



**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**SEPTEMBER 08, 2016**  
**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 Thursday, September 08, 2016 at the Pine Level Town Hall.

**ROLL CALL**

     COMMISSIONER KAREN ANDERSON  
  X   COMMISSIONER GREG BAKER  
  X   COMMISSIONER JIMMY GARNER  
  X   COMMISSIONER PHIL PITTMAN  
  X   MAYOR JEFF HOLT

**STAFF PRESENT**

Town Attorney Frank Wood, Consultant Dan Simmons, Public Works Supt. Ray Stuckey, Police Chief Keith Sparks, Town Clerk Sharon Thompson

**INVOCATION AND PLEDGE**

Commissioner Pittman gave the invocation and Commissioner Baker led the Pledge of Allegiance. The mayor then welcomed everyone to the meeting.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES: 08-11-16**

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

## **PUBLIC COMMENT**

The mayor then asked if anyone wished to comment on a non-agenda item. Terry Rains commented that the problem with Moccasin Creek is still on-going. The mayor acknowledged that this issue was on the agenda, but the board agreed to go ahead and address it since Mr. Rains brought it up. Mayor Holt, who represents Pine Level on the drainage district board, said he talked with the board chairman and looked at the drainage district map, and he found that the ditch beside Mr. Rains is not included on the Moccasin Creek Drainage system. He added that it was not a town ditch either, and he explained that the property line probably runs down the middle of the ditch. Mr. Rains said that when Gordon Peedin was in charge of the Moccasin Creek district, they cleaned out the ditch two times. He asked why he had to pay taxes to the district if he couldn't get that ditch cleaned out. He asked if Selma stopped participating in the Moccasin Creek project. Mayor Holt said no, that Selma did not do that, and he explained that he was going to get the DOT to look at the tile under West Blanche Street and see if they would enlarge the tile in that area. He said it would still be a big project to clean out that ditch, because it has been unattended for so many years. Commissioner Pittman said the town does not have an easement on that ditch. Commissioner Garner suggested that the town attorney look into the matter. Mayor Holt said the town could not clean out private ditches and he suggested for Mr. Rains to express his concerns at the next meeting of the drainage district board of directors. Later in the meeting, Berry Godwin suggested that it would be good to have a long-range plan for maintaining such areas, including how to pay for the work. Mayor Holt said the drainage district had just paid out a large sum of money to do many projects and make repairs. Mr. Godwin said it was sometimes easier to get funding when you have a real need.

## **SPECIAL RECOGNITION – NICHOLAS WALL**

The board then recognized one of the town employees, who has reached his ten-year anniversary with the town. Mayor Holt presented a Certificate of Achievement and a gift card to Nicholas Wall, who has been employed since September 13, 2006. He said the board appreciates the work performed by the town's employees. Everyone gave Mr. Wall a round of applause and the board members thanked and congratulated him.

## **PUBLIC HEARING ON PROPOSED AMENDMENT TO SUBDIVISION ORDINANCE**

Next, the mayor opened a required public hearing on a proposed amendment to the town's subdivision ordinance, said hearing having been duly advertised twice in *The Kenly News*. Planning Board members in attendance included: Berry Godwin, Randy Jones, Terry Rains, and Nester McClain. Mayor Holt explained that the amendment would simplify the process for a property owner to divide a lot to be given to a child or grandchild, and would eliminate some of the red tape of complying with subdivision regulations, and he said that the amendment was recommended by the Pine Level Planning Board. Berry Godwin added that it could only be used once in five years. The mayor asked if there were any questions about the amendment or any objections. Hearing no further comment, the hearing came to a close upon a motion from Commissioner Garner and a second by Commissioner Baker. The board then voted unanimously to accept the Planning Board's recommendation and to approve the amendment to the subdivision ordinance. A copy is included with and hereby made a part of these minutes by reference.

*MOTION:* Garner

*SECOND:* Pittman

*VOTE:* unanimous

## **PUBLIC HEARING ON REQUEST FOR ANNEXATION**

At 7:20 p.m. the mayor opened a second required public hearing, on a request from Frederick Wayne Davis and Stella Catherine Davis Cox, for annexation of property on Gor An Farm Road, said hearing having been duly advertised once in *The Kenly News*. Mayor Holt noted that proper notifications have been made, the petitioners have met requirements, and the property was previously rezoned to RS in June 2007, which would allow development of a subdivision. He asked if anyone wished to speak in favor of the request; Mr. Alan Thornton, who wishes to develop the property, said he would certainly speak in favor of the request. Ken Fitzgerald asked how many houses were planned for the subdivision and Mr. Thornton answered 93. The mayor then commented that the purpose of this hearing was to consider annexation, and he reiterated that the property has already been zoned for subdivision development and that was not up for discussion tonight. Commissioner Pittman added that property adjacent to the Davis property would not be impacted if the annexation is approved.

Vickie Capps said a lot of the Davis property fronts on East Gordon Road, which is in front of her residence. She said they already have problems from the Pine South Subdivision. She also said that they would not have known about the annexation, until they saw a man sitting and waiting in his vehicle in her driveway, and asked him what he was doing there. She said she did not mind getting more neighbors, but the area did not need more "starter" homes, but larger tracts and larger homes, like the ones on the far end of Gor An Farm Road. Mr. Thornton responded that the houses he is planning are not starter homes, but ones from 1550 to 1850 square feet. Mrs. Capps also asked why we couldn't have some "patio" homes, so older people could live there and downsize from their larger homes. Cherie Grice, who lives on Gor An Farm Road, asked who was going to maintain the roads. The mayor said the residents should contact the DOT if there are problems with the roads, which are part of the state road system. Vickie Capps added that East Gordon Road is in bad shape, and it has not been attended to since it was paved. Mayor Holt commented that the developer hears their concerns; but he said the property has been sitting there for all these years with no plans for development. Mrs. Capps said it was a business thing for the developer, but it was a lifestyle for the area residents.

The mayor commented that the area will really see more traffic when the project is completed at US Highway 70. He said he was charged with looking out for everyone in the community, and now a developer had come along and he could develop the Davis property even if the town denies the request for annexation. Mr. Fitzgerald questioned the issue that came up when a prior developer tried to purchase the property and Gordon Peedin would not let them cross his land. Mrs. Capps said there was something involved when they purchased their three parcels. Mayor Holt said the developer would not be here tonight if he didn't have access to the property. He said the property owners, who are relatives of Mr. Peedin's, must have worked it out with him. Mrs. Capps said that log trucks that would be used in clearing the property, were going to tear up the roads. Dan Simmons pointed out that DOT would have to maintain the roads, unless they were posted with a weight limit, and then they could stop the use of the roads. Ken Fitzgerald commented that the towns of Smithfield and Selma have allowed the downfall of their towns and he asked how long it will take for Pine Level to do the same, by not regulating growth. Commissioner Pittman said Pine Level has had the same issues as those towns and that people die or move away and landlords are only concerned with bringing in the rent money. Mayor Holt said this would not be a rental complex; Mr. Thornton said an investor was not going to purchase a \$200,000 home as a rental unit. Mr. Fitzgerald said these houses would devalue his property. Mrs. Capps added that Pine South Subdivision had lots that were too small.

Mayor Holt stated that this was all good conversation, but they were dealing with things that might or might not happen. He said the board was not looking tonight at a possible subdivision, because the developer would have to present preliminary plans to the planning board and they would have to approve the plans. He said the developer's purpose tonight was to be assured that he could get water and sewer from the town. Commissioner Pittman said that was why the request came from the landowners, and not the developer. Mrs. Capps said she moved to the Pine Level area from Kenly, and she was glad to raise her children in Pine Level, and she would like to see it remain a desirable place to live. Thomas Trogden asked if there would be an HOA or not. Mr. Thornton said all that was not decided, but there would probably be one, and he said there would be restrictive covenants on the properties. Commissioner Garner said if the property is in town, the town will be responsible for keeping up the streets, lights, and overseeing junked cars or overgrown yards and things of that nature. The mayor said they needed to bring closure to this discussion, because they were talking about things that might not even come to be. Mrs. Capps asked that the town put any future notice of hearings, etc. on their website. The hearing was then unanimously brought to an end.

*MOTION TO CLOSE HEARING:* Pittman

*SECOND:* Baker

*VOTE:* unanimous

Mayor Holt asked if the board wished to take action tonight on the request for annexation. Commissioner Baker said he would make a motion to approve the request for annexation and Commissioner Garner seconded the motion. Commissioner Pittman then asked to amend the motion to include that the annexation be contingent upon the sale of the property. He said the owners were concerned that the property would be annexed and the sale might fall through. The mayor said they could make the annexation effective at a later date. Frank Wood questioned the validity of making it contingent upon a sale, but he did say the town could de-annex property at some point in the future, but the owners would have to go through the same steps again in the future if they intend to sell the property for subdivision development. Commissioner Garner said the owners requested the annexation. Commissioner Pittman said he would withdraw his request to amend the motion. The board then voted on the motion to annex, and it passed with the following results:

*MOTION TO ANNEX:* Baker

*SECOND:* Garner

*VOTE:* yes – Baker, Garner, Holt; no - Pittman

## **REPORTS FROM COMMITTEES**

Nester McClain said things are going well with the seniors group, and he urged the board to remember them at budget time.

## **REPORTS FROM DEPARTMENTS**

STREETS: Commissioner Baker. Men have been working hard in the hot weather to keep up with sanitation. Appreciate their hard work. Ray Stuckey reported that a new employee was hired in the public works department - Carsse Lucas. He said that he has been involved with the recreation program for some time. Mayor Holt welcomed the new employee.

POLICE: Commissioner Garner. Pine Level is a good little town but there is some trouble going on. Will have to look at increasing the police department in the near future, with annexing, etc. It is expensive to keep a town clean, and they want to be pro-active in Pine Level and keep things on the up and up. One policeman on duty at night has a lot to cover; Pine Level has some committed men working in the department. They have been giving time to run traffic checks, etc. and they have been discovering drugs, no insurance, etc. Many thanks to the men for what they do and the extra work.

WATER/SEWER: Commissioner Pittman. Men are doing a good job. Dan Simmons said they are moving forward with the water/sewer project; they have found a well site and hopefully the state will approve it.

RECREATION: Mayor Holt said he talked with Scottie Hayes and he said that soccer, cheering and football are getting underway.

## **NEW BUSINESS**

Mayor Holt said it was still early, but Halloween would fall this year on Monday night, so kids could observe Trick or Treating that night.

## **MAYOR'S MINUTE**

The mayor announced that a local Eagle Scout wants to complete a project at the stoplight intersection in town, and construct a brick sign on the corner that will include the message "Welcome to Pine Level" and have a portion of the sign dedicated to announcement of local events. He said it would be of brick construction, similar to the Baptist Church sign across the street. He said later on, maybe somebody else could add flagpoles behind the sign, and he would eventually like to see a Christmas tree on that corner. Mayor Holt said the Starlings will deed that property over to the town, and the bricks and masonry work will be donated. Randy Jones suggested that they consider a digital sign. The board voted unanimously to approve the project.

*MOTION:* Garner

*SECOND:* Baker

*VOTE:* unanimous

## **MEETING ADJOURNED**

There being no further business, the meeting came to an end at 8:20 p.m.

*MOTION:* Garner

*SECOND:* Baker

*VOTE:* unanimous

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**TOWN CLERK**

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**MAYOR**