March 8, 2016

7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, March 8, 2016 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 at the meeting were James Quinn, Michael Doran, and Tracey Price.

Mayor Sykes called the meeting to order and requested for all cell phones to be turned off please. 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 with amendments if needed. Commissioner King seconded the motion and it carried unanimously. Commissioner Grady made a motion to approve the consent agenda including February 9, 2016 regular board meeting minutes. Commissioner Hill seconded the motion and it carried unanimously.

Mayor Sykes asked George if they could request resending motion to have a consent agenda. George explained what a consent agenda is and how it can be used and helpful to the board. He said you can put the regular agenda, amendments to the agenda and all of that in the consent agenda. You can put anything that you don’t think is going to be contested in there. Kim said if we were a larger municipality but most of the smaller ones that she sees doesn’t have it. George said in June we might have three meetings. You could have the approval of all three sets of minutes, approval of setting next year’s RoseFest, or anything else. Mayor Sykes said now she understands better and we will just leave it as it is.

The first item on the agenda was Cell Tower Lease Agreement – Michael Doran. Mayor Sykes thanked Mr. Doran for coming again and speaking to the board. Mr. Doran said that he, George, and Timmy met a couple of months back to look at those properties. He said he showed both of the properties to U.S. Cellular and they said they liked the property over there (referring to the town’s property located on Jones Ave that use to be Miller’s Trailer Park). Since that time the town has seen the survey where the site is and we are looking in this meeting to get approval for that. Mr. Doran said he and George have went through the lease a couple of times and have come to the point if it could get approved by the town. George said they talked about the lease and he and Mr. Doran did a little hammering on it. Some of the things that he was concerned about after he and Mr. Doran talked they were not an issue like the quality of the access road to it. The quality of the access road could be an asphalt road. George stated that he would candidly suggest to the board that that is not what we would want. He said you would just want a gravel driveway. George said they would remove the super structure basically within 120 days of the termination of the lease, whether it is terminated because it runs out over time or one of the other party exercises the provisions that terminate the lease. He said they are not going to remove everything. George said there is going to be a lot of concrete under this tower. What they had discussed and what he is going to suggest to the board to accept is that they would excavate down 18 inches and get the bolts that are sticking up and get the concrete down there, put dirt over it, let some grass grow, and then there will be a concrete block under there. George said unless there are going to be sewer lines or any kind of underground lines there, all that concrete would do is just stabilize that lot. He said he did not know if the town would want to require U.S. Cellular to pull it up because of the excavation that would be necessary and the mess that would be left even if they receded. He said they will not keep any hazardous or radioactive material on it. He said there is going to be some hazardous material there, some of the chemicals in the process of making the transmitters are technically hazardous material but that is not what we are talking about. George said he was talking about 55 gallon drums and he does not think they are interested in doing that. The tower itself will be their property and the land will be our property and that will not change. George said what U.S. Cellular is doing is basically a lease of the land and when they put the tower on it in the eyes of the law the tower becomes a fixture and becomes part of the land but our lease says we are not treating it as real property but treating it as personal property that they can remove at such time as the lease terminates. George said in fact U.S. Cellular can remove the tower at any time that they choose and just keep paying the lease. He said that he and Commissioner Hill have worked it out to everybody’s benefit and he would recommend it to the board to accept. Mayor Sykes asked George if there would be taxes on the tower and George replied yes. He said that is something else they had talked about. George stated he had talked with Darryl Parrish and he is going to send the tax bill to U.S. Cellular and it will not come through us and we will have no tax consequences but USCOC will have tax consequences and they will deal directly with Lenoir County Tax Office. They will pay taxes to Lenoir County and Town of Pink Hill. Commissioner Hill made a motion to approve the cell tower lease via approval of town attorney. Commissioner Grady seconded the motion and it carried unanimously.

George said just like if we were selling a piece of land, we need to go through the statutory requirements. He said the notice that Kim ran in the newspaper was the first of those. We are going to need to run another notice saying what the lease was and giving any one who is interested ten days to file an upset bid to offer to pay us more money than USCOC is. George said he does not have a lot of experience with cell towers with municipalities. He said he would think that the chances of that happening are slim and none but we do need to give notice and give a ten day upset period. George stated he would draft that notice for Kim to send to the newspaper. Commissioner King asked Mr. Doran how tall was the tower going to be. Mr. Doran stated it was going to be 190 feet total. The structure itself is 180 feet and another 10 feet for the lightening rod and that is if we do not hear anything back from the FAA. Mayor Sykes thanked Mr. Doran for coming and said that the town looks forward to working with them. She also thanked George for his help in doing this.

The next item on the agenda was Old Sewer Plant Repairs. Timmy said he mentioned at the last meeting to let us know that he was getting prices. He said they have spent several nights down at the plant when they had a lot of rain episodes during the day or during the night and that causes a high level at the old sewer plant. When that happens they cannot allow both pumps to run and he feels like the reason is because there was a flow meter installed in the line. He said there are two 8 inch lines coming off of our pumps that are submerged in the ground, two 8 inch lines that come together to one 8 inch line and then goes to a 4 inch line which is where a flow meter was. He said that flow meter is not in use any more and in fact has been removed and a piece of 4 inch pipe put in its place. So therefore, that 8 inch has to go through a 4 inch line and then it goes back to an 8 inch line after about 20 feet. Timmy said that causes a lot of pressure going back whenever you have two pumps pumping. He said he has had two more guys put in a bid but they only came this past Friday. Timmy said he hopes that would cause them to be able to use both pumps and not have the air head pressure. Mayor Sykes asked Timmy if we needed that flow meter any more. Timmy said they have a flow meter at a different location. Commissioner King said so you are trying to eliminate a bottle neck. Timmy replied yes, he is taking out the small pipe and putting a larger pipe in. Mayor Sykes asked if they were going to wait to get another bid in. Timmy replied that he would like to wait for at least one more bid to come in.

Commissioner Hill said this is not really a big emergency but if we have enough in the budget we can do both, but if we don’t maybe do one now and one after the budget. Kim said she and Timmy had talked and there is several other things that he has got to talk about that is on the agenda. She said she went on and prepared a budget amendment. Kim stated there is no money for any of these projects in our current budget because we made sure that we scaled back so we would not have to use savings when we did our budget originally. Kim said she has had to do a budget amendment and has already prepared it for all of these amounts, so it will be coming out of savings. Mayor Sykes said so we will be good to go if we decide to do it. Commissioner King asked if we take it out of savings it will not put us below the mandatory amount we need to maintain will it. Kim replied no, because the LGC requires us to have 8 percent to cover our bills and we have 81 percent. George asked to make a legal observation. He said you have 81 percent but in August if a hurricane comes through then part of that 81 percent might get down to 10 percent. Kim said they would discuss the budget amendment later on and she will explain it more.

Timmy said he was expecting the bid to be more than that so he was tickled that the bid was under $20,000. He said he would still like to see one more bid so we will have something to compare to. Mayor Sykes asked if we needed to have a motion on this issue. George said he did not see any need to until we have something to make a motion on. Commissioner Hill said the one we already have the bid on has to bid on the other project and so he may cut a little bit off because he if he gets both jobs he would do them both at one time. Kim said she has done the budget amendment all in Capital Outlay and called our CPA to make sure she was correct. Mayor Sykes asked Timmy if this was an emergency that needs to be done before the next meeting. Timmy replied no ma’am it is not. He did say the sinkhole on Carol Drive is kind of an emergency. George said what he was going to suggest is to make the budget amendment and have it in the budget just in case, so the money is sitting there but doesn’t mean you have to spend it between now and the next meeting and it doesn’t mean that you can’t modify it if the total bids come in higher or lower.

The next item on the agenda was Carol Drive and Hwy. 11 Sinkhole. Timmy said he has gotten two bids for Carol Drive. There is a sinkhole that is probably a 2 x 2 right in the middle of the pulling in area on Carol Drive off of Hwy. 11 right beside H & H Supply. Timmy said in their investigation they ran the sewer machine down the sewer line right there and the sewer line is about 7 to 7 ½ feet deep and it is pulling sand. Timmy said they tried to camera it and there was enough sand in there that the camera would not pick it up. He said he is pretty sure that there is a hole in the sewer line there of some type that is pulling sand and causing a sinkhole in the road. Commissioner Hill asked if Timmy could tell what type of pipe it was from the manhole back over across Hwy. 11. Timmy said it looks like 12 inch ductile line in the manhole. He said VFW which is the next manhole is 8 inch clay. Mayor Sykes asked Timmy could this have happened because of big trucks going over it. Timmy said most of the time they do sleeve a line going under a major highway like that but he couldn’t tell you if they did back in 1970 or not. Commissioner Hill made a motion to table this issue until the next board meeting. Commissioner Grady seconded the motion and it carried unanimously.

The next item on the agenda was Curb & Gutter/Street Paving in Circle Court. Mayor Sykes thanked James Quinn for coming to speak on behalf of Circle Court Residents. Timmy explained that he had got a bid for an asphalt curb roll on Circle Court. He said with talking with not every single resident there, but with the ones that he did talk to didn’t think that this was going to help them. The residents thought it was probably a waste of money and would like to see the money spent on something else.

Timmy said he and James talked about a different avenue which was over on Mr. John Worthington’s property where there is a ditch which also comes by Tracey Price’s property. Timmy asked the board to look at the map so he could show them what he was talking about. He said there is a tile in that ditch which is probably a little bit undersized but where it bottlenecks is right here (Timmy pointed on map) just before it gets to Park Circle also. Timmy said he and James think and are hoping that this line is still open. There used to be an overflow and it is drawn on their map. He showed them on the map that this is an open tile but this one right here is an overflow and it is clogged up. Timmy said it is covered over with sand and sealed right there in the edge of Mr. John Worthington’s yard. He informed the board that he has got Mr. Worthington’s written permission because it is private property. Timmy said they think that by giving it another route to go, you will have two outs and hopefully it will not bottleneck as much behind Tracey and will give it an even flow a little more. Commissioner Hill stated they had talked about that before. Timmy replied yes but we have the private property issue.

James Quinn said if something happens on down the line and Mr. Worthington says for them not to be going on his property anymore, being that pipe goes up under the road and it is on the town’s property anyway, could we just come right there (he points on map) go down put a catch basin there, cap it off going his way and just let that water that comes in overflow into that? Commissioner Hill said the first thing he said was to go right beside the open tile that is already there and put another line right beside it and that is what he had said the start with. But then when Timmy told him about the other one, we talked about that and needing to get permission from Mr. Worthington hopefully. Now he has given us permission. James said he thinks it will be a win win for everybody. He said let’s try it and if we do that it will save the town money. Kim said it is going to save $6,880 not doing the asphalt curb. Mayor Sykes told James that the board appreciated his interest in looking at it.

Commissioner King asked Timmy to come over and show him on the map what he was talking about. Timmy told him it was an old overflow for the pond that used to be there. Commissioner King stated that would drain a pond quicker but this pipe under his thing is kind of small too. Timmy said it is the same size as what is on Tracey’s side. Commissioner King stated he knows but it is small. He said there is a lot of water that comes down there and it is fast. Commissioner Hill pointed on the map and said this pipe here is a 36 inch and the other one is not but a 24 inch so if you open this up you are going to catch it. He stated it was put in wrong, it should have been bigger pipe as you went and they have got smaller pipe. The ditch overflow here catching the excess amount when it is raining hard is a 24 inch, so you have 48 inches there and it will take everything to come through there. Commissioner King said what he is saying is the water between Tracey and John in that pipe there, the water if it was big enough would go on out across the road down there more, but across the road by her carport the water can’t get through that pipe because there is just too much of it. He said that is why it is flooding the street up there. Timmy said it backs up here before it does there (he pointed on the map). Commissioner King said yes, but if you have been there to look at the lay of the land, this pipe right here (pointed on map) is higher than this land across the street. Commissioner Hill told him that this is a 24 inch pipe and this is a 36 inch pipe and the 24 inch pipe is what is making it slow down which is the bottleneck. He said if we open this up (pointed on map) there is going to be more flow. Commissioner King said yes from the pond. Timmy said there is no pond there but only a ditch. Commissioner King said but you still have that small pipe right there (pointed on map). Timmy said part of it would be on Tracey’s property and part of it on John Worthington’s property. Commissioner King stated he understands that this would be a help but not solve the problem. James Quinn asked if we could give it a try. Commissioner King said he has no problem with that. Timmy said he wanted everyone to understand that he is not going to leave that ditch open when he digs it out. As written up Mr. Worthington did not want it to be an open ditch. He asked Timmy to put a piece of tile in there and cover it back over. Timmy said whatever size is there is what he is going to try to put back. He said he has got to find the transition from cement to plastic. Timmy stated he feels like we can get a piece of tile for maybe $120 and it will not take but one joint and the fitting will probably cost another $100 and then maybe a couple of loads of topsoil. Mayor Sykes said she is happy that Mr. Worthington is allowing this to happen. Commissioner Hill made a motion to accept Timmy’s proposal to open the overflow on Mr. John Worthington’s property across Park Circle to the ditch. Commissioner Grady seconded the motion and it carried unanimously.

Kim told the board that she had made them a copy from the previous meeting Item #8 which goes along with this. It is the Garris Grading & Paving bid and if you look she has highlighted what we will still continue to pave. Kim said it is taking the $6,880 out. Kim said the total would be $13,637 that will come out of Powell Fund to do the patching and paving at Jones Furniture, West Macon and Turner Street, and West New Street and South Central Avenue intersection. Kim said the board had approved everything and then you have also got the $6,355 for the concrete for Wiggins Custom. Kim said she just wanted to bring this back up to remind them of this. Commissioner Hill made a motion to remove Item #1 on Garris’ bid and continue with the rest of the project. Commissioner Grady seconded the motion and it carried unanimously.

Timmy said that Garris even mentioned that he would like to see the cement work done first on the sidewalk before he came and did any asphalt if that job was going together. He said when he called our cement bidder, he gave Timmy a three to four week estimate before he could come do the work due to being behind on other jobs he already had.

The Basketball Court was next on the agenda to be discussed. Mayor Sykes stated she knew we had had a lot of discussion on this about the trash on it, but she has had second thoughts on this. She said it is getting to be summer time and the kids are going to be somewhere playing and I know they keep trash out there but there is trash other places in town that we have to keep picking up. Mayor Sykes said she just thinks it would be good public relations if nothing else to maybe around the first of April or as soon as you can get the goals back up and reopen that basketball court. She said that is just another venue or avenue that they do have somewhere to play because they are playing in the streets now. She stated it would be a good idea to fix it back and let them have somewhere to play. Commissioner Hill asked Timmy if there were signs about picking up trash over there. Timmy stated the signs have always been there. Mayor Sykes said she has ridden by there every single day or at least every other day and would tell them that they have got to start picking the trash up because if they don’t, then we are going to close it. Commissioner Hill said he agrees with that they need a place to play, but they have got to take a little bit of self-respect for themselves. Mayor Sykes stated she knows they do and she knows that it is aggravating for our guys to have to go out there and pick up trash but that is not the only place we have to pick up trash. Commissioner Grady said sometimes when kids have a place to go it is a great thing and maybe they will keep everything nice. Commissioner Hill asked Chief Thigpen if he was riding around and saw them throw trash out could he write them a ticket. Chief Thigpen said no because they are kids and you cannot charge a child under the age of 16. He said you can do a petition but then you are talking about littering and it is going to get diverted. Commissioner King made a motion to put the basketball goals back up where they were. Commissioner Hill seconded the motion and it carried unanimously. Commissioner King said he rode around the other night checking on some things and this is one of the things that when he saw it, it was already on the agenda. He said he almost ran over three kids down right across from the body shop. He stated they were sitting and playing right on the street and also on Jones Avenue. Mayor Sykes said to have the basketball goals put back up by April 1st or whenever they can get to it. Timmy asked if he had permission to go buy some more nets. Mayor Sykes replied yes and said she would call Bill Ellis and see if his department has some nets that we can have. She said she would call him tomorrow about two nets.

The next item on the agenda was Street Signs. Mayor Sykes stated she has seen and she has mentioned this several times. She said we have street signs that need straightening up really bad where big trucks have gone and have hit the signs. Mayor Sykes said two of the signs are right by her house but are not the only ones. She said coming down off Bill Sutton Road down Lynwood Avenue that no truck sign is crooked. There are just several street signs on the corner that have been hit by something and are just crooked and look bad. She said she would just like to see them straightened up please. Timmy said he just wanted to let her know that most of the ones are moved or turned due to the wind and that is because the post is bent and we do not have any new post. We did not have it in the budget to buy anything at one time. Mayor Sykes said the ones in question are on a piece of wood. Timmy said he could handle those. Kim said in the budget for this year for street signs we have $1,000. Mayor Sykes said she has noticed in several towns especially Kinston that they have got some good lucking street signs up but she does not know who does them. George said those were contributions from an artistic member of the community.

The next item on the agenda was the WASA Report. Commissioner Hill said their meeting at WASA last time lasted 17 minutes. He said the only thing they did discuss was a contract with Utility Services and it is going to be watched very carefully. Commissioner Grady asked Commissioner Hill about one of the WASA meetings where he had mentioned that our water might not be as pure as it should be with WASA, has that changed? Commissioner Hill said the water is fine but what happened back when we were having the problem is when Timmy met with Harold Herring, Hal Smith, and Jamie. It got everybody to thinking about going and looking and what happened 2 years ago when we did the burnout, Jamie cut a valve off and forgot it was back there and when he cut the valve back on, we have had good residuals here in Pink Hill. The only thing is Timmy has to run the well for the south side of town about two days a week to keep the residuals up but everything is fine. Commissioner Hill said he is still going to get Harold Herring down here to talk to us about if things were to go south again about putting a booster station down here.

The next item on the agenda was Police Updates. Chief Thigpen said since the last meeting on February 9, 2016 they have had a total of 5 reported incidents, 2 arrests, 4 accidents, issued 15 citations for a total of 20 charges, and issued 11 warning citations. He said everything else is going well.

The next item on the agenda was Fire Department Report. Timmy said since the last meeting they have been on 27 calls, 1 service assignment, 11 EMS calls, 3 structure fires, 2 automatic alarms, 2 brush fires, 5 vehicle accidents, 2 electrical hazards, and 1 vehicle fire. He said it has been a busy month for calls most of them being EMS. Timmy stated everything else is going well. He said Tony hoped the board was okay with him not being here tonight. Mayor Sykes said the board would like for him to come sometimes to say hello. She said it is fine for Timmy to give the report but would be nice to have Tony here also. Timmy said he is planning on being here most of the time.

The next item on the agenda was Water/Sewer Report. Timmy said on March 14th at the WASA Plant they will have their annual chlorine conversion or burnout where they switch from chloramines which is chlorine and ammonia to just chlorine so you may see a little bit of change. He said you may see him out doing a little bit extra flushing to flush that water in and that is a disinfectant tool that they use every year for one month. It usually takes them about 5 days to get here so around March 20th or 21st you may smell chlorine but that should be the only change that you have and it will be that way for a month.

Timmy stated he found out some good news today and we may have already noticed. He said WBW, which is Whitfield, Brewer & Whitfield, are building another quadplex out on Hatteras Drive. They poured the cement today. Timmy said we do already have the water taps in the ground there. Mayor Sykes asked if the water taps have already been paid for. Timmy said that would be a history question and we will have to go back and find out but he doesn’t think so. Kim asked how many taps were there and Timmy replied four taps. Joey asked if they were building another building out there. Timmy replied yes but he is not sure if it is WBW or Mr. Charles Watson. He stated that Charles Watson owns the building. He said they are going to double the size of the building that is already there for Southern Pharmacy. Timmy said he has actually invited Mr. Watson to come to one of our meetings concerning the road that goes by the park and goes all the way to Hatteras Drive. He said they have upgraded the road and he thinks Mr. Watson is the one paying for it. Timmy said there was a lot of beat out holes in there but they have a lot of deliveries that go to the back of the building there. He said they come in on Tarheel and go out on Lauderdale. Timmy said Mr. Watson wanted to know if we could in the future pave that road because of all the traffic that is there. Mayor Sykes said she would like for Mr. Watson to come before the whole board and let them hear what he has to say. George said he would mention it to Mr. Watson when he saw him on Thursday. Mayor Sykes said the road would have to be surveyed and accepted by the board before it can be added to our map.

Commissioner Hill said talking about water and sewer, we have not heard what is going to happen yet with this mess that happened in Flint, Michigan. It is probably going to cause us more sampling and more stuff because the EPA is left with egg on their face and they are going to punish everybody and he doesn’t know what is going to happen. Timmy asked Commissioner Hill did he remember what the contaminate was and he replied it was lead. Timmy said that’s exactly what I thought it was, but I wasn’t sure. Commissioner Hill said one thing that they have done that is going to help them is they have gotten rid of 99 percent of the galvanized pipes.

Timmy said since they have had a little spell of drier weather, his lagoon level is down some and they are within limits. He said they have got 3 foot of free boarding and they only need 2 feet so they are in good shape right now. Commissioner Grady told Timmy that he does a great job.

The next item on the agenda was budget amendments if needed. Commissioner Hill made a motion to approve the Water Fund budget amendment transferring $40,000 from the water fund appropriation into Capital Outlay for the two sewer projects. Commissioner Grady seconded the motion and it carried unanimously.

Commissioner Hill made a motion to approve the General Fund budget amendment of $860 in Capital Outlay for the fire department grant. Commissioner King seconded the motion and it carried unanimously.

The next item on the agenda was Remarks by Town Attorney. George said he is just happy to be here.

Comments by the Board was next on the agenda. Kim explained that ethics training for Mayor Sykes and Commissioner King is going to be held on Wednesday, May 18, 2016 from 10:00 a.m. until 12:00 p.m. She said it will be here at Town Hall on the computer. Kim also wanted to let the board know that she contacted Waste Industries and they are going to provide 20 trash carts for the RoseFest and 10 recycling carts at no cost. They are going to deliver them on May 19th and pick them up on May 23rd. Kim said she has called to let Susan and her assistant know. She said she received an email from Rich Moore concerning the B.F. Grady sewer and she forwarded it per the Mayor’s advice right on to Gary with the Wooten Company and she is waiting to hear back from him. Kim asked Commissioner Hill about the bill from the Wooten Company for that consult that Gary did for our December meeting. He told her to send it to Rich Moore. Mayor Sykes stated she would email him that bill because in the agreement they were to pay for everything. Mayor Sykes said it was in the minutes that they would pay for everything, so she would send it to him and all he can do is say no. Commissioner Hill said it was in the agreement that they would pay for all expenses. Kim said she would scan it and email it to him.

Mayor Sykes said they have received a letter from the county and Mike Jarman in response to the county’s request through East Carolina Rural Planning Organization. Mayor Sykes read the letter to the board. She said they need a current land development plan. George said he would check with Mike Jarman and with Wayland Humphrey. Mayor Sykes said this is just something that we have to do. Mayor Sykes said she would like to say again how proud and how much she appreciates each town employee we have and the board members. Commissioner Grady and Commissioner King said they second that.

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

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

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