



TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
OCTOBER 8, 2015
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, October 8, 2015 at the Pine Level Town Hall.

ROLL CALL

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

STAFF PRESENT

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

INVOCATION AND PLEDGE

Mayor Holt asked Commissioner Pittman to give the invocation. The mayor then led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION TO APPROVE: Baker
SECOND: Anderson
VOTE: unanimous

APPROVAL OF MINUTES: 09-10-15

MOTION TO APPROVE: Pittman
SECOND: Baker
VOTE: unanimous

PUBLIC COMMENT

Mayor Holt welcomed everyone to the meeting. He then asked if anyone wished to address a non-agenda item. Miriam Pittman asked to address the board on behalf of her daughter, Dena Pittman, who owns the rental property at 2114 US Highway 70-A. She said they had a couple of concerns about their property, one being that they cannot rent the property because of the dogs at the house next door. She said they have five dogs and they are always barking and they are dangerous animals (Pit Bull dogs). She asked about installing a privacy fence at her daughter's property, but she said that a wooden fence would rot because the property floods so badly. She said they have tried to fix up their property and make it better, but they cannot find anyone who will rent it because of the dogs next door. Mrs. Pittman said that she would sue the town and the owners and anybody else if those dogs break free of their chains and if they should bite her. She also complained that the neighbors have a junk vehicle in the back yard. Commissioner Garner said the police chief has already talked with the tenants and they seem to be in compliance with town ordinances. Town Attorney Frank Wood replied that it would not be the town's liability if the dogs should bite someone. He asked if the dogs had ever bitten anyone. Commissioner Anderson said they were the same dogs she complained about last month, and they did act aggressively if someone comes nearby. Commissioner Pittman said he would not want to live next door to those dogs either.

Mrs. Pittman said they would like to fix up their house even more, but they hesitate because of the flooding issues and because of the dogs. She said she had already talked with Ray Stuckey about the flooding issue. Commissioner Garner pointed out that the town does not own the ditches; Mrs. Pittman said the park land appears to be higher up than the back yard of their rental property. Mr. Stuckey said they had tried to clean out the drains in that area this week, because of all the recent rains. Mayor Holt commented that there has not always been such a bad drainage problem in that area of town, like there is now. Mr. Stuckey said there really was a lot of trash in that drain. Mayor Holt summarized that the town needs to get the water moving and to not let it pond up like it has several times recently. He suggested they talk with the property owner, although no one was certain who the property owner is. (A later check of county tax records revealed that the owners are James and Phyllis Eason from Selma, NC.) He said the dogs were not a problem if they were being cared for as per the town's ordinance, although the barking could be dealt with as a nuisance situation. Mrs. Pittman reiterated that a child could be badly hurt if those dogs do get free and attack someone. Chief Sparks said they had a similar case earlier this week on West Main Street, but that dog had a record of being a problem and it did get loose and bite someone. They were able to charge that owner with a violation and confiscate that animal.

Mayor Holt said they would try and address the issue with the dogs with the landlord, instead of the tenant. He said the police chief and Commissioner Garner could work on the matter. Commissioner Garner told Mrs. Pittman to give the town an easement on their property and the town could clean out the ditch. Mayor Holt assured Mrs. Pittman that they recognized her concerns and they would try to do something to remedy the situation.

REPORTS FROM COMMITTEES

Nester McClain reported that the seniors are getting ready for a fall trip and everything is going well with them. They will have their regular meeting next week and they will be going to the NC State Fair as well. He said the Planning Board has been slow, but they will probably have some business coming up next month.

REPORTS FROM DEPARTMENTS

STREETS: Commissioner Baker. Dump truck still in the shop; hopefully repair bill will come out less than \$10,000. Mayor reported that West Main Street drainage project is awaiting approval from Norfolk Southern Railroad, for a right of entry permit. The DOT has the materials ready to complete the project.

RECREATION: Commissioner Anderson. First want to approve Thanksgiving turkey shoot events at the park for American Legion and Lions Club. Approved unanimously.

MOTION: Anderson

SECOND: Garner

VOTE: unanimous

Four weeks left in football season and cheering. Basketball sign-up going on for ages 5-15, November 6th deadline. Need mulch for park play area; will get Scottie to talk with Ray and find best way to go about it. New roof completed on concession stand and dugouts and they look really nice.

POLICE: Commissioner Garner. Still awaiting new police car; everything going okay. Halloween coming up, will celebrate on Saturday, October 31st from 6-8 p.m. Fire dept. will have a "Trunk or Treat" that afternoon.

WATER/SEWER: Commissioner Pittman. Asked Dan Simmons for update on SEARCH grant project. Mr. Simmons said they are working on the study and will be doing inspections on the sewer lines and manholes next. Ray Stuckey said there seemed to be a spike in the flow last Saturday, with all the recent rain. He also said they had a water leak on US 70-A this afternoon.

FIRE DEPT: Joe Radford reported that this is Fire Prevention Week and they have been visiting the school and local daycares. He said their Reverse Raffle would be on November 14th and he had tickets for sale. The Ladies Auxiliary will have the Trunk or Treat for Halloween, Breakfast with Santa will be on Saturday, December 5th. And the NJHS will hold a Pancake Breakfast at the fire station on Saturday, October 31st from 8 to 11 a.m.

REPORTS FROM STAFF

Town Attorney Frank Wood reported that a lawsuit was filed on September 21st against Officer Alan Lee, Chief Keith Sparks and the town, arising from a vehicle accident Officer Lee had while on duty in September, 2012. He said the occupants of the other car did not go to the hospital at that time and did not need medical attention. He said they filed the suit on the last possible day before the time limit went out, and he did not really foresee that it would be an issue. He said they may need a closed session at some point in the future to deal with the matter.

MOCCASIN CREEK SERVICE DISTRICT BOARD

Next, the board voted unanimously to recommend to Johnston County that Jeff Holt be re-appointed to the Moccasin Creek Service District Board to represent Pine Level's interests in that district.

MOTION: Anderson
SECOND: Garner
VOTE: unanimous

PINE LEVEL PLANNING BOARD APPOINTMENTS

The board then voted unanimously to adopt a resolution re-appointing members to the Pine Level Planning Board. Janet Kleinert, Nester McClain and Randy Jones will be re-appointed to new three year terms and Bob Harvey will be recommended to the county for re-appointment as an ETJ representative. A copy of the resolution is included with and hereby made a part of these minutes by reference.

MOTION TO ADOPT: Garner
SECOND: Pittman
VOTE: unanimous

PROPOSAL FOR "NIXLE ENGAGE"

Police Chief Sparks presented a proposal for the town to participate in a program called "Nixle Engage," which would operate similar to a phone tree system. He said the various town departments could utilize the service and contact citizens as needed. He said the company would waive the start-up fee and give a reduced price for the town of \$1500 annually, for unlimited use. He said they have codes for what type of notice is being distributed, whether a red, yellow or green notice. He thought it would also provide a way for citizens to call in and submit complaints or a tip to the police department. Mayor Holt asked if all departments could use it, since it was advertised as a tool for public safety. The chief said it was mainly for public safety but it would be available for all departments, with unlimited contacts. He said that Billie Kay Twigg had already agreed that she could take care of posting messages. Mayor Holt said someone would have to administer the site and be responsible for getting all the contact information logged in. Chief Sparks said that would not be necessary because citizens would sign up for the program on their own. Commissioner Anderson said the town would have to market the program and get the word out that it is available. She said the recreation department could definitely use the system. Mayor Holt said it could come in good at parade time, when there are a lot of contacts to be made. Commissioner Garner said his own parents would not make use of such a program. Mayor Holt suggested that they review the proposal for the next thirty days before they make a decision on it. Commissioner Baker agreed that would be the best idea.

MAYOR'S MINUTE

Mayor Holt presented a proclamation pertaining to "Red Ribbon Week" in Pine Level during the week of October 26-30. He read the proclamation, which stated that the local elementary school would be observing the celebration during that week, ending with a parade at 10:00 a.m. on Friday, October 30th, from the school around the block and back to the school building. He said all the teachers and staff and students participate in the parade, as well as anyone else that would like to participate, and it just takes a few minutes and all the kids have a lot of fun. The board voted unanimously to approve the proclamation and to support the Red Ribbon Campaign and parade. A copy is included with and hereby incorporated into these minutes by reference. Mayor Holt asked that the police department, public works, the fire department, and anybody else support the school and take care of blocking the intersections as necessary for the parade to take place.

MOTION TO APPROVE: Garner
SECOND: Pittman
VOTE: unanimous

MEETING ADJOURNED

There being no further business, the meeting came to an end at 7:52 p.m.

MOTION: Garner
SECOND: Pittman
VOTE: unanimous

TOWN CLERK

MAYOR