

**TOWN OF PINE LEVEL**  
**MINUTES OF REGULAR**  
**BOARD OF COMMISSIONERS MEETING**  
**DECEMBER 14, 2009**  
**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 Monday, December 14, 2009 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, Consultant Dan Simmons, Police Chief Keith Sparks, Public Works Superintendent Ray Stuckey, Recreation Coordinator Scottie Hayes, Town Clerk Sharon Thompson

**INVOCATION AND PLEDGE**

Commissioner Gudac gave the invocation and Commissioner Pittman led the Pledge of Allegiance. Then the mayor welcomed everyone to the meeting.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES: 11-09-09**

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

**ADMINISTERING OF OATHS**

Mayor Holt began by thanking the people of Pine Level for the confidence they have shown in the elected board members and the job they have done in office. He then invited Superior Court Judge Tom Lock to come up and administer the oaths of office to the re-elected board members. The mayor was first to be sworn in, followed by the four commissioners, who were collectively sworn in together. The board members thanked Judge Lock for his participation in the meeting, after which he departed.

**ELECTION OF MAYOR PRO-TEM**

The board first considered the election of one of the board members to serve as mayor pro-tem in the unforeseen absence of or disability of the mayor. Commissioner Pittman nominated Commissioner Garner to serve as mayor pro-tem. Commissioner Gudac suggested nominations be closed. Mayor Holt said Commissioner Garner was approved by acclamation to serve as mayor pro-tem.

## **DEPARTMENTAL DUTIES**

The mayor then appointed commissioners to serve over various departments, as follows:

STREETS	Commissioner Garner
RECREATION	Commissioner Anderson
WATER/SEWER	Commissioner Pittman
POLICE	Commissioner Gudac
PERSONNEL/FINANCE	Mayor Holt

## **2010 MEETING SCHEDULE**

Next, the board unanimously adopted a schedule for meetings in 2010, on second Mondays at 7:00 p.m.:

Jan. 11	April 12	July 12	Oct. 11
Feb. 8	May 10	Aug. 9	Nov. 8
Mar. 8	June 14	Sept. 13	Dec. 13

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

## **ESTABLISH RULES OF PROCEDURE**

Mayor Holt noted that the board would follow Robert's Rules of Order for parliamentary procedures.

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

## **PUBLIC COMMENT**

Nester McClain once again reminded the board of his request for a sidewalk down South Peedin Avenue. Mayor Holt said they would move his request up to the top of the list of projects they would like to accomplish.

## **REPORTS FROM COMMITTEES**

PLANNING BOARD: Mayor Holt asked if Nester McClain or Sal Navarro, both of whom are Planning Board members, could report to the board on the Planning Board's recommendations concerning the Crocker Farm property. Mr. Navarro said the Planning Board approved all of the requests. Mayor Holt said representatives were present from the engineering firms representing the Crocker Farm project. Dennis Blackmon explained that the subdivision under review tonight involved a five-acre tract that was intended to be sold to Ray Moore's brother, since Mr. Moore was the former owner of part of the tract and he had agreed to sell the property to his brother. George Schlecht purchased the property from Ray Moore and set the five acres aside to be deeded to the brother. Commissioner Pittman moved to approve the five-acre subdivision, as recommended by the Planning Board. The motion passed on a unanimous vote.

*MOTION:* Pittman  
*SECOND:* Gudac  
*VOTE:* unanimous

Next, the board considered the request from George Schlecht for a special use permit to develop a Planned Unit Development (PUD) on the Crocker Farm property. Mayor Holt said Dave Holmes suggested that the board consider a special use permit for the PUD instead of amending the town's zoning ordinance to meet their requests. He said the town would have to advertise and hold a public hearing on the special use application. The board unanimously agreed to call for a public hearing at the January meeting.

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

Mayor Holt asked Frank Wood if the board should hear from the engineers tonight or wait until the hearing. Mr. Wood suggested waiting for the hearing unless the board had any questions. Dennis Blackmon introduced Willie Hood and Andrew Hodge, who have been working on the project. Commissioner Garner asked what size homes were the cottage homes proposed in the preliminary plans. Mr. Hood said there were 32 lots that are 60' x 120', that were for smaller homes that would be low maintenance and not a lot of yard work. He said most of the lots were regular sized lots and that an area was included for a senior center, perhaps an assisted living type of arrangement. Mayor Holt said the entire project looked very appealing on paper. He said it was a multi-use, self-contained community, which was unlike anything else that has been developed on this end of the county.

Commissioner Garner asked if there were commercial sites. Mr. Hood said no, not at this time. Dennis Blackmon said all of the streets were curb and gutter streets with sidewalks on one side, except for the cul de sacs. Commissioner Pittman said it was good to see the stormwater holding ponds included. Mayor Holt said the board would proceed with advertising and holding the public hearing in January.

SENIORS GROUP: Mayor Holt said the seniors group was still meeting and having a great response.

### **REPORTS FROM DEPARTMENTS**

**STREETS:** Commissioner Garner. Everything going well. Christmas closing on Thursday and Friday, December 24-25, will not adversely affect garbage pick-up.

**RECREATION:** Recreation Coordinator Scottie Hayes said basketball would get underway in January. Mayor Holt said the Christmas parade was rained out on the 13th, but there had been a good parade lined up. He said there was no other time when most of the entrants could participate, so an alternate time was not considered for rescheduling the parade.

**WATER/SEWER:** Commissioner Gudac. Everything okay. Need to adopt "Resolution Making Certain Findings with Respect to the Issuance of Town of Pine Level, North Carolina Water System Revenue Bonds," in order to proceed with the water tank project. The board unanimously adopted the resolution, provided by Williams Mullen, the town's bond counsel. A copy of the resolution is included with and hereby made a part of these minutes by reference.

Kester Kornegay asked about the town's problem with water infiltration, and how that is going. Commissioner Gudac said the problems are not as bad as in the past, but they would know more when the county bill comes in.

**POLICE:** Commissioner Pittman. Citizens attempting to start a Neighborhood Watch Program in LaBelle Acres. Group will meet again Tuesday night. Chief Sparks advised citizens to keep their doors locked on their vehicles and houses. Have experienced an increase in break-ins in recent weeks. Chief said he met Monday with a group from local area police departments, to compare notes and tips on crime taking place. Chief said a blue sedan had been spotted in other areas of the county and he said residents should keep their eyes open for anything suspicious and call 9-1-1 for anything out of the ordinary. Kester Kornegay asked the chief why the information shouldn't be made public so that citizens would know what is going on. Chief Sparks replied that some information had to remain confidential while an investigation was on-going. Frank Wood said the police had to be careful with what information they release because it could be used against them in a trial setting. Mr. Kornegay said he was talking about general information. Chief Sparks said there were about 16 break-ins over a 6-week time period in Pine Level. He said the break-ins were not only in Pine Level, but all over the county.

### **REPORTS FROM STAFF**

Town Attorney Frank Wood reported that he spoke with Gordon Woodruff concerning whether or not municipal elections could be held along with presidential elections so the town would not have to pay. He said the reason for staggering the elections was so that all elected officials would not go out of office at the same time. The clerk said that the bill for the 2009 election was \$2,311.

Mr. Wood asked the board to defer discussion on the Johnston County Voluntary Agricultural District Ordinance until January. He said he still had questions on the ordinance that he would like to discuss with the county. The board unanimously agreed to his request.

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

### **2008-2009 AUDIT**

The board then heard from Keith Peedin, CPA, concerning the town's audit report for fiscal year 2008-2009. Mr. Peedin said it was a "clean opinion" audit and the town was in good financial shape. He quickly reviewed the report with the board. He recommended that the town initiate some sort of documentation for paying sports officials so there would be a paper trail to protect the town employees. He thanked the board and employees for their assistance with the audit.

Commissioner Anderson asked if he meant the person receiving the check should sign for it. Commissioner Pittman said that at the school, officials must sign that they have received their checks. Commissioner Gudac added that the town is new at the recreation game. Commissioner Garner asked if the town needs to go after more taxes. Mr. Peedin said the county is going after the taxes and the town has a good collection percentage. Frank Wood agreed that personal property taxes are harder to collect than property taxes. Mayor Holt asked about using Powell Bill money for portions of salaries like Princeton does. Mr. Peedin said the Powell Bill money could definitely not be used for general operations of the town. Commissioner Garner also asked about refinancing some of the town's equipment at lower interest rates. Commissioner Gudac asked if there is a time when it is better to pay off equipment or just to let it depreciate out. He said the town had to keep money on hand for the town hall project and new water tank project. Dan Simmons said the LGC would look at the town's reserves when they consider the town's loan requests. Mr. Peedin said the unrestricted fund balance must be 8% or greater, and that Pine Level's was substantially higher than that. The board unanimously approved the audit report.

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

### **CODE OF ETHICS**

Frank Wood said the League of Municipalities would issue a template document in January if the board would like to review that before adopting a policy. The board agreed to defer the issue until January.

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

### **ANNOUNCEMENTS**

Commissioner Gudac announced that several young men from the Pine Level area will be returning from service in Afghanistan and Iraq in the upcoming weeks and he encouraged citizens to put out yellow ribbons to welcome them home. He said Sergeant Mooring would be returning to his home in Laura/Mark and that his own son would also be returning from deployment overseas.

Commissioner Anderson said North Johnston lost another student Monday due to a traffic accident on Highway 39 north of Selma. She said the best thing to do if you observe young people driving crazy would be to tell their parents.

Mayor Holt read a letter of thanks from the American Legion for the town's assistance with their annual turkey shoot at the recreation park. He also reported that he met with the town's architects concerning the new town hall. Dan Simmons said there would be a meeting Wednesday with RDA to give them the final reports on the town hall plans. Mayor Holt said it was probably 30-60 days before the town would let bids on the project. Mr. Simmons said he had preliminary plans for the building. Commissioner Anderson said she had received several comments in approval of the new building.

### **MEETING ADJOURNED**

There being no further business, at 8:20 p.m. the meeting was adjourned.

*MOTION:* Gudac  
*SECOND:* Anderson  
*VOTE:* unanimous

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**TOWN CLERK**

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**MAYOR**