

Mayor
Jeff Holt

Mayor Pro-Tem
Greg Baker

Board of Commissioners
Jimmy Garner
Phil Pittman
Bill Radford

Town Administrator
Dustin Kornegay



Town Clerk
Connie N. Capps

Police Chief
Ashley Woodard

Public Works Supt.
Ray Stuckey

Rec. Coordinator
Scottie Hayes

TOWN OF PINE LEVEL
MINUTES OF REGULAR TOWN COUNCIL MEETING
MAY 8, 2023

CALL TO ORDER

Mayor Jeff Holt called the regular meeting of the Pine Level Board of Commissioners to order on Monday, May 8, 2023 at 7:00 p.m. at the Pine Level Town Hall with a quorum present.

ROLL CALL

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

STAFF PRESENT: Town Attorney Chip Hewett, Town Administrator Dustin Kornegay, Town Clerk Connie Capps, Public Works Supt. Ray Stuckey, Police Chief Ashley Woodard, Recreation/Zoning Director Scottie Hayes, and Administrative Assistant Ashley Willoughby

OTHERS PRESENT: Planning Board Chairman Randy Jones, Planning Board Vice-Chairman Kevin Kornegay, Samuel Heuertz, Adam Capani, Jim Perricone, Mark Jones, Danny and Sherry Hudson, Joe Bernie Dupree, Fire Chief Brannan Barbee, and Fire Dept. President Greg Johnson

INVOCATION: Mayor Jeff Holt

PLEDGE: Attorney Chip Hewett

APPROVAL OF AGENDA:

Town Administrator Dustin Kornegay requested to add:

- Under Public Works Dept. Reports- #3, A Resolution for Water/Wastewater Remediation I&I Project
- Mayor Holt requested a brief Closed Session as #9a.
- Under Police Dept. Reports- #1, Adopt text amendment to add to the existing Minimum Housing Code. Attorney Chip Hewett stated there will also be another text amendment to adopt later that would require a public hearing.
- To hear Agenda Item # 7 before Agenda Item #6

Motion to approve the agenda as amended: Commissioner Bill Radford

Second: Commissioner Greg Baker

Vote: Unanimous

APPROVAL OF CONSENT AGENDA

- a. Regular Town Council Minutes-April 10, 2023
- b. Financial Statements/Current Budget Amendments

Motion to approve: Commissioner Greg Baker

Second: Commissioner Bill Radford

Discussion: Commissioner Jimmy Garner stated that he liked the new look of the agenda but would like to continue receiving the monthly Check Listing to see where we have overspent. Administrator Kornegay stated he changed up the agenda to include a Consent Agenda. He said the way he did the budget amendments was a different way of looking at each account to see whether it was under or over budget, but stated that the monthly check listing could still be provided.

Vote: Unanimous

PUBLIC COMMENT

Kevin Kornegay who resides at 205 North Peedin Avenue stated that he wanted clarification as to when a developer would need to pay for sewer capacity fees and tap fees. He asked if there was a policy stating the time frame in paying these fees. He also wanted clarification on if someone would have to pay these fees if there was already an existing tap on the property. Attorney Chip Hewett stated each request should be looked at individually. After some discussion, Mayor Holt stated that by the June meeting the town would have a proposal to consider.

COMMITTEE REPORTS- 150th CELEBRATION

Chairman Randy Jones reported on the 150th Celebrations. He stated great things will be happening in Pine Level in the next few months. He said the Fire Department will be celebrating Fireman's Day on Saturday, May 20th, which will include a parade, vendors, crafts, food trucks, a band, and fireworks. He stated The Town of Pine Level will be having two events: one event will be held on July 4th and one on September 16th to celebrate the Town of Pine Level's 150th Anniversary. He said plans consist of a car show, vendors, crafts, food trucks, performances from Baker School of Dance, The Malpass Brothers Blue Grass Band, the Band of Oz, and Jim Quick and Coastline Band. He said there will also be bounce houses for kids, and many other things the committee is still working on putting together. He said we are planning to sell tee shirts, hats, cups, and patches with the 150th logo on them at both events. He stated the committee is also planning to set up a room at the town hall that will display memorabilia, and he said a book written by Robert L. Fitzgerald will be reprinted and sold about the history of Pine Level. He said we are asking for sponsors for both events. He said if any person or business that would like to sponsor these events or sign up as a vendor, or for a food truck, they can do so by contacting me or the town hall for information, or go to the town's website at www.pinelevel150.org. He stated that letters and emails have been sent out for sponsors.

Chairman Randy Jones stated that all the information about these events is on the town's website. He said he appreciated all the committee's help and hard work in organizing these events. He said great things are going on and we have a great committee to plan it. He said the committee consists of: Co-Chair Tonia Hill, Administrator Dustin Kornegay, Town Clerk Connie Capps, Recreation Director Scottie Hayes, Administrative Asst. Ashley Willoughby, Fire Chief Brannan Barbee, Brian Phillips, Eric Neal, and David Stuckey with 94.7 has been a big help. He said we also want all Pine Level local clubs such as the Boy Scouts, Cub Scouts, Girl Scouts, Lions Club, American Legion, and all of our churches to participate to show everyone what Pine Level has to offer.

Mayor Holt stated about 7 or 8 years ago the town had a Civil War Reenactment here in Pine Level and they camped near and around the Busy Bee Oil Company. He said it was their Artillery Group and they brought the cannon and fired it. He said you could contact Grover Godwin on possibly inviting them to come back. Mayor Holt asked if there were any questions for Mr. Jones.

Commissioner Jimmy Garner stated that all these activities are good, and he agreed with doing these activities for the 150th Anniversary. He said you have a good group to help you, and I am willing to give you \$100 right now toward these events. He said my concern is what happens if we do not raise the money to help cover all the expenses. He said that he did not think the taxpayers should pay if the town could not raise the money. He said it is great for our town and town citizens, but it is not acceptable if we come up short. Randy Jones stated the town has signed with the Malpass Band which is a Blue Grass Band, The Band of Oz, and we have just received the contract with Jim Quick and the Coastline Band.

Committee Chairman Randy Jones stated that he had received several businesses stating they were in favor of sponsoring these events. Mayor Jeff Holt asked for a motion to move forward with the 150th events being planned, or not to move forward with the 150th events. Commissioner Greg Baker made a motion to move forward with the 150th celebration events as mapped out with a cap of \$45,000 of town funds. Commissioner Phil Pittman seconded the motion. After some discussion Commissioner Greg Baker stated that he thought these events would be good for the town. Commissioner Jimmy Garner said he agreed, if all the money could be raised. He said he just had a problem if all the money was not raised, he did not want the taxpayers to have to pay for it.

The motion passed on the following vote:

Those voting in favor of the motion: Commissioners Greg Baker, Phil Pittman, Bill Radford

Those opposed: Jimmy Garner

Commissioner Baker stated that he firmly believes these 150th events are worth the expense. Randy Jones stated that any time you have an event you must first put together a program before asking people to sponsor any event.

PUBLIC HEARING- REZONING REQUEST FOR DANNY EVANS/CYNTHIA RANSOM

Mayor Holt next asked for a motion to open the public hearing. Commissioner Bill Radford made a motion to open the public hearing and Commissioner Greg Baker seconded the motion. The motion passed by unanimous vote.

Mayor Jeff Holt stated a rezoning request had been submitted by Danny Evans and Cynthia Ransom to rezone Parcel #12M12065A from RA (Residential/Agriculture to LI (Light-Industrial)). The public hearing was duly advertised in the Johnstonian News on April 19, 2023 and April 26, 2023. The property owners within 500 feet of the property being rezoned were notified by mail of this public hearing. He stated that the board has received a Memorandum from the Planning Board to recommend the approval of the rezoning request. Zoning Administrator Scottie Hayes stated that this rezoning request would also follow with the Town of Pine Level's Future Land Use Plan.

Mr. Adam Capani from 1021 Brakfurst Drive in Raleigh, stated that he represented the owners on the listing and selling of this property. He said they were considering their use when they were

looking property. He said Light Industry zoning was the zoning that would allow what they wanted to do and that is why they purchased this property.

Mr. Jim Perricone from 388 Venture Drive in Smithfield spoke next. He said the buyers spent a lot of time looking for locations zoned Light Industry because that was what their use of storage units required. He said that is why they were drawn to this property. He said this request should be a quite operation.

Mr. Danny Hudson who resides at 386 Peedin Extension spoke and stated that he has lived near this property since 1977. He stated that the neighborhood was quite until the new road and bridge came through the area. He said he would rather see nice houses, or anything come to the area except Light Industry. He said he was unaware what the use was until tonight. Mayor Holt said anything that is allowable under Light Industry in the ordinance can be placed on that property.

Mr. Capani stated that buyers spent time looking for locations with the intent for self-storage units which is a quiet operation.

Mr. Mark Peedin who resides at 154 Peedin Extension, which is within 100 yards of the property stated that this was the first inclination of this request, and stated that he has lived through condemnation at the other end of the road, dealing with NCDOT. He stated that traffic is a major thoroughfare in the morning and afternoon. He said there is more traffic with the new bridge and now there is backup of traffic. He said the Future 42 Project will also be coming through. He stated that Creech's Mill Road Bridge intersection is already busy now with the BP Station and the RV Park. Mr. Jones stated that the NCDOT should have a traffic study done and give feedback on their findings, as well as a Storm Water Drainage Study. He said the concrete slabs for storage units maybe too close to wetlands. Mr. Peedin said it was his understanding a pump station would need to be built.

Mayor Holt stated to Mr. Peedin that these were all valid concerns. He said if a pump station is needed the developer will pay for it. He also stated that this project may require a turn lane at Peedin Avenue and Peedin Extension, but a traffic study may be required at the developer's expense.

Mr. Perricone responded that storm water will be addressed, as well as other issues with NCDOT would be addressed in the next phase. Commissioner Garner questioned the acreage of the property. He said it is four acres, and people will not be in and out of the storage units every day.

Zoning Administrator Scottie Hayes stated that this use is allowed under LI (Light Industry). Scottie Hayes asked Attorney Chip Hewett if this rezoning is approved, can you require them to have a stormwater study done because he did not think this request would come back before the Planning Board.

There being no other discussion, Commissioner Jimmy Garner made a motion to close the public hearing and Commissioner Bill Radford seconded the motion. Motion passed by unanimous vote.

Commissioner Bill Radford made a motion to table this request for 30 days, and to place this request on the agenda for June 12, 2023 under Old Business. Commissioner Phil Pittman seconded the motion. The motion passed by unanimous vote.

DEPARTMENT REPORTS

Administrator's Report

Pricing Proposal for Software

Dustin Kornegay presented a pricing proposal for new software from Payment Service Network, Inc. which is an affiliate of Southern Software. He stated that the software we are currently using for online payments is affiliated with Southern Software also which is called All Pay. He said the new software allows customers the ability to see their past due and current balances online, change their bank information, change their address, set up a date to make automatic payments, pay by debit or credit card, pay from their checking/saving accounts or by the PSN Call Center, and much more. He stated which will help the office staff in not having to look up so many accounts and giving customers their balances by telephone on the busiest days of the month. He stated that a monthly fee of \$200 will be charged. He said that he recommends entering the Town into this agreement.

Commissioner Greg Baker made a motion to enter into agreement with PSN, Inc. and Commissioner Bill Radford seconded the motion. The motion passed by unanimous vote.

Solid Waste Collection Agreement

Administrator Kornegay stated there was some discussion last month about considering GFL as a Pilot Program for garbage pickup. He said he sent copies of the Agreement out for the board members to review. He asked if they were ready to pursue or postpone. Mayor Holt stated it was his opinion from the board that when we bring in the new subdivisions, it might be a good time to try the Pilot program for one year. He said we could start July 1st. He said the town would still be responsible in picking up yard waste beside the streets. Commissioner Baker said his concern was if there was a timeframe the town could opt out of the agreement whether it is 30, 60 or 90 days. Mr. Kornegay reported on a cost analysis of picking up the garbage. After some discussion, Commissioner Baker made a motion to table this item for 30 days in order to give time to create an area/route for picking up the garbage and submit to GFL for a quote. Commissioner Radford seconded the motion. The motion passed by unanimous vote. Commissioner Garner stated that by trying this Pilot program would also allow our men to do other jobs as well as giving them time to receive their CDL license.

BUDGET PREPARATION

Dustin Kornegay reported to the board that he was in the process of reviewing and updating the town's personnel policy. He said he was also working on budget preparations. He said it has been a tight deadline this year. He stated that he had been talking with the department heads and getting some numbers together.

RECREATION

Recreation Director Scottie Hayes stated that the town had applied for An Open Space Grant to put a dog park on the tennis courts on the 70-A Highway side of the park. He said the town was approved for the Grant. He said we are looking at putting a fence inside the big fence with a double gate. He said the town received \$42,000. He said we need approval by the council to move forward. Commissioner Garner asked Attorney Hewett if a dog gets out of the fence and bites a child, is the town liable? Attorney Hewett said, no the owners should have control of their dog and said the town would be fine. Commissioner Baker made a motion to accept the Grant and move forward. Commissioner Radford seconded the motion. The motion passed by unanimous vote.

Scottie next stated the Recreation department had been very busy this Spring. He said in April the concession stand brought in \$6,143.00. He said 50% is profit.

Scottie also reported that 210 kids participated in Spring Sports this year:

Tee Ball- 80

Baseball/Softball- 70

Flag Football-60

PUBLIC WORKS- WATER/SEWER/STREETS

Dustin Kornegay presented a Resolution by Governing Body of Recipient for the board to adopt from the North Carolina Department of Environmental Quality for the funding of \$2,500,000 to perform the work detailed in the submitted application for Water/Wastewater Infrastructure needs. He said this money would be used to perform the camera work for the sewer system.

Motion to adopt: Commissioner Jimmy Garner

Second: Commissioner Phil Pittman

Vote: Unanimous

Dustin Kornegay presented the board with a Resolution Supporting the Study of a Water and Sewer Authority in Johnston County. Mayor Holt stated that all eleven municipalities and Johnston County are considering this feasibility study.

Motion to adopt: Commissioner Phil Pittman

Second: Commissioner Bill Radford

Vote: Unanimous

Dustin Kornegay reported to the board on the Town of Pine Level's Wastewater I&I Remediation Project. He said he received a letter from Draper Aden Associates concerning the bids received on April 18, 2023, and they recommended the Town of Pine Level proceed with awarding the construction contract to the low bidder, KRG Utility, Inc. He said the Grant money had been received and would be used to do the camera work in the sewer system.

Motion to accept: Commissioner Garner

Second: Commissioner Baker

Vote: Unanimous

POLICE DEPT.

Police Chief Ashley Woodard reported that the department had serviced 96 calls from April 10, 2023 through May 8, 2023. He stated the 2014 and 2016 Chevrolet Impalas have been sold on Gov Deals and the vehicles should be picked up and removed from the Town property this week.

Chief Woodard reported that the department has received multiple complaints concerning the intersection of West Blanche Street and Capps Street. He said he contacted the NCDOT and requested the State to consider making this intersection a four-way-stop. He said he met with Mark Manriques and Pine Level Principal Mr. Sasser at the intersection to discuss a solution. MSTA has been contacted to study the traffic pattern of the school and attempt to keep school traffic on the school property.

Chief Woodard next informed the board of items in Code Enforcement. He reported that the department has mostly caught up on the properties that we had condemned last year. He said he has requested for the County to inspect three additional properties for condemnation. He said one property on North Peedin Avenue met the standard for condemnation. He said violations of the Community

Appearance Ordinance will be sent out to the owners of the other two properties. He said two letters for properties located on US Hwy 70A were sent addressing violations of the Community Appearance Ordinance. Those properties are now in compliance with our Town Ordinances. Chief Woodard stated that we have two issues that require an update to our Minimum Housing Standards Ordinance before we can move forward on them.

Chief Woodard also requested that the board amend the Minimum Housing Code Ordinance to adopt a text amendment

Motion to approve: Commissioner Greg Baker

Second: Commissioner Bill Radford

Vote: Unanimous

FIRE DEPT.

Fire Chief Brannon Barbee reported that he and the Fire Dept. treasurer had a meeting with Town Administrator Dustin Kornegay recently and we enjoyed meeting him.

Brannon reported on the upcoming Fireman's Day on May 20th. He said the parade will be small and begin at the Fire Department at 2:00 p.m. He said the parade route would end at the park. He said we are hoping to have a special drop in from the paratroopers and a performance from Baker School of Dance, and the band will begin playing at 6:30 p.m. and afterwards we will have fireworks. He also informed the town board that fireworks for the July 4th Celebration had been ordered.

COMMISSIONERS COMMENTS

Commissioner Greg Baker commented on the beautification done at the American Legion. He said whoever was in charge did a great job and it looks great!!

CLOSED SESSION

At 9:00 p.m. Commissioner Jimmy Garner made a motion to enter Closed Session to discuss a personnel matter. GS. (143.318.11 (6).

Second by: Commissioner Bill Radford

Vote: Unanimous

At 9:30 p.m. Commissioner Bill Radford made a motion to end the closed session and enter open session. Commissioner Greg Baker seconded the motion. The motion passed by unanimous vote. No action was taken.

ADJOURNMENT

There being no further business to discuss, Commissioner Greg Baker made a motion to adjourn the meeting. Commissioner Phil Pittman seconded the motion. The motion passed by unanimous vote. The meeting ended at 9:30 p.m.


Connie N. Capps, Town Clerk




Jeff Holt, Mayor