that when Selma rewrote their ordinances, they required a test that provided the actual decibel level. Commissioner Pittman said there were time limits in other sections of the ordinance and maybe that was the way to go to control noisy situations. Mayor Holt again said that they could include the three civic organizations in town that offer rental of their facilities. He directed the town attorney to look at the ordinance and perhaps, to get copies of ordinances from other municipalities.

## ORDINANCE TO CREATE VOLUNTARY AGRICULTURAL DISTRICT

The board then considered a Memorandum of Understanding (MOU), which relates to the Johnston County Voluntary Agricultural District Ordinance. Participating in the agreement with the county will allow current and future members of the JCVAD to remain active and will acknowledge current and future VAD members that are located within the city limits or ETJ. Participation in the MOU also means that the town will not need to adopt a separate VAD ordinance or set up a separate VAD board to administer the VAD members.

Mayor Holt said the town attorney had reviewed the county ordinance and agreement and approved it and the Planning Board also reviewed it and recommended that it be approved. Mr. Wood said it was voluntary for farmers to participate and either party could end the association at any time. The board voted unanimously to approve the Memorandum of Understanding as presented. A copy of the MOU is included with and hereby made part of these minutes by reference.

*MOTION TO APPROVE:* Garner

*SECOND:* Gudac

*VOTE:* unanimous

### ANIMAL CONTROL

Commissioner Gudac reported that he was no closer to resolving the animal control issue. He was expecting another meeting in September wherein he might make some headway with the county. Mayor Holt said they would look at the issue again next month.

### CODE OF ETHICS

Mayor Holt commented that action needs to be taken by the board to adopt a "Code of Ethics," as required by NCGS160A-183. Commissioner Gudac asked about the two hours of training required by NCGS160A-184, wherein board members must receive a minimum of two hours of ethics education within 12 months after initial election or appointment to the office and again within 12 months after each subsequent election or appointment to the office. The mayor said that all municipalities must adopt a code and attend the training. He said the board members are held to a higher standard. The board then voted unanimously to adopt a Code of Ethics for the Town of Pine Level, a copy of which is included with and hereby made a part of these minutes by reference.

*MOTION:* Gudac

*SECOND:* Pittman

*VOTE:* unanimous

### CLOSED SESSION

At 8:10 p.m. the board entered closed session to consider a legal issue with the town attorney, pursuant to NCGS143-318.11 (A)(3). Commissioners Garner, Gudac, Pittman, Mayor Holt, the town attorney and town clerk were in attendance. Discussion lasted until 8:30 p.m., at which time the board resumed regular session and announced no action taken in closed session.

### ADJOURNMENT

There being no further business, at 8:30 p.m. the meeting was adjourned by unanimous vote.

*MOTION:* Gudac

*SECOND:* Garner

*VOTE:* unanimous

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TOWN CLERK

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MAYOR