



**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**NOVEMBER 12, 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, November 12, 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**

Consultant Dan Simmons, Public Works Supt. Ray Stuckey, Police Chief Keith Sparks, Recreation Coordinator Scottie Hayes, Town Clerk Sharon Thompson

The following Planning Board members were also present: Chairman Randy Holloman, Berry Godwin, Nester McClain, Cecelia Weaver, Randy Jones and Faye Starling.

**INVOCATION AND PLEDGE**

Mayor Holt gave the invocation and then he asked Commissioner Anderson to lead the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES: 10-08-15**

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

## **PUBLIC COMMENT**

None.

## **REPORTS FROM COMMITTEES**

PLANNING: Members of the Planning Board addressed the board with concerns they have over enforcement of the Zoning Ordinance. Chairman Randy Holloman said that enforcement is one of their main concerns. Randy Jones felt that there are issues with a current business on US Highway 70-A. He said it does not conform with the ordinance and he was not sure how it was permitted to operate. He also felt that the four houses on 70-A should not be zoned for Highway Business use. Mayor Holt asked if they need to be re-zoned, since they were zoned that classification by the Planning Board. Berry Godwin was concerned with uses being non-compliant. Randy Jones felt that privilege licenses should be required so the town would know what type of business is being opened. Dan Simmons said the General Assembly did away with towns' rights to charge for privilege licenses. He said that in Smithfield you have to apply for approval of a zoning permit, instead.

Mayor Holt asked if the business in question is a "flea market" or a "yard sale." Commissioner Garner said the operator is not charging people to use the tables to display their merchandise. Mayor Holt said if the lot is too small then perhaps the operator needs to apply for a variance. Randy Jones said there seems to be no control over what is going on. The mayor said a variance would not allow them to put conditions on use of the property. He advised the Planning Board that they should address the ordinance and make any changes they feel that are necessary and then to present them to the Town Board for review and possible adoption. Berry Godwin felt that the town needs to acquire a full-time zoning officer, with knowledge of the ordinance and how zoning operates, and let that be their primary function for the town. Commissioner Garner did not agree that it should be a forty hour job. Mr. Godwin said no one is being pro-active in looking for zoning issues, and he felt that there will be more and more issues coming to town with development along US Highway 70.

Commissioner Pittman asked how to handle the current situation with the business on US Highway 70-A. Chief Sparks said that zoning is a civil issue and the police do not handle civil situations, that the sheriff's department does that. He said the police would enforce town ordinances. Commissioner Garner asked if they would be required to have water service. Mayor Holt said there are a lot of buildings in town that have power but do not have water service. Commissioner Pittman thought it would be best to get the business owner to meet with the Planning Board next week and let them show him where he does not comply with the ordinance. Commissioner Anderson said there is an issue downtown, too, with people displaying merchandise outside. She said she had received complaints on the bright green wall on the side of one business downtown. She felt the problem was a "beautification" issue. Dan Simmons suggested that they talk with the town attorney before doing anything, to make sure any action to be taken is lawful.

Randy Jones reiterated that the Planning Board needs to review the Zoning Ordinance and make suggestions to the town board on what direction to go. Berry Godwin pointed out that someone would still have to enforce the regulations. Mayor Holt suggested that another local municipality might want to go together and share in a zoning enforcement position, or perhaps the county has someone who would be interested in working part time to enforce the town's regulations. He said the ETJ would be affected as well, and they would need to enforce the entire ordinance or else do nothing at all. Commissioner Pittman went ahead with a motion to inform the business owner, as well as the property owner, to meet next Thursday night with the Planning Board and discuss how to bring the business into compliance. The board voted unanimously in favor of that suggestion. The mayor said the Planning Board could then start a review of the ordinance and make recommendations on any necessary amendments.

*MOTION:* Pittman

*SECOND:* Baker

*VOTE:* unanimous

SENIORS: Nester McClain said the seniors group met yesterday. He said they had a good turnout and a good meeting.

## **REPORTS FROM DEPARTMENTS**

STREETS: Commissioner Baker. There was a holiday yesterday, so garbage was picked up today instead. Everything going okay.

RECREATION: Commissioner Anderson. Porta-potties have been picked up at the park; two break-ins at park bathrooms. Park visitors have nowhere to go to use the bathroom right now. Football, cheering and soccer have just finished up; basketball is nearing end of registration period. Mayor asked about "Miss Pine Level" pageant that has been advertised to be held in Benson.

Jonathan Jones commented that the director has held other pageants there and is comfortable with using those facilities. They discussed contacting her and seeing if the pageant could be held here in Pine Level instead of Benson.

POLICE: Commissioner Garner. Calls are slow right now; holidays are approaching. New police car has finally come in; ended up with a 2016 car at the same price as the 2015.

WATER/SEWER: Commissioner Pittman. Everything okay. Still working on SEARCH grant; Dan Simmons said they had not located any major problem areas yet.

FIRE DEPT: Reverse Raffle coming up this Saturday night.

#### **PROPOSAL FROM NIXLE ENGAGE**

The board then considered the proposal to utilize Nixle Engage, as a type of "call and post" service. Chief Sparks said all of the departments could utilize the service, and that citizens would be able to sign up through e-mail or twitter, or by text. Mayor Holt said that program differed in that the end user would have to sign up to receive notices from the town. Chief Sparks said the cost would be \$1500 annually and they waived the \$400 set up fee as well. He said he would like to try the service for one year at least. Commissioner Garner said there are a lot of elderly people in town that would not have use of a computer to sign up to get notices. The mayor said he favored the "call and post" type service. Berry Godwin said he handled that for his church and it cost seven cents per call and you have to set up a data base, but he said the town would have that already with its list of water customers. Commissioner Anderson asked who would maintain the service for the town. The board decided to table the request for one more month, before coming to a decision.

#### **REQUEST FOR SPECIAL USE FROM TERESA ARTHUR**

Mayor Holt called for a public hearing at 7:00 p.m. at the next meeting on December 10th on the request from Teresa Arthur for a special use permit that would allow them to construct duplex apartments in an RH district.

#### **ANNOUNCEMENTS**

The mayor said the board members would be sworn in at the meeting on December 10th, since they were all re-elected on Tuesday, November 3rd. Commissioner Pittman asked who would be doing the swearing in; Mayor Holt said the clerk could do that, unless the board members wanted to get someone different to administer the oath of office to them.

He said the annual Christmas parade would be held on Sunday, December 13th, at 2:00 p.m. and it would follow the same route as last year. He encouraged all Pine Level area Vietnam Veterans to participate in the parade and ride on the float sponsored by Southern Bank, as the parade's Grand Marshals.

#### **MEETING ADJOURNED**

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

*MOTION:* Pittman  
*SECOND:* Anderson  
*VOTE:* unanimous

---

**TOWN CLERK**

---

**MAYOR**