December 8, 2015

7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, December 8, 2015 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Carol Sykes, Commissioners Mike Hill and Donald King, Town Attorney George Jenkins, Police Chief Joey Thigpen, and Town Clerk Kimberly Mitchell. Commissioner Grady could not attend the board meeting.

Visitors present for the meeting were Johnny Westbrook, Barbara Elmore, Del Holt, Al Rachide, and Michael Doran with U.S. Cellular.

Mayor Sykes called the meeting to order. Mayor Sykes welcomed everyone to the meeting. Commissioner King then led everyone in the pledge of allegiance. Commissioner Hill made a motion to approve the agenda. Commissioner King seconded the motion and it carried unanimously. Commissioner Hill made a motion to approve the consent agenda for November 10, 2015 (a) regular board meeting minutes and (b)minutes 11/23/15 Special Meeting B.F. Grady Sewer District. Commissioner King seconded the motion and it carried unanimously.

The first item on the agenda was Administration of Oaths of Office for Re-Elected Mayor and Commissioner. Town Clerk Kimberly Mitchell administered the oaths for Mayor Carol Sykes and Commissioner Donald King. Kim and Commissioner Hill congratulated both of them on getting re-elected another term.

The next item on the agenda was Closed Session. Commissioner Hill made a motion to go into closed session to discuss the B.F. Grady Sewer District. Commissioner King seconded the motion. Commissioner Hill made a motion to come out of closed session. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was B.F. Grady Sewer District tabled at last meeting. Commissioner Hill explained that the board had a special meeting and discussed some terms and conditions to them taking the sewer from B.F. Grady. He said in talking to our engineer, Gary Hartong and also to a couple of more systems, Commissioner Hill stated we need to amend the motion. Commissioner Hill made a motion to modify terms of acceptance of Duplin County sewer proposed to establish an impact fee of $25,000 and to add a new Paragraph 9 that the Duplin County Sewer will be governed by all rules, regulations, and ordinances of the Town of Pink Hill. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was U.S. Cellular Ground Lease. Michael Doran with U.S. Cellular stated he had dropped off some information about a month ago and what they are proposing is a pole next to the water tank. He said it was his understanding that there was not a well head on that property which is good because we would have to be 100 feet away from it. Mr. Doran stated they would go as close to it without interfering with the flow of the property and pay the town rent. He said he spoke with the Wayland Humphrey about the zoning and he said we would be fine as far as the setbacks are concerned for the town. It is a 180 foot monopole and although there is an airport close by they would be following FFA and they will dictate how tall they can build to. He said their optimum is 180 but they may not get that. Mr. Doran said they also notify any airbases close by and let them know what they are doing. He stated they would be fencing in a 50 x 50 area with a shelter and it will kind of be right in line with the water tank so the water tank is going to absorb the residual impact of the tower. Mr. Doran said that they would work with the town on the design. He said he wanted to have this conversation first, then they will get a survey put together, and would like Timmy to be there to take a walk with them in the next week or so. Mayor Sykes asked Mr. Doran what kind of fees they were looking at. Mr. Doran said the rent would be $1,000 per month and it goes up 15 percent every 5 years. Mayor Sykes asked if this pole would interfere with the water tank. Timmy said as far as scaffolding for repainting the tank and if the fenced in area was in front was usually where the guys come in to do their maintenance on the tank. Timmy stated they only have a water line right of way from Broadway Street. All of their property is facing Clay Street. Kim asked about using the town’s property that use to be Miller’s Trailer Park right across the street from the Fire Department. Mr. Doran said if they start heading this direction then the airport’s glide path is going to start to come into play. Mayor Sykes said for us to discuss the existing plan right now and if that doesn’t work then go to plan B. Mr. Doran said they like the water tank location because it is the center of town but it can’t interfere with what the town has going on. Timmy said he would meet Mr. Doran on Wednesday of next week. Mayor Sykes thanked Mr. Doran for coming. Commissioner Hill made a motion to table this issue until the January 12, 2016 board meeting. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was the Ditch Issues in Park Circle. George stated that he has looked at the deeds and history of the titles of seven properties on the drainage easement on Park Circle. He copied the maps that most of the deeds came from and there are a couple of properties that make no reference whatsoever to a ditch or an easement of any sort but that doesn’t mean that there is isn’t one. Others refer to a ditch as a drainage easement on a particular side of the property and a lot of that is just the way the lawyer who did the deed drafted the description. In each case it looks to be a 10 foot drainage easement that the various property owners have given each other and were reserved out of the deeds for each other. The town is not a party to any of that and cannot enforce that easement nor has the obligation to maintain that easement. He said he has gone through the town’s conveyances since 1939 from that time forward and he just does not see any indication of any easement granted to the town or the acceptance of any easement from the town for any drainage ditches. In fact the easements that he has found for the town have been water and sewer easements for water and sewer lines that were put in the 1950’s or 1960’s. The maps that he has looked at that affect this property show a 10 foot drainage easement and then there is one other more recent map but not nearly in his opinion as good a map and it also shows the drainage easement. George showed the visitors present and the board the map he was talking about. Commissioner Hill stated even though the map does not show that the town is responsible, they still would like to help them with their water problems. He said the only way they think they can do it is to go the route that Timmy got the estimate for from Chris Taylor. George said the town has an absolute right to put curbing and guttering on Powell Bill streets and from what he has looked at, these are Powell Bill streets. Commissioner Hill said it would keep the water that is running down from the graveyard and the Colony House from going across the yards. He said the biggest thing is to find the money to do it with. Mayor Sykes said we do not have the money right now. Commissioner Hill said it is supposed to come out of the Powell Fund and we get so much money for the Powell Fund from the state and right now it is kind of low. Kim said we could probably start on it in this fiscal year and maybe finish it next fiscal year. Mayor Sykes said they would have to look at the budget for next year which is July 1, 2016 because to her understanding most of the Powell Fund budget is already budgeted for this year due to street resurfacing and we have got a sidewalk to do. Commissioner Hill stated they would have to look at it but maybe do the curbing and guttering this year. Ms. Del Holt said ever since that water came down there on October 2, 2015 she and several others have been sick and she still has it. She said Dr. Little stated it was sinus and allergies and it scares her that the water that could be affecting their lungs. Mayor Sykes stated she understood what Ms. Holt was saying about the rain and all the water. Ms. Holt said ever since they got that ditch up there that ditch behind her house is constantly running and that water is coming from somewhere. Commissioner Hill explained that it comes up behind where Lundy’s used to be. There is a field ditch and back years ago a resident wanted to have it cleaned out. That ditch is on Delbert Howard property and the town could not clean it out because it was on his property. Since Mr. Howard has died no one has been taking care of it.

Commissioner King asked are we talking about the monies for just on their street curbing that we do not have money for? Commissioner Hill stated they are going to have to look at some things and maybe we can switch some money. He said maybe switch something this year to next year and try to help the residents out as much as they can. Commissioner King said anything would be an improvement. He also wanted to know about his street around there by Luther Ledford’s. If that underground tile is put there, it will divert at least half of the water and that would eliminate the flooding across the street. Commissioner Hill stated the estimate given by Chris Taylor was $32,000. Mayor Sykes said that the town does not have the money. Kim said the town gets about $19,000 a year and that is to do everything for that one fiscal year. Mr. Johnny Westbrook stated all of those ditches and all of that water goes on him and it can be helped because the last big rain that they had it was coming up through the dirt. He said we need to clean those ditches out and make them wider because you can’t get the fall and go any deeper and clean the sand out of the ditches and that will put the water onto the back back there. Commissioner Hill stated that they wished they had the money to go in there and do every bit of it but they don’t. He said to clean all those ditches out they would have to get all kinds of permits from the Core of Engineers because it is in the Neuse River Basin. Commissioner Hill said anything that goes into the Neuse is regulated. Mr. Westbrook just wanted to clarify that they have to get permits to do anything in that ditch and Commissioner Hill stated yes, the town would have to get permits. Commissioner Hill explained which ditch he was talking about. He said the ditch between their properties the residents themselves can clean out and nothing will be said. George reiterated that the residents can do it but the town cannot do it. Mayor Sykes stated the town wants to help the residents as much as they can but it takes money and the Town of Pink Hill does not have the money to do it. Ms. Holt said she understands that it takes money but she has been living over there for 25 years and this has been going on 25 years. She stated something could have been done and it would have cost a lot less a long time ago. Mayor Sykes reiterated that the town does not have the right to do it because they do not have an easement. Commissioner Hill explained that the easements are for property owner to property owner but they are not town easements. Mr. Westbrook asked if the Town of Pink Hill has easements through there. George asked if he meant drainage easements or what kind of easement did he mean. Mr. Westbrook stated for the Town of Pink Hill’s water to run through his land. George said the Town of Pink Hill’s water is ran through pipes. Mr. Westbrook said no it is not where he was talking about. George said that is God’s water and not the Town’s water. Mr. Westbrook said he had to go and told the board to have a good day. Mayor Sykes stated she hated to see them get bent out of shape over this but we are trying to help and she understands what Ms. Del is saying. Ms. Del stated that she didn’t want a handout but wanted something to help stop some of it. Commissioner Hill said when the town gets the money to do that drain tile in front of Donald’s down to the catch basin, they are going to do that. Mayor Sykes said if the residents wanted to do something before that then they could but she knew it would cost money. Ms. Del said well if the town does not have the money then she certainly does not have the money to do it. Mayor Sykes said she understands because there are things around her house that need to be done and she can’t because of money. Ms. Del stated the only thing is if it was behind Mayor Sykes’s house, there would be something done. Mayor Sykes said not by the Town of Pink Hill. Commissioner Hill told Ms. Del to go look in the ditch behind his house. Mayor Sykes said there is a lot that needs to be done but you cannot do everything and even if it was ours, we do not have the money to do everything. If we can do it we do it, but we do not have the money. Ms. Del asked if the town was going to put the curbing and gutter there. Commissioner Hill told her that they are going to look at what they can do before now and July 1, 2016 and see if there is something we can change and put the curb and gutter on the streets. Mayor Sykes said it is like George said, we cannot stop the Lord’s rain and we cannot help it and she hates it. She stated she wished the town could have a million dollars to go and fix everybody’s drains but we don’t have it. Commissioner Hill told Ms. Del that the town would try to do what we could do just as soon as we find the money. Commissioner King made a motion to get a price on curb and gutter on Circle Court. Commissioner Hill seconded the motion and it carried unanimously.

The next item on the agenda was WASA Water Issue. Timmy stated they went through a period of time and it was probably about 2 years where it was hard to keep the residuals up in all of town. He said he was talking about the chlorine residuals. It kind of came to a head and he got tired of it and he called a meeting with WASA and Mr. Harold Herring and also present at the meeting was Kyle Smith and Jamie with Deep Run. Timmy said our water that we buy from Neuse Regional comes through Jamie’s system. During the meeting we talked about several different avenues to try which he had tried a lot of different avenues such as cutting the tank off, doing a lot of flushing and putting a lot of water on the ground. In the meantime Jamie with Deep Run Water found in his checking and going back and looking at things a valve that was cutoff and that means water was running in a certain direction when it should have been circling and that is where we were getting a lot of our low residual water through WASA’s pipes. Since that has been corrected and a lot of flushing on Deep Run Water’s part, our residuals have come back up. Timmy stated in the meantime while Jamie was doing his checking and found that problem, we went on well water for two weeks or a little better and did not take any water from Neuse Regional. He said one of the avenues was did this problem get worse since we upgraded our water lines. Harold Herring was pretty much saying that maybe they didn’t disinfect some water line and it was causing a problem. All in all Timmy said he ran their well water and it held and didn’t have a problem holding residual anywhere in town on one well running every day just our well water and not WASA water. We were also on one tank. After Jamie found the little problem and we tried it again. Jamie told Timmy to be fair with him and cut your well off for two weeks and don’t run your well and let him feed him water and Timmy did that. We kind of went back to a normalcy where it holds a pretty good residual up to Broadway Street and south of Broadway Street it was a little bit low but it is still okay. He is not having to put a bunch of water on the ground and having to run his well about two days a week to kind of boost the residuals up and that is pretty much where they are at. Timmy stated they found the problem and when it was corrected they went back to something they can handle. He said he was putting twice as much water on the ground than they were selling which they cannot keep doing. Timmy said he would still like for the board to back him and Commissioner Hill up to push for a booster station. If we had a booster station here before WASA came into us, then Jamie having his problem wouldn’t have bothered him and wouldn’t have bothered the Town of Pink Hill and the Town of Pink Hill’s citizens. Commissioner Hill said he was going to ask Harold Herring to be at our January board meeting. Timmy said as long as we can get 2 parts or 2 ½ parts of chlorine at the incoming at the vault, it will hold a little bit south of Broadway Street and then he will have to boost it a little bit with his well to keep the south end in good residuals. He stated he can deal with that and he doesn’t have to put a pile of water on the ground. Whenever he was running on the well he was feeding 3 ½ parts per million of chlorine which is about a part higher and he was very good at the rest home and around Andy’s which is a dead-end line at the well. We were holding up better at 3 ½ parts, so everybody else that is on WASA water is guaranteed good water and we are supposed to be guaranteed good water and we were not getting consistent water at a time and we should. Mayor Sykes asked if we should not get some kind of compensation for this. Commissioner Hill stated no. Timmy said normal usage for the town is somewhere around 60 to 70 thousand per day. He stated he was putting a pile of water on the ground and some days he might get 30 thousand from WASA and some days he might not get nothing especially if he ran his well a little while. Some days he might get 100 thousand but on an average we would be banking water but he has already ate up all that banked water putting it on the ground just over this summer trying to keep good water in the town. Timmy said if they hadn’t stayed on top of it, it wouldn’t have made anybody sick but we would have been borderline compliance. Mayor Sykes stated she wished everybody could hear this and that we do work to keep good water for our citizens and the town. She said there is a lot of issues that we can help and can work with and do work with to keep this town in the good shape it is in. Timmy said he feels like if they would put a station there and man it like they are supposed to, if it is what he recommends, then when water goes through there and it is not right then it needs to boost it. He said he knows there is a system that can be put in that will boost it to where it would be a certain amount. Commissioner Hill thanked Timmy, Phillip, and Alex for staying on top of it. Mayor Sykes said we have got the best crowd here to keep this town up and running like it should and she is so proud of them and appreciates them. Mayor Sykes thanked Timmy and told him to thank his guys also.

The next item on the agenda was Police Updates. Chief Thigpen stated since the last meeting on November 10, 2015 they have had only 2 reported incidents, 3 accidents, and issued 11 citations with a total of 14 charges. He said everything has been good and quiet. He stated there was the robbery at the Family Dollar but they are out of city limits and in the county but they did go out and assist who was there. Mayor Sykes thanked Chief Thigpen and his guys and appreciated them. Chief Thigpen said he is hoping to have John Weaver start the first of the year working part-time.

Fire Department Report was next on the agenda. Timmy said since our last meeting they have had 1 brush fire, 5 EMS assignments, 3 structure fires, 2 vehicle accidents, and 3 automatic alarms. He stated everything seems to be going well and the trucks are all running good. Timmy said they heard about the Neuse Sport Shop, who had gone out of business on their food preparation on the inside when they rebuilt the store, having an auction on Saturday. He said they were able to acquire a stove, a couple of deep fat fryers, and some pots and pans for super cheap to go in the cafeteria at the old school. Commissioner King asked Timmy if the cafeteria was finished enough to start renting it. Timmy stated yes they are renting it but the kitchen is still not in working order because they haven’t installed anything. The sitting area and the bathroom that they built for the facility is great. Timmy said they have rented it out at least two or three times. They have rented it to Southern Pharmacy for tomorrow night. Mayor Sykes said it looks so good in there and she is so impressed and they have done it, the members have. He said the guys that have worked on it are pretty proud and Timmy said he is proud of it too because they have worked hard on it. Timmy said he thinks it will be a plus for the community. He stated they still have not set down and really got some rules and regulations to be set for use of the building but it is in the works. Timmy said he wants the board to be involved in that process also. Mayor Sykes said yes the board would want to approve them. Timmy said he really wanted them to be involved in that. Mayor Sykes said they need to be because it will be the town’s and if something happens it would fall back on us. Timmy said he will bring it to the board and they can fine tune it and tell him what they like. Commissioner King told Timmy that he wants to thank him and the guys that have contributed all their time, labor, and effort to this project. Mayor Sykes said that the firemen voted themselves to give Timmy and Tony a plaque of appreciation award.

The next item on the agenda was Water/Sewer Report. Timmy said the biggest thing on his water/sewer report is that they are still having a problem with grease buildup at Ash Davis. He had Triple S Farms come and clean it out. Timmy said hopefully since it has finally turned cold, they will be able to get out and do some grease trap inspections and he will probably write some citations if they are not done like they are supposed to be. He said he has warned and it has been done in writing at one point. He stated they had a couple more of the lift stations cleaned out just the tops mainly. They had some settling out in Deep Run that kind of settles out and floats on the top and it will cause problems if you let it get too matted up on the top. It takes the guys about 15 minutes after they get set up to clean those up. Commissioner King asked Timmy where this grease problem is coming from. Timmy stated it is coming from the Food Lion lift station on Ash Davis Road and that takes Pink Hill School, Friendly Mart, and Food Lion complex which includes China King, Lighthouse, and Subway. Subway is not really involved because they do not cook anything to generate grease. Timmy said the Food Lion, if they haven’t stopped it, were getting cleaned out at lease every three months. Mayor Sykes asked if that was often enough. Timmy stated actually our ordinance says once a month or as deemed by the operator. He said the grease trap every time he has every inspected it looked good even if it had been three months since it had been done as far as the Food Lion goes. The China King, on the other hand, would be the opposite of that. Timmy said he has never held to it and that is his fault for not holding to it and going back the next 30 days and saying this is it. Timmy said everything else seems to be going well. Mayor Sykes thanked Timmy.

The next item on the agenda was Update on the H.J. Building. Mayor Sykes stated she is proud to say that the H.J. Building has been torn down and hauled away. She said it was dangerous and now nobody is going to get hurt by it and the building is not going to fall in on them. Commissioner King thanked Mayor Sykes and wanted to tell her that he heard a couple of people congratulate Mayor Sykes on getting it down. Commissioner Hill told Mayor Sykes that he appreciated it. Mayor Sykes stated that it was not only her but it was every one of them.

Budget Amendments if needed was next on the agenda. Kim stated there were no budget amendments at this time.

The next item on the agenda was Remarks by Town Attorney. George stated that he hoped that he didn’t misspeak when he was talking about the water. Mayor Sykes told him that he did great and she appreciated what he said. She said he did what he was supposed to do and she appreciates it. George said he enjoys his work down here and he sure doesn’t want to alienate them. Mayor Sykes thanked him.

The next item on the agenda was Public Comments. There were no public comments at this time

The next item on the agenda was Comments by the Board. Timmy said when Mr. Westbrook was asking about water easements there is also a sewer line that runs across his property and it is a major out fall line and he doesn’t think that he quite understood that. Mayor Sykes stated she did not think that Mr. Westbrook understood either because he got up angry. George said so it is sewage and not storm water and Timmy replied yes. Timmy said most folks just say water and it is water that is running. They call you with leaks and you say what kind of water and when you get there it will be sewer water instead. He said he wasn’t saying anything about what George had said but he just wanted to clarify. George said he had mentioned that we had sewage and water line easements throughout the town. Mayor Sykes stated we are trying to help with the curb and gutter and that is our responsibility but as far as the ditch we do not have the money to go in there and dig their ditches out. George stated we do not have the right to. Timmy said he just wanted to clarify what he needed to get a price on. He asked if they wanted curb and gutter like they have on Main Street or do you want asphalt. Commissioner Hill said he thinks it will be better if they put curb and gutter there. Mayor Sykes asked Timmy to get a price on both of them because it is going to be expensive. Commissioner Hill stated he would talk to Timmy about it.

Kim brought up about the sidewalk issue at Jones Furniture due to Timmy not being present at the last meeting. Timmy said the way Kim sort of explained it to him was that we are going to replace all the way up to just about Wendy’s front door and he doesn’t think we own that much. Commissioner Hill stated that we own the sidewalk. Mayor Sykes said it is a 50 foot right of way and actually it is on state property because it is a state street. Timmy said 100 foot right of way for Broadway Street and we do 50 feet from the center. He said they have never done anything to the sidewalk on either side but we have done something to the parking area. Commissioner Hill said they have done something to the sidewalk on the other side but it was before Timmy came to work for the town. He stated the property owner paid for it because we had to put a new sewer line through there all the way behind those buildings and he had to have the sidewalk taken up. Mayor Sykes said at that time the Powell Fund would not take care of sidewalks. She said it does now but it would not back then. Mayor Sykes stated she does not think we need to go any further than the 50 foot line. Commissioner Hill said he and Timmy will go and look at it and get back up with her in the next two weeks before Christmas. Mayor Sykes said she thinks, and she is bad about this too, that before we speak again to someone and tell them that we are going to take care of this, we need to come to this board first. We need to find out what the problem is, if there is a problem, if it is our problem, or if it isn’t our problem and not declare to someone that we are going to do something. She said just like the ditch issue, they have gotten the impression that the town is going to take care of it and we can’t take care of it and it isn’t our problem. Mayor Sykes said she thinks it should start here. She said if there is any discussion to be done to spend money or to do a job, it needs to come before this board. The person who wants it done needs to come before the board and request it instead of requesting it on the street and then we come here and discuss it. She stated because it gets blown all out of proportion and she may be completely wrong in what she is saying but that is the way she thinks it should be done. Commissioner Hill said when he went and talked to Wendy she asked him if she needed to come to the board meeting or will you handle it and he told her no, she would need to come to the board meeting. Mayor Sykes said that was exactly what he should have said and if anybody has a problem they need to come to the board meeting. She stated if you are not satisfied with your water bill or whatever, come before the board because she can’t do anything about it and she won’t do anything about it unless this board tells her to. Mayor Sykes said she thinks that is the way it needs to be handled. She stated business is business and friendship is friendship but you win friends and you lose friends. She said we do not need to indicate at all that we are going to do something until it comes before this board. Mayor Sykes asked George if she was right and he replied yes she is right.

Mayor Sykes asked Timmy about when they rent the cafeteria does the person have to have any kind of insurance and Timmy replied no. Commissioner King said the American Legion basically has the same set up and the renters do not have to have insurance. You are the one renting the building and you are responsible. Mayor Sykes stated that would certainly be made clear in the agreement.

Timmy said they had a hiccup or two on the parade and hopes that the town does not get any feedback from it. It was from a couple of the folks over on Leighton Drive which is behind This, That & The Other. We have always parked the fire trucks there before the parade. He said ever since he has been on the fire department that is where they have parked the fire trucks and lined up before the parade. Timmy stated he just wanted to let the board know. He said everyone knows the parade is going to be the first Sunday in December and they need to make arrangements for the fire trucks if they live in that area. Mayor Sykes asked if the owner of the property had anything to say about it. Timmy said he thinks it got a little bit heated between a few firemen but not his firemen at first. He said they had trucks from everywhere that came and they tried to leave room in the right of way but that street is pretty small. Mayor Sykes said if that was the only hiccup he had then don’t worry about it, you did a good job. Timmy said with Kim taking care of the lineup and phone calls, he actually thinks everything went well. Mayor Sykes said that she thinks the parade was one of the best one yet and the organization was good and she appreciated what Kim, Timmy, and the fire department did.

Mayor Sykes reminded everyone of the annual Christmas Party for the town board and employees on December 18, 2015 at the Baron & the Beef at 7:00 p.m.

Commissioner Hill said he would like to thank Kim and Timmy for their work on the parade and they did a good job. He also wanted to thank Joey for getting all the policemen here that helped direct traffic. Commissioner King thanked Kim and Timmy also for their help in the parade.

Mayor Sykes asked the board if they were going to the Kinston parade on Saturday. Commissioner King said he would be in the parade but will be riding with the American Legion. Commissioner Hill said he would not be able to be there. Mayor Sykes told Kim just to tell them that she would be the only one riding.

Chief Thigpen said he would like to get some signs for traffic detour for the parade. Kim stated she has already suggested that we get some parade lineup signs made. Timmy said that Joey is talking about a different sign. Kim said we need to get both.

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

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