

TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
JULY 11, 2011
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, July 11, 2011 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

Public Works Superintendent Ray Stuckey, Asst Supt. Ken Wall, Jr., Engineer Gene Cobb, Parks and Recreation Coordinator Scottie Hayes, Town Clerk Sharon Thompson

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Pittman gave the invocation, remembering in particular Frank Wood and his family, since his father, Dr. Jerry Wood, passed away this weekend. Commissioner Gudac led the Pledge of Allegiance.

APPROVAL OF AGENDA

ADDITIONS:

DELETIONS:

10. (A) Time Share proposal - defer until Frank Wood is present

MOTION TO APPROVE: Gudac
SECOND: Anderson
VOTE: unanimous

APPROVAL OF MINUTES: 06-09-11

MOTION TO APPROVE: Pittman
SECOND: Gudac
VOTE: unanimous

PUBLIC HEARING ON REZONING REQUEST

Mayor Holt then opened a required public hearing on a request for rezoning filed by Melvin's Termite and Pest Control, said hearing having been duly advertised on June 22nd and June 29th in *The Kenly News*. Mayor Holt said the property was located at the corner of US 70-A and North Capps Street and the Melvins asked to rezone it from RS to HB. Randy Holloman, Planning Board Chairman, reported that the town's Land Use Plan shows the property as HB and no one could remember why it was never zoned that way, but it has continued as a grandfathered use. The Melvins want to add on to the existing building and improve the looks of the business and they can meet the necessary setbacks. Mr. Holloman said if the rezoning is not approved, then only minor improvements could be made to the building. He said the Planning Board recommended approval of the rezoning request.

The mayor asked if there were any other comments, either in favor or against the request. Commissioner Anderson asked about the sketch they received, Mr. Holloman said there were just a couple of minor changes in the plan. Mayor Holt then closed the hearing at 7:10 p.m. The board voted unanimously to accept the Planning Board recommendation and to approve the rezoning request to HB. Mayor Holt thanked Mr. Holloman and the Planning Board for their work.

MOTION: Garner

SECOND: Gudac

VOTE: unanimous

PUBLIC COMMENT

The mayor then called for public comment on non-agenda items. Mike Hall of 25 Rody Lane in Laura/Mark Subdivision, asked about the water situation. He said there were many complaints in his neighborhood with the water conditions, and that today he had the black specks and brown water too. He asked if there was anything he could tell his neighbors about what the town is planning. Mayor Holt said they would be talking about the water situation in just a few minutes.

REPORTS FROM COMMITTEES

Commissioner Pittman said the seniors meet this Wednesday and that Chuck Elliott, CEO of Johnston Health, would be addressing the group. He said the town board members would be welcome to attend. Commissioner Gudac commended the senior group on their financial statement each year and he said it looked like they were having a lot of activities and managing their money well. The mayor reminded the board members they would be feeding the senior group in August.

DEPARTMENT REPORTS

STREETS: Commissioner Garner. Everything going well, no complaints. Weather severely hot this week, men starting to work a little earlier. Had complaints on trees at Herring St. and US 70-A blocking visibility. Commissioner Anderson said there was another complaint from Strickland Plantation, due to an overgrown bush impeding vision for the town truck. Commissioner Pittman and Garner said they would look into the problems and talk with the owners, and if necessary, the attorney.

RECREATION: Commissioner Anderson. Commended Scottie Hayes on a good July Fourth program. Mr. Hayes encouraged board to make a decision as soon as possible on next year's Fourth. Commissioner Garner said they should contact the fireworks company about a program on the Fourth, but the clerk said they would run \$9,000 to \$10,000, to hire a pyrotechnician for the Fourth. Mr. Hayes said registration is underway for football and soccer in the fall.

WATER/SEWER: Commissioner Gudac. Everything okay.

POLICE: Commissioner Pittman. Cars running okay. Encouraged citizens to observe speed limits.

REPORTS FROM STAFF

Gene Cobb, engineer with Triangle CivilWorks, said the valve that has been on order should be shipped today. He said he was working to put together a bid package. He also said they talked with the Local Government Commission about the finances, and set up a meeting for next Tuesday with Dianne. He said a board member would need to attend the meeting, along with the town attorney. Mr. Cobb said the time frame would depend a lot on the LGC and their approval, and they would move as quickly as the LGC allows. He said they would have to have LGC approval in order to send out for bids. He said they stressed to the LGC this was a sort of emergency situation. The mayor said the town might be able to get some assistance from the county.

Commissioner Garner asked if they need to go ahead and order the filter too, to have it on hand. Mr. Cobb said they first had to have the financing in order, but the filter was more readily available than the valve was. Commissioner Garner noted that the board included money in the budget to work on the water equipment, but they might have to switch temporarily to county water if the problem lingers on and on. He said the citizens need to know that the town is working to fix the problems as soon as possible. Commissioner Anderson asked how long were they looking at before the valve is completed. Gene Cobb said the LGC approval takes about 60 days. Commissioner Garner asked if the town could buy the equipment and reimburse itself when the financing is approved. Commissioner Pittman asked how much the project would cost. Mr. Cobb said it should be around \$190,000. Mayor Holt said he would speak with the county manager and see if they could make any arrangements, understanding that the project needs to be put on a fast track as quickly as possible.

FRANK H. GEORGE ENDOWMENT AGREEMENT

The board then considered a proposal from James P. George to create the "Frank H. George Endowment Agreement" on the town's behalf. Mr. George would set up a \$25,000 endowment and the town would oversee that the interest on the money is utilized according to the agreement, for beautification projects. Mayor Holt says the agreement is well spelled out and specifies what the interest may be used for and how groups might apply to use the funds. He said Mr. George is making the offer in his father's name and the town would have no obligation other than administering the funds. The money is to be spent each year and not held in the bank, and an annual report should be generated to show how the money has been spent. Mr. George commented that the report was basically for the citizens and the town board, so they could know what is going on. He said it should be posted on the website for all to see.

Mayor Holt asked what would happen in several years if the town leaders should decide they don't want to oversee the endowment any longer. Mr. George said it was actually harder than you might think to find people and projects for the endowment. He suggested the town develop a three-year plan of suggested uses so the money could be spent. Commissioner Garner said there is always some group looking for funding, such as the Boy Scouts, to do projects in town. Mayor Holt said the seniors group might participate, as well. He said that Frank Wood has been reviewing the agreement, and that Mr. George has been readily agreeable to making changes, if necessary.

Commissioner Gudac said he has known Mr. George for a long while, and thought this was a fine gesture on his part, since it was so seldom that you see someone with foresight to help the town, and that Mr. George should be commended. Commissioner Garner asked if they could accept the proposal, contingent upon the attorney's approval. Commissioner Gudac said the agreement was spelled out in plain language. The board unanimously approved the agreement, contingent upon the attorney's approval. Mayor Holt told Mr. George they would be in touch with him to discuss how to proceed with the agreement. A copy of the agreement is included with and hereby made a part of these minutes by reference.

MOTION: Gudac
SECOND: Garner
VOTE: unanimous

ANNOUNCEMENTS

Mayor Holt announced that four of the incumbent board members have filed for re-election in November 2011. He said there was a week left for anyone who wished to file. He said the next meeting will be on August 8th. Gene Cobb said they need a board member to attend the meeting with the LGC; Commissioner Garner said he would go with them.

ADJOURNMENT

There being no further business, at 7:45 p.m. the meeting was adjourned.

MOTION: Pittman

SECOND: Gudac

VOTE: unanimous

TOWN CLERK

MAYOR