

Town of Pink Hill
Board of Commissioners Meeting
March 14, 2023

Minutes

The Town of Pink Hill Board meeting was held March 14, 2023 at 7:00 pm in the Robert Elmore Board Room. 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, Cierra Dunham, Josh Dunham, Daniel Hines, Carolyn Whitfield, Cailin Richards, Lore Bradford, Rhiley Marshburn, Brandon Marshburn, Rod Howard, Suzie Baker, Robin King, Kristin Fantini, Joe Baker, Kelsey Ramsey, Trina Patrick, Daniel White, Morgan Heath, Brett Smith, Cole Baker, Rodney Scott, Jayne Zesiger & Rodney Scott.

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 & 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:

Richard Goldsby	Community Connection
Carolyn Whitfield	Park
Lori Bradford	Road Closure for PH Library Event
Rhiley Marshburn	Public Comments
Suzie Baker	Public Comment

Richard Goldsby: Mr. Goldsby spoke on Community Connection. Mr. Goldsby said we need to work together and work with children. We must work together and love one another. Potluck at Smith Chapel Church on Sunday March 19, 2023 at 5:00 pm.

Carolyn Whitfield: Ms. Whitfield spoke about the Park. She mentions the cleanup day at the park. She said it was just not town's people but people from outside the community came and helped, she said was a good day. The new equipment was there and ready to be assembled. Attorney Jenkins asked the mayor if he could ask Ms. Whitfield a question? Mayor Deatherage said we are not supposed to. Commissioner Fantini said yes, we can because the policy that you (the mayor) put in place is null and void. Mayor Deatherage said no it's not. Commissioner Fantini said yes, he can ask a question. Attorney Jenkins asked Ms. Whitfield what was March 17th? Ms. Whitfield responded March 17th is my brothers birthday.

Lori Bradford: Ms. Bradford spoke about Road Closure for Pink Hill Library Touch A Vehicle Event coming Saturday May 20th from 11 am to 2 pm. We have invited business and welcome any business that have a vehicle that the children could explore. We are requesting S Pine St and W Walnut St. we are requesting that the roads be closed at 9:30 am and reopen at 3:00 pm just for the safety of everyone involved. Commissioner Fantini made a motion to close the streets of S Pine St and W Walnut St from 9:30 am to 3:00 pm on May 20th. Seconded by Commissioner Quinn. No discussion. Vote was unanimous.

Rhiley Marshburn: Ms. Marshburn spoke about the Easter Egg Hunt. She said they would be stuffing easter eggs on Tuesday night March 28th at 6:00 pm. She said they need to stuff about 5,000 more eggs. She also stated that they have plenty of eggs but really need small candy. Commissioner Murphy stated don't make the same mistake that I made, I bought chocolate, so don't buy chocolate. Rhiley said buy like tootsie roll or bubble gum or lollipops. Can drop off at Jennifer's office or just bring it to Tower One Ten at 6:00 pm. Rhiley also suggested move the board meetings to the Police Bay, to have more room for the citizens and business owners that would like to attend the Board Meetings. Commissioner Fantini said I make a motion, Mayor Deatherage ask Attorney Jenkins to read the letter from the Fire Marshall, Jacob Turner. The letter states that only 42 people can be in the whole building at one time. Commissioner Fantini said I still move to make a motion to start having our meetings in the squad bay where it is more feasible and acceptable for our towns people and whoever wants to attend an opening meeting. And seconded by Commissioner Quinn. There was no discussion and the vote was unanimous.

Suzie Baker: Ms. Baker spoke about the board meetings. She said that having meetings in a small room feels like censorship. She is not questioning any reasoning for doing this. But when it says town board meeting it should be for the town. And that's anybody, I don't care if it's for 42 or 142 I don't care if we have to swing open the doors and tell everybody here what is going on we should be able to that. Throwing people out of a meeting because they laughed, snickered or cheered is no threatening. I could understand throwing people out of meetings if they are threatening in a violent manner. We don't need to do things that purposely divides our community.

Mayor Deatherage, reviewed the Conflict-of-Interest Statement. No comments were made by the Board of Commissioners.

Minutes:

Mayor Deatherage asked for the approval of the minutes. A Special StRAP Bid Meeting held on February 13, 2023 and the minutes for February 21, 2023. Commissioner Fantini said as I read the minutes these are legal documents and you have utilized them in a way, if our minutes are not correct and we cannot utilize them for future purposes and they are legal documents. The minutes that were sent out are absolutely not correct. I have a list do you want me to go through the list. Mayor Deatherage said no you can give them to her and she can go back and video and fix them. Mayor Deatherage said I did not do the minutes. Commissioner Fantini said I have learned that our town clerk will do the job that she is told to do, she will do it as she is directed. And you (the mayor) direct her job. Mayor Deatherage said she was just trained the League of Municipalities on how to type the minutes. Commissioner Fantini said well that's fine and dandy but here's the deal there is 15 ½ minutes missing in the beginning of meeting. And that's not all, I spoke about and asked for a parliamentary inquiry. Our minutes don't reflect our meeting, when you say we have a 3-hour meeting and there is a page and quarter. Attorney Jenkins told Commissioner Fantini that he had a right to make a motion to amend the February 21, 2023 minutes. Town Clerk McGee, asked if they wanted the minutes types word for word then it needs to be made known tonight. Attorney Jenkins said that's not on the table right now. Motion was made by Commissioner Fantini to amend the February 21st minutes to include his items. Seconded by Commissioner Quinn. The vote was unanimous. Commissioner Fantini made a motion to approve the February 13, 2023 minutes and seconded by Commissioner Murphy no discussion. Vote was unanimous.

Financial Reports:

Commissioner Fantini said it was not emailed to us so I cannot approve it because we just got it tonight. Mayor Deatherage said that we will do them next meeting.

Agenda:

Mayor Deatherage asks for a motion to Amend the Agenda. Motion made by Commissioner Murphy and seconded by Commissioner Fantini. Discussion made by Commissioner Fantini wanting to know why the agenda was amended. Mayor Deatherage said due to the PFVFD and Commissioner Murphy would discuss in the PFVFD Report. The vote was unanimous

Department Reports:

In Binders includes the following

- Timmy Kennedy Public Works Supervisor
- Brett Smith Fire Chief
- Mike Hoffman Police Chief

Motion made to open bids on Library repairs at the next Board meeting

- Commissioner Quinn made the motion seconded by Commissioner Fantini. No discussion. The vote was unanimous.

Chief Hoffman discussed Pink Hill's first night out, the first week of August 2023 just a way to communicate with the community. Also talked to several other departments about doing a United Toy Drive for this coming Christmas. Commissioner Fantini asked Chief Hoffman the AARP money you were given in your list of wants. Have you been able to Chief Hoffman stated he has not seen the budget, I don't know where it's at right now; we have been advised that things are a little tight right now, so we haven't inquired any more.

New Business:

Pink Hill VFD Request permission to sell equipment and have the monies put back into the Pink Hill VFD General Funds. Motion made by Commissioner Fantini and seconded by Commissioner Quinn no discussion. Vote was unanimous.

Street closure for the annual PHVFD BBQ and Car Show Fundraiser on May 20, 2023. PHVFD is asking for the following streets to be closed. S Central Ave and closure between Walnut St and E College St and W Walnut St between S Pine St and S Central Ave. These streets will need to be closed between 8:00 am to 5:00 pm Motion made to close the street on May 20, 2023 from 8:00 am to 5:00 pm by Commissioner Fantini and seconded by Commissioner Murphy. Discussion Mayor Deatherage said that May 20th is also the date for the Library are those streets going to conflict. Fire Chief Smith said we will work together and get it figured out. The vote was unanimous.

Mayor Deatherage asked for a motion to go into closed session. Commissioner Quinn made a motion to go into closed session for contractual purposes and seconded by Commissioner Murphy, Discussion Commissioners Fantini asked what was this for, Mayor Deatherage said for the contract in your packet. Commissioners Fantini said can you explain it to the tax payers so they know what it is about. Mayor Deatherage said it is for Zoning contract to cover the following:

- Planner
- Administrator
- Enforcer

Commissioners Fantini asked are we spending more money? Mayor Deatherage said yes, we are spending more money. Mayor Deatherage asked for a vote. Vote was 2-1.

- Commissioner Quinn and Commissioner Murphy voted yay
- Commissioner Fantini voted nay

The Mayor, The Board of Commissioners, the Attorney and Town Clerk, went into close session to discuss the contract for a Planner, Administrator and an Enforcer for Zoning. After discussion of contract was done the public was allowed back in the boardroom. Mayor Deatherage called the meeting back to order and ask for a motion to come back into session. Commissioner Fantini made a motion to come back into session and seconded by Commissioner Murphy. The vote was unanimous. Commissioner Fantini said now I need to make a motion to table the contract until we can talk to Adam Short at the county and have his input on this, I don't think 30 days will be detrimental to anybody. Mayor Deatherage said motion is made do I have a second. There was no second to Commissioner Fantini motion. Mayor Deatherage asked for a motion to hire a Planner, Administrator and an Enforcer. Commissioner Quinn made a motion to hire a Planner, Administrator and an Enforcer and seconded by Commissioner Murphy. Discussion made by Commissioner Fantini. Commissioner Fantini said I think we should do our due diligence and hear from the county on this matter. The vote was 2-1.

- Commissioner Quinn and Commissioner Murphy voted yay
- Commissioner Fantini voted nay

Budget Amendment:

Mayor Deatherage asked for a Budget Amendment for the tree that came down On S Central Ave and we had to pay a company to come and clean it up, they were called at 2:30 am. The cost to clean up the tree was \$3675.00, and the Planner, Administrator and an Enforcer cost \$3000.00. for a total of \$6675.00 that we need a budget amendment for. Do I have a motion? Commissioner Quinn made a motion and seconded by Commissioner Murphy. Discussion: Commissioner Quinn said he was glad that they (tree company) did it. The vote was unanimous.

Planning Board Meeting:

Chair Daniel White stated that the Planning Board meet on March 7, 2023, and they voted on officers:

- Chair Daniel White
- Vice Chair Trina Patrick
- Secretary Tony Kopanski

The ECCOG came down and did a training session, and it was good, they included everybody. The topic was the Event Venues. What happens next is the Planning Board Committee will have a Public Hearing before the Town Board Meeting, on April 11 at 6:30 pm and the Board Meeting at 7:00 pm. The Ordinance does say that we have to publish it in the newspaper. So, for right now as long as it states that, we will update that through some other stuff with the 160D stuff, but for now we will have to publish it in the newspaper, just so everyone knows. We will also put it in the Town Hall page, etcetera. The Planning meeting will be an open forum and anyone can ask questions. Then we will go into the board meeting and I will be on the agenda for that.

ABC Permitting:

Cierra Dunham spoke about ABC Permitting. She stated that back in January they opened up and Events Venue. We have renovated our building and we are very proud of how it turned out. We applied for an ABC permit twice. The first time we included mixed beverages and that one was revoked. So, we applied for second time. Well, everybody that gets an ABC format, whether you're selling retail, whether you're going to be serving it, whatever you're going to do, if you're distributing it, you have to have what we call a local government opinion form. Who's the local government? I thought local government was the town board and the mayor. Well, this application I would like to know if y'all received this local government form on February 24th. Commissioner Quinn stated, unless I got it here. Commissioner Fantini said no I haven't. So, did you have any say over whether it was denied or not? Commissioner Quinn said oh, I don't know I Cierra said so, you haven't seen that, Commissioner Quinn said no I haven't. Cierra stated that it was denied by our Town Clerk, our Town Clerk signed it and got it notarized, the same day that I turned it in. We were asked to turn in a letter of intent. Our letter of intent states that our event venue will be used for meetings, birthday parties, weddings, receptions, corporate holiday parties, etcetera. There is not commercial kitchen, so any food would have to be catered or you would bring your own food, that is the responsibility of whomever has it rented. We have had a building and fire inspection from Lenoir County. Lenoir County Zoning informed us that there is no formal agreement between the county and the town of Pink Hill and to request the commissioners add the event venue to their downtown district. So, my request tonight is here is a brand-new application for Josh and I for malt beverage and wine for 110 W Broadway St and I would like to turn it in and I would actually like for you to review it and go over it. The mayor stated that if was the same thing, it does not meet the zoning. Cierra stated there was no zoning issue until the mayor contacted the county; then there was a formal agreement put in place at the February 21st meeting. Commissioner Fantini said that he had a problem not seeing the original permit. Mayor Deatherage said it did not meet the zoning. Commissioner Fantini said it should have gone before the commissioners. Cierra asked why didn't go before the commissioners? Mayor Deatherage said because it did not meet the zoning. Commissioner Fantini stated that it should have come before the board. This matter will be handled in the Public Hearing held by the Planning Board Committee. Cierra turned in another ABC permit application for her and Josh at 601 N Kinston Blvd. To sell malt beverages and fortified wine. Commissioner Fantini made a motion to approve the ABC permit for malt beverages and fortified wine at H & H Farm Supply located at 601 N Kinston Blvd and seconded by Commissioner Quinn. No discussion was made. The vote was unanimous.

Comments by the Attorney:

Attorney Jenkins said I'm going to need a short close session that would not result in the necessity of a motion after that. So, if you would just put me at the end, okay.

Comments by the Board of Commissioners:

Commissioner Fantini asked the mayor if she received an email from him on February 27th? Mayor Deatherage said I don't remember. Commissioner Fantini said it was asking if we could set down together and do a common ground regardless if we like each other or not, because we need to work together and move forward. Mayor Deatherage asked did you copy everybody about that? Commissioner Fantini said absolutely. Mayor Deatherage asked did anyone else reply? Commissioner Fantini said our town attorney did. Commissioner Quinn told Commissioner Fantini that he would like to apologize to him because a lot of time I don't have time to check my emails. Commissioner Fantini said I understand. I just want us to work together, set down and discuss things and to come to some kind of common ground. Commissioner Fantini asked the mayor why didn't she respond to the email. Mayor Deatherage said because a lot of the time you are just demanding. Commissioner Fantini said I'm not demanding here I will read the email. Attorney Jenkins said that this time is set up in the agenda for comments not debates. Commissioner Murphy said you (the attorney) said we need to go into close session and you (Commissioner Fantini) said we needed to talk. Mayor Deatherage asked for a motion to go into closed session. Commissioner Quinn made motion to go into closed session and seconded by Commissioner Murphy. There was no discussion. The vote was unanimous. The mayor stated it is closed session again.

The Mayor, The Board of Commissioners, the Attorney and Town Clerk, went into close session to discuss something with the Attorney and Commissioner Fantini's email.

After discussions the public was allowed back in the boardroom.

Adjourn:

Commissioner Quinn made a motion to adjourn the meeting and seconded by Commissioner Murphy. The vote was unanimous.