August 12, 2014

7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, August 12, 2014 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Carol Sykes, Commissioners Mike Hill, Donald King and Debra Grady, Town Attorney George Jenkins, Public Works Director Timmy Kennedy, Police Chief Joey Thigpen, and Town Clerk Kimberly Mitchell.

Visitors present were Allen Brown, Sue Farrior, Bill Turner, Dora Evans, and Alex Gardner.

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 special meeting minutes and the regular board minutes from July 8, 2014. Commissioner King seconded the motion and it carried unanimously. Commissioner Hill made a motion to approve the agenda with amendments. Commissioner King seconded the motion and it carried unanimously.

The first item on the agenda was the Annual Settlement of Property Taxes Collected for FY 2013-2014. Mayor Sykes said the county collected 96.15% of our taxes this year which is really good. She stated one reason being which she is happy to report that the taxes on Alex’s buildings are paid. Mayor Sykes informed the board that the building inspector and the appraiser came out one day and she was talking to them about the evaluation of both of the buildings. She said it was just really out of whack so they reappraised the buildings and they had overcharged so much on the evaluation that what he got back paid the taxes. Mayor Sykes said she took Alex over there because he had gotten the letter and didn’t understand it. She said she went with Alex over to Darryl Parrish’s office to help him understand the letter and that is how his taxes got paid. Mayor Sykes then read the resolution accepting the annual settlement of property taxes collected and asked for a motion. Commissioner Hill made a motion to approve the resolution for the FY 2013-2014 tax collections. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was safety concerns at Ridgewood Apartments. Ms. Reba Sue Farrior a tenant at the apartments was here to speak on this issue. Ms. Farrior said there are a lot of senior citizens who live at Ridgewood Apartments and they have been having a lot of people going up there and knocking on their doors. She said one of the tenants said the person came back and went to her backdoor and was twisting the doorknob and trying to come in. Ms. Farrior said she is voicing her concerns for the senior citizen’s that live there. Mayor Sykes asked her if she had reported any of this to the police officers or to 911. Ms. Farrior responded yes she has and they have come out when she has called but they still feel unsafe out there. She stated she also told her site manager and she told them to call the law. Mayor Sykes asked her if they had called the owner of the apartments to complain and Ms. Farrior said no but she does not know if they will do anything or not. Mayor Sykes asked Chief Thigpen if he had anything to say. He said he went out there on one occasion when they called it in but when he got there he could not find anything or anyone. Commissioner Hill asked if there are any No Trespassing signs up. Chief Thigpen said no there are not. He said the problem is that there is a ditch that is all growed up and they can come through the field. Mayor Sykes asked whose ditch was it. Timmy said he would think that it is the one by Delbert Howard’s property. Ms. Farrior said they come at all times during the night and the lady on the end called the law the other night but it took them 20 minutes to get here. Mayor Sykes asked if there was any kind of alarm system out there and Ms. Farrior replied no. Mayor Sykes asked about how well it was lighted out there. Chief Thigpen said the whole parking lot is lit up good. He said it is kind of like kids who run up and knock on a door and then run off but he does not know if that is the case. Mayor Sykes told Ms. Farrior if she would get her the site manager’s number, then she would give her a call. Ms. Farrior told Chief Thigpen that she and the others appreciate them coming when they are called.

The next item on the agenda was Mr. Allen Brown to talk about the Stop Signs not working on College Street and Old Beulaville Road. Mr. Brown stated first all thanks for putting the stop signs up and they have helped a little bit but the normal people that are going through there are getting where they are starting to run them more often now. They are still doing the same speed and not slowing down or anything. He said the only thing that he knows to recommend next would be to try to work with speed bumps out there to maybe at least slow them down. He stated they are still going through there fairly quick and not stopping for the stop sign. It is very few of the out of towner’s, but the teenagers that are driving now and it is the normal every day one’s going through there that are running the stop signs. Commissioner Hill asked what if they put a speed bump right near the stop sign. Chief Thigpen suggested that they put two or three through there. Commissioner King said in his opinion the speed bump has worked on Lynwood Avenue and he thinks it will work at his location also but one is not enough. Commissioner Grady made a motion for Commissioner Hill, Chief Thigpen, and Timmy to go look at where the speed bumps need to be placed. Commissioner King seconded it and stated he was for it and should be at least two speed bumps put back there but he would also like to suggest that we go ahead and do it now. Mayor Sykes asked for all in favor to say Aye and it was unanimous. Mr. Brown said he thinks three would be sufficient enough, two in between the stop signs and one at the stop sign at the other end. He said he does not know which materials they would use but if we decide to use concrete to let him know and he will get with his company to see if they can help out with the concrete on that.

The next item on the agenda was the WASA Report. Commissioner Hill stated they are still working with the Division of Water Resources and our legislatures to try to do something about the special permits that were given to Snow Hill in Greene County.

Police Updates was next on the agenda. Chief Thigpen said since the last meeting on July 8, 2014 they have had a total of 5 reported incidents, 2 arrest, 2 accidents, issued 16 citations for a total of 18 charges, and they have issued 16 warning citations. He stated they did have another break-in at the senior center last Wednesday morning. He reported that they stole another television and went in through the window. He said they dusted for prints but did not get anything on the window. Chief Thigpen said they think they have a good idea of who it possibly could be but the problem is getting evidence to prove it.

The next item on the agenda was the Fire Department Report. Timmy apologized because he did not have a report for tonight but stated everything has been going well.

The next item on the agenda was Water/Sewer Updates. Timmy introduced Alex as his new full time employee to the board. Timmy stated that Mr. Wade Davenport called him today and he is coming to look at some of our surveying at the sewer plant. He told him that he would try to come either tomorrow afternoon or at least by Thursday morning.

Timmy said the meter project is hopefully coming to an end sometime this week. He said they are down to about ten without doing a final check. Timmy said the man had to do a lot of skipping around because some of them were very easy for him to do and some of them he had to schedule and get some water cut off. Timmy said it has been pretty aggravating but that was to be expected. He said all in all it has gone pretty good. Commissioner Hill asked Kim if she had gotten the software yet for the new system. Kim replied they have not come yet which is good because she wanted to wait until after the guys get all the new meters in and Timmy and them do one last manual read themselves. She is hoping that they are going to come maybe at the end of this month or the beginning of September. Timmy said the way he understood it from Roy with Carolina Meter, was after all the meters have been put in, it will then take two to three days to put the software in and get all the information together that he needs such as where the meter placement is and all the addresses. He said then Roy is going to do some extensive training.

Timmy informed the board that they have had some trouble with their spray irrigation pump valves since the last board meeting. He said he thought it was an issue with a valve and there was a problem with a valve. Timmy stated he called Mr. Pearson out and they fixed the valve problem but when they cut the pumps on Mr. Pearson noticed that they were not doing capacity. Pearson Pumps came and pulled both of our pumps and only one of them had to go back to the shop for repair. Timmy said he just wanted the board to be aware of this unexpected bill.

Kim informed Timmy and the board that Kim Miller with USDA contacted her through email and by phone stating she needs George to determine who we are supposed to pay for easements. Kim Miller said she needs the dollar amounts and needs it by the end of this week, possibly no later than Monday. George stated he could not give her dollar amounts because he does not know how many feet there are on each easement. Commissioner Hill said E.R. Lewis needs to get George that information. Kim said Kim Miller was thinking George could get that information off the blueprints. Kim stated the project has to be closed sometime in September. Kim informed the board that she would call Kim Miller and let her know that E.R. Lewis will have to get that information to George. A meeting was scheduled on August 25, 2014 for George, Commissioner Hill, and Timmy to meet to discuss the easement issue. Kim Miller is also wanting to know if the board is going to approve the GIS mapping system, because the money is available and can be used but we have got to have board approval. Timmy explained that the water system mapping would be them coming in and surveying all of his valves, lines, and meters. The meters will be GIS anyway for the new meter system but that would not get our cutoff valves and things like that. Commissioner Hill asked if Timmy was going to have to go ahead and do this to get it within this project. Kim said if Timmy is going to use the program that Gary with the Wooten Company has presented it is going to have to be done before we close the project out in September. Timmy said the cost per year to use the program was $4,500. Kim stated that would not be paid for by the project money. Timmy said he did not realize that it was going to be an ongoing kind of thing. Commissioner Hill stated the man would come and do the mapping but then the town have to pay $4,500 a year to use the program from Wooten Company. Kim stated that the Wooten Company designed the program. Kim said personally with the project payment she does not see how the town can afford $4,500 extra a year. Kim stated the mapping system was not originally in the project but was presented at the end and it could be paid for with grant money from the project but the yearly fee cannot. Kim asked Commissioner Hill if he knew of anyone else that could do this without charging an additional fee. Commissioner Hill stated yes and that they would not charge a yearly fee. Commissioner Hill said they give a flat fee to come and do it. He stated the company he works for provides the GIS system. Commissioner Hill made a motion to include the GIS mapping in the project. Commissioner King seconded the motion and it carried unanimously.

Timmy showed the four bids to do the streets that they had talked about. He said he already knows that they cannot do every one of them. Kim informed the board that these are the bids to do the streets that Commissioner Hill and Timmy looked at. Timmy said it has been about 2 or 3 years since they have done any of the streets in town. Mayor Sykes asked what the total balance in the Powell Fund was. Kim stated the balance as of July 31, 2014 bank statement was $61,954.76 but that includes everything. Mayor Sykes asked if we would be getting another payment from them. Kim informed her that we would be getting two payments for the new fiscal year but have not received them yet. Kim said but mind you in our budget we are in now that money that is budgeted in this budget is based on the two payments we are going to receive this year from the state for Powell Funds. Kim stated they budget what they are going to get and this amount has not been budgeted. Mayor Sykes said if we know that we are going to have a lot of streets to do then some of this money should have been budgeted because this is what this money is for. Mayor Sykes asked if this was correct and she does not mean that we need to spend the whole thing. Kim said that the board did not discuss anything about doing street construction when they did their budget workshops so, therefore that is why there was not anything extra budgeted. Mayor Sykes asked if they could amend the budget and Kim stated yes, but what she is trying to say is the $61,954.76 is the balance as of July but what is in our budget is what we are going to be receiving from the state in September or October. Mayor Sykes said then that would give us about $81,000.00 on hand if we do not spend anything and Kim stated right. Kim said but still if you look at the bids they are way over $60 some thousand and we do not need to spend all the Powell Fund money. Mayor Sykes said that she is not saying that and she does not want to spend all the money but she thinks that we can use some of the $61 thousand if we have to. Kim said yes you can amend the budget. Timmy said they were shooting to maybe use $30,000 of the Powell Fund to be safe and then you still have some in savings so if the Powell Fund is cut next year you are still okay budget wise because that can happen. Kim asked everyone to look at their General Fund budget under streets to kind of help explain the money situation. She stated they put in $13,050 under street construction. Commissioner Hill said so we have $13,050 in there for streets but we still don’t need to spend but $30,000 on the streets. Kim said they could use the $13,050 for construction and whatever else they want to spend they will need to amend out of the Powell Fund Appropriation which is $61,000. Timmy said Barnhill was the second bidder just so you know. Timmy stated they cannot do every street because all the bids came above what we are allowed to spend. Timmy said that Garris was the lowest bid and Barnhill was the next lowest. Commissioner Hill said he thought that W. Macon Street, Pine Street, and Clay Street would be the streets to have paved because they fall into the amount of money that we have to spend. Commissioner Hill made a motion to do West Macon Street, Pine Street, and Clay Street as quoted and hire Garris Paving to do the paving. Commissioner Grady seconded the motion and it carried unanimously.

The update on money for the library roof was next on the agenda. Mayor Sykes explained that back in April the process was started. She said they have some economic development money that they have had for 23 years and it would take around $10,000 to put a new roof on the library. She stated the reason it has taken so long and there has been so much said about it is because our Auditor, Amanda Murphy, would not approve it in Kim’s audit if she did not get approval from somebody to use that money other than us because it was a state grant. Mayor Sykes said she called the county planner, Mark Pope, but he did not know anything about it because it was before his time. She stated from there she went and talked to our Senator, Louis Pate, two or three different times and he had a couple of people to call her. They did not do anything but turn it over to somebody else. Mayor Sykes said she had a breakfast with Louis Pate and John Bell the other morning and told them that we still did not have an answer. She said she then talked to Congressman Mike McIntyre. He said that he could help us. He then turned it over to his secretary and she emailed Mayor Sykes asking a lot of questions. Mayor Sykes stated she then called the LGC and she talked to Preda Nayak and then she sent her something that was an excerpt from the LGC Policy Manual. Mayor Sykes read the excerpt from the LGC Policy Manual to the board. Mayor Sykes said she asked Ms. Nayak if she would sign off on it and she said that is what she thinks but she didn’t say she would sign off on it. Mayor Sykes said she then emailed it to Amanda Murphy and told her what Ms. Nayak had said. She told Amanda that if she did not hear back from her then she would assume that they could use the money, so she is assuming that they can use it. Commissioner Hill made a motion to repair the library roof and have David Tyndall do the job taking off the shingles and replacing with tin with funds from the economic development fund. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was Discussion of Golf Cart Ordinance (Tabled at last meeting). Mayor Sykes asked the board did everyone look over the ordinance and are there any changes that need to be made because we have to have a public hearing on this. She said she did not want to be so restrictive with the golf cart ordinance. Mayor Sykes said she did think that you need to be at least 16 years of age to drive a golf cart on the road. Commissioner Grady stated there is already a state law about golf carts on the books saying that you have to have a driver’s license to operate a golf cart but asked if that was true. George stated no, he does not think that you have to have a driver’s license but you must be over 16 years of age. Commissioner Grady stated she wanted to know whether you need to have a driver’s license or not to operate a golf cart unless you are on a golf course. Commissioner King said it is the law if we make it the law but George said the state law would supersede any law that we make. Commissioner Hill and Commissioner King said to take the part of having a valid driver’s license out and put that you have to be 16 years of age. George asked if there was anything on the first page that they wanted changed from what was already on there. Everyone replied by saying no. He said the part about the 16 years of age is part of the North Carolina General Statute’s. It states you must have passed your 16th birthday. George stated if the legislature changes the law to say you can be 15 or you have to be 18, then we would still be covered just because it says that you will not do it in violation of North Carolina law. Joey said he would put an operator of golf cart must be 16 years of age and then put no person should operate a golf cart in violation. George stated a 16 year old who does not have a driver’s license can drive a golf cart anywhere that is legal for a person who has a driver’s license, but there are certain places that nobody can drive a golf cart. Those places are highways where the speed limit is in excess of 35 MPH, on certain limited access roads, and possibly not bridges. Commissioner Grady asked if there is already a state law that says people 16 years and above can drive on property and highways that are 35 MPH or less, then of course, what is the point of making this ordinance. George stated the reason for passing this ordinance or any other ordinance is to give the town authority to limit the things that the town can limit. It gives the town control of things like how many can be on the golf cart, requirement that there be a registration sticker, or that you have to sit in the seats that are provided in the golf cart. George stated that is why you would pass a town ordinance. Commissioner Hill said it is also for the safety of the person operating the golf cart and people around him. Commissioner Grady thanked them for explaining the state law and that it was wonderful what Kim, Joey and George had done with the ordinance. Mayor Sykes said an ordinance fine tunes it for the Town of Pink Hill and it is not so strict being 16 years of age. Everyone agreed to say that the Rose Festival and the Christmas Parade are no different than any other day. Commissioner King asked what about gators or three wheelers. George said using a gator is just like somebody operating a tractor or a lawnmower on the public road. He said the three and four wheelers are considered ATV’s and it is against the law to drive them on the road except for in a parade. George said you could probably call a gator or a lawnmower a work vehicle. The whole board agreed that they did not want the fees to be prorated. After some discussion and making a few changes, the board was then satisfied with the draft golf cart ordinance. Commissioner Hill made a motion to have a public hearing at 6:55 p.m. on September 9, 2014 for the golf cart ordinance. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was budget amendments. Kim stated there were no budget amendments at this time. Mayor Sykes asked about going ahead and doing a budget amendment for the library roof. Kim said she would suggest making a motion to amend the General Fund budget and the dollar amount that you want and then we have a motion. Commissioner Hill made a motion not to exceed $15,000 out of the economic development fund for repair of the roof of the community center/library. Commissioner Grady seconded the motion and it carried unanimously.

The next item on the agenda was Remarks by Town Attorney. George stated he had no remarks at this time.

Comments by the Board was next on the agenda. Mayor Sykes said they have had a few people that have voiced a concern about the basketball court and about it possibly being moved over to the gym to the parks and recreation because of loud noises and neighbors complaining. Mayor Sykes said she wanted to explain something to the board concerning the tennis and basketball court. She stated when the Business and Professional Club got the grant for the tennis court, the Town of Pink Hill put up $10,000 to help get the grant to build the tennis court. It was a Cultural Recreational Grant and therefore it cannot be moved. Mayor Sykes said when we built the Town Hall it encroached on some of the property that the Federal Government says is part of the recreational part of the tennis court. She stated that a couple of years before she retired, the guy from Raleigh who administered this grant came just to check on the tennis court and he said that we should not have encroached on that property. Mayor Sykes said he told the town they had to go somewhere else and provide as much recreation room as there is here, hence the basketball court and it cannot be moved. Commissioner King stated he wanted to thank Mayor Sykes for what she did for the library.

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

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.