

Town Board Meeting

June 29, 2021

The Town of Pink Hill Board meeting was held on June 29, 2021 in the town hall board room. Present for this meeting were Mayor Carol Sykes, Commissioner Mike Hill, Commissioner James Quinn, Commissioner Penny Murphy, Town Attorney George Jenkins, Police Chief Michael Hoffman, Town Clerk Crystal Heath, Public Works Supervisor Timmy Kennedy and Public Works Assistant Phillip Swinson.

Visitors present for the meeting were Carolyn Whitfield, Sue Stroud, Barbara Elmore, Pauline King, Christopher Tew, and Pam Brown.

Mayor Sykes said I would like to call this meeting to order and I welcome everyone to the June 29, 2021 meeting. I would like to ask everyone to please turn your cell phones off. Mayor Sykes asked Commissioner Hill to lead them in the pledge of allegiance. Everyone stood and said the pledge of allegiance. Mayor Sykes said I need the approval of the agenda and any amendments. Commissioner Hill said I make a motion to approve the agenda, any amendments, the consent agenda, and the minutes from the last meeting. Commissioner Murphy seconded the motion. Mayor Sykes said any discussion, all in favor say "aye", motion carried unanimously.

Mayor Sykes said next on the agenda is the discussion of the leash law or ordinance. I have asked Pam from the health department to come and speak, but I think the best thing is whoever is speaking for the crowd. Will you speak, Penny do you have something to say? Commissioner Penny Murphy said I really don't and I think several others can. Mayor Sykes said does anyone want to speak on the dog leash?

Ms. Carolyn Whitfield spoke and said Danita was coming also, but had a conflict if I can read this letter. Ms. Whitfield read Danita Sheppard's letter which stated she is not a dog owner, but her yard is a dumping ground to other dog owners who do not keep their dogs in their yard and allow them to run freely. The letter continues to state that a stray dog aggravates the problem, but would think a leash law ordinance would be easier for the county animal control to help out with this problem, if true she believes its best to have a leash law ordinance. Ms. Whitfield said I am a dog owner and my backyard is fenced in by our choice because we want our dog to run about, but to stay in our yard. My main concern is I'm worried about a dog that I don't know coming into my yard because of rabies and a threat to my own dog or grandson. I just think it is a responsibility that dog owners need to take, the beach has a leash law. The big thing to me is the rabies deal and I would be very upset if it bit my dog or me and found out that it had not had its rabies shot. I realize the county has its leash law and that's great, but also in the past I've called the county about coming and it's hard to get them to come to Pink Hill. I'm not saying that I'm expecting by us enforcing in having a leash law to expect Michael Hoffman to come and get the dog. I don't expect that he is a policeman not a dog person. I think anything we can do to emphasize that we are part of the county and they need to help support us. It is a true concern we have in our town. Having a leash law helps reiterate that if we could do that for our town.

Ms. Sue Stroud spoke and said people use Park Circle for their dogs on a leash or just walking because it's an ideal place to walk, but now we are scared to walk. I have a 10 pound dog and I have had five dogs come after us and one of them got him, if it wouldn't have had coat on him I don't know what would have happened. Some of them the owners live there and others are stray. So I think we address the leash law we need to be cognate of that.

Ms. Barbara Elmore stood up and said I do not have a dog, however since I have been in Pink Hill it is a sad feeling when I can't go in my own yard because of a loose dog running around. It is a very insecure feeling when you're sitting under your carport, don't know whose it is, looks at you and shows it teeth and growls. You wonder how you are going to get in your house. Anyway I was able to get in the house and did not get bit. After that I felt like prisoner in my own home because I could not go in my own yard and feel safe. I feel like this problem can be handled in a good way and I think it should be. I've been told Lenoir County doesn't have a leash law, does it or doesn't it? Mayor Sykes said we will discuss that in a minute. I will have to say I've heard nothing about this until Thursday when Penny told me. I would have certainly done something about it. Once Penny told me I got on the phone and got on it right then. Ms. Elmore said one more thing I want to add when you have a good loose dog running around with a collar on that attracts other dogs. That is what happened in this case. Mayor Sykes said we are going to take care of it. Ms. Elmore said when, this went on for three weeks to a month. Mayor Sykes said well I am sorry you didn't contact somebody. You can call me if you have a problem, or if I can't handle it I'll promise you I'll get someone. Ms. Elmore said I called animal control that's what I should have done and I did. Mayor Sykes well you should have and they would have taken care of it. Ms. Elmore said they did, but not an overnight deal. It should not have had to happen, and my yard is not a dump place either.

Ms. Pauline King stood up and said I think we covered everything we had. I had two confrontations with a recent dog he was here about a month, not friendly, and we were afraid of him really. I have not walked in weeks because we were afraid of getting up in the morning seeing if he was out there. Not only that things get missing, like your pillows, slippers, and if you pay someone to do your yard all the pine straw is in your yard. I am saying it is time for us to incorporate a leash law. Most people take care of their dogs and their not a problem, but you have those that need to be reminded. We do appreciate you taking this under advice. Mayor Sykes said I wish we would have known this before and I am very sorry. I mean the health department stepped in, but we did not and we would have helped them.

Commissioner Murphy said we have one more person. Mr. Christopher Tew said I just moved in and I live next to Barbara. It has just been a nuisance in the town. I have a little boy who is about two and my wife will not even play outside with him because of these issues. I got kids running up on my truck because of these animals.

Mayor Sykes said Pam I am going to give you the floor, Penny do you have anything to say? Commissioner Murphy said I want to hear what she has to say. Ms. Pam Brown said so we have little bit of mixture of ordinances in Lenoir County. The city of Kinston has its own ordinance and then the County has an ordinance. Sometimes it is a little bit confusing because we have a couple of things going on in the county. The animal control program falls under the Health

Department. I am the Supervisor of the animal control officers, so I have been making notes as y'all have been talking because I am always curious about what is going on. My officers do not do anything within the City of Kinston unless we are called to assist those officers. So they have their own animal control officer. The City of Kinston ordinance is a little bit stricter than the counties ordinance. The City of Kinston does have a specific leash law, the county of Lenoir our law is not quite as restrictive. We do have Article 4 of the animal control law. It does say that a person, owner, possessor, or a keeper of an animal cannot allow an animal to do certain things. That is to damage property, interfere with anybody, chase, or snap, harass anybody, to be at large repeatedly. If it's just a one-time thing we may not, not a dangerous situation, dog is just roaming the neighborhood we may not get involved with that situation of if the animal does not have a rabies tag. So it has to have a rabies tag show that it has been vaccinated. There's other things that owners have to do regarding taking care of the animal. We also prohibit folks enticing or luring the animal at their property, harboring, or confining the animal that is not theirs. There is kinda of a variety that goes on with our particular law. Many of the things that you expressed are connected to our ordinance. An animal is supposed to be on its property. We don't have a leash law, but we do have—Mayor Sykes said but isn't that what you read to me the other day I know you said something about a leash law. Ms. Pam said so we do, our ordinance does say that a person is in violation if their pet damages property, which includes just going on the property and soiling, if their animal interferes with somebody, chases, harasses, impedes their walking, is repeatedly of their property violation of our ordinance, or doesn't have a rabies tag. Mayor Sykes said when I called someone read it to me there was something about a leash law. Ms. Pam said it's probably the City of Kinston. It is true that if you're walking your dog you need to have control of the animal. If you have the animal off your property you need to have control of the animal. I've taken some notes and say we do have two and a half officers and they work 24/7. We are not a very large group sometimes we have to prioritize. Generally the priority calls for those that have animals that are in danger to other animals or people, or a rabies concern. Those are typically our two highest priorities. When we get a report of an animal, we will ask a serious of questions. One of my staff members is actually the dispatch for animal control officers so they'll assess the situation. If there is a dangerous situation probably the best thing to do is call 911, because 911 dispatchers can also dispatch the animal control officers. They'll ask the questions usually depends if there is imminent threat of the animal attacking somebody or something, or if is the animal in the act of doing something destructive, we usually try to prioritize those calls. You should never feel afraid if you have an animal confronting you or an animal is notorious for that those are the animal we prioritize we definitely want to know about that.

Commissioner Murphy said what you just described it what we have put up with for three weeks. It took three weeks to get something done about that dog. There is a man in my neighborhood with Alzheimer's all he wants to do is walk and his wife will not let him because of the dog went after him. I have three little dogs, I could not walk my dogs for nearly three weeks, because I do not know where the dog would be. Chris did you not have to get your gun out? Mr. Tew said I had to get my gun out had to walk a girl home because it chased it up to my carport on top of my truck. Commissioner Murphy said at least six of us in the neighborhood called and it took three weeks. What I want to know is what we can do in the Town of Pink Hill to keep that from

happening. Ms. King said can I add something, not only did it take three weeks but we had to get pictures of the dog wandering around we did that, then wait for citation on who they thought was the neighborhood dog they did that, and then we had to take more pictures, and then they finally came and got the dog.

Ms. Pam said what animal control is definitely a team sport, again I do not have the personnel to send somebody in the neighborhood. We do often depend on the partnership of the public something we often ask if you are able to provide us that information. I know it can be incredibly frustrating, but we also fall under some state laws that prohibit us from seizing animals instantly in some cases. Unless we can catch the animal in the act or be at the right place at the right time you are right it can be a process. We really depend on the public to help us with that, but my officers kept me updated with what was going on with this situation. We kind of went through our checklist correctly and someone allowed us to have the trap in their property. I know we don't have many staff as I would like to and as responsive as I would like for us to be, but I would really like for you to report those things for us to work in a partnership. In this case somebody after the fact claimed ownership and whenever someone claims ownership it adds another level. If it's a stray if we can't find an owner sometimes we can act a little faster. When an animal has an owner we have to follow the rules. Ms. King said we were under the impression if we had a leash law in Pink Hill it would help even though you all were still going to do the help is that true? Ms. Whitfield said when you say leash law it condors in my brain that the dog has to be on the leash that is not what the Lenoir County is, there is a difference between having your dog under control and on a leash. She continued to say that it needed to be clarified. Ms. Pam said it just needs to be under control. Mayor Sykes said well we are going to have a leash law and the county is going to adopt us is that correct? What needs to be done to go through to get it? Ms. Pam said the ordinance can be proposed by the Board of Health and be approved by the county commissioners or it can go straight to the county commissioners. Mayor Sykes said whatever it takes to get it. Ms. Whitfield said if the Town of Pink Hill wants a leash law you got to work with the health department to enforce it. Mayor Sykes said I understand that, but we cannot afford to have a person here in town that is the reason why we work with the county. I am sorry, but we just can't do it that is why the county adopted. The understanding that I had was the county was responsible for us if I am wrong I apologize I want to read it. Mr. Jenkins, town attorney, said first of all you got two different kinds of issues. You have a dog somebody owns that's allowed to run at large, but then you have packs or strays that are running at large. Will the county animal control come down here and do a campaign to capture those stray dogs, take them to the shelter, confine them, and if necessary euthanize will the county do that? Secondly Mike is not a dog catcher, but if there is a stray dog whose owner is allowing them to run at large, but Mike does not have the time with offense the skills to capture the dog. So will the county come and help with that? Can we get more prompt service? I heard the same complaints from Grifton and La Grange that if your more than 15 miles from Kinston it's hard to get people to come out. Ms. Pam said we cover the entire county the animal control officers go to every corner in the county. The issue we have is that I have two and a half staff members that work 24/7. I have to give them some time off sometimes. We prioritize our calls and if we get a call from somebody at 9 o'clock at night about a dog wandering the neighborhood that is not being aggressive we are not coming. Commissioner Murphy said those are not the ones I am worried about it's the ones

trying to eat my dogs. Ms. Pam said those we will prioritize, but also remember we have to fall within the legal system as well. We cannot just go and get the dog it could be like kidnapping somebody's property. That is why it works better to get the public to work with us. I want to have another briefing with my officers to see what we else we could do with this case. Mr. Jenkins said first of all would it help the county health department and its enforcement efforts if Pink Hill passed an animal control ordinance or so called leash law. Secondly will Lenoir County Health Department take custody and control of those dogs even if Mike is the one that catches them, and take them to the SPCA shelter under the counties contract so that Pink Hill does not have to enter into a second contract. Ms. Pam said I know Kinston's officer is on duty Monday through Friday 8-5 so if they have something happen after hours, then their officers' handle the situation themselves. Chief Hoffman said but they have access to a cage truck. Ms. Pam said yes they have access to a cage truck. Mr. Jenkins said and we can't afford that. If the town adopts the ordinance is that going to mean that Lenoir County is going to be down here quicker? Ms. Pam said no it doesn't mean that. Mr. Jenkins said it's just going to make Mike can go to court with the prosecution that he might not have so easily. Ms. Pam said if an animal is wandering, off a leash, and not posing a threat that will not be a priority call for our officers. Mayor Sykes said when Penny told me about her deal and whose dog we thought it was I went by his house twice that night didn't see anyone, went by his house again nobody home, went to office no one was there, was told he would be back the next day never saw him. I was going to see if I could help with the situation. Chief Hoffman said I attempted to make contact to give a little advisement as well. Ms. Whitfield said I just want something clarified if we adopt the leash law in Pink Hill does that negate the county, relieve the county. I don't want to call the county if I have a problem and the first time I'm told is that if y'all have your leash law call Mike. If that's the case then I don't want to adopt the leash law as much as I want one. I don't think it's fair to the police officers, but if by adopting a leash law it's going to negate the county who's well prepared. Mr. Jenkins said if the town adopts one and she calls is the response going to be you got your leash law call your police department? Your hesitation speaks volumes. Ms. Pam said I don't know that we would not respond, again it would not be immediately. In our partnership with 911 dispatch we give priority. I don't know I would have to ask we would try support the way that we can. I don't know I would have to ask Mr. Griffin and Mr. James. Mayor Sykes thanked her for coming to speak. Ms. Pam said I have copies of the ordinance it can also be found on the website. If I can say one more thing if you are concerned about an animal especially if it a threat or has rabies please call us, if it's on the weekends dial 911. I'll get the answers to those questions and get back to.

Mayor Sykes said if you all have any problems please call Crystal. If we had known sooner we would have helped much sooner or reached out. Chief Hoffman also said if you have any issues please call me. Mayor Sykes thanked the public for coming to speak as well regarding the issue.

Mayor Sykes said next on the item is the audit for this coming year. Ms. Crystal Heath said he went up to \$7,000. Commissioner Hill said I make a motion to approve renewal of the auditor's contract of Gregory Redman. Commissioner Quinn seconded the motion. Mayor Sykes said any discussion on it, all in favor say "aye, motion carried unanimously.

Mayor Sykes asked for the fire report. Mr., Phillip Swinson said call reports since last meeting of May 18th to today are 4 EMS assignments, 7 vehicle accidents, 2 structural fires, 2 brush fires, and 6 service assignments. That was a total of 21 calls. As of July 1st we will back on EMS calls with county.

Mayor Sykes asked for Chief Hoffman to provide the police report. Chief Hoffman said of course you see in our numbers have increased. It was due to the extended period. We've had several more arrests due to domestic related issues and also assisting Lenoir County. Other than that our volume has stayed the same. We have had an increase in accidents people on the road are traveling for summer vacation. Other than that everything else looked very good. Our office would also like to purchase solar speed limit signs. I spoke with the Chief of Beulaville and he said his citation reduction was up 50 percent. They also on the website said that every agency that has purchased noted a 25 percent increase in citations, accidents, and especially fatalities involving speed accidents. They are Bluetooth like I said they are solar. We are looking to purchase the one with the message window on the bottom. In this message window we can have it say whatever we want. They are on sale and normally \$3,000 each, but they have a sale now where we can get two of them that are top of line signs message window at the bottom. They are anti-vandal, anti-reflective, solar, and come with full battery backup. Our office is looking to purchase two. Mayor Sykes said and the two is it \$6,000? Chief Hoffman said \$5,499. Mayor Sykes said do we have many accidents and speeding going up on that road? Chief Hoffman said ton of speeding in between running cars, escorts, patrolling trucks, we park our cars on main roads so they see us. Mayor Sykes said on Highway 11? Chief Hoffman said yes on Highway 11 and 241. That is what we would like to have ultimately we would like to have three, but are happy with the two. Mayor Sykes they should be on Bill Sutton Road speeding all the time. Chief Hoffman said if we were granted the opportunity for three that would be one road. Ms. Heath said they don't have to be stationary he can move it. Chief Hoffman said they are easy set and easy to take down. This would not be something I put right there and left them. I can move them. I would put them right off the speed limit signs. Anything that raises awareness to the town is great. I've checked to see if we have the funds and I think we do. It does not mean we are not going to stop running tickets and be running around. I think it can be extremely beneficial for us. We are blessed to be on the Governors Highway Safety Program again we were removed four or five years ago. The program is point's citations wrecks, accident, and arrests it is a point system. I was notified yesterday. Highway Patrol has been released from their no checkpoint policy and we are going to start doing some checkpoints. Commissioner Murphy said how long are they on sale? Chief Hoffman said I don't how long, but the next two days is extremely important. Mayor Sykes said it is in this year's budget that is what he is talking about. Commissioner Murphy said you have the money in this year's budget? Mr. Jenkins said it will not roll over to fund balance for next year. Ms. Heath it is in this year's budget, which is in two days, it's going to be hard to squeeze it out of that. Next year's budget is tight this year. Commissioner Murphy said so if we don't spend that money it will roll over to our extra for next year? Ms. Heath said it roll into your IMS account into your savings account. Commissioner Murphy said Timmy do you see anything on the horizon that we might need that for? Mayor Sykes said this the general fund we are talking about it is two different funds. Ms. Heath said Timmy can't use it anyway. Mayor Sykes said this is general fund and he is water fund. Timmy

said he can't use mine and I can't use his. Commissioner Murphy said even if we had an emergency? Mayor Sykes said if it were an emergency I'm sure it could be, but that is illegal to do. Ms. Heath said I will get in trouble for that. Mayor Sykes said I would not sign a check. We can't do that it's two separate budgets. Commissioner Murphy I understand that I just thought the general fund was there for anybody who needed it bad. Ms. Heath said the water fund has to take care of themselves. Commissioner Murphy said what do we do with the general fund money? Mayor Sykes said we have the police department, us—Ms. Heath said the police department, fire department, library, tennis court. Commissioner Murphy said alright I learned a lot tonight. Timmy said it does not roll over, Ms. Heath said it does not roll over goes to savings. Commissioner Quinn said I make a motion to purchase the signs. Commissioner Murphy seconded the motion. Mayor Sykes said any discussion? Commissioner Quinn said I think it will be good thing. Commissioner Hill said my whole thing can you get the signs without the letters on the bottom would it be cheaper? Chief Hoffman said \$500 without the message. The two without the message window is 4,999. So it is \$500 dollars for the message window. Commissioner Quinn said do you have to calibrate them or something? Chief Hoffman said 99.9% accurate. Mayor Sykes said so we don't have to have the state approve putting it on the highway out there? Chief Hoffman said not if I attach it to another sign. Mayor Sykes said so the state will approve it? Chief Hoffman said I can call Jamie tomorrow, but no shouldn't bother anything. Mayor Sykes said everybody favoring the motion please say "aye", motion carried unanimously. Mr. Jenkins said before you go can I ask you a question? The issue you raised last month about the catalytic converters has that been solved? Chief Hoffman said what is happening is the patrol car is out more everywhere so I think that is deteriorating right much. The individual that is on my mind is still walking. My personal opinion is that it is not happening at broad daylight. I am trying to be everywhere at every time.

Mayor Sykes asked for Timmy Kennedy to provide the water report. Mr. Kennedy said on June 2nd our annual sewer plant station. I think it went well and it says that we passed and are in compliance. I just thought the board should know that we are in a moderate drought. There is no items for us to do at this time. Mike Houston with NC Rural water helped us get our local water supply plan and consumer confidence report. It has been completed for this year. The biggest item I have is our new culvert and head walls on North Central that were put in about 6 or 8 months ago one of our water customers showed me the sinkhole that is forming. It is not very big right now it does go all the way down to the tile. It is on the west side of the culvert. I have made contact with the Wooten Company which they have my back on it. I made contact with the guys that did the paving. They swear that they put the rock they added to everything before they put the asphalt on top. They pat with a roller, but I didn't actually lay eyes on everything but he says he did. I made contact with the contractor he wants to blame it on the asphalt people and other issues. He is also trying to get the people that actually made the head wall, tile, and that put it all together to our specs. He is trying to get them to come and he told me they were going to be here about two weeks ago. I made contact today and he not been here. Nothing has been done and I just want to let you know I am working on it. I am hoping we don't have to go to court or fixing it ourselves. We do have a one year warranty by contract for this job. It was by contract mainly because it was FEMA money. Crystal and I did several items last week to stay on the phone doing research trying to find information she sent all the information.

Ms. Heath said it has been approved we got the contract today. The coversheet for us to send to FEMA for us to sign and send in for Central Avenue, so it is final. Timmy said so Mr. Welker is satisfied now? Ms. Heath said I want you read it first before I send it on in. He did say last week we didn't have to be fully complete to get 70% or 75% to get the money. Mr. Kennedy said I have spoken with a buddy of mine that works with culverts says it is a pretty simple fix. It has a hole on it water is able to go up under it. Mayor Sykes thanked Timmy for his report.

Commissioner Mike Hill made a motion 2021 budget. Commissioner Quinn seconded the motion. Mayor Sykes said is there any discussion, all in favor say "aye, motion carried unanimously. Mayor Sykes said any other discussion, George do you have anything? Commissioner Hill said only on the leash law is we need to make sure what Mr. Griffin is telling you is the right thing. Commissioner Murphy said I agree with you and don't want to make it worse. Mayor Sykes that is why I want George to handle it. I don't think it will get worse. Mr. Jenkins said I'll talk to him and let you know. Commissioner Hill make a motion to table the leash law. Commissioner Murphy seconded the motion. Mayor Sykes said is there any discussion, all favor say "aye", motion carried unanimously. The meeting was adjourned.

Typed by; Diana Rodriguez

Assistant Town Clerk

Approved by; Crystal Heath

Town Clerk