

Town of Pink Hill
Board of Commissioners Meeting
June 13, 2023

Minutes

The Town of Pink Hill Board meeting was held June 13, 2023 at 7:00 pm in the Police Bay. Present at the meeting were: Mayor Yvonne Deatherage, Commissioner Penny Murphy, Commissioner James Quinn, Commissioner Pete Fantini, Town Attorney Will Gray, Jr, Town Clerk Lisa McGee, Public Works Assistant Phillip Swinson, Police Chief Michael Hoffman and Officer John Weaver.

Visitors present were: Kevin McGee, Carolyn Whitfield, Suzie Baker, Richard Goldsby, Kristin Fantini, Daniel White, Carmen Fernandez, Brett Smith, Amburlee Mier, Joshua Eing, Jolene Hoffman, Teresa Horne, Mike Horne, Jayne Zesiger, Cole Baker, Joe Baker, Cayon Heath, Paige Marshburn, Amber Ramsey, Georgeanna Thompson, Mr. Dixon

Mayor Yvonne Deatherage called the meeting to order. Mayor Deatherage asked everyone to join in the pledge of allegiance. Everyone stood and said the pledge of allegiance. Lisa McGee, Town Clerk, gave roll call: Mayor Deatherage, Commissioner Murphy, Commissioner Quinn, Commissioner Fantini, Attorney Will Gray, Jr and Town Clerk Lisa McGee, all were present at the meeting.

Michael Hoffman, Chief of Police, made a statement addressing everyone:

“Cut off all mobile devices as the meeting is being recorded. Please refrain from speaking unless you have the floor. Any outburst could be the cause for you being asked to leave the meeting. Be it noted that our meetings are being recorded. Let’s conduct ourselves in a professional manner. Thank you!

PUBLIC COMMENTS:

Carolyn Whitfield: (public comments)

This has been on my mind for a while since we have changed the order and I just feel like that it just would be can’t complain unless I put it out there in words but I have a problem with the public comment saying at the beginning of the meeting because in my view which is my view I’ll say that out loud your public comment should typically reflect what had gone on in the meeting and I don’t know what’s going to go on in the meeting because we haven’t had the meeting yet. Um and possibly for some clarification because by making it now, I guess I could be making public comments about what happened at the last meeting because there may not have been anything happened since the last meeting, but it just seems to me that the lack of communication of the going back and forth and the things that take place in a meeting and then we’re not allowed to say anything during a meeting, which I understand is parliamentary procedure and Robert Rules and all that, um but at some there needs

to be an avenue for the constituents and residents of our town and the surrounding areas who have vested interest in our town should be able to share their thoughts about the things that are talked about in the meetings. So, it just seems to me about having the public comments now and then they're never commented on again, um case in point was when Mike was still here there was brought up about a street over here that needed to be looked into be taken through to make it into a through street purely mainly for safety reasons and getting and what is that called? EMTs for their safer and it's never been mentioned again in this meeting again, except by people in public comments. That's just my thought right now. Thank you for your time.

Carmen Fernandez: (Juneteenth)

Um, I just actually wanted to come and announce once again Community Connection is having a Juneteenth pot luck this Sunday at 5:00pm at the events venue at 110 W Broadway St. Yeah, also just wanted to speak to why we are doing that event. So, I think I've mentioned before that we did a set of surveys during Covid and one of the things we found on those surveys was that there's a lot in Pink Hill to do but whatever reason people don't feel welcome or wanted and so part of what Community Connection is doing is just simply trying to diversify events so that you can kind of break up that and people feel more welcome and wanted. Um, thank you Commissioner Murphy for making space for people to be heard and speak because that's part of what we're doing too. It makes a difference when you are heard. Like it feels good to have your questions answer and to be seen. So, thank you for that. So, yeah um, Sunday come join us, bring a dish, I it's Sunday supper so bring something your grandmother would make. I know we've compiled a list of food that we were bringing and y'all I'm hungry so, I hope to see you guys there. Thank you.

Suzie Baker: (Parliamentary Procedure)

Good evening, I'm pretty good ole girl, pretty smart ole girl. I've been coming to these meetings off and on for about 25 years and I understand the need for orderly meetings for non-threatening behavior. But I also understand that right now our town's going through some growing pains and I don't know if you people sitting up here understand what these people out here are feeling. We feel like we're not heard and I know that you have to have a way to run a meeting so that you get through it in a decent amount of time, but sometimes it feels like you are hiding behind the Robert's Rules of order. It's like sit down, shut up, let us do all what we gotta do and then get out the door, we don't want to hear from you anymore. With the exception of a couple of people on this board. I've not been, I have questions only a couple of people actually come to me and say, what do you want to talk about? I think these people feel the same way. Penny, I appreciate you tonight stopping the parliamentary procedure and giving us a chance to speak because if you don't give us a chance to speak in here, we're going to speak in November. And just remember that. Thank you.

Richard Goldsby: (Stop Sign Update)

Good evening, I am Richard Goldsby, I'm the Assistant Pastor at Smith's Chapel Ministries Church over here across the street over here. And we have a problem, a situation I said. Problems takes long to solve. A situation is a stop sign coming off

241. We turn in at the short street stop sign. Can we have a 3-way stop? When we turn off 241, we can keep going but at a three-way stop, coming back out or just make the two-way stop deal going a long way on that road, that's the request. Because coming up 241, you make that left turn or right turn, you got to stop. So, you turn in there as a short row, short piece of road. Why can't that be an easy come through movement? You know what I'm talking about? Commissioner Fantini asked is there a four-way stop there? Richard Goldsby said it is a two-way stop. It's a two-way stop but we need it to be a three-way stop or a two-way stop going the long way on Eva Mae Jones Rd (Old Beulaville Rd). But that coming off of 241, you would be a direct straight path across, safety. So, can we get the stop sign moved? Chief Hoffman said it is a little daunting coming sown 241 and turning on Old Craft Rd, it's an immediate stop. Chief Hoffman said my suggestions is to make it a three-way stop. Richard Goldsby said to make it a three-way stop that is my request. Mayor Deatherage said there is a DOT meeting next week, we'll bring it to their attention. Mr. Goldsby said also speaking of that back road that we have mentioned, we talked about are there any updates? Mayor Deatherage said we are still working on that back road, the problem there is you one community member who has blocked every entrance. Mr. Goldsby said absolutely Mayor Deatherage said you have had one person that's blocked at every which way to be able to do that, um, so it's not forgotten. Mr. Goldsby said ok, Mayor Deatherage said and I know this is out of order speaking but my attorney is shaking is head ... but we need you to know that we are working on it but until that person releases one of those areas, we've got a problem and we have also talked to the state as well. Mr. Goldsby said I'm a firm believer in safety. When people getting, I trouble they need the ambulance to come the EMS worker have nor where to turn around, they have to back all the way out. This is just the concern of the people in the community. So, we need to come together and work on this issue. Amen! Thank you so much.

Mayor Deatherage read the Conflict-of-Interest statement and asked the commissioners if there were any conflicts that they were aware of?

- All Commissioners stated no.

Mayor Deatherage asked for a motion to approve the June's agenda,

- Motion made by Commissioner Fantini
- Seconded by Commissioner Quinn
- No discussion
- Vote was unanimous

Mayor Deatherage asked for a motion to approve May 9, 2023 Minutes

- Motion made by Commissioner Fantini
- Seconded by Commissioner Murphy
- No discussion
- Vote was unanimous

Mayor Deatherage asked for a motion to approve the May 2023 Financial Reports

- Motion made by Commissioner Murphy
- Seconded by Commissioner Quinn
- No discussion
- Vote was unanimous

Department Reports:

- Water report – read by Phillip Swinson – Assistant Public Works
- PHFVD report – read by Commissioner Murphy
- Police report – read by Chief Hoffman

Unfinished Business:

Events Venue – Complete and Vote

Mayor Deatherage said our unfinished business from the last meeting was to complete adding event venues to the development ordinances.

Commissioner Murphy said I would like to make a motion to add event venues to the ordinances with the recommendations that the planning board made but I'd like one exception made to those recommendations and that is or requesting or desiring commercial kitchen and I think it should be allowed to happen.

- Motion (stated above) made by Commissioner Murphy
- Seconded by Commissioner Fantini but Retracted his second to the motion
- Discussion – Commissioner Fantini said the only thing that concerns me as well is that their operating times, that it's only operating, what if they just open it up and do like an open house? I mean it's not a scheduled event but somebody else. So, what I'm trying to say is that they can only use that property if somebody rents it but it's their property. What if they just want to get together? The planning chair Daniel White said he think there was an issue there. Scheduled events follow the time line set in the ordinance. Commissioner Fantini said one more we are not talking about the parking in this thing, are we? Commissioner Murphy said I made a motion to adopt what the planning board recommended with the exception of the commercial kitchen to be allowed. Commissioner Fantini said I think we should do away with the parking like I said before we have plenty of parking downtown. Commissioner Murphy stated that she talked with the business owners and they said that they wanted to make sure there was parking for their customers close to their business, with the exception of festivals and the parade.
- After Commissioner Fantini retracted his second – Commissioner Fantini wanted to be on the record that this is absolutely not acceptable, it shouldn't be acceptable and if you are a business owner wanting to come to this town, I promise you won't be treated that way.

- Seconded by Commissioner Quinn
- Vote was 2 to 1 Commissioner's Murphy and Quinn-yay's and Commissioner Fantini nay

Paige Marshburn from the audience said of course and Mayor Deatherage asked her to leave. Commissioner Fantini said you can't tell her to leave she has to direct the Chief of Police to direct her to leave. Attorney Gray said she can if she is interrupting the meeting and if they don't leave then she can ask the chief of police to do it. Mike Horne said what was the purpose of having all these people volunteered Mayor Deatherage asked Mike Horne to leave and Mike Horne said I will when I get done ... I've got 271 feet of parking right around the corner across the street. Mayor Deatherage asked the chief of police to take him out please. Mike Horne said I will see y'all in November.

New Business:

Budget Amendment to move the ARP money to the appropriate fund.

Town Clerk, Lisa McGee said the budget amendment in your binder is for the ARP monies that we discussed last time. You wanted to know how they were going to get moved around and get put in the correct line item. This is the budget amendment to move those monies as discussed in the September 13, 2022 BOC Meeting that was approved at that meeting. The monies did not get moved at that time.

Mayor Deatherage asked for a motion to move the ARP monies

- Motion made by Commissioner Quinn
- Seconded by Commissioner Murphy
- Discussion: Commissioner Fantini said when we look at this, if we go back, we'll see that each department gets a certain amount. Town Clerk, Lisa McGee said yes, the Police department gets \$20,000.00, the Fire Department gets \$20,000.00, the Public Works department gets \$20,000.00. the Library got \$10,000.00 and the Administration got \$2,000.00 and \$8,000.00 in bonuses and any money left over was split between, fire, water and police departments.
- Vote was unanimous

Payment arrangement for Amburlee Mier (acct # 1930).

Ms. Mier said I come before the board of commissioners to ask for a payment arrangement (to set her up on; a payment plan) to pay her water bill. She stated that she had a major water leak under her house and it cost \$1800.00 to get Josh Bradshaw Plumbing Inc. to come out and fix it. She also said she would like to ask for a one-time rate decrease because she didn't cause the leak under her house, and wanted to get the water bill down somewhere more easily for her to pay off. She said did not have the money to pay \$1596.30 in full; but did not want her water turned off, she stated that she was the only one that lived there and her income was all she had. Commissioner Fantini asked do we have something set in place for this? Mayor Deatherage said, no. Commissioner Fantini said can we look into getting something

set in place? Mayor Deatherage said that is what she is asking for the board of commissioners to help her. Attorney Gray said to Commissioner Fantini you mean like on a reoccurring basic. Commissioner Fantini said yes because this happens. Mayor Deatherage said the sewage was adjusted. Ms. Mier stated that her utility bill was never over \$100.00 a month.

Attorney Gray said you need to decide what you are going to do with this individual case and then make a motion to look into something for the future.

Commissioner Fantini made a motion to cut her water in half and that would drop it to like \$800.00 (Ms. Mier said she could pay \$100.00 every other week until it is paid off)

- Motion made by Commissioner Fantini
- Seconded by Commissioner Quinn
- Discussion:
- Vote was unanimous

Attorney Gray asked Commissioner Fantini did he want to do a motion for something for the future. Commissioner Fantini said I move to sometime in the near future ... Attorney Gray to have a plan in place something established Mayor Deatherage so, they're not waiting, and there is a process that she can handle it because she just couldn't honor any workout. So, we're just going to leave that to another, are we going to do it right now? Commissioner Fantini said no let's think about.

- Motion made by Commissioner Fantini
- Seconded by Commissioner Quinn
- Discussion:
- Vote was unanimous

Painting the Administration Office – 2 bids

Commissioner Murphy made a motion to go with the lowest bid

- Motion made by Commissioner Murphy
- Seconded by Commissioner Quinn
- Discussion:
- Vote was unanimous

Planning Staff Reports

Carlton Gideon said he had 5 Staff Reports and he explain what each one was for. Commissioner Fantini asked about PH2023-PZA8 so you are taking what the Town Board does and it just goes to you? Carlton said yes, one of the town zoning board members and the approval would be handled by the administrator and typically with administrator decisions, it's better to have it handled by an administrator instead of being by the discretion of a board whether elected or appointed. Commissioner Fantini

said typically the work is still on much but I just don't see the complete values fixing our stuff, great but I don't have value in you or anybody from the company being a land administrator, somebody that this town has to answer to and again I go back to the stuff I have in front of me, you guys are charging for the little things, that just doesn't make sense to me. Daniel White said that the county had to hire a contractor whether it be this company; but it has to be some company. Attorney Gray said this only says it is going to a Land Use Administrator it doesn't say you are the Land Use Administrator; it's just saying you got to use one, it's doesn't say who it is. Carlton said that is correct. Daniel White said it's not saying the ECCOG, nothing like that, which like I said the process stated and you go to the zoning administrator, land use administrator, and then to the planning board, so yeah, they are going to be involved, whoever's the administrator is going to be involved regardless. Commissioner Fantini said so if we don't need them why are we paying them? Daniel White said you will have to have someone whether you are paying him or somebody else, you are still going to have one, Lenoir County point blank told me that the Town of Pink Hill will have to hire a contractor.

- PH2023-PZA7 – responsibility for minor plat review and approval from Planning Board to the Land Use Administrator
- PH2023-PZA8 – responsibility of subdivision exemption approval from the Town Board to the Land Use Administrator
- PH2023-PZA9 – required by State of NC 160D – protest petitions were removed in 2015 and replaced with citizen comments
- PH2023-PZA11 – text amendments include multiple updates for clarification and corrections – clean up typo's
- PH2023-PZA12 – text amendment includes numerous updates for compliance with NCGS 160D and corrections

Mayor Deatherage asked for a motion on PH2023-PZA7

- Motion made by Commissioner Quinn for PH2023-PZA7
- Seconded by Commissioner Murphy
- Discussion: none
- Vote was 2 – 1 ... Commissioner's Quinn and Murphy yay and Commissioner Fantini nay
- Commissioner Murphy read statement:
 - Please note in the minutes that the ordinances, Planning consistency is not applicable to the amendment

Mayor Deatherage asked for a motion on PH2023-PZA8

- Motion made by Commissioner Murphy for PH2023-PZA8
- Seconded by Commissioner Quinn

- Discussion: none
- Vote was 2 – 1 ... Commissioner's Quinn and Murphy yay and Commissioner Fantini nay
- Commissioner Murphy read statement:
 - Please note in the minutes that the ordinances, Planning consistency is not applicable to the amendment

Mayor Deatherage asked for a motion on PH2023-PZA9

- Motion made by Commissioner Quinn for PH2023-PZA9
- Seconded by Commissioner Murphy
- Discussion: none
- Vote was 2 – 1 ... Commissioner's Quinn and Murphy yay and Commissioner Fantini nay
- Commissioner Murphy read statement:
 - Please note in the minutes that the ordinances, Planning consistency is not applicable to the amendment

Mayor Deatherage asked for a motion on PH2023-PZA11

- Motion made by Commissioner Quinn for PH2023-PZA11
- Seconded by Commissioner Murphy
- Discussion: none
- Vote was 2 – 1 ... Commissioner's Quinn and Murphy yay and Commissioner Fantini nay
- Commissioner Murphy read statement:
 - Please note in the minutes that the ordinances, Planning consistency is not applicable to the amendment

Mayor Deatherage asked for a motion on PH2023-PZA12

- Motion made by Commissioner Quinn for PH2023-PZA12
- Seconded by Commissioner Murphy
- Discussion: none
- Vote was unanimous
- Commissioner Murphy read statement:
 - Please note in the minutes that the ordinances, Planning consistency is not applicable to the amendment

Daniel White, Planning Chair, made a recommendation to approve all of the Staff Reports

Mayor Deatherage asked for a motion to go into Closed Session for Statue and Attorney Consultation

- Motion made by Commissioner Quinn
- Seconded by Commissioner Murphy
- Discussion:
- Vote was unanimous

Attorney Gray gave the NC Statue to support the closed session

NCGS 143-18.11A3

The mayor, 3 commissioners, attorney and town clerk went into closed session.

Mayor Deatherage asked for a motion to come out of Closed Session

- Motion made by Commissioner Quinn
- Seconded by Commissioner Murphy
- Discussion:
- Vote was unanimous

Comments by Attorney:

None

Comments by Board of Commissioners:

None

Mayor Deatherage adjourned the meeting