

August 8, 2017
7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, August 8, 2017 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Carol Sykes, Commissioners Mike Hill, James Quinn, and Penny Murphy, Town Attorney George Jenkins, Public Works Director Timmy Kennedy, Public Works Assistant Phillip Swinson, Chief Joey Thigpen, Town Clerk Kimberly Mitchell, Assistant Clerk Shelia Ezzell, and Fire Chief Tony Heath.

Visitors present for the meeting were Al Rachide, Susan Myers, Marion Mitchell, Rodney Scott, Harrison Letchworth, Janice Goldsby, Mike Aldridge, Barbara Davis, Andrew M. Odom, Ben Knight, Edwin Little, Trina Patrick, Yvonne Deatherage, Leigh Heath, Jesse Heath, Teresa Byrd, Linda Dixon, Rev. Willie Dixon, Silas Dixon, Allen Brown, Jesse Thigpen, Daniel White, Turner White and Alex Stark.

Mayor Sykes called the meeting to order and requested for all cell phones to be turned off or anything that would make a noise. Mayor Sykes welcomed everyone to the meeting and said she was sorry that some of you might not be getting a seat but we didn't realize that we would have this many people. She said I am excited about it and we want you to come every time, good times and bad times. Commissioner Hill then led everyone in the pledge of allegiance. Commissioner Hill made a motion to approve the agenda with amendments: Remove Agenda Item #5 and Add Duplin County Manager Mike Aldridge to Agenda Item #6. Commissioner Quinn seconded the motion and it carried unanimously. Commissioner Hill made a motion to approve the consent agenda with regular board meeting minutes from July 11, 2017. Commissioner Murphy seconded the motion and it carried unanimously.

The first item on the agenda was the Update on the B.F. Grady Sewer Contract. Mayor Sykes said Mike Aldridge is here to address the board about the sewer contract. Mike Aldridge said he was hoping to have the signed agreement with me tonight to bring to you, but unfortunately we do not. He said I have it printed out here on some pink paper so I can tell the last version from the one before it. The County Commissioners did approve the agreement yesterday contingent upon our attorneys review. She has been out of place with sick children and the chairman was out of place yesterday so he has not had an opportunity to sign it. He said but it has been approved and there were no issues with the rates or any of the provisions in the agreement.

What we have run into though, is in putting the air scrubber in place at the discharge manhole that coincidentally was also approved by a change order yesterday to the contract. So that has been added and it is being done and we are glad to do that but since it was a last minute addition, we have had a little bit of an issue getting it done. Our attorney has run into the fact that there is a Deed of Trust recorded on the Miller property. So we can't buy the property and have a clear title to it until that is cleared up. Apparently and not going into a lot of detail, Mr. Miller's parents lent him some money and they filed a deed of trust on the property. They since have both died. The estates have been closed and in order to now get it cleared up an attorney will have to pay to open those estates up and record something to satisfy that so we can get a clear title and we will do that. The problem is we can't do that in three weeks' time before school starts. So that is really the pinch that we are in. We are going to need your consent to discharge

waste into that manhole prior to that air scrubber being put in place or else we would run the risk of delaying school opening and we really can't afford that. We don't want to be the cause of school not starting on time. So I will ask for your indulgence on that one.

The only other item that I know of is we have not been able to connect to the manhole and I understand that once the agreement is signed and in your hands, we will then be able to make the connection. He asked the board is that right and they replied yes. Mr. Aldridge said well that's fine and everything else is moving on schedule. We do have that one problem that I don't know how to work around in the time that we have got to work around in it. We are just at your mercy to try to appeal to you to see if we can get the boards consent. We will agree to it in writing. We will do whatever makes y'all comfortable but I am here to represent my board. They have authorized me to come and plead the case to y'all and ask from one entity to another that you work with us to try to get done what we want to try to get done. After this is put behind us, we are going to be a good customer for the Town of Pink Hill for many years to come. Mayor Sykes stated I believe that, I mean is there any reason why they can't go ahead and have a consent agreement. Commissioner Hill asked Timmy is that fine with you? Timmy said he is okay with that because let's face the fact that it is not going to create a gas problem until it sits a long period of time, so over the first two or three months it is probably not going to be an issue at all anyway. Mr. Aldridge said we will work with much haste as we can to get done with what we are committed to do. Mayor Sykes said maybe we do need kind of a consent from us to them or them to us. She asked George do we need anything like that. Commissioner Hill stated from them to us. George replied yes. Commissioner Hill said we need something in writing. George said and a couple of things can be done, maybe a deed and a deed of release on that little square. Mr. Aldridge said okay, our attorney will get in contact with you anyway on that just to make sure that you know where we are at we can get done what we need to get done to satisfy the town. Timmy asked Mr. Aldridge if there was two owners or just one. Mr. Aldridge stated just one. Timmy said okay. He said there was two heirs. Timmy said but it is not a problem, it is not something that is going to be drug out in court or something like that. Mr. Aldridge said we don't think so. I think it can be done fairly simply but it is going to be something that is going to take more than a few weeks to get done. Timmy said I understand that part, I didn't want it to be a fight in court you know between two siblings. Mr. Aldridge said I hope not but your attorney could probably tell you better on that but I don't really know. Mayor Sykes said I need a motion to accept this request. Commissioner Hill said I make a motion to accept Duplin County's request to go ahead and hook up pending the air scrubber being put in in a timely manner. Mayor Sykes asked do I have a second. Commissioner Quinn seconded the motion. Mayor Sykes asked if there was any discussion and if not all in favor say "Aye" and it carried unanimously. Mayor Sykes said so as soon as you can work it out and good luck on it. Mr. Aldridge said we will do that and I hope to have the agreement in your hands. He stated he appreciated their help. Commissioner Hill thanked him for coming.

The next item on the agenda was to Set Public Hearing Date for CDBG Grant Information. Mayor Sykes said we are in the process of applying for a grant to update the media center over there and make it a state of the art media center. She said right at this moment we don't have a lot of drawn plans. We have got some ideas but David Harris who will be administering that grant for us if we decide to have a public hearing at the next meeting and I suppose we will. He will be here at the meeting to explain what is going to go on, how much, and all this kind of

stuff. We need to make a motion. Commissioner Hill asked if we would need more than 15 minutes for that and Mayor Sykes replied I am sure we will, I mean I guess why? Kim said she would think so. Commissioner Hill said at 6:30? Kim said he is talking about for the length of time. Mayor Sykes said probably. She said if everybody is in agreement with 6:30 p.m. Kim said let me see what he has put here because he has typed it up. Kim said he has got it at 7:00 p.m. at our regular time but I reckon we need to have it before then don't we George? Mayor Sykes said well I am sure it will be more than 15 minutes because he explains something very well. George asked did you say George and Kim replied David Harris. Mayor Sykes said he has done grants for us before. He is the reason we have got Cordset Design and he is a really good guy. Kim said do you think 6:00 p.m. or 6:30 p.m.? Commissioner Hill said I would say 6:30 p.m. and if it runs into the meeting that will be fine. Kim replied yes. Mayor Sykes said well could we not just have our meeting rescheduled for 6:30 p.m. George said just because we schedule a public hearing for 6:30 p.m. doesn't mean we have to be finished by 7:00 p.m. Mayor Sykes said okay. Commissioner Hill made a motion to have a public hearing on September 12, 2017 at 6:30 p.m. for CDBG Grant. Mayor Sykes asked do I have a second. Commissioner Murphy seconded the motion. Mayor Sykes said all in favor of the motion, is there any discussion excuse me. If there is known all in favor say Aye. The motion carried unanimously.

The next item on the agenda was Water Tap Fee Increase. Commissioner Hill said I talked to Timmy a couple of weeks ago and with the type of meters we have got now, we are not even meeting the cost hardly on the meter much less the labor and machinery to make a water tap. He said he proposed to Timmy to set the water tap at \$1,000 for a water tap and that would cover use cycle of it. Mayor Sykes asked did we not change that one time before. Commissioner Hill stated that was the impact fee. Mayor Sykes replied okay, I thought we had done something. Commissioner Hill said the radio read meters are about \$400 and some dollars. Timmy said these meters are about \$400 and stated he wanted them to read this and make a motion, it is the yellow part. Kim stated it was in their packet. Commissioner Hill made a motion to raise the water tap from \$500 to \$1,000 and all contractor fees or other expenses incurred shall be incurred at the customer's expense. Mayor Sykes said we have a motion, do I have a second? Commissioner Quinn seconded the motion. Mayor Sykes asked if there was any discussion? Commissioner Hill said he just wanted to make it clear that the meter is \$400 and it takes more than \$100 for labor, truck, backhoe, and all that out there, so that is why I am proposing to up the tap fee. Mayor Sykes stated we've got a motion, second and we have had discussion all in favor of the motion say Aye. The motion carried unanimously.

Police Updates was next on the agenda. Chief Thigpen said since the last meeting on July 11, 2017 we have had a total of 95 calls. We have had 2 accidents, 1 alarm activation, 1 animal complaint, 2 arrest, 1 assist Highway Patrol, 4 assist Lenoir County EMS, 2 assist Lenoir County Sheriff's Office, 6 assist stranded motorist, 1 assist Pink Hill Fire Department, 7 citations, 7 citizen complaints, 1 damage to property, 8 disturbances, 8 domestics, 2 noise complaints, 10 suspicious vehicles, 2 trespassing complaints, 4 unlock vehicles, 10 vehicle stops, and 3 warning citations, 1 911 unknown, 1 harassing phone call complaint, 1 stalking, 1 death, 1 counterfeit money complaint, and 1 assault. Mayor Sykes said you have been busy. She said thank you Joey and your department. Chief Thigpen asked if there were any questions. Mayor Sykes and the board said they appreciated it.

The Fire Department Report was next on the agenda. Fire Chief Heath said since July 11, 2017 until August 8, 2017 we have had 9 EMS assignments, 4 traffic accidents, and 1 brush fire. He said it has slowed down a little bit and we are much appreciative of that. Fire Chief Heath informed the board of a passing of a fireman. Mayor Sykes said yes, we do all need to keep Glenn Deaver and if you want to tell them about that, I think that would be appropriate to do and tell them who he was. Fire Chief Heath said he was the President of Southwood's Volunteer Fire Department. He and his wife were out walking the other night and as a vehicle approached him he ran over him and he was struck and killed on the scene. He said he does have the funeral arrangements for anyone who would like to go to the visitation. Mayor Sykes said you can go online and find it. It is Thursday night and I think we are going to take a truck there in honor of him. Mayor Sykes said it is sad and also he worked for Duke Energy. She said and he was in here with another employee of Duke Thursday morning. Mayor Sykes asked was it Thursday Kim? Kim replied Thursday afternoon. Mayor Sykes said let's just keep he and his family in our prayers because he was a very good fireman and a good person, we just need to keep all of them in our prayers. Commissioner Hill said he helped us out many a time. Mayor Sykes said he really did, he was a very good ambassador for Duke Energy I can tell you that and a good employee. Mayor Sykes and the board thanked Fire Chief Heath.

The next item on the agenda was Water/Sewer Report. Timmy said we had a couple of issues with some generators and we got those fixed and trying to get hurricane ready. So if we have an issue with that and I hope we don't. Our lagoon is off. The level is just about as low as we can get it. We do have a bypass pump that we can put in place if we need it. Timmy said since they have become a member of NC 811 system October of last year we get tickets on a regular basis to mark our lines all over and so that pretty much keeps us busy and cutting grass and stuff like that. We have put in six new water meters this month, so we have got six new customers coming. He said that is five on Hatteras Drive and one on Tarheel Drive for a new resident there. Timmy said that is good news for revenue.

Timmy said they have an issue with a washout here on North Central Avenue by Woodrow's Garage. We are going to try to patch it again and see if it holds. He said and another one that we have worked on, I don't know who has been through Park Circle and seen it, but it washed out on us again and the guys worked on it again yesterday to try to patch it again but we will see how good it holds this time. Commissioner Hill asked Timmy where this one was at. Timmy replied where the florist used to be on Edwards Avenue right at the creek. Mayor Sykes thanked Timmy and his guys for what they do.

Commissioner Hill said one thing about on Central Avenue to get it fixed like it is supposed to be would probably cost \$100,000 plus because the water lines are in the middle of tile. Timmy said they cut a hole in the cross tile to put the water line in and I wish I had been here to help them. Mayor Sykes joked and said you probably were not even born at that time. Timmy replied you are probably right. He said if that patched lasted 50 years his patch did not last that long, it has already got another hole but I fixed it back just like it was pretty much. I didn't know any other way to patch it. Mayor Sykes said well we appreciate it and your guys that work with you. We really do appreciate you and thank you for your hard work.

The next item on the agenda was Budget Amendments if needed. There were no budget amendments at this time.

The next item on the agenda was Remarks by Town Attorney. George said the only comment he had was about that sewer line and it has been a long time coming and I am glad to see that it is about to start.

The next item on the agenda was Comments by the Board. There were no board comments at this time.

The next item on the agenda was Public Comment Period if needed. Mayor Sykes asked George to read aloud the public comment policy to the audience. She told the visitors that she was going to have George read this to them so they would know what to expect since there is so many people here and I don't know if you are here all for the same thing. She said but if you are, you are going to have to select no more than three people to speak on whatever it is and you have three minutes each to speak. George said the public comment policy that was adopted is about three pages and I am going to just read you bits and pieces of it. It says anyone desiring to address the board of commissioners must sign up with the town clerk between 6:30 p.m. and 6:55 p.m. on the night of the commission meeting. The request must be in writing. Each speaker must be recognized by the mayor as having the exclusive right to be heard. Comments are limited to three minutes per speaker. A speaker cannot give part of their allotted time or minutes to another speaker. Speakers must address the entire board of commissioners, not an individual council member. Discussions between speakers and the audience are not allowed. Speakers will be civil in their language and their presentation. There will be a maximum of three participants on the same subject. It is recommended that if there are several people who wish to speak on the same subject, they should choose one speaker to speak for all. Individuals who sign up but cannot speak due to time constraints will be carried over to the next regular meeting of the board of commissioners and shall be placed first on the public comment agenda for that meeting. For clarification any commissioner may ask the speaker questions. The time used by the commissioner to ask questions or the response to his questions shall not be counted against the three minute time allotment. Public comment is not intended to require the board of commissioners or any individual commissioner to answer any impromptu questions. Action on items brought up during the public comment period will be at the discretion of the board of commissioners. Speakers shall not discuss the candidacy of any person seeking public office including the person addressing the council. George said he thinks those are the relevant sections. Mayor Sykes asked the visitors does everyone understand what he just read. Kim said you have seven people that signed up and I believe they are all on the same topic of broadband. George said one is on tower lease and then six are on broadband and I presume tower lease and broadband are the same general subject. George said I have a timer that I will set and whomever wishes, or the mayor has, I am sorry the mayor. Kim said all of these are broadband and he has got tower lease so he would be... Mayor Sykes said well I will tell you what I am going to do, I think the fairest thing to do I am going to allow three people to speak, and I am going to take the first three that signed up. George said unless somebody says I will pass. Mayor Sykes said okay, Rodney Scott would you like to speak and he replied yes. She told Rodney to hold on and let her get the other ones before he spoke. Rodney replied sure. Mayor Sykes asked Harrison Letchworth if he would like to speak and he replied that he would like to bypass his turn. Mayor

Sykes asked Janice Goldsby if she would like to speak and she replied I would. Mayor Sykes asked Barbara Davis if she would like to speak and she replied yes ma'am. Mayor Sykes said okay that is the three that we will let speak three minutes. George said at this point but at the next meeting the ones that don't get to speak because of time constraints can go over to the next meeting. Mayor Sykes said okay, I got you. Kim said so those three which are Andrew Odom, Ben Knight, and Edwin Little would be at the next public comment period at the next month's meeting.

Mayor Sykes told Rodney that he had the floor for three minutes. Rodney said Dear town council, I am speaking to you on behalf of Eastern Carolina Broadband tonight. We are disappointed that we have not been able to reach an agreement on the lease for the town water tower. We believe that this decision harms underserved people in the Pink Hill area and indirectly harms Pink Hill. We are also disappointed at the disinformation that is being spread. I have a few points here. The contract that we had previously submitted to the town does not prevent AT&T, Verizon, US Cellular, or for that matter, another wireless internet company from being on the water tower. Our antennas which are approximately 6" wide and 24" high would not physically prevent numerous other antennas from also being on the water tower. There is currently no state money for rural broadband. A representative of the Broadband Infrastructure Office of the State confirmed to Eastern Carolina Broadband that the Governor's proposed funding was not approved and that there is actually less money in the state's budget for rural broadband this year than last year. Even if the governor's money were to become available, it would go to you the town not to Eastern Carolina Broadband. Lastly the proposed contract stipulates that Eastern Carolina Broadband would bear all costs associated with installing and maintaining the equipment installed on town property. So allowing Eastern Carolina Broadband on the water tower does not hurt Pink Hill. It could only help and help the people of the surrounding area. We remain committed to finding a way to offer our internet service here. If in the future the town changes its position, Eastern Carolina Broadband would gladly resume negotiations. Thank you very much. Mayor Sykes thanked Rodney.

Mayor Sykes told Janice Goldsby that she had the floor for three minutes. Janice said good evening everyone and I do thank you for the opportunity to speak this afternoon. She said basically what I would like to say is on behalf of the Smith Chapel Church community, part of this community, and the entire body of Pink Hill. We support the infrastructure that has been proposed by the broadband service. She said and because I have been in education for over 30 years and I have seen education change and I don't think there is any discrepancy among any of us that would say that we don't believe that the internet access is a vital part of a child's education. The sit and get education is long gone. They are going to need the internet in order to achieve their highest potential in life and being able to access that through a service such as broadband is what we need in this community. So I don't think that is the question of whether or not we need it, we need it and anybody who would say that that was not true is uninformed. I would like to see Pink Hill grow along with the other parts of eastern North Carolina. Internet is a vital part of that and a service that is going to be provided for us through this company that the way it seems to me is we can't pass it by, it is necessary. On behalf of my family, my church family and my town we fully support the project that is being proposed. Mayor Sykes thanked Janice.

Mayor Sykes told Barbara Davis it was her turn to speak for three minutes. Barbara said just stand right here is okay. Kim said you have to come where I can hear you on the recorder please. Barbara said she agreed with Ms. Janice. I have got a college student right now along with my husband that is going to college. He took the privilege of enjoying the broadband at Four Seasons this weekend to do his homework. It was a great asset for us. It was really fast but the price isn't being talked about. They are offering it for so much cheaper and if we go up on the price of using the tower, then that is going to send out a bigger price to me the customer which is going to be looking at three college students at one time. I am totally supportive of it and I hope you would look at us on the outskirts of Pink Hill as being just as important as the ones that live in the city limits, thank you. Mayor Sykes thanked Barbara.

Mayor Sykes said they appreciated all of them coming and you are welcome to come back next month and the ones that would need to speak next month if you so desire is Andrew Odom, Ben Knight, and Dr. Little but we appreciate all of you coming. Mayor Sykes said Barbara I need to see you before you leave please if you don't mind and Barbara replied me. Mayor Sykes said yeah. Mayor Sykes asked was there any other comments from anybody but there were none.

The next item on the agenda was Closed Session if needed. Mayor Sykes asked do we need to go into closed session for anything. George said very, very, very briefly about contract negotiations. Mayor Sykes said okay. George said for about 90 seconds. Mayor Sykes said okay, well then I will have to ask you all to leave and I need a motion for us to go into closed session. Commissioner Hill made a motion to go into closed session for contract reasons. Commissioner Quinn seconded the motion. Mayor Sykes asked is there any discussion if not, all in favor say "Aye". She thanked everyone again for coming. It is good to see all of you and I hope you will come back. Commissioner Hill said thank you all for coming.

With there being no further business to be discussed the meeting was adjourned.