



**TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
AUGUST 10, 2020
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, August 10, 2020 at the Pine Level Town Hall.

ROLL CALL

- ✓ Mayor Jeff Holt
- ✓ Commissioner Greg Baker
- ✓ Commissioner Jimmy Garner
- ✓ Commissioner Phil Pittman
- ✓ Commissioner Bill Radford

STAFF PRESENT: Attorney Will Barham, Consultant Dan Simmons, Pine Level Fire Chief Brannan Barbee, Pine Level Fire Dept. President Greg Johnson, Police Chief Ashley Woodard, Police Officer Tyler Hicks, Public Works Supt. Ray Stuckey, Parks & Recreation Coordinator Scottie Hayes, and Deputy Clerk Connie Capps.

OTHERS PRESENT: Newton Barham, Randy Jones, Jonathan Jones, Rodney Cabe, Kevin Kornegay, and Elliott Arthur.

INVOCATION AND PLEDGE

Mayor Jeff Holt gave the invocation and Commissioner Greg Baker led the Pledge of Allegiance. Mayor Holt then welcomed everyone to the meeting.

AGENDA

MOTION TO ADOPT: Comm. Greg Baker

SECOND: Comm. Bill Radford

VOTE: Unanimous

MINUTES- JULY 13, 2020

MOTION TO APPROVE: Comm. Phil Pittman

SECOND: Comm. Greg Baker

VOTE: Unanimous

PUBLIC COMMENT AND PUBLIC HEARING

A motion was made by Commissioner Garner to close the regular meeting and open the public hearing for the purpose of Adopting a Golf Cart Ordinance and seconded by Commissioner Baker. The motion passed by unanimous vote.

Mayor Holt stated that a public hearing had been advertised on July 22, 2020 for the purpose to consider the adoption of a Golf Cart Ordinance for the Town of Pine Level. He said the public notice and Draft Ordinance was placed on the town's website, Facebook page, and copies were available to review at the town hall. He said after the public hearing had been advertised, the board was made aware that a golf cart ordinance was adopted in 2008 in the form of a resolution with the assistance of Attorney Frank Wood but was never enforced. He stated that since the town had this ordinance in place, the board could abolish it, amend it, leave it as is, or adopt the new proposed ordinance drafted by Attorney Will Barham, and could add other items to it.

Attorney Will Barham stated that after reviewing the 2008 Golf Cart Ordinance he found that the board would need to amend it due to laws have changed. He said the General Statute references would need to be updated and also found that some of the definitions no longer apply.

Commissioner Garner stated that he was one of the families affected in the past 30 years and knows what it is like to lose a family member by riding on the streets in a golf cart. He said golf carts were made to ride on golf courses and not town streets or state roads. He stated that enforcing the ordinance is about saving lives and was opposed to the new ordinance and wanted to use the 2008 ordinance already on the books and start enforcing it. He said kids are riding on golf carts all the time, and just last week saw two kids going to the Pine Level Pool and they slammed on brakes and threw one kid off of the golf cart. He said thankfully, the child was not hurt. He stated they are golf carts not highway carts and are illegal by state law.

Commissioner Radford stated that golf carts were not illegal because other municipalities have golf cart ordinances on their website. He said the problem he noticed were under-age kids driving golf carts, and the number of kids riding on the golf cart. He stated the town could solve the problem if we made a requirement that the kids would need to have a valid driver's license, have proof of liability insurance, and specify places/streets in crossing over. He said he was against people spending money to put seatbelts on golf carts that go 15mph and were not designed for them. He also asked Police Chief Ashley Woodard about the inspection process and registration.

Commissioner Pittman stated that liability is important and it was his understanding that everyone is individually liable. He asked Town Attorney Will Barham that if the board were to restrict seatbelts,

would the board be putting themselves in a liability issue? The attorney stated that if you follow the existing ordinance or the new proposed ordinance, they will have to release the town, and the waiver is included in both ordinances to protect the town.

The board then heard public comments from Rodney Cabe, Randy Jones, Jonathan Jones and Newton Barham concerning the following: crossing points, prohibited streets to ride golf carts, seat belts, lights and turn signals, reflectors, riding on the state roads in town, inspections, and registration fees. After hearing all public comments, Commissioner Garner made a motion to close the public hearing and Commissioner Baker seconded the motion. Motion passed by unanimous vote. The public hearing was declared closed.

Commissioner Garner entered a motion to amend the existing ordinance to be compliant with the General Statutes: Section 1 20-4.0112(B) and Section 3 Subsection D, and to strike the medical exemption. He stated that he would also like to add that the ordinance be named the "Linda W. Mangum Golf Cart Ordinance", in memory of a family member who lost her life on a town street in Pine Level. Commissioner Bill Radford seconded the motion. The motion passed by a unanimous vote. Mayor Holt stated that this ordinance would be effective immediately and the registration fee would be \$10.

COMMITTEE REPORTS

Planning Board- Randy Jones stated the board had not met in two months, but activity is going on it just hasn't come to the planning board yet.

Seniors- Commissioner Pittman stated that senior activities have been suspended until the Governor says we can open.

DEPARTMENT REPORTS

RECREATION

Scottie Hayes informed the board of a meeting with the Football League and it was decided that there would be no football this year. He said he was planning to send out registration forms for tee ball, soccer, softball, and baseball next week with the deadline to sign up being Friday, September 4th. He said it will all depend on the number of kids that sign up and if the State goes into Phase 3 of the pandemic. Mayor Holt suggested that kids register for the sports and wait to pay the registration fees at the first practice so the town will not have to refund any money if there should be cancellations.

Randy Jones asked Scottie Hayes what were the restrictions for Phase 2. Scottie stated that the number of people for an outside gathering was 25, but he knew that some places were playing travel baseball and softball.

Jonathan Jones stated that Princeton had several leagues. Mayor Holt stated that from a liability standpoint, the Town of Pine Level will follow the rules the best we can, however, the Town of Princeton doesn't fund, finance, or manage a recreation department at all, as Pine Level does. Jonathan asked the board if a volunteer started up a league outside of the town powers, would that be allowed? Mayor Holt responded yes, but they would have to petition this board like anyone else to rent the facilities, lights, and bathroom facilities, and submit a letter to the town releasing the town from any liability. He stated the cost is \$25 per hour to rent the facility and \$25 per hour for lights. Commissioner Garner stated it is not worth the kids getting sick, and the town must go by the government guidelines.

POLICE

Police Chief Ashley Woodard introduced the new police officer, Tyler Hicks, and stated that Tyler is from the Goldsboro Police Department and is doing a great job. The Chief also informed the board he was in the process of getting vehicles ready for surplus. He said he had also received notification from the Governor's Crime Control of a \$14,000 grant for new body cameras and rifles. Commissioner Garner stated that Chief Woodard and the police officers have worked hard and gone the extra step to take care of Pine Level and he appreciated it. The board agreed.

STREETS

Public Works Supt. Ray Stuckey informed everyone that all patching would be done along with the water and sewer project. He said there was still a lot of garbage being picked up, and that it has not slowed down. He reported on the streets lights that were ordered back in November, and they should be installed Wednesday and Thursday of this week.

WATER & SEWER

Commissioner Phil Pittman reported that the town had a large water leak near the post office. Consultant Dan Simmons reported that the paperwork would be signed tomorrow with the USDA, and the pre-construction conference would be held on Wednesday with the notice to proceed and the crew could begin working on site within two weeks. He said that the crew would work street by street. He said the project should be complete in 365 days, then a final inspection would be done to see if anything else needed to be done or repaired, and then the crew would have 30 more days to do so. He said it would be a total of 395 days for the final completion. Questions were asked about how long residents would be without water. Dan stated that water would be off long enough to test lines and it would vary, but should not be too long. He said that the town is replacing all old lines that were installed in 1950. He also stated that we cannot tell the contractor the means or methods for this project. He said the contractor agreed to begin at Pine Level School due to school starting back. Kevin Kornegay asked if it would be a good time or an advantage to anyone if they wanted to get a 2nd meter water tap while the construction was in progress. Public Works Supt. Ray Stuckey said he thought it would.

Randy Jones announced that on November 3rd the polling place to vote in Pine Level will be at Pine Level School. He stated that he knew the town would be involved with the water and sewer project and asked that if all possible the water not be off at that location on that day. Dan Simmons stated that the town has a good contractor and he will work with the town on this.

FIRE DEPT.

Fire Chief Brannan Barbee reported that the department had some issues with the roof and floor repairs at the fire station. He also stated that hurricane season is upon us and encouraged the town to designate someone to be on the conference calls with Johnston County. He said they offer a lot of good information.

STAFF

Deputy Clerk Connie Capps reported that the new software for the town is working well.

UNFINISHED BUSINESS

Mayor Holt stated that the board is still thinking about a date for the fireworks display such as New Year's Eve, but nothing has been decided.

MAYOR'S MINUTE

Mayor Holt expressed his appreciation to those who were able to attend the new event location for "Serving Spoon at 119 last week. Pine Level business owner, Joyce Jenkins has expanded her business and we are so happy and thankful she chose Pine Level to call home. He invited everyone to go visit her business, and stated that she is now making reservations for brunch.

NEW BUSINESS

Commissioner Baker informed the board that the food trucks will be back at the park on August 22nd. He stated they are well supported in Pine Level and ask that it be placed on the town's website, Facebook page, and possibly on the information signs.

MEETING ADJOURNED

There being no further business to discuss Commissioner Greg Baker made a motion to adjourn and Commissioner Bill Radford seconded the motion. Motion passed by unanimous vote. The meeting ended at 8:15 p.m.

Connie N. Capps
Deputy Clerk

Jeff Holt, Mayor