

May 8, 2018  
7:00 p.m.

The Town of Pink Hill held its monthly board meeting on Tuesday, May 8, 2018 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Sykes, Commissioners 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. Commissioner Mike Hill was unable to attend due to being sick.

Visitors present for the meeting were Robin Gilbert, Trina Patrick, and Christy Turner.

Mayor Sykes called the regular meeting to order and welcomed everyone who was here tonight. Mayor Sykes asked George Jenkins to lead everyone in the pledge of allegiance to the flag. Everyone stood and said the pledge of allegiance. She said Commissioner Mike Hill is not going to be here tonight because he is ailing. Mayor Sykes said I need a motion to approve the agenda and amendments if needed. Commissioner Quinn made a motion to approve the agenda and amendments if needed. Mayor Sykes said do I have a seconded? Commissioner Murphy seconded the motion. Mayor Sykes said any discussion, if not, all in favor say "Aye" and the motion carried unanimously. Mayor Sykes said I need a motion to approve the consent agenda. Commissioner Quinn made a motion to approve the consent agenda with board minutes from April 18, 2018. Commissioner Murphy seconded the motion. Mayor Sykes said any discussion, if not, all in favor say "Aye" and the motion carried unanimously.

The first item on the agenda was Lenoir Assisted Living requesting to plant tree or flower at Town Park in observance of Older American's Month. Christy Turner said we were just curious about we wanted to give back to the community and maybe plant a tree or a bush or a small garden maybe around the flag pole. Something that our residents can do to help their community and give them a purpose. If y'all have suggestions for us, that would be wonderful. If y'all wanted to take one of our suggestions as far as like planting a Crepe Myrtle or a bush or like I said like some small flowers around the flag pole or getting a flag put up. I don't know if y'all have a flag that y'all put up. There is not one up now. Timmy said there is a pole there. Christy said there is a pole but there is no flag on it and we need a solar light to shine on it so it can be up all the time. Mayor Sykes asked you are talking about at the park? Christy replied at the park, yes. Kim said and I had suggested that she come to bring it before the board so the board members would know but also because I knew Timmy would be here and that way he could maybe set up a time to make sure they don't dig where you have got any water or sewer lines. Timmy said if you okay it and I will just meet her out there any time. Mayor Sykes said okay, is everybody in agreement with that. Kim said what do you want them to plant... a tree, a bush. Mayor Sykes said well whatever is, I mean a Crepe Myrtle, whatever y'all would like to. I mean it is just a nice gesture what y'all are doing. Mayor Sykes said some of these older folks in here will probably appreciate it. Christy said we can have our residents go over once a month and just kind of check on it and maybe clean up the park and things like that. We are very excited. Mayor Sykes said well good and Timmy will get with you and also probably the Woodmen of the World would give you a flag. Christy said okay. Mayor Sykes said I didn't know if you

knew they gave flags. Christy replied I did. Mayor Sykes said they probably would give you one. She said okay. Mayor Sykes thanked them for coming.

The next item on the agenda was Planning Board recommendation on Wellhead Protection Plan. Chair Robin Gilbert said we met on the 1<sup>st</sup> of May and we had a nice long discussion. Timmy helped us that night. We have come to the conclusion to leave it as is. We all voted in agreement to leave it non-regulatory due to the fact that we didn't know a lot about the regulatory. Timmy and Wayland both suggested leaving it that way because they didn't see in the foreseeable future we would need it but we could meet with them if we wanted to so everybody voted for non-regulatory. Mayor Sykes asked George if we needed a motion to accept that and George replied no. Mayor Sykes thanked Robin and the planning board.

The next item on the agenda was Update on Exclusive Easement between the Town and Marco Enterprises. George said I have drafted something up but it is not in condition to pass on to you until I have the map. I talked with Timmy and I understand that the map isn't going to be recorded until you all sign the easement and Marco Enterprises signs the easement. So I need to get a copy of the map from Timmy and I will use that to fashion this. He said get the width of the easement, the parcels that are involved and so on. George said but I have drafted it as an exclusive easement only for Marco and the Town of Pink Hill and it can only be assigned with the approval of the other party. So if the Town of Pink Hill wants to authorize somebody to come in, Marco has to approve the use of that roadway. If Marco wants to sell their property and assign the easement to somebody, the Town of Pink Hill has to approve the assignment. So you want have somebody saying well the Chief of Police told me I could run my four wheeler on this roadway anytime I wanted to. Mayor Sykes said well I think that is good to have and I think we are all in agreement with that and that is the way it should be. George said I will get with Timmy either after the meeting tonight or during the week next week. Commissioner Quinn asked do we need a motion to table it until the next meeting. George said yes, that wouldn't be a bad idea. Commissioner Quinn made a motion to table this until the next meeting. Commissioner Murphy seconded the motion. Mayor Sykes said I have a motion and a second and it is approved unanimously. Thank you all.

Ethics Training was next on the agenda. Mayor Sykes said I don't know about this ethics training stuff. Kim said well you have to do it. Mayor Sykes said I know and this is something else the state mandates that costs us money and it's not worth five cent in my opinion, if y'all want to know my opinion. I mean after 20 years or 30 years on the board and doing this, I mean if we don't know ethics by now, we ain't never going to know them. And if we aren't ethical now, we ain't never going to be ethical. If I knew the person to call, I would just tell them that. Kim said they are going to do a live webinar in May which that is when if you all wanted to watch it then on the computer you could but of course that would constitute a special meeting and we would have to advertise and all that. Kim said so I would suggest just waiting because from June to October we can purchase it and then y'all can watch it at your convenience when it is easier for y'all. So I just wanted to make you aware that come June we will probably need to start scheduling times for everybody to get it done. Mayor Sykes asked how long is this thing? Kim replied two hours. Mayor Sykes asked can we have it at my house? Kim replied no. Commissioner Murphy asked why not? Kim said you can maybe...can two of them do it at a time...no because it has got to be in here because it is going to be on the computer, sorry.

George said but if you have two people two voters, two voting commissioners together that constitutes a meeting. Kim said anytime you are together. George said anytime. Mayor Sykes said oh that's one of those ethical things isn't it. George stated but if the mayor and one commissioner meet, that is not a meeting because the mayor can't vote. Mayor Sykes said well I was really joking when I said can we have it at my house, I mean I don't mind having it here but it was really a joke. I don't think anybody got the joke but Penny.

Mayor Sykes said well I think the last time we had it this if I am not mistaken, there was two commissioners in there watching at the same time. Kim said I don't think so. Mayor Sykes said that has been a long while back. Well it doesn't matter. Kim said you still have got to have it. Mayor Sykes said I know, okay. Commissioner Quinn said so we are going to purchase it between June and October. Mayor Sykes said okay just let us know. I know Kim I know, I'm sorry. Kim said I am just doing my job. Mayor Sykes said I know it and I appreciate you being there because you keep me ethical if you can that's for sure and I do appreciate it. Kim replied Oh Lord. Mayor Sykes said you just remind us when the time comes, when we get it. Kim said yes. Mayor Sykes said I will meet with either one of you at any time. Can I do half of it one time and half of it the next? Kim said no, you have got to watch the whole two hours at one sitting. Mayor Sykes said you see I was going to meet with one of them one time and do the other half the next time.

The next item on the agenda was Reminder Fireman's Day/Rosefest May 19<sup>th</sup>. Mayor Sykes said everybody is aware of that. Everybody has got their vendors and everything in place. She said and I will have to say that the roses look really good. I mean they really shine this year and they have been pruned and they look really great. So I think we will get a lot of good vibes from that. Mayor Sykes said and I'm sorry I did not recognize our guest tonight. I'm sorry Trina. I am welcoming you here. I just noticed you, I had been noticing you but I am sorry, welcome to our meeting.

The next item on the agenda was Fire Department Report. Mayor Sykes said the Fire Chief is not here tonight. Kim said he is on his way but you have a copy of his report in your binder. It is #10 in the book. Mayor Sykes said any questions anybody. The board had no questions. Mayor Sykes said be sure to tell him we thank him for all this.

The Police Report was next on the agenda. Kim said you have a copy of that as well in your binder. It should be labeled #11. Chief Thigpen said I don't have anything. Do y'all have any questions about anything else? He said I think at the last meeting I told you they had ordered the car. It was actually ordered in March so it will be the end of May or first of June. I thought she ordered it in January but... Mayor Sykes said forgot to order the car. Chief Thigpen said she forgot to order it. He said I put in the letter of intent in January and I checked on it in March because it was supposed to come in. I guess she realized she didn't order it and she kind of hem hauled around it a few days. Mayor Sykes said she must not have gotten commission off of that one. Chief Thigpen said and then she finally told me that she ordered it on March 26<sup>th</sup>, three days after I had sent her the email. Mayor Sykes said who are we buying this from. Chief Thigpen replied Performance Dodge in Wallace. He said there was only two places you could get it and that was Wallace or Highpoint. I went with here because it was closer plus I usually deal with the other place, which the lady I ordered my car I have now is the same lady that used

to work at Highpoint but she was here so I guess it was an oversight. Commissioner Quinn said thank you sir. Chief Thigpen said other than that everything is good.

The next item on the agenda was Water/Sewer Report. Timmy said since our last meeting both of our spray irrigation pumps have been pulled and cleaned. One of them had to go back to Pearson Pumps and it is back and everything is back in order. He said and we ran it today and it worked well. Timmy said everything in town we have cut with the lawnmower including streets and outfall lines have been sprayed trying to keep weeds and stuff like that down including Deep Run Sewer.

Timmy said the roses on town property, as you know we spray Round-Up on everything except for around the well house within 100 feet. We pretty much look after the ones on this block. We try to as far as trimming or clipping them back. We don't do the actual bed on everyone but we do have to mow around them once a week. As always we always spray Round-Up around everything to try to cut down on how much weedeating has got to be done. I don't like to weedeat so I ask the guys to or mostly Alex, because he does most of the lawnmower work, to do the spraying. In his spraying some of the overspray hit some of the roses and that has damaged them. I was approached by Ms. Susan about it. I didn't want it to end up being a problem. I think she has lost probably 15 or so, not all this time. Some of them were lost last year but the reason we are spraying is to try to keep them looking nicer. When I mentioned something to Alex about it, his answer to me is if I don't do a little bit of trimming around the rose bushes even though they are not ours, it makes him look bad because their on town property. Do you agree with that? Mayor Sykes said now she knew going into this, in fact I don't even think she came before the board to see if it was okay to plant roses on town property. Timmy said I will stop you right there and say that she did come to me and ask me if there was some town property that she could put beds and I rode her around and I told her as long as it didn't cause a problem you know it was okay. Mayor Sykes said and it is okay but if it causes a problem I mean that really...I am sorry that that happened but you know...I don't really see that's our problem. If we are going to mow around them and keep them up. Timmy said I can tell you that it was not done intentional. Mayor Sykes said oh no I'm sure it wasn't. Timmy said we have to spray and everybody knows that the tennis court is 30 or 40 years old. It has got cracks in it and I think I got a price of it and it was way, way jacked up as far as to resurface it and to make it look nice. It has got cracks in it and weeds grow in it and he sprayed over them and it splashed over on the row that is closest to the fence. That is the ones that she mainly mentioned to me about and it has hurt the roses and probably they are going to die, the ones that hadn't already died. Everything else that we have got in town is the only thing else I can think of is like the Welcome to Pink Hill flags. They became Pink Hill property after they were put on the poles. We do the maintenance on them once a year whenever the Christmas lights are being put up as far as tightening them up and things like that. I mean that is the only way that I know to fix it is if they are ours.

Commissioner Murphy asked how did she suggest you resolve it? Timmy said don't spray Round-Up. Commissioner Murphy said is she going to do the weed eating or have somebody do the weed eating. Timmy said that puts us running the weedeater a lot if we don't spray. Mayor Sykes said does she not have employees that go around and do her maintenance or not. Timmy said they do come around on occasion and I know that they've actually gotten most of the beds

looking really good right now. Mayor Sykes said they do look good, they look great but there is a bunch of roses out there. Kim said the Rosefest is May 19<sup>th</sup>. Mayor Sykes said and they look good but a lot of them were put out there before she even asked about it. I am not condemning her for that but I don't think that we need to necessarily take our men and take our time that we're paying...I mean I just don't think that we need to be taking care of her rose beds. I mean I know you don't want to spray Round-Up on them and I understand that, but she needs to have someone to go and get the weeds out or whatever too if she wants them to look good and I don't mind addressing that. If somebody wants to, they can if not I will do it.

Kim said you need to come out and ask what you were asking. Mayor Sykes said what do you want done? Timmy replied I would like for them to be the towns. Mayor Sykes said so we would have to maintain them all the time. Timmy said I don't want all of them, I just want the ones on town property or give her the option to move them. You can only move them like in January, February, and March and that is the period and I ain't got no problem with that. I just don't want it to end up being a problem where she wants the town to pay her back for the ones that got killed. Mayor Sykes said okay, well I don't either. Timmy said they were not killed on purpose. Mayor Sykes said no they weren't and she knows that, I am sure she does. Where are they on town property? Timmy said this whole lot there is several, several spots here on this lot, the cafeteria which is owned by the town, and the Hwy 241 garden which is a median in between. All of those are not hers. Some of them were put there by DOT. Mayor Sykes said do they maintain them? Timmy replied DOT does not maintain them and that was an agreement when they put them there. We were supposed to look after them after they were put in the ground. There is one spot in Park Circle, that circle we have had a hard time figuring out who owned it. Mayor Sykes said no one owns that circle. Timmy said if she wants to take that place and start cutting the grass around it, we won't spray no more Round-Up around it.

Kim said George I have a question. Whose are they? If they are on town properties, whose are they? George said if they are planted on town property, I would consider them a gift to the town and they become property of the town when they are put in the ground. Mayor Sykes asked but what if they were not a gift, what if they were just put there? George said I don't care. If they are on land that the town owns, they become property of the owner of the land. Mayor Sykes said if that's right, then if, and we won't do it, but we can do with them what we want to if they are ours. Not only that...George said the town can and Mayor Sykes said yes, that is what I am talking about. Kim said so how do we need to handle this with her? Commissioner Quinn said pick them up and move them. Mayor Sykes said you are either going to take them up or not. Kim said but no what I am saying is if something were to happen to some of them again because I mean you can't help when you are spraying Round-Up if overspray or if the wind is blowing or something and something happens and she approaches the guys again. George said I think the reasoning I would put on it is if Timmy comes to my house and plants a Dogwood tree I would appreciate it and it is mine and I can't look to Timmy to maintain it. Even though he wants it to look good and he puts it there and he is proud of it, I can't make him maintain it but if I take a tree and give it to the town, I really don't have any right to go fertilize it and all that. Now the town would appreciate it if I do that, but the town can't make me do it and I also can't make the town get out of my way so I can do it. Mayor Sykes said it is up to you guys, I mean Timmy is it going to be easier on you if we do. Tell it is it going to be easier on you. Commissioner Quinn said what do you think, what do you want to do? Timmy said I don't want to look after them.

Mayor Sykes said well that is what I thought, I mean I don't think we should have to look after them. I don't care if they are on town property, I don't think we should have to look after them. Timmy said like I say we have took the time to trim the ones here. They are the ones that grow up kind of tall. I mean I don't have a problem with it. We are trying to keep them looking nice. We clean everything else up and so we clean those up too. Commissioner Murphy said if you are going to bite the dust, so be it. Timmy replied right. Phillip said but to keep from having this conflict again. Commissioner Quinn said I would just move them out of the way and get them off the property. Mayor Sykes said yeah. Timmy said how would you like for me to handle it. George said if you are going to move them off the town's property onto my property, what if I don't like pink roses on my property. Timmy said I'm not going to move them. Kim said he is saying he is wanting her to move them. George said I thought you were saying you wanted to move them in January, February, or March. Timmy said no that is the only time that they can be moved where it won't kill them. George said okay. Timmy said but if it is going to cause a conflict. George said I thought that if you even looked at roses crossed eyed they died. Timmy said they are pretty finicky I would say. Mayor Sykes said well ask her if she would like that, I mean just mention to her that you know they are in the way. Was something not said to that effect whenever they were planted that as long as they were not in the way... Timmy said I don't remember the conversation other than where it was okay for her to put them. Mayor Sykes said okay, well maybe I am making it up but I don't think I am. I thought that there was a conversation about them being put wherever before we knew anything about it.

Commissioner Murphy said maybe you should just kindly say that if your maintenance of them is a problem and she has got an issue with it, then she needs to move them. Mayor Sykes said that is what I say, I agree. Timmy said alright is that the way you want to handle it? Kim said do we need a motion? Timmy said I will try my best to talk to her tomorrow. Mayor Sykes said yes, do need a motion...we don't? George replied I don't think we need a motion. It wouldn't hurt but I don't think it is necessary. Kim said well I didn't know in case it comes back up, we have got it saying what the board says. Mayor Sykes said to say that in a motion. I'm going to call for a motion on that. Commissioner Murphy said I don't know exactly what I said just something to effect of I make a motion that if she has an issue with the way the town maintains the roses that basically her only recourse is to move those roses to private property and maintain them herself. Commissioner Quinn seconded the motion. Mayor Sykes said I have a motion and a second is there any discussion on it, if not, all in favor say "Aye". Mayor Sykes said now she knows what the boards feeling is. She said does that sound good. Kim said I just feel better with it in a motion because that way when he approaches it if it... Mayor Sykes said well usually we have to have a motion on something anyway, so I think that is good. Timmy said I need a closed session and it will take about three minutes but it doesn't have to happen right this minute. Mayor Sykes said okay. Mayor Sykes said thank you Timmy.

The next item on the agenda was Budget Amendments if needed. Kim said there are budget amendments. Commissioner Murphy said it is #13. Mayor Sykes said okay everyone has seen these do I have a motion to approve the amendments. Commissioner Quinn made a motion to approve the budget amendments. Commissioner Murphy seconded the motion. Mayor Sykes said is there any discussion, if not, this motion has carried unanimously.

The next item on the agenda was Reminder of Upcoming Meetings. Kim said it is #14 in your book. We have our budget workshop on May 22<sup>nd</sup> at 2:00 p.m. On May 31<sup>st</sup> at 9:00 a.m. we have our budget presentation. Our June 12<sup>th</sup> board meeting was moved to June 19<sup>th</sup> and we will have a public hearing for the budget on June 19<sup>th</sup> at 6:45 p.m. and then our regular board meeting where you will adopt the Fiscal Year 2018-2019 budget will begin at 7:00 p.m. on June 19<sup>th</sup> or shortly thereafter if we have any people here for the budget public hearing.

Timmy said I have one bit of information. Mayor Sykes said okay. Timmy said whenever you get ready. Mayor Sykes said go ahead. Timmy stated with the help of the surveyors that are in town we found a manhole that has been missing for ever how long. Mayor Sykes said oh really. Timmy said we found it today. Mayor Sykes said where was it...where is it? Timmy said I don't know the address but it is 204 Kinston Boulevard. It is where Mr. Tommy Stroud's house was. There is an outfall line that runs through the woods right there and there is one manhole. I know Mike Hill looked for it and I know me and Jamie looked for it and me and everybody I have ever worked for have looked for it but we found it today. Mayor Sykes said do y'all finally find it or did the surveyor. Timmy said the surveyor actually pinned it and then we went out there and dug all the bricks and cement blocks off of it. Phillip said it was about 4 to 4 ½ foot below the ground with rocks and cement and everything over it. Timmy said now we have got to raise it up where the new level of the ground is. He said somebody had dumped some trash on top of it. I was pretty happy about that. I said boys we can go home we have done and done a week's worth of work. Mayor Sykes said thank you for finding it. How long had it been hidden? She said I know a long time. Timmy said I don't know. Mike was originally here. I know he worked until 2000 because that is when I started. Mayor Sykes said I know it has been a long time. Timmy said I think he worked here about 10 or 12 years right or 14 years. Mayor Sykes said somewhere thereabouts. Timmy said but I know he looked for it while he was here.

The next item on the agenda was Remarks by Town Attorney. Mayor Sykes asked George if he had any comments. He replied no, thank you.

The next item on the agenda was Comments by the Board. Kim said for comments by the board you have something in your book. She said that was the only place that I knew to stick it because I got this email late this afternoon. You mentioned this to me the other day for the board members to see about attending. It is not Town Hall Day any more this year in Raleigh. Mayor Sykes said you may need to explain because I don't know if y'all have heard of it, the Town Hall Day. It was a day set aside for Town Halls for the board members to go and listen to the governor, attorney general, and different people that would tell us what was going on in the state and municipality wise. So that's what this is about. Mayor Sykes said go ahead Kim. Kim said oh they have got it. They are reading it. George said aren't y'all given a chance to go through the legislative building and talk to the general assembly members. Mayor Sykes said yes they will be there but they and in addition to networking and we dine with the local delegation and we will hear policy updates. Kim said they are changing it this time. Mayor Sykes said they have changed it. Kim said it is a Town State dinner is what it is this time instead of Town Hall Day. They are doing it in the evening. Mayor Sykes said it has changed the last two or three years anyway because didn't you go one time Kim. Kim replied yes and it is Tuesday, May 29<sup>th</sup> from 5:30 p.m. to 8:30 p.m. at the Raleigh Convention Center. Mayor Sykes said it is really interesting if you want to go the first time. Kim said but if you notice its registration deadline is

Monday, May 21<sup>st</sup> so I will definitely need to know if y'all are planning to attend this event. Mayor Sykes asked what day is that on. Kim replied it is a Tuesday, May 29<sup>th</sup>. The day after Memorial Day. Mayor Sykes said and it starts at...Kim replied 5:30 p.m. Mayor Sykes said that is up to y'all. Kim said if y'all want to just let me know. Mayor Sykes said Kim, I certainly think it would be advantageous for you to go, I mean you are a part of it and I mean yeah, you are a big part of it. You are the part and I am going to insist that you go if we go. Kim said yeah sure. George said the mayor is 100 percent right it is something that would be good for you, good exposure. Kim said I have been before, yeah. Commissioner Murphy said good times huh. Kim replied oh yes, lovely. Mayor Sykes said it is about like that ethics training we have got to do. Kim said and that is why she wants me to go, I know why she wants me to go. Mayor Sykes said well now if two of us go there or three of us, we are going to have a board meeting there. So what are you going to do? We are going to go together and we are going to have a board meeting. George replied no you're not. Mayor Sykes said well if three of us are going together, we will. I mean if two go then that constitutes a board meeting. If we go together, we are going together board meeting or not. If we break that ethical law, we just break it. Kim said wow. Commissioner Murphy asked can we get that ethics thing loaded so we can watch it on the way up and everyone laughed.

Commissioner Quinn asked when is it the 21<sup>st</sup>? Kim replied that is when it is. Mayor Sykes said I am sure that most of the towns around if they are going to go, they are going to go together. Kim said registration deadline is May 21<sup>st</sup>. Mayor Sykes said I mean we have done this for years, not in the later years but we used to go every year. She said so if it is fine, make up your mind and we will know by the 21<sup>st</sup>. Mayor Sykes said what is it \$75 a person, yeah. It really is kind of interesting because you do get to see all these people and get to talk to them. You may not ever want to go back but if you can go one time, you can say well I have been one time and that is all I want to go. It is entirely up to y'all. Commissioner Quinn said thank you.

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. Mayor Sykes said Timmy needs to go into closed session so we need a motion to go into closed session. Commissioner Quinn made a motion to go into closed session. Commissioner Murphy seconded the motion and it carried unanimously. Mayor Sykes thanked everyone for coming tonight.

Commissioner Murphy made a motion to come out of closed session. Commissioner Quinn seconded the motion and it carried unanimously.

With there being no further business the meeting was adjourned.