

December 11, 2018
7:00 p.m.

The Town of Pink Hill held its monthly board meeting on Tuesday, December 11, 2018 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Sykes, Commissioners Mike Hill, James Quinn and Penny Murphy, Town Attorney George Jenkins, Public Works Director Timmy Kennedy, Public Works Assistant Phillip Swinson, Fire Chief Tony Heath, Police Chief Joey Thigpen, and Town Clerk Kimberly Mitchell.

See attached sheet for list of visitors present at the meeting.

Mayor Sykes said I would like to call this meeting to order. I welcome all of you here to the December 11, 2018 meeting. Mayor Sykes asked Commissioner Hill to lead everyone in the pledge of allegiance to the flag. Everyone stood and said the pledge of allegiance. Mayor Sykes said I would ask everyone that has a cellphone to please turn it off until you leave the room and I thank you all for that. Mayor Sykes said I need a motion to approve the agenda and amendments if needed and consent agenda with regular board meeting minutes from November 13, 2018. Commissioner Hill said I make a motion to approve the agenda, the consent agenda and minutes from the last meeting. Mayor Sykes said do I have a second? Commissioner Murphy seconded the motion. Mayor Sykes said I have a motion and a second is there any discussion, if not, all in favor say "Aye" and the motion carried unanimously.

The first item on the agenda was Planning Board Zoning Variance Recommendation – Robin Gilbert. Robin said we met and after discussion amongst us and I think we met for about an hour and listened to everything that went on. He kind of busted my bubble on what we were going to recommend. I don't know if I can say it. Can I say it? George replied yes. Robin said we recommended approving the zoning variance with the condition that the owner of the Class A manufactured home surrender the title so that the property aligns with other houses in the neighborhood. Though I know now we can't do that. That was based on what we voted on. So that was our recommendation and I just don't want everybody to think we didn't have discussion on this because we did. We met and we talked and again I am kind of caught in the middle and you know with personal feelings. Mayor Sykes said you don't have to explain it. You just tell what the planning board voted. Robin said I am but I am just saying we voted for it but we had a long discussion and it was not nothing that just come over night. Mayor Sykes said thank you Robin.

The next item on the agenda was Discussion & Vote by Town Board. Mayor Sykes asked the board do y'all have any discussion to offer before we vote on it. Commissioner Quinn said let me say this. Mayor Sykes said yes say what you feel. Commissioner Quinn said when I moved into that neighborhood. There at that time there were two single wide mobile homes there. It never deterred me from buying property over there or anything. I didn't see where it degraded the neighborhood or did anything to my property. I know Wayne lives across the street from me. I know what he has done and I think it would be a good thing. And I know how he maintains his property and how he does things and that is basically all. And lastly it is really good to see children in the neighborhood again on bicycles and I am glad to see more families coming into the community.

Commissioner Murphy said this is tough because obviously everybody has made several good points. And I know there is some folks who have made the comment that you know it is starting to turn into a testimonial of what a fine fella Wayne is. It is hard not to take that into account. If somebody had just said to me how do you feel about putting a mobile home in Park Circle. I think probably my gut reaction would have been nah I don't think that particularly is a good idea. I don't see it setting a precedent because I mean there is really not a lot of other places. A decision could be made to do this again and you sort of got to look at somebody's track record. Somebody that has taken the pains with property that he does not even own because he wants it to look nice. I just can't foresee that same thing not happening when its property that he owns. If he takes pride in what he rents, I don't see any way that he would not take that same pride in something that he owns.

Commissioner Hill said well I'm going to be the bad boy here I think. He said I am against it because you are changing the whole concept of the zoning. I know he is probably a good fella. James says he is and Penny says he is. I have never met him but as Carolyn said you are going to set a precedent. So if you change this one, there is somewhere else in town where it is also supposed to be just stick built or modular homes.

Mayor Sykes asked is there any other comments? She said okay then I need a motion to either accept or reject the variance. I need a motion to accept it. Commissioner Quinn made a motion to accept the variance. Mayor Sykes said alright do I have a second? Commissioner Murphy seconded the motion. Mayor Sykes said okay I have a motion and a second is there any discussion? All in favor of the motion signify by saying "Aye" and Commissioner Quinn and Commissioner Murphy said "Aye". All opposed signify by saying "Nay" and Commissioner Hill said "Nay". The motion carried.

The next item on the agenda was Christmas Parade Discussion. Fire Chief Heath said I had one item that I would like to bring to the board. Several years back the Christmas Parade was placed in the care of the Pink Hill Fire Department. How all this came about, I'm not exactly sure but with the help of Kim and Shelia assisting us, we have took over it and organized and planned it each year.

Now with the formalities set forth by the DOT on road closures, it is requiring a request to be submitted and a permit to be issued prior to closing any roads and streets. It is my belief that the parade should be overseen by the town, with the town being the responsible party in obtaining any necessary permits, and/or detours as required by the DOT. And relinquish the Fire Department from any of these requirements. The Fire Department will gladly assist in organizing and operating as we have in the past.

Fire Chief Heath said so my question to you is will the town reassume the responsibility of the Christmas Parade. Mayor Sykes said I see no problem with it but I am just me and I can't vote for it but I would vote for it. Fire Chief Heath said in relinquishing the Fire Department from being the host. Mayor Sykes said but y'all would still do the leg work? Fire Chief Heath said yes we would still do the leg work. Kim said are you saying in other words like when we do advertising or we do...it would not say sponsored by PHVFD. Fire Chief Heath said that is correct. Kim said it would be like Town of Pink Hill Christmas Parade. Fire Chief Heath said yes, the Town of Pink Hill's Christmas Parade. Kim said okay. Commissioner Hill said I don't see a problem with that. Kim said you have got it in your thing. Commissioner Hill said do we need to make a motion to that effect. Police Chief Thigpen said hold on a minute before you do

that. Chief Thigpen asked who is going to be responsible for the detour and the road closures? Mayor Sykes said well according to the letter Kim got I think the DOT is going to have to be. Somebody evidently got mad with somebody and reported it to the DOT that we hadn't been there before because we have been doing this for 60 years and they are just coming back on us. Police Chief Thigpen said my question is if it falls back to the town to me, then we need to clarify what they are saying we have to do. Mayor Sykes said who needs to clarify? Police Chief Thigpen said DOT. Mayor Sykes said well I think it is probably in the letter isn't Kim. Kim said I don't have that. Mayor Sykes said well we will just have to meet with them and if we can't comply with it, we just won't do it but I mean. Police Chief Thigpen said because I mean if we are going to have to...my understanding and this is just dealing with Beulaville, when they close they had the same issue years ago. And they have to call in like numerous deputies and officers. I mean you are talking about 50 plus people so. Mayor Sykes said well we are not quite that big. We don't have Jacksonville. Police Chief Thigpen said what I am saying if we have to do that...you know if I have to take responsibility for the road closures, then if we have to call in, I mean it is going to come down to an issue you know with getting manpower here to do that so. Just to make the town aware if you assume it, then somebody is going to have to be responsible for that. Mayor Sykes said I understand that and I think if we say we will do it now and then if we find out we can't, we will just reject it. Chief Thigpen said I just want to make you aware. Mayor Sykes said I mean that is in my opinion. Whatever y'all want to do, I am just telling you what I think.

Commissioner Hill said I mean when I worked here me and whoever was working with me, we done most of the road closure ourselves. Police Chief Thigpen said that is what I am saying, who is going to do that? Who is going to be responsible for doing the road closures if the town assumes it? Mayor Sykes said the town will be responsible. Commissioner Hill said they will. Police Chief Thigpen said I know but who what individual. Commissioner Hill said it would be probably the public works people who do the road closures. Police Chief Thigpen said okay, I just want to make you aware because it can turn into a...Commissioner Hill said they can get volunteers to help. Police Chief Thigpen said okay. Commissioner Hill said just like they did this year, I mean the fire department was out there doing it so if Timmy and his boys do it and get the fire department to assist them, I don't see what the problem is. Do you? Police Chief Thigpen said that is my question I mean this relinquishing is coming because of detours is what I am assuming.

Timmy said you can't stop the flow of traffic. We can stand out there and stop the flow of traffic but you can't do that. That is what DOT is saying. Mayor Sykes said we need to have a discussion with the DOT about this. Police Chief Thigpen said yes I just think we need clarification on what they are requiring. Mayor Sykes said I don't why this has come up after 60 years but it has. Police Chief Thigpen said because if it is the same it is not issue because I can get three people from Beulaville and we can cover it, but we have to have somebody at each detour. Fire Chief Heath said somebody tried to shut the parade down because they called two days before the parade started. Mayor Sykes said they called the day before the parade started. Fire Chief Heath said two days. Mayor Sykes said DOT did? Fire Chief Heath said two days. Kim said somebody called DOT is what he said. Mayor Sykes said okay. Commissioner Hill said somebody called DOT two days before? Kim said yes they called me. The DOT people called me and she spoke to me on the phone and then she sent the email. And the way it is written and you have got a copy of it, she has been made aware that Pink Hill was having a

Christmas Parade. Mayor Sykes said after 60 years? Kim said so in other words somebody called and told her hey they are having a parade and they have not done what they are supposed to. Because she sent the list of what we had to do. I had to fill out an application and I had a doctor's appointment so I had to get Timmy to do the map. They had to have a map and we're actually supposed to have an ordinance but she said not to worry about the ordinance. And I thought to myself well if we're not having to worry about an ordinance this time, why do we have to worry about it next time. But yes apparently somebody called it in.

George said can you put it on the agenda for like the August or September meeting to have a public hearing and have an ordinance to approve the parade route. Kim said well I have got all that up there. George said if you can put a reminder far enough in advance. Kim said okay. Mayor Sykes said well I want to talk to DOT, I am going to try to find out some stuff. Kim said well the approval came from Preston Hunter. Mayor Sykes said I know Preston. Kim said I mean we sent it, what day did we send it on Timmy? Timmy said I thought it was Thursday. Fire Chief Heath said they called you on a Wednesday. Kim said yep and I had a doctor's appointment on Thursday. Fire Chief Heath said and the application was approved on Friday. She said and I got the approval on Friday. Commissioner Hill said okay.

Police Chief Thigpen said my suggestion would be just like Tony and me and everybody meet with whoever at DOT that way we can understand what if they are saying hey this detour has got to have a man or a deputy at each to get traffic through. You know that way they need to do this way prior to the next parade that way if that is the case, because it is going to take time you know you have got to ask for help. That is my suggestion if Tony is alright with that. Mayor Sykes said we have got to do this. I mean I feel like they would have this in writing anyway. I mean I know we need to talk to them but they are going to have this in writing. If they don't have this in writing. Several people spoke and said it is in writing. Kim said she sent it to us. Police Chief Thigpen said oh it is in writing. Mayor Sykes said well still rather we have it or not, I am going to talk to them. It might not do any good but I am going to talk to them.

Commissioner Hill said y'all meet with them and just hold off on making a motion. Police Chief Thigpen said yes and just see what they are requiring.

Timmy said there have been a couple of issues even with I think it was Beulaville because it sits right here and they are blocking traffic and they have had a couple of 18-wheelers that has come down Old Beulaville Road and that can't happen. I mean it is going to have to be a well thought out detour to do it like DOT is going to want it. Police Chief Thigpen said it sure is. Timmy said now that is my advice. Police Chief said wasn't it in 15 or 16. Timmy said we had a couple of 18-wheelers that went down it and matter of fact they took down a couple of signs. Mayor Sykes said to keep y'all from having to do it, we will take care of it and see what we have got to do Tony. Fire Chief Heath said I am just glad to see that the Fire Department is no longer responsible for all the permits and accesses. We don't mind doing the legwork and footwork. Mayor Sykes said I understand and appreciate all the years you have done it. I mean like I say and I know things change overnight. When the business and professional club always did it, the town didn't do it, we did it. Kim said so do we need a motion or did we already do that and I missed it. George said Commissioner Hill said maybe hold off on the motion. Commissioner Hill said hold off on it until Carol, Joey, Tony, and Timmy meet with DOT. Kim said okay. Mayor Sykes said thank you all.

Christmas Party Reminder was next on the agenda. Mayor Sykes said our Christmas Party is this Friday. We need a head count of the people that are going. Kim said I have got to give it to her tomorrow. Mayor Sykes said so raise your hand if you are going. Kim said and how many people. Mayor Sykes repeated and how many people. Everyone on the board and employees told Kim how many would be going. Commissioner Hill asked what time. Kim said it is at 6:30 p.m. everybody Friday night at The Country Squire.

The next item on the agenda was FEMA Update: Timmy & Kim. Kim said they are supposed to come tomorrow. Timmy said we are entering it in as she helps us to get it entered so we do it right. Kim said and we have not heard back from insurance yet. Is that correct? Timmy replied correct. Timmy said I have had a couple of conversations with them where they are asking questions and I would answer it or send them something. We still haven't got either a denial or letting us know what is going to be covered. Kim said it is moving along slowly but we are moving along. We have kind of got I think on one of the culverts, we are thinking FEMA is going to help on but the other one...Timmy said it is a little iffy. Kim said also it is a little iffy, very iffy. Timmy said the Lynwood Avenue one is the one they're not wanting to agree with us that that was caused by Hurricane Florence. They want to say that there was something going on before it. She asked me to write up something and I don't know if you have got a copy of that, but I made a drawing of the way the culverts are in there and what I think happened when we had 30 inches of rain. We had at least a foot or maybe more running across that tile. I put that in the explanation. Kim said I did get an email today. Timmy said she is going to carry it back. Kim said I have not had a chance to read it. It is about some of the FEMA stuff so they may be looking into it but she is coming tomorrow. Timmy said she said it explained it a whole lot better than...anyway.

The Fire Department Report was next on the agenda. Fire Chief Heath said since our last meeting on November 13, 2018 we have had 13 EMS assignments, 4 vehicle accidents, 1 structure fire, 1 vehicle fire, 1 fire alarm, and 1 service assignment for a total of 21 calls.

The next item on the agenda was Police Department Report. Chief Thigpen said since the last meeting on November 13, 2018 we have had a total of 58 calls/activities. We have had 2 accidents, 3 alarms, 1 animal complaint, 1 assault, we assisted Duplin County Sheriff's Office 3 times, assisted Highway Patrol 1 time, assisted Lenoir County EMS 8 times, assisted Lenoir County Sheriff's Office 6 times, 2 motorist assist, assisted Pink Hill Fire Department 5 times, 3 breaking and entering to a residence which was all in the trailer park on Leighton Drive. He said one of those was old but it was reported late but I went on and listed it on this one. We had 3 disturbances, 1 domestic, 1 driving while impaired, 2 larcenies, 1 shoplifting, 2 suspicious persons, 10 suspicious vehicles, and 3 vehicle unlocks. Commissioner Hill said good job. Commissioner Quinn said you have been busy. Chief Thigpen said everything else has been going good. My old car we got it back and I think it still has a light or something that comes on once in a while but as far as locking up driving and all has quit so everything else is going good. Commissioner Quinn said thank you Joey.

The next item on the agenda was Water/Sewer Report. Timmy said and the other thing I have is a pretty big item. We got a notice of violation for monitoring well samples and two of them were a little bit elevated at two of our monitoring wells. He said monitoring well #6 and #7. Commissioner Hill said which ones are they? Timmy replied #6 is the one over by the lagoon and #7 is in the new spray field. Commissioner Hill said #6 runs downhill behind the lagoon.

Timmy replied yes sir. Phillip showed where the other one was on the map. Commissioner Hill said okay. Timmy said both of them in my thinking is up gradient from the spray irrigation and that is what Robert Tankard with NCDENR wanted to make 100 percent sure, and he said if they were not, it would be a whole different ballgame and I don't know what that means.

Commissioner Hill said if they were down, they could say it was the spray fields but they are up. They can't say that. Timmy said there would probably be added sampling and all sorts of stuff like that. Commissioner Hill said also the lagoon has that clay liner and then that sub-basin around it to take that drain, take the ground water and everything down there to the road. Timmy said yes or halfway to the road. Commissioner Hill said yes halfway to the road, well it's almost to the road.

Timmy asked the board if they knew where our monitoring well is. Commissioner Quinn replied no. Timmy said okay. Our spray irrigation we have fixed heads out there and the lagoon system is in one place and then you have the spray irrigation which is all the pine trees. There is fixed heads out there so when we cut on the pumps, they spray. He said well all around the spray fields there is monitoring wells. We have six of them that were drilled just to make sure.

Commissioner Quinn said so you have to go out there and pull a sample out of it or something. Timmy replied we actually take the samples once every four months. Commissioner Quinn said okay. Timmy said and that is one of the things that we are permitted to do is do a certain perimeters every four months which we do and those levels have come back a little bit elevated. Y'all should have a copy of this notice of violation which tells you...Commissioner Quinn said would that have anything to do with all the rain we have had this year. Would that have something...would that contribute to it? Timmy said maybe. Commissioner Quinn said I mean because I think they are talking about two or three more inches of rain in Wilmington, they will have 100 inches of rain this year and that is pretty...that is unbelievable.

Commissioner Hill said what they do when they take samples, they have to go out there the day before and bail so much water out of the well to let new water come in because it has been setting there for four months. Commissioner Quinn said okay. Commissioner Hill said so they do that the day before and then take the sample the next day. Timmy said we take out three times. However much water is in the well we take out three times the amount. Commissioner Quinn said so you kind of like shock the well. Timmy said we want to get what's in the ground there. We don't want to sample what has been in that pipe for four months. Commissioner Quinn said oh yeah, gotcha. Timmy said that is the purpose.

Commissioner Hill said okay is this with the spraying or summer sampling. Timmy replied yes and I just took samples again but I haven't got the results back yet. Commissioner Hill said okay. Mayor Sykes said so there has nothing been done. Timmy said the only thing that I have done is called NCDENR. Mayor Sykes said but I mean do anything to these samples. These are the samples you would have normally taken. Timmy said yes ma'am. Mayor Sykes said okay. Timmy said he recommended that...he actually said a hydrologist to come out and do all sorts of stuff and then he asked me if we still had all the drawings and design and all that kind of stuff. I told him that our engineering firm most likely does and I have contacted the Wooten Company, Mr. Gary Hartong, and actually I hired him to help with this. I sent him a copy of this and he has already made contact with Mr. Robert Tankard. He is trying to get all the information that he asked for. Mayor Sykes said good. Commissioner Hill said well we had a hydrologist but he passed away, I'm sorry. Timmy said and that is all I have got. Mayor Sykes said is that your

water report too. Timmy replied yes ma'am. Mayor Sykes said okay I figured it was and thank you Timmy. The board thanked Timmy.

Commissioner Quinn asked how do you fix that? Commissioner Hill said there isn't much way to fix it. Timmy said I mean it is ground water so. Commissioner Quinn said ground water that comes in there. Timmy said I am wondering how to fix it too. Commissioner Hill said but if you are upspring of the spray field because at the spray fields the ground water is migrating towards the ocean and towards the creek Cherry Tree. So these are upstream like the lagoons here and it is on the backside of the lagoon back towards... Timmy said and there is a creek real close too. Commissioner Hill said there is a creek back there too. The other one is on the Bill Turner side of the spray field. Phillip said it is right directly across the road from H & H. back there in that field. Commissioner Quinn said okay. Phillip said that kind of puts you if you were standing in front of H & H looking straight back, it would be just at the edge of the woods. Timmy said as long as it is up gradient, we are good. Mayor Sykes said thank you Timmy.

The next item on the agenda was Budget Amendments if Needed. Kim said we have one. The budget amendment that we are having to do is due to we are going to have to amend the budget for engineering fees and street and culvert repairs on North Central and East Lynwood Avenue due to the damage from Hurricane Florence. It is going to be \$100,000 that we are going to have to take from savings. It is probably going to be an additional \$100,000 but we are only going to do \$100,000 at this time because we want to find out what FEMA is going to do. Hopefully FEMA will pay us back for the work that we have done on the culvert on North Central Avenue. We are hoping and praying really hard. Timmy said actually both of them. Kim said but this is going to be a...me and Timmy had discussed it and the insurance said they would not pay for the culverts correct? Timmy said anything that they covered would be within 1,000 feet of a structure or property that is covered. Anything 1,000 feet from here from this building because this building is covered, they would cover. If it is in the street, then not. Kim said we might have to end up, did you say patching Lynwood if they don't, or if it is going to be so costly. We won't really know until we get with Gary with the engineering group and we have got to do the procurement process. We have talked about this in the previous meeting and that is why we have got to get with the engineering but it is going to be expensive. Kim said but just realize that this \$100,000 is coming out of savings. This means we are spending above what we are taking in and what we have budgeted for this year. We have got to do it. Commissioner Quinn said so we are doing this because FEMA won't kick in and help us out on it. Timmy said they are not going to pay for it up front. Kim said we have to pay for it up front and then we have to probably wait a year or two if they do pay. It might take up to two years before we can get our money back. Commissioner Hill said yeah, Deep Run just got theirs back from Hurricane Matthew. Kim said and that was in 2016 right? Commissioner Hill said yes. Timmy said two years. Kim said so hopefully, I am hoping that they will pay us for it and I'm hoping maybe we can find out some more information tomorrow from her on it but I don't know. So we will be able to update you again next month. Kim said but I need a motion that we accept this. Mayor Sykes said I need a motion. Commissioner Hill said I make a motion to amend the budget. Mayor Sykes said do I have a second? Commissioner Quinn seconded the motion. Mayor Sykes said I have a motion and a second, is there any discussion? If not, all in favor say "Aye" and the motion carried unanimously.

Remarks by Town Attorney is next on the agenda. Mayor Sykes asked George if he had anything to say. George said other than I feel your pain about that money. It is just going to be another one coming up but I am happy to be here.

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

The next item on the agenda was Public Comment Period if needed. There were no public comments at this time.

The next item on the agenda was Closed Session if needed. There was no need for a closed session at this time.

With there being no further business the meeting was adjourned.