

**TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
APRIL 26, 2012**

MEETING INFORMATION

The Pine Level Planning Board met on Thursday, April 26, 2012 at 6:30 p.m. at the Pine Level Town Hall. The meeting was called to order by Chairman Randy Holloman with a quorum present.

ROLL CALL

√ Chairman Randy Holloman	√ Bob Harvey
√ Berry Godwin	√ David Strickland
X Nester McClain	√ Faye Starling (alt)
√ Janet Kleinert	√ Sal Navarro (alt)
√ Terry Rains	X Tracey Harned (alt)
	√ Cecelia Weaver (alt)

Others present for the meeting were: Zoning Administrator Scottie Hayes and Deputy Clerk Connie Capps.

MINUTES

Terry Rains made a motion to approve the minutes from the March 22, 2012 meeting. Bob Harvey seconded the motion. The minutes were unanimously approved as presented.

INTERNET SWEEPSTAKES CAFES

Chairman Randy Holloman told the board that internet sweepstakes cafes have become a hot topic for towns. He said the information that was sent out in the packet from John Morck which came from the Institute of Government by author David Owens states, that sweepstakes cafes are legal and may be taxed locally. They can also be required to comply with reasonable local land use regulations where they are located and how they are operated. Chairman Holloman said he had looked over our zoning ordinance to see if we had any regulations to follow concerning them. He said on page 23 of the zoning ordinance under Uses: Accessory, Temporary, or Other Uses, electronic game machines, and pinball machines are permitted in Commercial and Highway Business Districts but are subject to development standards. He said legally the town cannot say no to them but we can put restrictions on them. Board members agreed that guidelines needed to be established and also to charge the maximum amount that is legal.

After more discussion, the board members compiled a list of restrictions that they would like for the town board to consider, and also seek the town attorney's advice concerning internet sweepstakes cafes. The following list will be submitted to the town board:

Restrictions for Internet Sweepstakes Café

1. Limit use to Commercial and Highway Business Districts
2. Must be 1500 feet from the following: schools, libraries, playgrounds, churches, daycares, and businesses with alcohol sales.
3. Fees- Go to the high end of the fee scale.
For example like Lumberton charges \$5,000 per establishment and \$2500 per machine.
4. Must provide off-street parking.
5. Must be 1,000 feet from another game business.
6. Consider the age of the players.
7. Limit the hours of use.
8. Consider amending the zoning ordinance for internet cafes to be permitted only with Special Use Permit so that both Planning Board and Town Board could review the application.

Chairman Holloman suggested for recommendation that the town board consider amending the zoning ordinance page 23 Under Accessory, Temporary or Other Uses- Electronic game machines and pinball machines as permitted uses only in Highway Business and Commercial Districts and only be allowed with a Special Use Permit so that both the planning board and town board would have to review each application. Berry Godwin made a motion to that suggestion and Terry Rains seconded the motion. The motion passed unanimously.

MISCELLANEOUS

Scottie Hayes gave an update on the cleanup of the oil mill. He said a company may clean up the site free of charge in exchange for the bricks on the lot. He said he would have to send pictures of the site to them. He said the bricks may have been hand-made and may be over 100 years old. He said the scrap metal would be easy to get rid of and at the very least; the grass needs to be mowed. He said he would follow back up at next meeting.

MEETING ADJOURNED

There being no further business to discuss Berry Godwin made a motion to adjourn and Terry Rains seconded the motion. Motion passed unanimously. The meeting ended at 7:30 p.m.

Connie N. Capps
Deputy Clerk

Randy Holloman, Chairman