

April 11, 2017  
7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, April 11, 2017 at 7:00 p.m. in the old school cafeteria. Present for the meeting were Mayor Carol Sykes, Commissioners Mike Hill, James Quinn, and Penny Murphy, Town Attorney George Jenkins, Public Works Assistant Phillip Swinson, Chief Joey Thigpen, Fire Chief Tony Heath, Town Clerk Kimberly Mitchell, and Assistant Clerk Shelia Ezzell.

See attached sheet for visitors present at the meeting.

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. Mayor Sykes said since we did not have a flag that we would not do the pledge of allegiance. Commissioner Hill made a motion to approve the agenda with amendments. Commissioner Quinn seconded the motion and it carried unanimously. Commissioner Hill made a motion to approve the consent agenda with regular board meeting minutes from March 14, 2017. Commissioner Quinn seconded the motion and it carried unanimously.

The first item on the agenda was the CDBG Grant – George Sherrill & George Collier. George Collier thanked them for having him here. He stated that he works with the North Carolina Department of Information Technology Broadband Infrastructure Office. Mr. Collier said he has been working with the Pink Hill Think Tank for the last six or so months. He said that Susan Myers had called him and said that the Lieutenant Governor and the former Assistant Secretary of Commerce came down here to our house and the Lieutenant Governor put together a video. Mr. Collier said he went to the Lieutenant Governor's YouTube site and he saw this video just so he could get some background of what's happening here in Pink Hill. He said and the Pink Hill Think Tank was able to put together a group of us to tour the potential technology center over here, I guess right behind us over here. Mr. Collier stated they had a plan, they presented a plan about how they wanted to use the building, and over the last couple of months a potential opportunity came about and even though he is not on the building reuse or renovation side of community and economic development, he felt the need to offer up a potential funding source that could help renovate this building and help see a vision of the building move forward. He said what he did was contact his former boss, George Sherrill, that hired him 13 years ago when he worked for the Department of Commerce. Mr. Sherrill who at the time when Mr. Collier contacted him was the Secretary of Commerce, so he is the former Secretary of Commerce and now he is the Chief of Staff for the Secretary of Commerce. Mr. Collier said Mr. Sherrill had a potential funding source and a potential opportunity to help with the technology center and the Pink Hill Think Tank. He said that is where we are today. There is a potential opportunity here to help with the technology center. Mr. Collier said he wanted to turn it over to Mr. George Sherrill so he can talk about the potential funding source and all of the ins and outs of this funding source.

Mr. Sherrill introduced himself and said he was the Chief of Staff at the Department of Commerce. He said and yes he was the Secretary of Commerce for a very brief time. Mr. Sherrill explained why he was the Secretary of Commerce for such a brief time. He said why he

was here to talk to us today was because he and Mayor Sykes had worked together in the past and he knew her and respected her, and she told him we understand there is an opportunity to get some grant funds from the Department of Commerce for a project we may be able to undertake here in the Town of Pink Hill and she wished that he could come down and talk about it. Mr. Sherrill said what these funds are, the North Carolina General Assembly made available to the Department of Commerce some funding through a program which is called a Community Development Block Grant Program. It is some money like say we did a project and the project was originally funded \$500,000 and the bids came out and it was \$450,000, so there was \$50,000 leftover. We collected those little bits and pieces and had some money we packaged together like that to make available for a broadband project. He stated that is what the General Assembly is looking at. Mr. Sherrill said these projects are pilot projects. We want to provide some funding to test out what might work across the state in rural areas of North Carolina. The vehicle for those funds is this block grant that the state receives every year which is the Community Development Block Grant. He said each year they get that at the state level and we work all kinds of different projects in rural areas. We do economic development projects, housing projects, and water projects. This amount of funds that the General Assembly approved is only for broadband, so we are looking at potential projects. We have already funded one project and that is a project up in the northeastern part of the state with Roanoke Electric to work in the Bertie County area.

The opportunity that George Collier mentioned that was here and it is an opportunity, because we haven't funded anything yet, is that funding would be available to take a building and would not specify where that building might be. It could be anywhere in the town, if the town decided to apply for these funds. He said and to have that building available for multiple uses but all centered around high speed broadband to try to have an opportunity for young folks to stay in Pink Hill. Maybe they could be entrepreneurs or it could be an incubator or help school children that don't have access to high speed broadband come and use it after school or do projects, or it could be used if you need broadband for training programs as provided by someone at the high school or community college. It could be a variety of things but we are interested in how that would work in a small town.

Mr. Sherrill said what they are going to have the funds for is to take a building, that is what we are looking for, that could be converted for those uses with it completely wired and available with the highest speed that is available in that area. He said we haven't picked any location yet. We are looking at different locations. He said as you know I worked with George Collier for a number of years and so I trust his judgement, so there might be an opportunity here in Pink Hill. Mr. Sherrill stated he has heard a little bit about what is available here or it could be something different, but we just want to tell you that it is available and that if it can come together, then we could potentially fund that but nothing is funded yet. There is no amount or anything. We need to see some more information. He said but because it is a Community Development Block Grant funds he will tell us that there are strings attached to it because of the Federal Government Tax funds. You have to do public hearings before you propose the application. You have to submit an application. You will end up having to serve people, at least 51 percent of the beneficiaries of the folks that use the facility would need to be low or moderate income persons and those are people who make 80 percent or less of the median income in your county. Federal Government dictates these things for the use of their money and we have no control over that. He said there is

reporting requirements and there is some other plans that you have to do, so just letting you know that we just don't write a check and send it down to the community if we decide to do it. There is processes you have to go through to develop an application. Mr. Sherrill stated he was here to answer any questions. He said the mayor said there might be questions that you would have about these funds. This is just the broad review of it but if there is specific questions, please ask me and I will answer all of them.

Mayor Sykes informed the visitors present that the board had decided to open it up to the public here to have a question and answer period. She said so everybody can ask what questions they want to ask, so we can all be on the same page when these folks leave. Mayor Sykes said if you have got any questions about this grant, now is the time to ask them. Mayor Sykes asked anyone who was going to speak to please come to the front so it will be on the recorder.

Mr. Gino Kennedy introduced himself and stated that he is a member of the Pink Hill Area Preservation Board. He said they have come together with a statement that we wanted to make as a board and then we have a few questions that we would like to ask. He said we just kind of what to introduce the people to let them know who we are. As a board member of the PHAPDC I wanted to give you some background information prior to asking our questions regarding the media building that we currently own. The committee acquired three buildings 7 years ago with the understanding that we would develop these buildings to benefit the citizens of Pink Hill and surrounding areas. So far we have developed the Pink Hill Wellness Center in one of the buildings, donated the two-story building to the town for the fire departments use, and we are hoping to develop a technology center in the third building which is what we call the media center. Unfortunately we have not been able to recondition the media building because the majority of our funds go to maintenance on the wellness center and the payment of our requirements to CenturyLink Gigabyte contract. We are extremely excited about the possibility of restoring the building and the development of a technology center coming to fruition. While the media center building is an asset to us, we are unable to secure funding to restore the building. We are also somewhat reluctant to simply turn it over to someone else until we have a few questions answered.

Mr. Kennedy stated they had a few questions that he would like to ask now. The first question we have is if we retain ownership of the building, would this grant be available to our 501C3 Organization? Mr. Sherrill replied that this money is coming through a Community Development Block Grant program which is a Federal US Department Housing Urban Development Program. The statutes that we operate under only a local unit of government can apply for Community Development Block Grant funds. So we couldn't make a grant to the 501C3 to do the project because it has to be by statute. The grant has to be to a local unit of government. Mr. Kennedy said just to add on to that; that is a federal program and not a state. The state we would, I guess, be available? Mr. Sherrill said I don't know about state funds, but these are federal funds. Mr. Kennedy asked if there is a possibility of a lease for 20 years with the town if the town receives the grant, I guess that would still have to be ownership? Mr. Sherrill replied if the town were to enter into a lease for a 20 year term, I think that is control and would leave that discussion to the town attorney, but if it were a 20 year lease, I think that would definitely work. Mr. Kennedy said okay thank you; that is very good. Mayor Sykes said but the town would administer the grant? Mr. Sherrill stated absolutely, you would just lease the

building from them but you would have control of the building. Mayor Sykes said but after that 20 years we could and Mr. Sherrill replied you could turn it back over or whatever.

Mr. Kennedy said well, let me kind of change tunes here. He asked if we do a lease for the building to the town and the town receives the grant and nothing happens with the technology center, could the building come back to us if our lease or the conditions of the grant were not fulfilled? Mr. Sherrill said if the town gets a grant and does nothing, we will be asking the town for the amount of the grant back. Mr. Kennedy said like I said we went over these questions beforehand so some of it may seem a little redundant, but it is his duty to ask the questions as we put them together.

Mr. Kennedy said since we can do a lease then his item #4 is could their lease be contingent on the town receiving the grant? Mr. Sherrill said absolutely as long as the attorney says that is legal. He said so what we want is we want the concept that it become a technology center available for the citizens of Pink Hill and surrounding areas to be able to use and to prosper with, so we don't want it to be turned into a library. We want it to be used for broadband for all those activities that you were describing, so definitely it should have a contingency in there that it is only used for that purpose.

Mr. Kennedy said since I have the floor I would ask do we have any more questions from our board or any other concerns based upon the information that you have learned tonight. Danita Sheppard stood and said just to make sure we are on the same page, we can lease this building to the town, if it meets the qualifications of the grant, and does that in anyway negate their opportunity to receive this grant if the building is leased to them. Mr. Sherrill said a 20 year lease would be equivalent to if they had bought it. He said they have got control and 20 years from now we wouldn't be coming to look at it but I hope it is successful in 20 years, not many things in government last 20 years but I sure hope this does. Mr. Kennedy thanked Mr. Sherrill for his time. Mayor Sykes said if you are going to speak please come up here because we have a recorder.

Bruce Maslin said he just wanted to say as far as the lease goes, we would be willing to sign a letter of intent to lease the town the building pursuant to the town getting the grant. He said so this is a firm contract. Mayor Sykes said our attorney will look at it. Mr. Maslin said he just wanted to make sure that it was clear. Mayor Sykes said it is clear to her what he said and we would be tickled and I am tickled with that.

Jayne Zesiger asked if you lease it to the town, who is going to be responsible for the maintenance and insurance on the building? Mr. Sherrill replied that would be the town's responsibility. She asked is the town going to be able to take care of it because the last she knew and you guys can correct me, the building was in disrepair. Water was leaking through the roof. Is the city or the town going to be able to take care of that building? Mayor Sykes said hopefully if we get the grant that is going to take care of it. Mr. Sherrill said the funding would be for complete restoration of the building to full use, in other words the roof and everything would be brought up to code. We wouldn't do it if it was not going to be brought up to code. Mr. Sherrill said electrical, plumbing, the roofing structure, and everything so that it meets the current

building code of the state of North Carolina and that is what we expect to be done with that building and we will provide those funds based on estimates for that.

Mayor Sykes asked Mr. Sherrill if the town needed to have an engineer or grant writer person to help us. Mr. Sherrill replied yes, once you put the application together you are going to need professional help to come up with estimates and to write it and go through the public hearing process. Mayor Sykes asked if that would come out the grant? Mr. Sherrill stated yes you could work that out of the grant. Mayor Sykes asked if everyone understood her question and answer.

Rodney Scott said I think you started to answer the question or you got around to what I was wanting to know. He said the question I have got is I have heard about this grant and we helped give some of the preliminary estimates, are we looking at a full funding pending some legitimate cost and everything. Mr. Scott said but if we come to you with a firm bid or what we need to renovate the building to bring it up not just to code but to outfit it completely for a technology center, are you talking about funding a grant that would do everything, are there any matching fund requirements, or potentially how much money are we talking about? Mr. Sherrill said it is not unlimited funding, you have to go to the General Assembly with that. He said we are trying to not just do the project here, we want to do another one so we will have to look at your estimate and try to fund as much of it as we can, hopefully all of it but I can't tell you right now because I haven't seen the budget from the other community that we are going to choose. Mr. Sherrill said we are going to try to fund as much of it but there is no match. He said if you propose something that cost 2 million dollars, we don't have that kind of money. Mr. Scott stated you saw a tentative estimate, I am assuming. George Collier came up and said he forwarded a cost estimate to Mr. Sherrill and one of his staff at the Department of Commerce, Iris Payne. He said now again, George is the Chief of Staff so I don't know if he got to all of his emails yet but one of his staff has it. Mr. Sherrill asked do you have the ballpark on it. George Collier we have got the ballpark to our thing. Mr. Sherrill asked how much was it? George Collier asked Rodney and Rodney said \$425,000. Mr. Sherrill said that is definitely within the range of what we are looking at.

Mr. Collier said Rodney correct me if I am wrong, but that was including the renovation, rehab of the building, and the technology or equipment to outfit the building as well, \$425,000. Mr. Scott replied yes sir. Mr. Collier stated that was a confirmation by Rodney. Mr. Sherrill said they would allow the town to add some funds in there for your soft cost and some administration so it may go above that. Mayor Sykes asked do we need to have our engineer come in to design it. Mr. Sherrill replied yes.

Mr. Collier said if you could repeat, I think you said something about soft cost that the grant could pay for, soft cost such as design or engineer. Mr. Sherrill replied yes, those will be eligible cost. Mr. Sherrill asked if there were any other questions and Mayor Sykes stated now is the time to ask.

Carolyn Whitfield said just to clarify this is all contingent on getting the grant. You are not telling us tonight we get the grant, you are telling us tonight we can apply for this grant. Mr. Sherrill said you can apply for it but I can tell you that from what I have seen to date I like what you are doing here and I will definitely be a good proponent with the Secretary of Commerce

that you receive some funding. You have got obviously a group that has done a lot of work, you have got a great concept, and obviously the Lieutenant Governor is in favor of it. Mr. Sherrill stated no, I cannot promise that you got it, but I can tell you that I have a big input into the decision making and you are well ahead of everybody else.

Rodney Scott said you mentioned a list of requirements such as 51 percent of low or moderate income users. He asked if a list of all those requirements and so called strings is something that you can provide to the town and to the preservation committee. Mr. Sherrill said when you choose someone to help you prepare for that grant application, they can go over all those things in detail and you will get someone that is experienced and does that type of thing and they will explain that to you. He said he just tried to hit on the big things that you should know about and what the town is going to get into. Mayor Sykes asked if there were any more questions. There were no more questions. Mayor Sykes thanked George Collier and George Sherrill for coming.

The next item on the agenda was Commerce of Pink Hill – Mark Sutherland. Mr. Sutherland said he was going to pick up basically where he left off at the January meeting with the exception that Commissioner Murphy may have some questions because she wasn't there. He said with the Mayor's invitation he attended the January board meeting to talk about the services that our part of commerce rural planning center offers to towns like Pink Hill that don't have a robust planning staff or an economic development planning staff. I work in the rural planning center and we are the states premier agency on rural economic development planning. My coverage area is the southeastern prosperity zones such as Brunswick County, Wayne, and Greene and down to Carteret. I think this is the epicenter of the southeastern prosperity zone.

Mr. Sutherland asked Kim if she had given the board the power point that he had brought back in January. Kim replied yes, everything that you spoke about at our January meeting is attached. Mr. Sutherland told the board to look at slide 3 which has a title of "Process". He said we did have a pretty good conversation about how that worked and how the commission actually drives that process and I am a facilitator. So you own the inputs, you own the end product, and it is only finalized through your blessings. If you want to proceed with this, it is about a 12 month process to implementation and I make myself available to you and I travel here and that is the towns responsibility is my travel from Jacksonville. Over the course of a year that is about \$170. Now in addition to me, I have a team of about 12 folks scattered around the state that I reach back to that have skills perhaps that we will need here that I don't have personally and they don't travel but they are available to me whenever I need them. The process begins with a resolution and I believe you have a draft resolution and feel free to modify that as you see fit, but it is fairly standard. I have started working in four towns like Pink Hill since I was here in January and they all use that resolution verbatim but it is your resolution. Once that happens I will come back out and talk about things like the scope; how big you want it, just downtown, the greater Pink Hill areas, how many people on your steering committee, and basically what is it that you want to deliver at the end of the process. I have a work team and that is the Department of Commerce folks which is myself and my coworkers that do work in support of the town. Then you will see there is a steering committee which is what the town appoints and they guide the process and make the decisions. When we get a final product put together we bring it back to you for your consideration, your edits, and then we go final with it and move right into implementation of the action plan.

Mayor Sykes asked Mr. Sutherland to tell some of the projects that other towns have done with this to give us some idea. Mr. Sutherland said he is working in Navassa and they are getting a highway off-ramp down there, they are relatively depressed and so they really just want a specific point plan on how do we turn that traffic that will be generated by the off-ramp on the highway into economic development. He said he is working in Bladenboro and they are right where you are on how do we take our assets and recognizing our strengths and our weaknesses and deal with those while diversifying our business and making the town more prosperous. That is to say how do we end up with more money in the town at the end of the month than what we started with and that is pretty much their vision and that is how they spell success is one word prosperity. I am working with downtown Morehead City, not the entire city but just the 14 blocks downtown, on how to revitalize their downtown and fill up their vacant store fronts. He said that is the scope of the effort there. He stated he could go on but people are sleeping already. Mayor Sykes asked if anyone had any questions. Mayor Sykes thanked Mr. Sutherland for coming.

Commissioner Quinn stated at this time he would like to recuse himself from any discussion from Broadband, internet, or whatever because of conflict of interest.

The next item on the agenda was Broadband 60 Days Trial Agreement – Al Rachide and Attorney Matt Sullivan. Mr. Rachide said first he wanted to thank the town council for allowing him the opportunity to speak tonight. We had an understanding that at the last board meeting a contract was to be presented on our behalf for what was then called the Pink Hill Broadband Initiative which is now a licensed East Carolina Broadband, LLC. Our local organization had thought that a 60 day trial contract or trial period was being voted on on our behalf and we would like for you to cancel the contract that was voted on and revote on the new contract that has been presented for tonight. Mr. Rachide said George Jenkins had a copy of that and I think it may have been forwarded to everybody. It has been reviewed by the town's council and he finds it to be a legal document and we would like for you to go forward on that. Mayor Sykes said wait just a minute now George has done what! George stated he has reviewed all the contracts. Mayor Sykes asked for them or us? George replied all the contracts that were presented and they are valid documents. He said they are legally enforceable contracts. Mayor Sykes said okay, you are talking about our 60 day trial period is a legally binding contract. George replied it is. Mayor Sykes said it is nonexclusive I know but our contract is legal. George stated yes it is legally binding. Mayor Sykes said so what is the question. Mr. Rachide said he requests the town council to exercise the 30 day out clause on the contract that was presented to you supposedly on behalf of our group by our then consultants because that was not what we requested to have presented. Mayor Sykes asked what was the name of your broadband at that time because the contract we got was from Open Broadband. She said before we do any voting we are going to have questions from the audience. Mayor Sykes stated we are still going to discuss this just like we do everything else. Mayor Sykes asked do you want to say anything else. A gentleman said I will just say for the record good evening everyone my name is Lee Precise and I am not attorney Matt Sullivan. For those of you who have seen Matt Sullivan before you probably picked up on the difference between he and I, which is a whole lot of hair that he has got and I don't have. He stated that our firm White & Allen is serving as counsel to these fine folks and is here number one in this capacity to observe what goes on tonight and to

respond on behalf of his clients should the need arise. Mayor Sykes said she would like to have some discussion on this from the audience please before we have a motion. She said there has been so many different things talked about this project and I just really want to know what the deal is and if there is anyone from the audience that wants to ask questions about it, now is the time. If you don't ask them now, then don't ask them later.

Carolyn Whitfield stood up and said she couldn't hear the beginning of what Al said and didn't understand that part. Mayor Sykes asked if she wanted him to read it again. Carolyn said I can't ask a question on something I don't know. She said I am just curious because I didn't hear what he said and I don't know what he is asking to be done, so I can't ask a question about something that I don't know because she wasn't at the meeting before. Al Rachide stated while we, the managing members of the then Pink Hill Broadband Initiative which is now incorporated as East Carolina Broadband, LLC. We were in Memphis at an internet service provider convention serving the entire country during the week of last month's town hall meeting. We had the understanding that our then consultants, the staff from Open Broadband, were to present to the town council our proposal of using the town water tank for a test site for 60 to 90 days for a proof of concept of being able to broadcast wireless internet into the community. The town council members thought that was what they were voting on but that was not what was voted on. The town council members apparently did not get to see or read or hear the terms of that contract before they voted on it and simply took the information that was presented at the podium that night and voted on what they thought was a contract to allow our local company to do this with the assistance of a set of consultants but that was not what was voted on in the past. So we are asking that the council exercise the 30 day out clause that is part of that contract and then turn around and vote on the contract that Eastern Carolina Broadband, LLC has presented. Mr. Rachide stated the town attorney has had ample time ahead of time to review that and has found it to be a valid contract and the council members should have gotten a copy of that from him prior to the meeting so they had a chance to read over it. Al Rachide said that is our stance on this at this point.

Mayor Sykes said she is confused herself. We have only had one contract. She asked Mr. Rachide if he had presented a contract to the board. Mr. Rachide replied getting ready to. He said we attempted to present a contract and our contract was not presented. Our contract was not presented because a different contract was presented and was not exposed to town council or any of the council members prior to the vote. Mayor Sykes asked why did we not see it before. Mr. Rachide said that is the question I asked. Mayor Sykes stated I have no idea, I have not seen but one contract. Mr. Rachide asked Mayor Sykes who else saw the contract before she signed it. Mr. Rachide asked Mayor Sykes again who else saw the contract before Carol Sykes signed it. Town Attorney George Jenkins spoke and said that is inappropriate. Mayor Sykes said that is inappropriate. Mayor Sykes said I am just saying we have worked to do what we thought was the best for the Town of Pink Hill. We voted a 60 day trial period for broadband to see if this works. If it doesn't work, it is null and void. If it works, then good. It is a nonexclusive contract and it doesn't mean that somebody else can't come put one up there but it is a nonexclusive contract so we can have five people up there if we vote to do it, but she has not seen that contract and she can't help it. Mayor Sykes asked what else do I need to do? Town Attorney George stated go to the next person who wants to speak. Mayor Sykes asked if anyone else needed to speak before the motion is made.

Susan Myers spoke up and said I have signed contract here signed by you. Mayor Sykes said I think and to me and certainly this is just me, I'm not council I don't have a vote, but it is kind of unfair to give us a contract tonight to look at and vote on tonight. Susan Myers said here is a contract that Carol Sykes signed with Open Broadband and yes it has a 60 day which the town approved according to their minutes. However, it rolls over into a 5 year initial term which the town council did not approve at the meeting and Carol you signed it right here. Mayor Sykes stated we did not sign a 5 year contract, we signed a 60 day trial agreement and that is what we signed. If everything works right and everything is doing right, then we can extend it and make it a 5 year contract or we cannot make it one but we have signed a legal 60 day trial agreement and I would certainly hate to see this council renege on it. Commissioner Hill made a motion that the town provide notice of intent not to renew any lease with Open Broadband, LCC (LLC) so that the document proposed at the last meeting shall not become a 5 year lease term. As a part of this motion I want to point out that my motion is that the notice of intent not to renew shall be made to Open Broadband not less than 30 days prior to this expiration of trial term. Mayor Sykes said may I ask does everybody understand the motion. George said no, you need to ask for a second. Mayor Sykes asked is there a second on this motion. Commissioner Murphy seconded the motion. Mayor Sykes said all in favor of the motion say "Aye". George said no, you ask for discussion from the board. Mayor Sykes asked the board if there was any more discussion from them. She said all in favor of the motion say "Aye" and Commissioner Hill and Commissioner Murphy said "Aye". Commissioner Quinn did not vote due to recusing himself earlier. Mayor Sykes stated I am sorry but I am disappointed in our board, I am disappointed in our board.

The next item on the agenda was Broadband Contract with Eastern Carolina Broadband (formerly Pink Hill Broadband) – Al Rachide. Mr. Rachide said I come before you as a managing partner of Eastern Carolina Broadband, LLC. We are a fully licensed, fully registered, IRS recognized company. We have presented to the town attorney for review and we believe that the town council has a full working copy of our proposed contract and we present that contract to you for consideration tonight. Mayor Sykes asked if there were any questions for the audience. She said let me make this clear, just a minute please, you and I did not get a copy of the contract. Kim replied I did not receive an email. Commissioner Hill said we have not got a copy of this contract. Mayor Sykes said well how can we vote on something and I haven't even seen the contract. Commissioner Hill said well we have got to get it and look at it. Mayor Sykes said but now you have already voted on it. Commissioner Hill replied no we didn't vote on that. George Jenkins said you can vote to table this issue. Mayor Sykes asked vote to table this issue. George replied yes. Commissioner Hill made a motion to table this issue until the next meeting. Mayor Sykes stated I'm sorry y'all for my attitude. George asked did Penny seconded it? Mayor Sykes asked Penny and Commissioner Murphy seconded the motion. Mayor Sykes asked if there was any discussion. George said no, you can't discuss a motion that is tabled. Mayor Sykes stated she doesn't know her Robert's Rules of Order and she needs to go get lessons from Dr. Hunt at LCC. Mayor Sykes asked where are we now and George replied you vote on the motion to table it. Mayor Sykes said she didn't think you voted on a motion to table it. George replied yes, vote. Mayor Sykes asked for all in favor to say "Aye". Commissioner Hill and Commissioner Murphy voted aye and Commissioner Quinn did not vote because he recused himself earlier.

Update on Broadband – Alan Fitzpatrick was next on the agenda. Mayor Sykes told Kent Winrich it was good to see him again. Mr. Fitzpatrick thanked the board for having them again. He stated he was here a couple of months ago talking about broadband. My name is Alan Fitzpatrick and I am from Waxhaw North Carolina. I am one of the founders and CEO of Open Broadband. We are an ISP, internet service provider, and we bring high speed internet to underserved communities that just don't have high speed internet. So we were very excited about the Town of Pink Hill wanting to extend broadband internet, so we were very excited when the town agreed to do a 60 day trial with us. I guess we are little disappointed with the current state of affairs. If the agreement is still a nonexclusive agreement, then any carrier could do the same thing I guess we would still be interested in doing something like that. As an internet service provider we had arranged a permanent fiber circuit to be brought into Pink Hill to provide internet service to the whole community. We have also reached an agreement with a local land owner to add an additional tower where we need it to expand our service. We have a 7/24 customer support center based in North Carolina which means any customer of ours, whenever you have an issue you call, would speak to somebody in North Carolina. We will have that call center in place. We are also working with Wayne County. They issued an RFI for broadband for the whole county. We just got the information to Jones County and we are working on bringing out broadband there. On Friday we were in Tabor City in Columbus County. So we are looking to bring broadband to a wide area of eastern North Carolina. So we would very much like to work with the town. We are a little disappointed that we might not have the opportunity but we would hope that the town would agree to work with us.

Mr. Fitzpatrick asked if there were any questions. Carolyn Whitfield said she didn't understand his disappointment. She said because they tabled you are disappointed? George said it was a contract with Eastern Carolina Broadband. Carolyn asked Mr. Fitzpatrick how does that affect you? Mr. Fitzpatrick said yeah, I am a little puzzled on how it does. He stated he is with Open Broadband and we have a signed legal contract with the town. Our only interest is being an internet service provider and that is all that we do. So when the town signed a legally binding document with us to come in and do this proof of concept, we were excited about working with the town. He said so the previous vote here which basically cancelled our contract. We are disappointed because we wanted to work with you. Mayor Sykes said but you still have the 60 day contract. Mr. Fitzpatrick said yeah, but I don't know what this new contract looks like either. Is it exclusive or is it nonexclusive. If it is nonexclusive, maybe we can still help. If it is exclusive with somebody else, then we can't help you. Mayor Sykes said I don't know and the board I am hoping, I don't know I haven't seen one, I can't tell you. The board will review it I guess. George said the board will decide whether to enter into that contract. Mayor Sykes stated the one we or I haven't seen. George replied right, they have to agree before. Mr. Fitzpatrick said just to let you know the background work that Open Broadband has done. We have already laid out all the equipment that is going to be used for the pilot program. We have already made the connections with the distributors. We have already spec'd out all the equipment. We have already got the fiber circuit for the town. Susan Myers spoke up and said and we paid you good money for that. Mayor Sykes stated please if you have got something to say come up here and say it. George said let him finish and then Mayor Sykes said after he finishes anyone can ask a question that wants to. Mr. Fitzpatrick just wanted to mention that we have put a lot of work into doing this and has others but we put a lot of work into being ready to implement the contract. So

we are kind of disappointed that we can't go forward if it is going to be cancelled. Mr. Fitzpatrick asked if there were any more questions for him. He thanked the board for the opportunity to be here. Mayor Sykes thanked him for coming. Mayor Sykes said they would take questions from the audience now. There were no more questions.

The next item on the agenda was Pink Hill Business Alliance update – Cierra Dunham and Marie White. Mayor Sykes said she understands that they had a very successful reverse drawing. Marie White introduced herself and Cierra Dunham and said they were here representing the Pink Hill Business Alliance. Our organization has less than 20 members right now but we are continuing to grow. We had a fundraiser just a few weeks back and we raised almost \$5,000 so if you gave us any money at all, thank you so much. We have come up with a flag design and Cierra has it here. This is what we designed and we are planning to purchase 40 flags for the town and the hardware to go along with it. She said right now that is going to cost them about \$3,000. Marie said one question they do have is about the installation of these flags. She said if they provide some sort of bucket truck or something, can our town people help us to install them. Cierra said she knows the last flags that they put up she thinks they used Sam Baker's bucket truck and the guys put them up. Kim said it was, and she spoke with Timmy when you asked me about that, a little unsafe and that is why we get Mr. Gene Lupton to put the Christmas lights up so we would be able to get him probably to do this. Maria asked could the town do that. Kim stated she would check and see. Kim asked are you talking about paying for it too? Maria replied yes. Cierra said that is why we didn't know if we provided the truck if the guys that work for the town would put them up since they did them before. Kim said well our guys didn't put them up, Mr. Lupton put them up. Cierra said no, the old flags that they did. Commissioner Hill said yes, the old flags they did. He said we used Sam's truck but the truck is not safe. Cierra said if we provided a bucket truck and Marie said like if we rented one from the rental U-Save trucks. Commissioner Hill said we would have to do it on their schedule and that is the problem with renting a truck and them being busy. Cierra said well we would schedule the truck around their schedule. Commissioner Hill said that is the problem because they have emergencies and I don't know if they would be able to handle the job. Phillip said it is the wrong time of the year for us. Commissioner Hill said yes, summertime is a bad time. Kim asked when are you wanting to put them up. Cierra said well we were hoping they would be up before the Rosefest. Phillip said that is where Mr. Gene Lupton would be good. Commissioner Hill said you probably be just as well to hire him to do it. Cierra asked how much is that going to cost. Commissioner Hill replied I don't know but we can find out. Kim said she could find out. Phillip said if he is not mistaken it is \$60 an hour. Kim said she would find out. Cierra said it is 40 flags and to find out how much it would cost for him to do that. Marie said the hardest thing is going to be installing the hardware this first time. Cierra said after that it would be just replacing the flags. Mayor Sykes said she thinks the new flags are really pretty and thank you all. Commissioner Hill said the boys when they are not doing anything they can help Mr. Lupton to help speed it up, but this time of the year they are cutting grass and they are busy. Cierra said we do want to invite any other businesses to come join us. Marie said our next meeting is going to be April 27, 2017 at 6:00 p.m. at Two Dogs. We are going to have Loretta Byrd who is the President of the Benson Chamber of Commerce to come and tell us a little bit about small towns and what they do to boost up their town and make their businesses prosper. Mayor Sykes thanked them for coming and what they are doing.

The next item on the agenda was RoseFest/Approval of beer and wine garden – Susan Myers. Susan handed out some flyers to the board. She said in your packets you should have a map of the beer and wine garden. It is going to be twice as big as it was last year. It will be roped off with controlled entrances. In fact it is going to be roped off and will have a fence around it. She said when she was here the last time we forgot to go over the exact location of that. It will be in front of half the stage but not in front of the other half of the stage. She said so if people don't want to drink, they can be in front of the stage. Susan asked if anyone had any questions. Kim said I know April had talked to me and I don't know that the board knows, but basically what the RoseFest needs, because of the state, is the board to give approval of the location where the beer and wine garden is going to be, the date and the time. She said because she has got to do it letterhead and to type up the motion to give it to April and Susan so they can send an application into the state to be able to sell beer and wine at the festival. Susan said the wine and beer garden is going to be open the entire time because Duplin Winery is going to be there giving away samples. We will have someone there the whole time but we really don't expect the people to start buying beer until 4 or 5 o'clock but it will all be set up and manned right at 10 o'clock. Commissioner Hill asked so they have to stay within that area while drinking. Susan replied yes, they have to stay within that area which is difficult because once they get into the Tiny House Festival they are blocked off and they have got the whole area but since we are a street festival we are not blocked off so we have to have a caged area. Commissioner Murphy asked who would be doing the beer. Susan said the beer is Coastal Beverage and they are bringing a beer wagon. No fancy beer this time, we are just going to have beer everybody likes. Mayor Sykes asked Susan how many vendors do you have for the RoseFest? Susan said we are sold out of food vendors, we have ten food vendors. Mayor Sykes asked are they local here. Susan replied some are local and some are not. She said most of them are food trucks and the Department of Health in Kinston has approved all of them and they are very strict on who comes. We have 25 vendors plus 10 food vendors. We have room for about 6 or 7 more vendors. We are hoping to fill it up. Susan said in the beer garden there will be cans only. We will know who has the beer so if they go out of the caged area, we will be able to see who they are. Susan said she has talked with Joey and they are going to have two police officers starting at 9 in the morning and then starting at 5:00 p.m. we will have five police officers. Commissioner Hill asked George has the one for the Tiny House Festival already been approved or do I need to put it in the motion too. George replied no, you need to do a motion for the RoseFest and it needs to be separate from the Tiny House. Mayor Sykes said okay I need a motion for the RoseFest. Commissioner Hill said I make a motion to approve the beer area on Central Avenue for May 20, 2017 from 10:00 a.m. to 10:00 p.m. for the RoseFest. Commissioner Quinn seconded the motion and it carried unanimously. Mayor Sykes asked if there was any discussion if not, all in favor say "Aye" and everyone said "Aye".

The Tiny House Festival reminder was next on the agenda. Mayor Sykes said the Tiny House Festival is April 21<sup>st</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> of this month.

The next item on the agenda was Creek on Lynwood Avenue – Carolyn Whitfield. Carolyn said this is just a personal thing for myself but I feel like it might affect our town and with all the talk about wanting to make improvements in our town and we need to do this, I just got to say this, I know it is not on the agenda but I don't care, I think we have a great little town here and I took a

drive from Food Lion all the way through town. Y'all we have one empty store front in this town, one that I could find. Now y'all can correct me but I think we are doing pretty good.

Carolyn said but when she was riding around, and it has bothered her for a while and there may not be an answer for it, but the creek that goes under Lynwood Avenue which is about four blocks long is so backed up. Now the creek is going when it goes behind your house and it is going when it goes under Highway 11 but there is like a pond on both sides plus the whole sewer system on Jerry and Albert Smith side is under water. The lines and all are just standing under water. It just doesn't look healthy and I don't know if it can be fixed but I would love for it to be looked into. Commissioner Hill said he rode by there yesterday and on the right hand side there where that sewer line comes across is it that vegetation that has all that water backed up in there. Phillip said it is from the last hurricane we had, I think it pretty much devastated what was in the woods and it has filled up the creek. He said the creek has actual changed course. Phillip said the core of engineers will be the people to say yea or nay, what you can do with it. Commissioner Hill said the core would have to come in and look at it to say what we can and can't do. Phillip replied yes and that has been talked about. Commissioner Hill said we would get Timmy to get in contact with the core.

The next item on the agenda was Vacant Lot Care & who is responsible – Carolyn Whitfield. Carolyn said and also on my drive around Pink Hill I think in our efforts to improve our town and make this the wonderful place that we all know it is that we need to all be very vigilant, and I don't know what the town's responsibility comes with this, in vacant lots being kept up and not allow to just grow into forest. She said I know when the grass on our lot beside Bill Turner's house gets high, we get a phone call that we need to mow our grass. I think there are some other people that need to take personal responsibility if not, I think the town should have a course of action to make them. She said we have some green areas in town that could be very inviting as you come around through our town. They are inviting and look nice and people say oh what a nice little town and it doesn't look that way right now. She said she is not going to call any names but I think people should do that. Mayor Sykes said she appreciated her comments and she agreed but we cannot, the town, take care of everybody's vacant lot and I know you are not saying that. She said but we have been to the people, I know the people you are talking about because I ride this town at night too, and I don't know what to do. You ask them to do it and if they don't do it what is a suggestion. Carolyn said you cut it and charge them. Mayor Sykes said okay what if they don't pay you. Carolyn said you add it to their taxes. Mayor Sykes said what if they don't pay their taxes. Carolyn said I am not on the town board and that is why I don't have to worry about it. Mayor Sykes said I know it is a pain I know it is, and I know it looks ugly but we have fought this dog a long time. Carolyn said she is not asking for justification, I just made a suggestion. Mayor Sykes said we have not overlooked it I promise you. Carolyn said okay.

Police Updates was next on the agenda. Chief Thigpen said how are y'all doing tonight? Chief Thigpen said since the last board meeting on March 14, 2017 we have had a total of 4 reported incidents, 2 arrest, 2 accidents, issued 18 citations, and 16 warning citations. He said he would like to say he is proud of Pink Hill too. We do the best we can as a police department. There is only two or three of us so we do what we can to try to help the town. We here when we can be and I know there are certain times when we are not here but when you have two or three people,

you got to do the best you can. Chief Thigpen said if anybody has any questions pertaining to police business, he would be happy to answer or anything you would like to ask.

The next item on the agenda is the Fire Department Report. Fire Chief Heath since our last board meeting we have had a total of 32 calls, 17 EMS calls, 2 structure fires, 1 brush fire, 2 service calls, 6 fire alarms, 3 vehicle accidents, and 1 vehicle fire. He said they have had a relatively busy month at basically one call a day for the past 30 days. Commissioner Hill asked Tony if they had heard any news about their grant yet. Fire Chief Heath said they have applied for them but we will not hear nothing back from the state until May 15, 2017. Mayor Sykes said thank you.

The next item on the agenda was Water/Sewer Report. Kim stated that Timmy is on vacation and that is why he is not here tonight. The project on Front Street, just to let the board know, with RB Group is going to start on Monday, April 17, 2017. Commissioner Hill said so anybody that needs to get on Front Street that week it will probably be closed by the creek there. He said they will have to pull that tile out and replace it. Carolyn Whitfield asked did you say Front Street? Kim replied yes ma'am. Al Rachide asked what part of Front Street? Commissioner Hill said North Front Street just across 11.

Mayor Sykes stated George is next to give us an update on the B.F. Grady sewer contract, another contract that hasn't gone like we thought it would, but anyway. George stated we were asked and Mayor Sykes asked him to please go to the microphone. George said okay. George said we were asked to provide wastewater treatment for the improvements and expansion at B.F. Grady School. We drafted an interlocal agreement which is a form of a contract between two governmental bodies, between the county of Duplin and the Town of Pink Hill. We sent it to them. They have sent it back with three or four revisions that matter. Those came in late last week and didn't get on the agenda for this meeting. The main two objections that I have to their proposal is first that we put in a provision that Duplin County would pay the same rate as an out of town customer that we charge to the schools at Moss Hill, Pink Hill, and Deep Run and we didn't think that B.F. Grady should get a better rate than we charge the people in our own county. George said that was in there and they have an objection to it and we will bring that before the board at the next meeting. The other thing that they have asked is that if there is any dispute, they want the case to be heard in a Duplin County court instead of a Lenoir County court and again that is something that will come before the board at the next meeting. George said in both cases he recommended against either of those. The other changes that they suggested were just wording changes and so minor as not to really matter to the document.

George said the other thing is the property at 101 East Broadway Street. He said that is the property that used to be Jones Chevrolet and then later H.J. Chevrolet. That property was demolished by the town and the town now has a lien on that property for the cost of demolition and the cost of the survey to set the eastern line the line nearest Jones Furniture. George said we have a right now to enforce that lien in two ways. The first way is to have the county add it to the property tax bill for that piece of property. The second way is to sue the property owner for the cost of demolition. As has been brought before this board before, the complicating factors are first that the county property taxes haven't been paid for at least 2 years so this would just add it to the 2017 bill. More concerning complications is that the Internal Revenue Service and

North Carolina Department of Revenue have tax liens on that property that go ahead of everybody else but we can negotiate with them and if we can get a buyer for the property, sell the property, and hope that we can get a deal with the IRS and the Department of Revenue that they will credit anything over and above our costs that comes from the sale of the proceeds over and above what we are owed, credit against the income taxes and the IRS taxes. That is not unusual for the IRS to do or the Department of Revenue. George said so that is where we stand and where we are going on that. He asked if there were any questions on those. Mayor Sykes thanked George.

The next item on the agenda was to change the June 13<sup>th</sup> meeting date to June 14<sup>th</sup>. Commissioner Hill made a motion to change the June 13<sup>th</sup> meeting to June 14<sup>th</sup>. Commissioner Murphy seconded the motion and it carried unanimously.

The next item on the agenda was to set date and time for budget workshop FY 17-18, set date and time for budget presentation FY 17-18, set date and time for public hearing FY 17-18 budget, and set date and time for adoption of FY 17-18 budget. Mayor Sykes stated we are just setting dates and y'all are welcome to stay if you want. I mean that's what we will be doing right now and we are going to have to kind of talk about it. Mayor Sykes stated that she thinks Kim has some suggestions as the days that she would be more free to do it than other days. (People in audience started to get up and leave) Mayor Sykes said thank all of you for coming and asked everyone who hadn't signed the visitor sheet to please sign. Kim said we have got to have a budget workshop first and at the budget workshop that is where she basically has the numbers filled out and we go over it and if you want to make changes, we make changes. I am suggesting for that either May 22<sup>nd</sup>, 23<sup>rd</sup>, or 24<sup>th</sup>. She said that is a Monday, Tuesday and Wednesday. The board decided to meet on Wednesday, May 24, 2017 at 2:00 p.m. for the budget workshop. Kim said then we have to have a meeting where she presents the budget to you. She stated that means after we have our budget workshop and she makes all the changes or any changes that you wanted or needed done, the budget will be presented to you. And on that day after she presents it, she can't make any changes to it. Kim said she has to advertise for a public hearing and we have to have so many days of a waiting period so if people wanted to come to town hall they could look at it. Kim said so for that she is saying May 30<sup>th</sup> to present the budget which is the Tuesday after Memorial Day. The board decided to meet on Tuesday, May 30, 2017 at 8:30 a.m. Kim said after that happens she will have a statement ready to go to the newspaper that we are going to have a public hearing. She is suggesting that we have our public hearing on our June 14<sup>th</sup> meeting at 6:50 p.m. and that is how we did it last year. Kim said then we will adopt the budget at that regular meeting on June 14<sup>th</sup>. The board was good with all the dates and times.

The next item on the agenda was budget amendments if needed. There were no budget amendments at this time and only one transfer and you don't have to approve it.

The next item on the agenda was remarks by Town Attorney. There were no comments at this time.

Comments by the Board was next on the agenda. Kim said she had mentioned the fossil find which we called it the shark tooth find but she was corrected that it is called the fossil find. Yvonne Deatherage came by and informed me that the Greater Pink Hill Queen's Court are

working on the park. They have got a carpenter who is reinforcing the structure that is already there. The girls are going to go out and paint it this weekend. They are putting up two new seesaws and they have got the fossil dig going and ready. She just wanted Kim to update the board on it. Kim said they are going to do future projects out there as well.

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.