

Town of Pink Hill
Board of Commissioners Meeting
April 11, 2023

Minutes

The Town of Pink Hill Board meeting was held April 11, 2023 at 7:00 pm in the Police Bay. Present at the meeting were: Mayor Yvonne Deatherage, Commissioner Penny Murphy, Commissioner James Quinn, Commissioner Pete Fantini, Town Attorney George Jenkins, Town Clerk Lisa McGee, Police Chief Michael Hoffman, Public Works Supervisor Timmy Kennedy and Public Works Assistant Phillip Swinson.

Visitors present were: Kevin McGee, Lori Bradford, Robin King, Rod Howard, Brett Smith. Suzie Baker, Jolene Hoffman, Linda Dixon, Willie Dixon, Richard Goldsby, Janice Goldsby, Jayne Zesiger, Alex Crespo, Daniel White, Tony Kopanski, Kristin Fantini, Anne Skinner, Debbie Heath, Cole Baker, Joe Baker

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

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

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

Public Comments:

Linda Dixon:

Mrs. Dixon spoke about Community Connections. Mrs. Dixon said she was representing our Community connection today. She said they were just here to connect with our community and let our voice be every opportunity we get because we need your support. We need your help. Our community, our county, our surrounding counties, out of state and definitely our country. Need some connection so, we have come together as a committee to converser about challenging issues and topics and to maintain a respectful atmosphere as we build deep and strong relationships to help our community to be better. We are giving our time and resources to help build our community by adding events and gatherings on our calendar to help us come together as a beautiful community. On June 18th at 5:00 pm. we will meet at the Pink Hill Event Center and have a pot luck. We will serve food and focus on the night around

Juneteenth. And those you don't know about Juneteenth, please come out and join us. You hear me say, we and us, we are doing this together. It's not a one man or one woman show. We are here tonight to let our community know that we are here to support encourage, and help build our community up. As much as we able and allowed to do. Community Connection has given me a sense of belonging and involvement that we that we should be a part of a community. Not looking on the outside in but be in looking out. The feeling of being connected to one another, of being part of something larger than one's self. And of having a sense to share purpose and values with others. I thank God for you and Community Connection. We are the bridge that's building relationships in Pink Hill. Regardless of our religion, nationality, economic status, or whether we live uptown, downtown, or in the circle. We are all one, and we love it. Community Connection can take many differences focuses, from being a part of our neighborhood to participating in sports teams or join in religious groups or political organizations. It can also be an experience through online communication such as social media groups. Research has shown that community connection is important for our mental and physical health. And the people who feel connected to others tend to be happier, more resilient, and better able to cope with stress. Building community connection can also lead to greater civic engagement and social change. As people work together to solve problems and improve our community. Overall, community connection is an important aspect of human life and something that we should all strive to cultivate in our own lives, in our community, in our own county, in North Carolina, and this nation. I love being part of the Community Connection and also Pink Hill and I thank God is pleased with what we are doing as a group of concerned citizens that love what we do and the people we are trying to serve. Thank you.

Conflict of Interest Statement:

Mayor Deatherage read the Conflict-of-Interest Statement:

- It is my duty to remind members of the Board that is your responsibility to avoid all conflicts of interest and potential conflicts of interest as defined in the North Carolina Ethics Law. As public servants, it is your duty to continually monitor, evaluate, and manage your personal, financial, and professional affairs in such a way as to ensure the absence of conflicts or potential conflicts. Does any member know of any conflict of interest, or potential conflict of interest, with respect to any matter coming before the Board?

All Board of Commissioners stated: No

Agenda:

Motion made by Commissioner Murphy to approve the Agenda, Seconded by Commissioner Quinn. No discussion made. Vote was unanimous.

Approval of Minutes:

Motion made by Commissioner Murphy to approve the March 14, 2023 Minutes, Seconded by Commissioner Fantini. No discussion made. Vote was unanimous.

Approval of Financial Report:

Motion made by Commissioner Quinn to approve the March 2023 Financial Report, Seconded by Commissioner Murphy. No discussion made. Vote was unanimous.

Department Reports:

Reports are in the binders.

Public Works Director, Timmy Kennedy, spoke on the following:

- The Fire Line Tap on New Street (for Blackhorse Enterprise) has been installed by the contractor.
- The leak on Clay St has been fixed by the Pink Hill Public Works Department.
- Cody attended his first Certification Class C Distribution – last week. Testing should be in May 2023.
- StRAP Program, permission slips that were supposed to be signed by Property Owners, along the path of the creek cleanout. There were 48 different owners. I have contacted all in person, by phone or by mail. I still have 2 land owners with no response. I hand delivered one and I mailed one. I may need help from the Commissioners and the Mayor on these 2 land owners.
- Town Clerk, McGee has one sealed bid and one came through email on the Library interior damage from Hurricane Ian. We have received \$3,742.94 on November 16, 2022 from the insurance company to help cover these damages. You need to decide which bid to go with and where the rest on the monies will come from. As you remember we have already spent \$1,060.00 for the repairs on the roof, which was not covered by insurance. We have \$2,682.94 left from insurance monies. Mayor Deatherage stated the bid by email was from Kyle Contracting, Inc. for \$4,975.00 and the sealed bid was from Baker Specialties III Inc. for \$5,880.00. Timmy said my question from you (the board of commissioners) is where is the money going to come from, we need \$2,292.06 more money if you go with Kyle Contracting or we need \$3,197.06 if you go with Baker Specialties. Timmy said it was a lot of painting and drywall in right many different places. Commissioner Fantini asked, Timmy, are you asking us to approve one these bids tonight? Timmy stated approve one the bids and decide where the rest of the monies are coming from. Commissioner Quinn asked how much the insurance money was? Timmy stated \$3,742.94 but we used \$1,060.00 to repair the roof on the Library, so we have \$2,682.94 left. We are little bit short. Commissioner Quinn asked is this something we need to get with Connie (CPA) about, and table this until the next meeting, so we can talk with Connie and see where we might can get the money from? Commissioner Fantini asked of the damage in the library was detrimental to the kids or anyone in there? Mayor Deatherage asked is there any mold or anything like that happening? Lori from the library stated we will not know until they start construction. Timmy stated that it had rained behind the drywall and plaster. Mayor Deatherage stated you have two bids here and you have gone with the lowest bid before but that doesn't mean you will for this situation. So, what is the pleasure of the board? Commissioner Fantini asked do we know where the funds are going to come from? Mayor Deatherage stated we have a library section here, so, if we have to do a budget amended, we will because that sounds like something that needs to be fixed. Town clerk, McGee stated that the Library was on page two of the Agenda under Cultural &

Recreation, C&R Building/Grounds Maintenance Library, the first Library is their Utilities and that pays for their utilities. With insurance money left and Library line item we are short \$792.06 with the lowest bid. Motion was made by Commissioner Quinn to accept the lowest bid to repair the library. Seconded by Commissioner Murphy. No discussion. The vote was unanimous.

- First, I would personally like to thank anyone and everyone who Volunteered and Donated to help bring the Park back up to standard. Community, Town Public Works & Team Effort. I think it is a positive thing that needs to be recognized and I think the end result looks good. The whole area has been sprayed for fire ants.
- Also, it was \$36.00 for the grate to fix the grills at the park.

Commissioner Murphy read the Fire Department report.

Chief Hoffman read the Police Report. Chief Hoffman also, stated that they had received an application for employment for a part-time position that we are taking right now. We are going to go ahead and see about actually get the background and everything else is done before we do anything else. He is a retired patrol officer with multiple years of service. I've known him for approximately 24 years. Also, our marked patrol car is having some issues and we have a call into Ford and we are waiting for them to call us back.

Old Business:

Approval of the February 21, 2023 minutes. Motion made by Commissioner Fantini to approve the February 21, 2023 minutes. Seconded by Commissioner Quinn. There was no discussion made. The vote was unanimous.

February 2023 Financial Reports, motion made by Commissioner Quinn and seconded by Commissioner Murphy. No discussion. The vote was 2-1 with Commissioners Quinn and Murphy voting yay and Commissioner Fantini voting nay.

New Business:

Lori Bradford

- Library Branch Manager, reconfirming road closure for the Library and sharing with the PHFVD, asking for the hours of 8:00 am for S Pine St and W Walnut St to match the PFVFD's road closure time. The difference is S Pine St, we would reopen it at 1:00 pm so the public could go to the PHVFD to buy barbeque plates, car show and stuff. Commissioner Fantini made the motion to alter the hours to reflect the fire departments hours and seconded by Commissioner Murphy. There was no discussion. Vote was unanimous.

Commissioner Murphy

- We need to talk about our minutes in the method of taking our minutes for just a little bit and make a decision. I sent an email to both of the other commissioners and basically maybe I didn't explain but anyway a copy of what our options happen to be. I don't think I've got a copy of that with me; but working from memory basically we've got 3 three choices. Our clerk has been in

communication with our League of Municipalities and they made some suggestions. Commissioner Penny asked the clerk to explain them. Town Clerk McGee stated:

- The first one is Topic, Motion, Second and Vote
- The second is Topic, Motion, Second Brief Discussion and Vote
- The third one Verbatim (word for word)

Town Clerk, McGee stated that these are the way that the League of Municipalities said they should be typed, and that the commissioners should vote to the way the minutes should be typed. Commissioner Murphy asked Town Clerk, McGee didn't you say that they (the League) they worst choice was number 3. Town Clerk, McGee stated yes, that eventually it would come back and hurt the town that they had seen it happen before. Commissioner Murphy also said it is also an issue of time because with just one person doing the job of two, it is very time consuming to do verbatim minutes and the other reason I think that it is not really necessary because we do have a recorder and it's not like folks can't go back and listen to every word. We do it professionally and there are others that come to the meetings and record them so you have plenty of ways to hear it. Things got behind and I don't think that typing verbatim minutes for a 3-hour meeting and very could use of her time. I don't know how you fellows feel about it but I do hope you have had sometime to think about it.

Commissioner Murphy made a motion to opt for option 1 seconded by Commissioner Quinn. Discussion made by Commissioner Fantini.

Commissioner Fantini said with our former clerk we purchased software to type the minutes. Now where that software went, I'm not sure. The software was supposed to be where you plucked it in and it would type it and all you would have to do is correct any missed spelled words. The reason I don't think option 1 is the best option is well I did talk to the League of Municipalities as well and along with the School of Law. In these meeting certain minutes have been brought up that weren't correct ad used against people. So, I fully believe if they are on video or not these minutes are a legal document and they should reflect what is said in the meeting. Now when I sent the clerk the list nothing in there said verbatim or word for word. Commissioner Fantini asked the clerk did it say verbatim. The clerk stated it didn't say word for word but to put out there what you wanted I had to type it that what with y'all going back and forth.

Commissioner Fantini said there's a lot missing information that was not put in there that needed to be put in there. I know it was a long meeting but there was a lot of information that go into these meetings that are legal documents, the bottom line is I can't see the League of Municipalities saying this would be more detrimental for us to have it. What is said in the meeting and unless somebody doesn't want heard what they said int the meeting. All I'm saying is that it has been used against people in this meeting to go back to minutes that aren't proper. So, the right thing to do is have minutes reflect what these meetings say. That is the right thing to do, it is a legal document. Someone once said that videos could be altered, but this is a document. This is where we are at.

Commissioner Quinn asked Commissioner Fantini what did you get from the League? Commissioner Fantini said I actually got it from the School of Law. The

UNC School of Law. Attorney Jenkins asked Commissioner Fantini the School of Law or the School of Government? Commissioner Fantini said the School of Government, you know what I mean. All they said was it is up to the town, but this is a legal document and should reflect what the meetings say. No, it doesn't have to say every word but it needs to get the right stuff in there. Mayor, you have used it against me... Mayor Deatherage said that is not the discussion the discussion is... Commissioner Fantini said this is the discussion, I'm not saying it in anyway bad way or form; but you have used it against me, and those minutes were not correct. Mayor Deatherage asked Commissioner Fantini, why did you accept and vote on minutes that weren't correct? Commissioner Fantini said I'm sorry human flaw. Mayor Deatherage said we have a motion and we have a second and we've had discussion. Mayor Deatherage asked for a vote. The vote was 2 to 1. Commissioner Quinn and Commissioner Murphy voted yay and Commissioner Fantini voted nay.

Chief Hoffman:

- Chief Hoffman spoke about the LESO program. All items from the LESO program are free. The Pink Hill Police Department is only responsible for delivery cost, maintenance, fuel and training to operate the equipment. If vehicles are gained then our office must maintain and pay for taxes and registration for the vehicles. Our office is requesting at this time to remain a part of the LESO program and will make appropriate notifications to our town board if we are intending to request any items. DOD items will never be ours but we will have them at our disposal. A list of items is in binders. Commissioner Fantini made a motion for the Police Department to go ahead with the LESO program. Commissioner Quinn asked Chief Hoffman, the town has to pay for the training of the officers on the vehicle and all other items? Chief Hoffman said yes sir. Commissioner Quinn asked what kind of money are you talking about? Chief Hoffman said a lot of the training is done online; the only training would be for the DOD items. Non-DOD items such as vehicles if we maintain them for 1 year, they become ours. The LESO program is here to support Law Enforcement. I want to stay away from the DOD items because they can spot check you at any time. If you are not in compliance, they kick you off the program and take back everything they have ever given you. Commissioner Quinn asked Chief Hoffman did he have money in his budget for that because that is where it would be coming from? Chief Hoffman said yes. Commissioner Murphy asked so in your budget you have the money to pay for the High-Water Rescue Vehicle, for the insurance, maintenance, gas? Chief Hoffman said I don't see why not, but that's not what we are looking at. Commissioner Murphy asked what do you mean that's not what we are looking at? Anything that we would get we would bring back before the board, this is just a list of some of the things that they have, I mean you've got to be on your toes in order to get one of the big items. But before we did anything we would bring it back before the board. Commissioner Fantini said the first thing is maintenance and everything should be fine because we got the lift and the tire balancer and all that stuff. That was \$12,000.00 for that, but it's good to go right? Timmy and Phillip said yes. Commissioner Fantini

said so we have the ability to do maintenance like oil changes and stuff. The second thing I said is: you are talking about law enforcement and the protect of the town and rescuing people and we just spent over \$38,000.00 for zoning and planning for the town and we found that money. So, I don't see somehow why we can't find the money to help this program too, because it is going to be for the benefit of our citizens. Phillips Swinson asked this is basically free stuff, right? Chief Hoffman as everything on the LESO program is free. The only thing that we're responsible is picking up the items. Mayor Deatherage said we have a first do we have a second? Commissioner Quinn said I seconded. Commissioner Murphy asked so anything that you request it would come back before the board, correct? Chief Hoffman said yes, but the way it works is, they start at 5:30 am and they put it up and if we're there then that's the way it goes. Commissioner Murphy asked well you said 5:30 on the morning and if you're the first or whatever how do you get it if you have to bring it back before the board to get it approved? Chief Hoffman said, so I was hoping I wouldn't have to come back before the board to get first aide supplies. Big items like vehicles absolutely, but yet a free program it where I was going. But Non-DOD items we keep for a year and then if we sell it the money comes back to us. Commissioner Murphy asked so if you decide to give up whatever it does not go back to this program? Chief Hoffman said yes if it is Non-DOD items. Commissioner Murphy said I wish I had, had this before to look over really good instead of just getting it tonight. Mayor Deatherage asked for a vote. The vote was unanimous.

Closed Session:

Mayor Deatherage said at this time we are going to go into closed session, do I have a motion? Suzie Baker from the audience asked about the software that was purchased for the town hall. Mayor Deatherage said we will look into that. Commissioner Fantini asked what are we going into closed session for? Mayor Deatherage said I've got some personnel issues. Commissioner Quinn made a motion to go into closed session and seconded by Commissioner Murphy. The vote was 2 to 1 with Commissioner Quinn and Commissioner Murphy voted yay and Commissioner Fantini voted nay.

Mayor Deatherage, Commissioner Murphy, Commissioner Quinn, Commissioner Fantini, Town Attorney George Jenkins, Town Clerk Lisa McGee went into closed session.

Motion was made to come out of closed and seconded and the vote was unanimous.

Mayor Deatherage, Commissioner Murphy, Commissioner Quinn, Commissioner Fantini, Town Attorney George Jenkins, Town Clerk Lisa McGee came out of closed session.

Mayor Deatherage said we are now out of closed session and first of all I would like to say Alex if everyone would look to the back, he's waving, tonight is his last night with us in a meeting and he will be back one day next week. He will finish up his

criminal justice at ECU and Pink Hill is so glad that we could have you during this time. Alex said it was a pleasure to be here.

Mayor Deatherage asked for a motion for us to bring in a candidate. Commissioner Quinn made a motion and seconded by Commissioner Murphy. Discussion was during closed session. The vote was 2 to 1 with Commissioner Quinn and Commissioner Murphy voted yay and Commissioner Fantini voted nay.

Comments by Attorney:

- Attorney Jenkins said, I guess it was sort of ironic as I was coming down here after the court today. I heard on public radio talk about the fastest growing sport in the United States and it is pickleball. That pickleball has gone in the last year or so from 400 courts to over 2,200 courts. Not only is it fast growing but it is elbowing out sports like tennis.

Comments by the Board:

- Commissioner Quinn said I would just like to say I'm glad that the meeting went calmly.
- Commissioner Fantini said he would like to thank the Public Works Department for all the work that they did at the park. It is amazing and beautiful. Thank you very much I know there was a lot of time spent over there by you guys too. So, thank. Timmy Kennedy, Public Works Director, said there was a lot of time spent by otherwise too, I don't know if I was supposed to speak, but Commissioner Fantini said it wouldn't look the way it is, if you guys hadn't finished it up, so thank you. Timmy Kennedy, Public Works Director, said I think the end thing as a team effort it was great. Commissioner Fantini said absolutely. Commissioner Murphy said I have heard nothing but good things.

Adjourn:

Mayor Deatherage asked for motion to adjourn the meeting. Commissioner Quinn made a motion to adjourn the meeting, seconded by Commissioner Murphy. No discussion meeting was adjourned.