

November 13, 2018
7:00 p.m.

The Town of Pink Hill held its monthly board meeting on Tuesday, November 13, 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, Fire Chief Tony Heath, Police Chief Joey Thigpen, and Town Clerk Kimberly Mitchell.

There were no visitors present at the meeting.

Mayor Sykes said I would like to call this meeting to order and asked everybody to turn their phones off. I welcome all of you here to the November 13, 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 need a motion to approve the agenda and amendments if needed and consent agenda with regular board meeting minutes from October 9, 2018. Commissioner Hill said I make a motion to approve the agenda, the consent agenda and any amendments. Mayor Sykes said do I have a second? Commissioner Quinn seconded the motion. Mayor Sykes said is there any discussion, if not, all in favor say "Aye" and the motion carried unanimously.

The first item on the agenda was Motion to Approve Claim of Lien on 101 E. Broadway Street. George said Kim has put the Claim of Lien in your package. Basically it says that three times Timmy has gone and cut the grass and cleared the weeds off. He said two times they have sent bills. One of the bills was for two of the cutting times. George said none of the money has been paid. It is \$300 per trip for a total of \$900 and you need to if you want me to seek to recover the money, you need to vote to authorize the mayor to sign the notice of Claim of Lien. George said and you also need to authorize the payment of the \$10 filing fee. The \$500 for my fee I will try to get that out of the sale of the property. If the property doesn't have to be sold, I will try to get it out of the owner of the property. Commissioner Hill said okay. Mayor Sykes said okay so this is just for the grass mowing. She said okay so when do we get to the foreclosure part? George said well you have to file the notice of lien and then the tax collector has to try to collect it as property taxes and then when he can't he files the foreclosure. Mayor Sykes said okay, so we can't say well he is however many years behind and we are ready for something to happen. George said that is an entirely different issue and yes you can do that. Mayor Sykes said okay. George said you can, well yes you can and you can't. You can contact the tax supervisor and tell him that the Town of Pink Hill wants him to enforce the tax lien on the property. If you do it before December 31st, I don't know that this money would be included in that. Mayor Sykes said well I just want the money. I don't care when it is foreclosed. George said what I am telling you is I don't think you would get the \$900 if he started foreclosure before December 31st. Mayor Sykes said well we probably won't any way. George said well it depends on if it sells or not. Mayor Sykes said okay well do we need to vote on to this and then discuss the other. Commissioner Hill said yes. Mayor Sykes said okay because I am not clear on what I am talking about. I don't know what I am talking about. Mayor Sykes said what is the motion? Commissioner Hill said I make a motion to approve the Claim of Lien on 101 East Broadway Street and the \$10 filing fee. Commissioner Murphy seconded the motion. Mayor Sykes said okay is there any discussion, if not all in favor say "Aye" and the motion carried unanimously.

Mayor Sykes said okay now once this is done. George said the tax lien if this is not paid. Mayor Sykes said if this is not paid. George said this \$900 is not paid in 30 days, then the tax supervisor adds it, basically he adds it to the tax bill. He is responsible for collecting it as if it were unpaid ad valorem taxes. Mayor Sykes said this bill. George replied this adds into it and I am going to try to get... Mayor Sykes said that was what I was wondering, that is why I was confused because I was thinking you had to do but this will be added to the tax bill. George said yes. Kim said if in 30 days he hasn't paid it. Mayor Sykes said okay. George said well exactly but hold on just a minute let me check one thing on here and I'm sorry it is going to take me a minute because my computer is running slowly.

He said it looks like the property taxes were last paid in 2013. Mayor Sykes said that is about right. George said just a minute let me see if I can get you a total. On 101 East Broadway the total is \$2,207.24. Mayor Sykes said is that for one year or for the whole thing. George stated that was for everything up through November 30th. He said on December 1st interest will be added in. They add interest on the first of each month. George said 104 West Broadway Street, the Chevy Dealership, no I've got to have them backwards. Kim said yes that is the other one. Mayor Sykes said that's what I was thinking because something is wrong with the taxes there. George said yes because \$622.60. Kim said isn't that the property that you said somebody was trying to buy? George said well there is a foreclosure pending on that property. Mayor Sykes said on the property across the street? We are talking about the H.J. property is what we are talking about. Kim said that is the one he gave you the \$2,000. Mayor Sykes said okay. George said yes the other property is included in that motion because Timmy cut both of them. Mayor Sykes said okay, but we are foreclosing on the H.J. property. George said you have to vote unless the foreclosure sale goes through part of that will be paying the unpaid taxes and paying a proportionate share of the weed cutting, okay? Mayor Sykes said yes. George stated it won't pay all of it. Mayor Sykes said but foreclosure is that just on the H.J. lot or both lots. George said I think in the long run it will be just on the H.J. lot. Mayor Sykes said I mean because I thought the other lot... George said the tax foreclosure. Mayor Sykes said oh okay, well tell me the difference in the tax foreclosure and the land foreclosure. We want the land. George said it is not that easy. The tax foreclosure is foreclosing the land because the taxes on it were not paid. The other kind of foreclosure is there was a loan on it and the holder of the loan, the noteholder, can file for a judicial foreclosure of that property and ask the court to order that land be sold. That is on the property where the big tree is. Mayor Sykes said yes, okay I understand that now. George said that is a regular foreclosure. He said a foreclosure under power of sale is what that is called. Mayor Sykes said okay are we not doing the foreclosure under power of sale for the H.J. lot, that's what I want? George replied no we not because we don't have a power of sale. Mayor Sykes asked how do you get a power of sale. George said it is in the promissory note and the deed of trust where the loan was made. We don't have a loan on that property. George said when all of us bought our homes and we signed a deed of trust and a promissory note, in that deed of trust it had a power of sale. Mayor Sykes said okay I was just thinking that if the taxes hadn't been paid, we could do a foreclosure on the property. It would be sold and then... George said it can but that is not a power of sale. Mayor Sykes said well who owns the property after the taxes are paid. George said the high bidder. Mayor Sykes said well that is what I am saying. George said the high bidder would own it but the tax supervisor would order it to be foreclosed and the clerk of court would order the foreclosure sale but that's not under a power of sale. It is more a matter of semantics than it is any ultimate result. If the town wants the land, the town can bid on either one. Mayor Sykes said okay that was what I was getting to next, I was going to ask

you if we could do that but okay. She said but we have been talking about this foreclosure to pay the taxes on the land so somebody can bid on it and buy it. I want that to be the next step. George said well you need to talk to Darryl Parrish about that. Mayor Sykes said I will tomorrow. Kim said but you said we need to wait for 30 days though. George said again I think you should wait until he gets this and the 30 days have run and he puts this on the tax bill. Mayor Sykes said okay. Kim said so would she be better to wait to contact him the first of the year then? George replied I think so. Mayor Sykes said that will be fine. George said I would say after January 6th. You have got until January 5th to pay your property taxes and he is going to be kind of tied up until then. George said wait and let me see what day of the week that is. I would suggest you wait until Tuesday, January 8th or Wednesday, January 9th to say something to him about it. Mayor Sykes said we have talked about it before. He and I both have talked about it before but I reckon we hadn't got that far but we have talked about it two or three times. George said well all of these years the small parcel he might not be interested in going after that because he has got to pay \$750 in attorney's fees to the lawyer that represents the county, and if the taxes are only \$668, then he loses money. He said but on a \$2,200 bill he might justify a \$750 attorney's fee on that, but that is his call completely. Mayor Sykes said so if he doesn't think that is going to justify him getting his money, then he ain't going to do anything. George said I am not going to say that. Mayor Sykes said okay, I will wait until the 8th or 9th to call him. She said do we need a motion because we have already discussed it. George replied no, you can talk to anybody you want to without a motion. Mayor Sykes said I mean we don't need a motion for me to call him in January or whenever. George replied no. Mayor Sykes said okay. She said does everybody understand everything we are talking about. Everyone replied yes.

The next item on the agenda was reminder of Christmas Parade & Christmas Party. Mayor Sykes said our Christmas party has been scheduled for...look at your nice invitation or whatever it is. Kim said you have got the reminder of the parade which is...Commissioner Quinn asked could I take this home with me? Kim replied yes. Mayor Sykes said that is a good idea to take them home. George said put it on your bulletin board. Mayor Sykes said and the Christmas Party too, you might want both of them. Kim said so the parade is on the 2nd at 2:00. Mike are you going to do your truck this year? Commissioner Hill said I don't know but we will have some transportation. Kim asked have you got the commissioner signs still. Commissioner Hill replied yes. Kim asked Mayor Sykes if she had her signs. Mayor Sykes replied yes. Commissioner Hill asked what time did they need to be there...1:30 p.m.? Kim said I tell everybody 1:00 p.m. just to make sure they are there. So that is on Sunday the 2nd and are we doing it again in the fire department this year...the ceremony? So after the parade, when you ride through you will come and sit on the stage to watch the parade and then after the parade gets done, we will come to the fire station to have the little ceremony. Mayor Sykes said okay.

Kim said and then our party is Friday, December 14th at The Country Squire at 6:30 p.m. Mayor Sykes said okay does anybody have any questions on that. Kim asked Joey was he getting the candy. He replied that he had already got it.

The next item on the agenda was Update System Development Fee Analysis/House Bill 436. Commissioner Hill said the system development fee analysis we don't have to do it because we don't charge impact fees. Mayor Sykes said we don't charge what? Commissioner Hill said we don't charge impact fees so we don't have to do it. George said remind me didn't we vote last month to participate. Commissioner Hill replied no. George said or did we table it. Commissioner Hill said we voted for me to meet with Connie and see if we could actually do it

and in talking to her and then I was trying to find some more information because I didn't have a wastewater plan. I just had a water plan. I called a guy and asked him did he have one and he said we don't have to do it because we don't charge impact fees. George said I just didn't want to have to undo something we did last month. Commissioner Hill replied no. George said good. Commissioner Hill said that is \$10,000 we don't have to spend. Mayor Sykes said thank you Mike. Commissioner Quinn replied fantastic.

The next item on the agenda was FEMA Update: Timmy & Kim. Timmy said there is really nothing new other than we met with the insurance people and I told them about any damages we had and we haven't gotten a denial or whether they are going to pay on that. Timmy said me and Kim are supposed to meet with FEMA tomorrow morning at 9 o'clock and that will be our first meeting. It is supposed to be pretty lengthy and pretty informative as far as getting us all started. Commissioner Hill said I was going to try to be here but I can't. Kim said we will probably have more to update you on at the next meeting I am thinking. Commissioner Hill said okay.

Timmy said we've sat down a couple of times and looked through what we could figure out. We have got some of the stuff ready to be entered whenever they tell us where to put it at, what category and other stuff. Kim said right and I have talked with Connie. She came to help me with some things and she suggested that we check with the FEMA people to see if we have to do a certain process about using the Wooten Company or not, that procurement process. Kim stated Connie said because we might end up having to bid our engineers out. Connie said to ask them because they are being really strict about this FEMA money and if we don't do it just right, she said they will not reimburse us for anything.

Timmy said I don't know if this is the time for me to tell you this or not. Mayor Sykes said go ahead. Timmy said that is where I am at on the two roads. I haven't done very little on those roads and that is why because if we end up getting paid back with some federal monies, I don't need to call the people that I would call. It needs to be sent out. Mayor Sykes and Commissioner Hill both said it would have to be bid. Timmy said you would pretty much be wasting their time and mine other than getting a price. Kim said so it is probably going to be a lengthy process of us getting those culverts fixed. Timmy said and that is the two biggest jobs. The one on Lynwood and the one on North Central which we already had a problem there anyway but now it's worse and it needs repairing. Hopefully we can find out more through FEMA tomorrow because they were asking about mitigation, something we could do to keep it from washing out again and that would be where both of these places would be fixed hopefully. Commissioner Hill said well around there on Carol Drive we need to kind of clean that up for the Christmas Parade, if they would let us go ahead and do it. That is the only thing I see there. Timmy said I am hoping that they are going to kick in and pay part of that bill or all of it maybe. That is going to have to be bid out too so that goes with everything that I have got left goes with the procurement. Mayor Sykes said what about the \$10,000 bid did you find out if we understood that correct or not. Kim said we will find that out tomorrow when we talk to her, Regina Delgado. Mayor Sykes said okay.

Timmy said we have looked over, well she has got a catalog she printed off that is just about this thick. Kim said 250 pages. Timmy said we have kind of looked through it the best that we know how. Kim said kind of like that ethics thing y'all had to do. Timmy said I never saw the \$10,000 in there. One thing I did see was a \$3,500. Kim said \$3,300 something I think. I am not sure. I have seen so much. Timmy said that is the number that sticks out to me and I don't

know exactly where it came into play. Mayor Sykes said well y'all can find all that out tomorrow. Timmy said so that kind of let me know that we need to have this procurement policy in place and do it right or after we spend the money and fix these places, we are probably going to be stuck with it because FEMA is not going to pay it back. So we want to make sure that we are doing it correctly. Kim said so it might be our December meeting before we can have a policy together and get you guys to vote on it or whatever we have got to do. So it is going to be a long process it looks like. Mayor Sykes said well we all appreciate what you have done because it is not fun, never is no matter if you don't have but a one day meeting with FEMA. It is just not fun to do but thank you all for taking the time and going to the meetings and doing it. Timmy said and it is still above my head. Mayor Sykes said well I suppose it is above 99.99 percent of everybody's head, I mean above it I'm sure. Timmy said it is also brand new this year. Mayor Sykes said well they have changed so much. Timmy said from what it was a couple of or three years ago whenever we went through this thing before. Mayor Sykes said yes. Timmy said it was a little bit more simply did. Kim said yes the processes the last ones we have had were simply. They would come. They'd told us exactly what we had to do. They walked us through it but now that they have added this grant portal in and the steps are just totally different. Somebody had to change it. The wheel wasn't broke but they felt like it was. Mayor Sykes said well somebody needed a job. She said thank you all in advance.

The next item on the agenda was Fire Department Report. Fire Chief Heath said since our last meeting in October we have had 16 EMS assignments, 6 vehicle accidents, 5 structure fires, 2 fire alarms, 3 brush fires, and 1 electrical service assignment for a total of 33 calls since last month.

Fire Chief Heath said in our business meeting last week Timmy, Randy and I were nominated again by the membership to serve 2 more years as chief and deputy chief upon approval of the mayor and the board. Mayor Sykes said we shall do that I promise you in a minute. Fire Chief Heath said that is all that I have as of right now. If the board is fine with it, Timmy, Randy and I will assume the position of chief and deputy chief again for two more years. Mayor Sykes said thank you both and I will need a motion on that. Commissioner Hill said I make a motion to accept the nominations of Tony Heath as chief and Randy Byrd as deputy chief. Commissioner Murphy seconded the motion. Mayor Sykes said okay is there any discussion, if not, all in favor of the motion say "Aye" and the motion carried unanimously. Mayor Sykes said and thank you again so much for what y'all do. I mean without you all and everybody here at the Town of Pink Hill, I don't know how we would get along. We wouldn't...we would not get along. I mean my board and y'all...it's amazing what you do for us and we appreciate it and the police officers and everybody we just really appreciate it.

Police Department Report was next on the agenda. Chief Thigpen said since our last meeting on October 9, 2018 we have had a total of 75 calls and I have got a list printed in your book. I broke down each call. Mayor Sykes said no major break-in's or anything. Chief Thigpen said no nothing major. The only thing recent was the signs stolen off the old John Deere place. We just had that. The barn beside the museum. Commissioner Murphy said the animal complaint is not me. Everyone laughed. Mayor Sykes said I would not have even thought that Penny. Everyone laughed again. Chief Thigpen asked Commissioner Murphy isn't he gone from over there. Have you had any trouble with the dogs lately? Commissioner Murphy said the big ones are gone. Chief Thigpen said yes because some of them have move out and that was why I was wondering. Commissioner Murphy said but there is still six little ones because they were out the

other day. Chief Thigpen stated but the bigger ones have left. Chief Thigpen said he is supposed to be evicting them so that's the word but I don't know how true it is. Mayor Sykes said what. Chief Thigpen said on the corner where she had trouble with. Dennis is supposed to be evicting them, is what I was told. Kim said she meant to ask him about that today when he came in. Chief Thigpen said it might be a year from now. Mayor Sykes said she thinks she heard that about three months ago. Commissioner Quinn said thank you. Chief Thigpen said thank y'all.

The next item on the agenda was Water/Sewer Report. Timmy said we are working on the Christmas lights and asked the board do you think we will ever get some more snow flakes. He said we have probably got about 15 more at least and they look pretty bad. We were working on them today. Mayor Sykes said well not this year but maybe next year we can plan and maybe have some kind of fundraiser or something. Timmy said I mean we are going to hang them up because there is 15 of them that will still light up. Kim said so how many do we need. How many more do we need? Timmy said to get them all to snowflakes I would say 15 more. Mayor Sykes said well we will look into that. Commissioner Quinn asked are they \$200 apiece. Timmy said I think it is a little stronger than \$200. I think it is more like \$275. Mayor Sykes said well we'll look into that and try to come up with a way to get it done. Timmy said I know last year...Kim said the business alliance. Timmy said I couldn't remember which organization. They donated six or they raised enough money to donate six. Kim said remember I used to put that in the budget all the time and that was the first thing that would normally get taken out because we had to balance the budget. Mayor Sykes said we will try to work on that. We will work on that and see if we can come up with some and if we can't get 15, we will get what we can get. Timmy said we are planning on putting them up on November 26th. He said and everything else is going fairly well. Mayor Sykes said thank you. Commissioner Murphy said they would probably cost even more but I noticed them coming back home from Jacksonville this weekend the ones in Richlands, they are pretty. Mayor Sykes asked what kind do they got? Commissioner Murphy said they are sort of snow flakey but they are colored and every one of them is different. Kim stated the reason we kind of went with I think they discussed doing all snowflakes eventually is because we leave them up and it is usually until after the New Year when our guys can come back to take them down and that way we don't Christmas still up. Commissioner Murphy said these were all snowflakes. Kim said oh really. The snowflakes were different. Kim said oh they were different shapes and stuff. Kim asked that was in Richlands. I wonder if they use the same company. I will check. Mayor Sykes said check on them and see how much.

The next item on the agenda was Budget Amendments if needed. Mayor Sykes asked Kim if there were any budget amendments. Kim replied no. She said I was going to do one but I really weren't sure how to handle it with the engineering part and then when I talked to Connie and she said wait. So it will probably be December. Mayor Sykes said okay.

Remarks by Town Attorney was next on the agenda. Mayor Sykes asked George if he had anything to say. George replied not that I know of. Do I have anything else that I need to say? Everyone laughed.

The next item on the agenda was Comments by the Board. Commissioner Hill said glad to be here. Mayor Sykes said I have done all my public comments that I need to do because I thanked all of you and I truly, truly mean it. I know I do it every time but I mean it every time too.

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.