



**A G E N D A**  
**December 11, 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: 11-13-17
5. Audit Report for 2016-2017, Andrew Harris, CPA
6. Public Hearings
  - A. Annexation of town well site
  - B. Annexation of Starling property
  - C. Gifting of VFW building
7. Public comment
8. Reports from committees
9. Reports from departments
10. Reports from staff
11. Unfinished business
12. Administering of oaths
13. Organizational procedures
  - A. Election of Mayor Pro-tem
  - B. Assignment of departmental duties
  - C. Establish 2018 meeting schedule – 2nd Mondays @ 7:00 p.m.

Jan. 8	April 9	July 9	Oct. 8
Feb. 12	May 14	Aug. 13	Nov. 5
Mar. 12	June 11	Sept. 10	Dec. 10
  - D. Establish rules of procedure - RRO
  - E. Other
14. New business
  - A. Request for annexation – Richard Braswell
  - B. Other
15. Mayor's Minute
16. Announcements
17. Adjournment

**Merry Christmas and Happy New Year!**



**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**DECEMBER 11, 2017**  
**7:00 P.M.**

**CALL TO ORDER**

Mayor Jeff Holt called a regular meeting of the Pine Level Board of Commissioners to order a few minutes after 7:00 p.m. on Monday, December 11, 2017 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**

Town Attorney Will Barham, Consultant Dan Simmons, Public Works Supt. Ray Stuckey and Town Clerk Sharon Thompson

**INVOCATION AND PLEDGE**

Mayor Holt asked Commissioner Baker to give the invocation. The mayor then led everyone in reciting the Pledge of Allegiance.

**AGENDA**

ADDITIONS:       14. (B)    Disposal of surplus property (PP)

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

**MINUTES: 11-13-17**

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

## **AUDIT REPORT FOR 2016-2017**

The mayor welcomed Jordan Hales to the meeting, a young man who is working toward his Citizenship badge, one of his Eagle Scout requirements. Then he turned the floor over to the town's auditor, Andrew Harris, CPA, for his audit findings on the recently completed fiscal year. Mr. Harris thanked the town staff for the job they did pulling information together for the report. He then quickly reviewed several pages with the board. He said the town received an "unqualified opinion," he explained that the town's assets exceed the debt by 2.9M, and he said the net position increased by \$72,558. He said the town had 45.28% in unassigned fund balance. He went over a couple of other items and then asked if anyone had questions. Mayor Holt commented that the unassigned fund balance was probably high for a small town, but Mr. Harris said that figure was about 66-68% statewide. Mayor Holt said it looked like the town was in pretty good shape and he encouraged the board members to take home their reports and review them closely. Mr. Harris said the report had already been submitted to the state and approved. Mayor Holt thanked Mr. Harris and his team for their hard work. The board then unanimously approved the audit report.

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

## **ANNEXATION OF TOWN WELL SITE**

Mayor Holt then opened the first of three public hearings, which were duly advertised on November 29th in *The Kenly News*. The mayor asked if there were any questions on the proposal to annex the town's well site, which was gifted to the town by Jimmy and Faye Starling. The board voted unanimously to adopt an Ordinance of Annexation, making the annexation effective as of January 1, 2018. A copy of the ordinance is included with and hereby made a part of these minutes by reference.

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

## **ANNEXATION OF STARLING PROPERTY**

The board then considered a proposal to annex 10.698 acres on WC Braswell Road, which are owned by Jimmy and Faye Starling and for which they filed a voluntary petition for annexation. He said the Starlings are present tonight, if anyone had questions for them. Hearing no comments or questions, the board proceeded to adopt an Ordinance of Annexation on the second phase of Starfield Acres, making that annexation effective as of January 1, 2018. A copy of the ordinance is included with and hereby made a part of these minutes by reference. Mayor Holt thanked Mr. and Mrs. Starling for their cooperation and for working with the town and giving property to the town.

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

## **GIFTING OF VFW BUILDING TO TOWN**

Upon advice from the town attorney, the board then opened a hearing concerning a proposal for the Pine Level VFW organization to gift their building to the town. Commissioner Garner asked if the town was to accept a building and not even know what it could be used for. Town Attorney Will Barham said it could be used for any public purpose. Mayor Holt suggested they could lease it back to the VFW for them to hold their monthly meetings. Commissioner Garner asked if the town would provide insurance on the building; Mayor Holt said the town would do nothing until it has received a gift deed. Commissioner Garner asked if the town could sell the building in the future, Mr. Barham answered yes. Mayor Holt said all they could do tonight was agree to accept the property, and Mr. Barham advised them to designate a board member to deal with the property and work with the VFW on the transfer of property. The board voted unanimously to accept the gift of property from the VFW.

*MOTION:* Baker  
*SECOND:* Pittman  
*VOTE:* unanimous

The board then voted unanimously to appoint Mayor Holt to handle the property transfer on behalf of the town.

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

#### **PUBLIC COMMENT**

Terry Rains commented on how dark it was in the town parking lot, on the western side of town hall. He said there are no lights out there. Jimmy Starling asked if the VFW proposal included both land and building; Mayor Holt said yes, that it did.

#### **REPORTS FROM DEPARTMENTS**

**WATER/SEWER:** Commissioner Pittman. Continue to have waterline breaks. Will defer to Commissioner Baker to address boxes and recycling. Congratulated Ray and men on good job they are doing. Ray Stuckey mentioned flat roof on building at water plant, and the fact that it is leaking pretty badly. He suggested replacing the flat roof with an A-roof. He said he could get proposals on it and maybe after the first of the year, the roof could be replaced.

**POLICE:** Commissioner Garner. Everything okay. Police car had slight damage resulting from hitting a deer. Holiday season approaching, residents should remain watchful. Commented that police department may need to add some extra help with all the subdivision development that is underway.

**RECREATION:** Commissioner Anderson. Basketball program will start in January, with 12 teams. Annual parade went off yesterday without a hitch. Reverse Raffle coming up on March 5th. Encouraged everyone to check on elderly neighbors in the upcoming cold weather, and see that they have heat and food to eat.

**STREETS:** Commissioner Baker. Asked about Christmas holidays and garbage/recycling pick-up. Commissioner Pittman said the landfill would be closed on Wednesday, since the county observes three days for the Christmas holidays. Mayor Holt said the men could just pick up what they could and dump the truck on Thursday. Terry Rains asked why they didn't just skip recycling that week, since there would be so much garbage after Christmas. Mayor Holt asked Mr. Stuckey if there were any plans for paving or patching this year. Ray said the asphalt plant is soon closing, for the cold weather, so any patching could wait until spring.

#### **REPORTS FROM STAFF**

Town Attorney Will Barham said he had been working on a couple of items. He distributed a sheet to follow, concerning the disposal of surplus property and the various methods that are available. He said they would talk more about that as the meeting progressed.

#### **ADMINISTERING OF OATHS OF OFFICE**

All five incumbent board members were re-elected to new terms on November 7, 2017 and will therefore be sworn in at tonight's meeting. The town clerk first administered the oath of office of mayor to Mayor Jeff Holt. Mayor Holt then administered the oath of office of commissioner to all four board members, collectively. Copies of the oaths are included with and hereby made a part of these minutes by reference.

#### **ELECTION OF MAYOR PRO TEM**

Mayor Holt then asked the pleasure of the board, as far as election of a mayor pro tem to serve in the absence of the mayor. He said the person with the highest number of votes had traditionally been named to the position, but that was not a requirement. Commissioner Garner would have once again been named to the position, but he did not feel he could meet the demands at this time, with sickness in his family, and he moved to nominate Commissioner Phil Pittman as Mayor Pro tem. Mayor Holt asked Commissioner Pittman if he would accept the position and he accepted the nomination, after commending Commissioner Garner for his past service in that position. The board then voted unanimously to elect Commissioner Pittman

to serve as Mayor Pro tem, as the need should arise. Mayor Holt also thanked Commissioner Garner for his past service and said they would continue to keep his father in their prayers for his health concerns.

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

#### **ASSIGNMENT OF DEPARTMENTAL DUTIES**

Mayor Holt suggested that the board members continue in the same departments in which they had been serving, which would mean: recreation – Karen Anderson, water/sewer – Phil Pittman, police – Jimmy Garner, streets – Greg Baker, finance/personnel – Jeff Holt. The board unanimously agreed to continue with the same assignments.

*MOTION:* Anderson  
*SECOND:* Baker  
*VOTE:* unanimous

#### **2018 MEETING SCHEDULE**

The board then voted to continue with the same meeting schedule, at 7:00 p.m. on second Monday nights. The schedule for 2018 would be:

January 8	April 9	July 9	October 8
February 12	May 14	August 13	November 5
March 12	June 11	September 10	December 10

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

#### **ESTABLISH RULES OF PROCEDURE**

Next the board voted to conduct meetings according to Roberts' Rules of Order (RRO).

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

#### **PETITION FOR VOLUNTARY ANNEXATION**

Mayor Holt stated that the town received a petition from Richard D. Braswell for voluntary annexation of 25.59 acres east of town on US Highway 70-A. The board voted unanimously to adopt a resolution to direct the clerk to determine the sufficiency of the annexation petition and to report back to the board. A copy of the resolution is included with and hereby made a part of these minutes by reference.

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

#### **DISPOSAL OF PROPERTY**

The mayor announced the receipt of an offer earlier today to purchase the town's old dumpsite on Rains Crossroads Road, from Paul Worley. Commissioner Garner asked if they could talk about it in closed session, but the attorney said that was not an allowable topic for closed session. Commissioner Garner said he was not in favor of doing anything with the offer tonight. Mayor Holt said they had already declared it surplus and agreed to sell it. Mr. Barham said they could adopt a resolution contingent on the offer to purchase and then wait a ten-day period for any upset bid on the property. However, Mr. Barham

said the offer includes a request that the town remain a responsible party under GS130A-310.6, so the site could be cleaned up in the future under state funding. Questions immediately arose concerning the town's liability under such an agreement, and Mayor Holt suggested they table the matter tonight to allow Mr. Barham to do more research, and he would notify Mr. Worley about the board's concerns.

The board then considered the sale of surplus personal property and voted unanimously to authorize Commissioner Pittman to receive bids for the old Long 460 tractor that currently will not run.

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

Mayor Holt said they had a bid on the tractor and they could accept it or not, or they could do an upset bid. Commissioner Garner moved to open the bid and sell it by upset bid. The board voted unanimously to approve the motion.

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

Mr. Barham said they would be selling the tractor "as is." Commissioner Pittman proceeded to open the bid on the Long tractor, which was an offer from Greg Thomas to purchase the tractor for \$300. Ray Stuckey said he would also like to sell the old Army generator, and that Ashley Woodard researched it and the town could sell it. He said they could wait and do it all together next month.

#### **CLOSED SESSION**

The mayor said a brief closed session was requested to consider a personnel issue. The board voted to enter closed session, with only board members in attendance, at 7:55 p.m.

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

#### **ANNOUNCEMENTS**

Mayor Holt said they needed to get together on a time to have the annual town Christmas luncheon.

#### **MEETING ADJOURNED**

After the closed session, the meeting was adjourned.

---

**TOWN CLERK**

---

**MAYOR**