

November 1, 2016
7:00 P.M.

The Town of Pink Hill held its monthly board meeting on Tuesday, November 1, 2016 at 7:00 p.m. in the town hall board room. Present for the meeting were Mayor Carol Sykes, Commissioners Mike Hill and James Quinn, Town Attorney George Jenkins, Public Works Director Timmy Kennedy, Police Chief Joey Thigpen, Town Clerk Kimberly Mitchell, and Fire Chief Tony Heath.

Visitors present at the meeting were Randy Byrd, Susan Myers, Henry Guy, and Roger Dail, Director Lenoir County Emergency Services.

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 Hill then led everyone in the pledge of allegiance. Commissioner Quinn made a motion to amend the agenda to add the State Applicant Disaster Assistance Agreement and Resolution. Commissioner Hill seconded the motion and it carried unanimously. Commissioner Hill made a motion to approve the consent agenda with regular board meeting minutes from September 20, 2016. Commissioner Quinn seconded the motion and it carried unanimously. There was no monthly board meeting in October due to Hurricane Matthew.

Commissioner Quinn made a motion to approve the State Applicant Disaster Assistance Agreement and the Resolution Designation of Applicant's Agent to accept Kim as the primary agent and Timmy as the secondary agent for FEMA. Commissioner Hill seconded the motion and it carried unanimously.

The first item on the agenda was Roger Dail, Director Lenoir County Emergency Services to discuss Hurricane Matthew and FEMA. Mayor Sykes said she asked Roger to be here tonight to just kind of let us know what went on in the county and also to personally thank him from all of us for everything that they did during the storm. She stated that we do appreciate them doing it. Mr. Dail said thank you and first of all it was a team effort. He said there was a lot of people who did a lot of work. Roger said basically when we had the storm on Saturday night, October 8, 2016 right now some of the initial projections they have gotten in and around the county are anywhere from 12 to 15 inches of rain and that varied depending on where you were sitting in Lenoir County. He said there were probably over 200 rescues done that Saturday night and again that is county wide. It got bad enough that they actually quit dispatching. He said they put a firefighter, a medic, and a law enforcement officer in the COM Center and as 911 calls came in and were dispatched they were given to like law enforcement and they would prioritize that call. The firefighter and medic would do the same thing. Roger said they got a call on that Sunday morning from the Weather Service saying that they hated to have to call and tell us this but the first projection they gave us on that Sunday morning was that the river was going to 32 feet and they ended the conversation with "we wish you the best of luck". He said they went back and forth that day and what they ended up doing was he had a conference call with the state that afternoon because we ran maps to see what 32 feet was going to do, to see just how bad that would be. Roger said they automatically knew from historical that the water would divide the county in half and we knew that was going to happen. So we know that all the critical

infrastructures are mainly on the north side and so we realized that we had to put a critical infrastructure on the south side. Roger said that afternoon he had taken a notepad and had written about two or three pages of stuff that he knew that they were going to have to try to get. One was the field hospital that they ended up setting up and the other was trying to get fuel for down here because we didn't have any fuel. The third was getting some what we call ambulance strike teams in so that we could have some stations here and some stations over here and in various parts. We had to look at food and we had to look at obviously lodging all these people and also extra personnel. He said the bad thing about this was they had to get it done by Friday so it was a lot of work by a lot of people to make it happen. Roger said the river crest on Friday at 28.36 feet which is over Floyd which was 27.7 feet.

He said right now as we speak they have probably got somewhere around 167 homes that are what we call substantially damaged. Mayor Sykes asked how many businesses. Roger stated they didn't have a good number, but he could tell us that when they ran the initial projections everything in that flood plain that would have flooded at 28 feet, there were 176 businesses that had the potential to be flooded. He said he is not saying all of them flooded but there were 176 that had the potential. We are still trying to count the number of businesses that were flooded. We have had over 2,600 people to apply and register for FEMA already and that is to the tune of probably \$2.8 million that has already been paid out inside Lenoir County for FEMA stuff. Roger said Susan told him the other day that Disaster Food Stamps had done roughly somewhere over 3,000 disaster food stamps. He said he does not know what that number equates to as far as dollar figures that have come back into the community. Roger stated the shelter is shut down and it was shut down Sunday at lunchtime. We had nine people left in there but we were able to hustle up and get them into motels, some might be at the Holiday Inn Express and some might be in New Bern, in Greenville, or some might be in Jacksonville. He said when he talked with FEMA last Friday the official count was up to 107 motel rooms that we know Lenoir County residents are in and you figure about 3 to 5 people in a room. Roger stated those vouchers run out November 11, 2016 which means on November 12th unless FEMA extends the vouchers then everybody has to come out. Mayor Sykes asked so where are they going. Roger replied we don't know. He said if you remember after Floyd we set up that travel trailer park but that is not going to happen. Roger said actually he kind of wanted it this time but they said absolutely not, that would not happen. So then we hustled up and tried to figure out how much rental property we had and when I say county wide now I am talking Pink Hill, LaGrange, Kinston, and all the communities. Roger said when they pulled up the rental properties and called the realtors, it was only looking like about 44 properties that actually you would have to rent and those prices range anywhere from \$400 a month to like \$1,200 a month with an average somewhere around \$600 a month. Now the people that were flooded or had home damage they had the opportunity to get rental assistance but it is only for a short period of time. He said they are talking about maybe bringing in some mobile homes and setting them up on existing mobile home pads. Roger said there are a lot of different things that are being looked at right now with no answer to be honest with you. He said it is like he told somebody we are not a Chicago or a Los Angeles, our resources are limited and we don't have the housing market that you might would think we would have as far as other parts of the country. So that is being worked on as we speak. Roger said we only have two motels that are operational and that is West Park Inn and the Holiday Inn Express. He stated the West Park Inn was not participating in the FEMA vouchers and he doesn't know why.

Roger said right now Lenoir County and all the municipalities have been declared for what we call PA and IA. IA means individual assistance and that means you as an individual had damage. The first thing you have to do is register with FEMA and go from there. DRC – Disaster Recovery Center is located at 105 West Caswell Street which is in Kinston and is where everybody can go to register or to find out more about maybe benefits you might need or want or have. The PA side is what we call the public assistance and that is where you as the Town of Pink Hill or the County of Lenoir or the Town of LaGrange or the City of Kinston can start getting your funds back. There was a meeting yesterday called an Applicant's Briefing and Kim was there and what they asked every jurisdiction to do is decide who your primary point of contact was and who your secondary point of contact was and that is what you did. Roger said they did ask that it be on some type of resolution that you as the town has to send back so that they will know who to go to. Basically what this person is going to do is ensure that all the money you spent and all the receipts are accounted for and then when you've got your project worksheets, when that money starts coming in you will get that money back and it is going to whatever project worksheet it is supposed to go to. Roger said that Kim is going to do it for the fire department as well because the fire department is a part of the town. He said he just briefly talked to the Fire Chief Tony Heath about some of the things he needs to look at. Roger stated he probably needs to talk a little bit more in depth. He told Kim that she has a website that the Fire Chief can go to, to pull out his equipment, usage, and all that kind of stuff. He said we need to make sure that is captured. If you had any damage to your infrastructure, what needs to happen there is you can get that filed or get it fixed. If you have insurance, then you have to do your insurance first and then anything thereafter like your deductible you get back.

Roger said I don't know if the town has any projects down here that need to be done but you have got something called large projects and something called small projects. He said let's say you have a small project which is anything less than \$123,100 and a large project is anything more than \$123,100. Roger said for example let's say that you had a lift station to flood and you need to try to elevate it or try to move it or something like that. That might be a large project and then you would have to submit it to try and get approval and they would pay for that kind of stuff. He said we need to look at whatever we would have there. Roger said they have been asked for the last week or two if there is going to be a buyout. He said the answer to that is he can tell us right now is there is no buyout and there is no elevation project. We think there is going to be one and we have started collecting some information just on the off chance that there is one to kind of get us a head of the game a little bit. Mayor Sykes asked when you say buyout or elevation do you mean buying out what was flooded. Roger said it is where they would actually go and buy out that home that had flooded or it may be in this case elevate too. It just depends because if we were in Florida they wouldn't allow us to elevate. We did get money for elevation but everything was acquisition and location. He said between the County of Lenoir and at that time the City of Kinston they bought out over 800 homes and just completely moved people out of those places. He said the fire departments had a field day with fire training because they got a chance to burn all those homes down for fire training. Roger said here in Pink Hill if you would have a flood plain and I don't think you do, therefore probably nobody would be eligible here for any type of buyout just like in LaGrange because there is no flood plain. Mayor Sykes replied we don't. He said when you get this money from FEMA and everybody

says well FEMA bought me out, no that is not really true. FEMA didn't buy you out. It was either the city or the county that bought you out, but that was grant money that the county signed for or the city signed for and there were restrictions on that grant money and part of those restrictions are (1) your home had to be substantially damaged and (2) you had to live in the flood plain and it was a voluntary thing. It was not where we had come to you and told you that we were going to make you sell your house. It didn't work that way. Roger said so that is where we are at, and a long way to go. We will get there and we are going to be fine.

He stated I do know that there have been a couple of questions about the food POD's (Points of Distribution) and about a curfew and emergency declarations. Roger said all that kind of stuff is just satisfying general statute requirements and we can talk about that at a later time. Mayor Sykes said she just wanted to say that we did have food and Roger replied we did. He said the thing about the POD's that we need to remember is that they cannot compete with commerce. It is not allowed for them to compete with commerce. Mayor Sykes stated she thinks that is where it got all confused and people blamed her. Roger said he cannot arbitrarily come in here and open a POD up. If a resident has to drive 20 miles to a grocery store, then they have to drive 20 miles to a grocery store but if they get to a grocery store they had to go buy it. You can't compete with that commerce so we did not open any anywhere. We had them set up to open one in LaGrange, one in Kinston, and one down here and one somewhere else and we have already got those areas predefined because we have already got standard agreements with these places to do it. We have already got the equipment to do that but again when we found out that there was food here, even though we were cut off, we cannot set those POD's up. The law will not allow it. So as long as there is commerce, you have to go to that commerce. Commissioner Hill thanked Roger for clarifying that because the town got blamed for turning that food away. Roger said the Town of Pink Hill had nothing to do with that. Mayor Sykes said actually she was blamed for it but that is neither here nor there but she knew that they had done what they were supposed to do. Roger said he can tell us in the opening meeting right now that there is nothing that the Town of Pink Hill did or didn't do that stopped those POD's because as soon as they found out there was commerce, we took that order out. Mayor Sykes said she was actually on the phone with Samuel at Emergency Management Services whenever the food truck came and he was asking and they said no you can't do it. Roger said you cannot do it, it is not allowed. He said but they had them on standby just in case.

Mayor Sykes said there is a place here in town behind Byrd's Café where the water washed that street out and she is assuming it is because of the storm that it happened. It is not our property but private property and we will discuss that in a minute. She said assuming it is private property what do the private property owners have to do to get it fixed if it is a FEMA project. Roger asked have they filed with FEMA. Mayor Sykes said she doubted it. Roger said they need to first register with FEMA at the Caswell Street place and then it depends on how they are set up, whether they are going to be IA or if it is a business then it would probably fall under SBA (Small Business Association) which is basically like going through a loan to get it but it depends on how they are set up. He said but they have got to start there. Roger said if it is a private street you as the town can go fix it out of the kindness of your heart that is fine, but to get reimbursed is not going to happen. Mayor Sykes stated as far as she knows it is not the towns and we are going to address that shortly. It never has been declared the towns as long as she has been here. It has always been a bone of contention but it has never been declared. Roger said he

can tell us if we try to do it under the town, let's say you found something that said you could, you would have to have the record to prove it. Mayor Sykes told Roger that we appreciate him. She also said that she appreciated their guys here in town. They did a super super job, our police department did, and our town hall girls did. It was a community effort and we appreciate you so much. Roger said on the south side of the county you had more infrastructure damage than anybody did with roads washed out and trees down. He said from Skinners Bypass back this way from Wayne County back into Duplin, there was more damage to roads and trees and powerlines than there was anywhere. Roger said what they wound up doing was setting up a north side command and a south side command and all that was just trying to cut down our chain of command, not having to deal with 40 to 100 people but just a select few. He said I can tell you right now that our fire departments as always, they always do, but our fire departments and our law enforcement are always the first line of defense and always come through for us. Roger said he couldn't be more proud or as honored to work with a group of people like we had because they have been fantastic.

Mayor Sykes asked Roger what if a great big tree has blown down in my yard, it didn't but if it did, and she had to hire someone would she get assistance for that? Roger replied sure but you would have to register and always check with your insurance first because they are going to go with the first payer. He said just say that same tree fell on your house and let's say it did \$50,000 worth of damage to your house, so when you go to file your insurance FEMA is going to ask you if you filed this on your insurance and if you say yes, then you are going to have to show FEMA how much your insurance company paid. Kim asked Roger if she had any questions could she call Martha or Tracey to assist her. Roger said yes or get up with him. Commissioner Hill said he wanted to thank Roger Dail and always our Fire Department does a good job and our Police Department does a good job but there is always one bunch of people left out and that is Timmy and his public works guys. Commissioner Hill said that he appreciates everybody and what everybody did. Mayor Sykes said and she didn't want to leave our Town Hall girls out. She said it is amazing how communities come together in a disaster and she appreciates all the help. Mayor Sykes told Roger Dail that she really appreciated him coming tonight. Mayor Sykes asked if we would have a FEMA representative. Roger said typically yes, what will happen this time is you will have a FEMA rep and there will probably be one or two people with the state and they will come in and they will start sitting down with Kim and start going over all the paperwork, seeing what you have got, adding stuff up, getting help doing the project worksheets, and then you get that file and you sit back and wait for your money to come in. It is not for you to make money on but to get you whole again and that is what it is for. Mayor Sykes thanked Roger again for coming.

The next item on the agenda was Henry Guy to discuss Debbie Street. Mayor Sykes said we are discussing the street that somebody owns and the town does not own and it has always been the contention that someone wouldn't give a right of way for it, and so we couldn't do anything about it and so Henry is here and our attorney is here. She said the street we are talking about is behind Byrd's Café and it is washed out and it is a dangerous place and somebody needs to pay attention to it whoever it might be. Mayor Sykes told Henry Guy that she appreciated him coming. Mr. Guy said first all he wanted to thank the board for allowing him to attend the meeting tonight and to present them with some information that may be of some help in reference to this street. He presented a map that was drawn by W. Shaw RLS on November 25,

1964 and his Registration Number is L662. Mr. Guy said he has two extra copies and he would like to share one with the board and one with the attorney. He said if you will notice this property was subdivided back in 1964 and at that time it was surveyed and was broken down into lots. This is over in the Glen Mitchell area, behind Byrd's Café, and Charlie Bucks. The property was subdivided into those lots. At that time the property also was drawn to allow a 30.18 foot easement between Davis Street and where he has his trailer park and they named it Debbie Street. This is what's drawn by a surveyor and it was filed with the Register of Deeds and it is available in their records and that is where I got this map. Based on that it is my contention that there was intention of the Debbie/Davis Estate establishing this as a street for the Town of Pink Hill. On that street and within this 30 foot easement is a terrible washout. He said the sewer lines and the water lines belong to the town, the town installed those. Also is a line for a fire hydrant down there. The water meters and stuff are on his property line and Monroe Thompson's property line and then back towards Davis Street is where the water lines, sewer lines, and fire hydrant lines run. If you look up that property nobody on that inside of Debbie Street own any part of Debbie Street, in fact they don't even have a right of way. Their property abuts the street but they own no part of that street. Mr. Guy said I guess if you went back it would still belong to the Debbie/Davis estate and he does not know if any of those people are still living. He said then it comes down to who is responsible for that.

Mayor Sykes asked if the street was ever recorded and was it a dedicated street. Mr. Guy said the only thing he could tell her was that it was surveyed out by this surveyor in 1964 and this map actually came out of the Register of Deeds office. It was filed with the Register of Deeds. Mayor Sykes asked George don't you have to dedicate the street to the Town of Pink Hill for it to be a Town of Pink Hill Street and the town has to accept it? George said it looks like the surveyor drew it in here but that really doesn't mean anything. He said the surveyor can't dedicate the street and he can't declare it a street. George said all the surveyor can do is draw it. He said one thing Mr. Guy said was absolutely right, it appears that this belonged to the Debbie/Davis Estate or its successors whomever they might be and not to the Town of Pink Hill. George asked if this street was on the Powell Map. Mayor Sykes replied no and never has been. George said if the owners haven't dedicated it and the town hasn't accepted it, then it is not a dedicated street and the town can't spend any money on it. Mr. Guy stated if it is not a town dedicated street but it has the town's water lines, sewer lines, and fire hydrant lines that are exposed and a hazard to anybody traveling down that street. He said we are talking about a hole that is waist deep and a foot or two below are those lines. Mr. Guy asked who was going to be responsible for those lines if they burst or break. He said now keep in mind that in the trailer park are three trailers with three spaces. There is the Leon house that is attached to that line as well as Monroe Thompson's house, and Glen Mitchell's house and his business and I think at one time there were two more mobile homes. He said these businesses pay tax just like everybody else and even with the trailer park it is even valued by lot rather than just the property itself. George said just because they pay taxes does not mean that they are entitled to have this street dedicated to the town and the town maintain it. There are people who own what are called land lot parcels who pay taxes as well and they don't have the right to have the town cut a street through their parcel. That is not what the law requires. Mr. Guy asked what the Town of Pink Hill would need to receive that street and be dedicated to the town. George said for one thing and he cannot speak for the commission, I would say that it probably has to come up to DOT standards and it has to be offered to the town and then the town has to decide whether or not to

take it. Commissioner Hill said Mr. Dail said they could apply for FEMA as an individual but who would apply for it. George said the owner of the property. Mr. Guy said he went and FEMA told him that there was no money for that but it could possibly be a loan. He said he was not going to get a loan for that.

Mayor Sykes said as far as the town it has the right of way to run our lines. George said that would have been done long ago and that doesn't make it a street. He said the last project we did very little of those lines are along or under streets, they are on private property. Timmy said the old water line is out of the street but the old sewer line is right in the middle of that street. George said the water project that we did a year or two ago most of that is out of the street. Timmy stated the line that Mr. Guy is talking about that is exposed does not have water in it but it is exposed. Mr. Guy asked where the water is coming from if there is no pressure on that line. Timmy said it is just that a new line was put there when that hydrant was put there. Mr. Guy asked did that run over to the water meters. Timmy replied yes sir. Mr. Guy said there is one more thing that he can add to this. He state when he bought that property he was given a 30 foot easement on that street but let me tell I don't know that I have an obligation because I have an easement. George said an easement is the right to use it and Mr. Guy replied that's right it is a right to use it. Mr. Guy stated what this boils down to is none of these people who joined that street even has access, they have no easement whatsoever. Their deeds accept the easement so what we have got there is a piece of property that probably most of the relatives are deceased. These folks don't have an easement to that street so they don't own that street. George said you said that they own it with an exception of the easement. Mr. Guy said they own the property that adjoins the easement. George said without seeing the deed I can't tell if they have got any right to use it. He said whether they have easements to it or not, they may have what is called a prescriptive easement if they have been using it as if they had a right for the last 20 years, the law provides that they have an easement by prescription so that they do have a right to go across it and the heirs of Debbie/Davis can't then block that road.

George said let's say that somebody that lives at the back of it decides that they want to borrow money. The bank, whomever it is, is going to say they want a road maintenance agreement for Debbie Street and the owners of the properties all along that street would be called upon to join in that road maintenance agreement and to proportionally pay for maintaining the road. George said there are a number of developments in Lenoir County to have road maintenance agreements. He stated that he done one not too long ago in a county in the western part of the state where there is a 5 mile road and there are two people on the state road end of it and one person 5 miles up the road and they had to proportionally agree to maintain that road. It happens all the time. Mr. Guy said let me tell you what my position is, I don't have to use the road because I have got access from the highway and so I am not going to go in there and fix the road. He said basically what he is going to do is leave it alone and he doesn't feel comfortable to go in there and fill the street or put stuff in the hole where the water lines and sewer lines are because if he were to damage those, then who is going to repair those. Mayor Sykes asked Timmy if there were sewer lines in the road. Timmy said pretty much the center of the road. Mr. Guy said now since the town owes those water lines and sewer lines and when they put them in they required an easement and they accepted this 30 foot easement to install those water lines and the sewer lines. Mayor Sykes said that did not cause the hole. Mr. Guy said no, the flood caused the hole. Mayor Sykes said there has been problems back there for a long time. Mr. Guy said this is the

first time we have ever had this to happen. George told Mr. Guy that he would tell him in his opinion that the fact that the town has an easement to put a sewer line in there does not create an obligation for the town to take possession and maintenance obligations for the road. George said he thinks he is on strong legal footing telling him that and advising his client of that. Mr. Guy stated he was asked to present the case and he presented it and if y'all don't want to do anything about it, then I guess we will leave the cones out there because I don't have to use the street myself because I have got access. Mayor Sykes said it is not our problem really but is it just for his sake would it be a liability to him if a child would get in that hole. Randy Byrd said if one of them trailer houses catches on fire back there how are we going to get to them. Mayor Sykes stated you are not, you can't get to it and the rescue can't get to it. Randy asked Mr. Guy in your trailer park how are we going to get in the trailer park. Mr. Guy said you are going to come through by Byrd's Restaurant right down through there. Mayor Sykes said you can't do it. Commissioner Hill said yes you can get in there. Mr. Guy stated the trash truck comes in there that way. He said he would think if the trash truck can come in there then the fire truck could. Mayor Sykes said she does not see where it is the town's liability or problem.

George said he was going to advise Mayor Sykes that he doesn't think that they can spend public dollars on it because it is not public property whether you want to or not, he doesn't think you are allowed to do it. Mayor Sykes said if it was our street and it was on the Powell Map, then yes but it isn't. Kim said we cannot use any Powell Fund because that is state money and we are not allowed to use any of that state money on nothing but Powell Fund streets which are streets that are on our map. She said if she was to use Powell Fund to help fix that road, when I do my report and the state sees that street then the town is going to have to pay the state back for that money that was used. Mr. Guy then asked what step did he need to initiate now to get the town to accept that street. Mayor Sykes stated he would have to fix the street first because we are not going to accept it like this she promises him that. Mr. Guy asked what do I have to do to fix it because basically what we have got is a hole there and a half a dump truck full of dirt will fill the hole but I don't know if that fixes it to your satisfaction. He said we need something to work on and he is going to take this to Glen Mitchell and Monroe Thompson and to Charlie's family.

Commissioner Hill said there was another street that was dedicated to us and it was brought up to a state code as a dirt road and dedicated to us and put on the Powell Map. Mayor Sykes said the street has to be 16 feet wide and it's got to have proper drainage and the 30 foot right of way. George said he has got the width and that is not a problem. Mayor Sykes said but it still has to be brought up to state code of roads. Commissioner Hill said the last one they did was out at the pharmacy but it was already graded and in fact the guy when he came out there to pave it, sat right there and knocked \$4,000 off the price of paving it because it was already graded out and he didn't have nothing to do to it. Kim told Mr. Guy that he could probably contact Lynn White with DOT in Kinston and have him come and look at it. She said let them let you know what it would take for it to be DOT. Kim told Mr. Guy that she has Lynn's name and number if he would like for her to give it to him. She told Mr. Guy to call her tomorrow and that she would be glad to give it to him. Mayor Sykes said she hoped that they will agree to do it because it needs doing, it just really needs it. Mr. Guy stated it does and that is why he brought it to the meeting. She said it would increase the value of the property to do it. Mr. Guy said that this has been used as a street so to speak since 1965 and he owned the properties since 1972. He said the path has not been that bad but it washed out through his trailer park about 2 feet deep, 6 feet wide, and

about 150 feet long. He stated he knows that he has got to fix that. Mayor Sykes said she noticed that it came around at your house too in front of the Jenkins' man's house or something washed it out, did you notice that. Mr. Guy stated yes, it came down through my trailer park and then down that street. Mayor Sykes told Mr. Guy that they appreciated him coming.

The next item on the agenda was Susan Myers to discuss purchasing property. Susan stated she just wanted to open up the possibility of the town selling some properties. She said she is not in a big hurry but wanted to open the possibilities of the board thinking about it and seeing down the road. Susan handed out some information to the board to look at while she was talking. She stated what she was basically talking about was the old trailer park property (Miller's Trailer Park). Susan stated what they are looking at buying is the middle lot, the back of where the US Cellular Tower lot is, and the back of where the basketball court is. She asked the board to look at the map she gave them as she talked. Susan said the property back here, that wooded lot, is where we are interested in building houses. It would help to have this property too in addition to this property back here. It would give us an entrance there and making Pink Hill a walking community and give us a little bit more room to build the houses. She stated again they are not in a big hurry because it would have to be surveyed and an appraisal will need to be done. Susan said it is estimated that the town spends about \$2,000 a year to cut the grass over there.

Mayor Sykes told Susan that they got that property through a grant and so she doesn't know if the time has ran out where they could even think about selling it. Susan said if the time hasn't ran out, then she would be interested to know when it would run out. Susan stated it would give the town a little bit of money, it would save probably \$2,000 in mowing the grass, and it would also improve versatility. All of these properties in town now it is going to increase the tax revenues in Pink Hill. Susan asked the board didn't they purchase it about 15 year ago. Commissioner Hill said no it has not been that long. Kim replied no because they were doing the CDBG back in 2005 because she came on as clerk and it was right in the middle of the CDBG. George asked did the town buy it from the Miller Estate. Kim stated no, we bought it from Ronald Dunn (Dunn & Elmore). Susan said she accidentally met with the owner today, the guy who sold it to y'all Ronald Dunn and he said Mr. Elmore had died and it was D & E Rentals. She said if y'all can't sell it, then she would like to know when. She stated it was something for us to think about and talk about. She said they weren't in a big hurry now but starting to lay the ground work. Kim asked if part of it was where the cell phone tower was going to be. George stated it was east of the cell phone tower. Susan said they estimated that we need 100 feet or more and that is more than 100 feet around the cell phone tower. She said these are just estimates and we would have to have the exact amounts surveyed. Mayor Sykes stated she would like to suggest that we table this tonight and let us think about and put it on the agenda for next month and discuss it some more if the board desires to. Commissioner Hill asked Susan if she owned the property behind the wooded area. Susan showed on the map what she owned. She stated they can build houses there but the reason she would like to have this piece of property is because she wants to build a walking community where everything centers towards downtown. Commissioner Hill said he is kind of like Mayor Sykes that he would like to look at the properties and think about it. George stated that he did find the deeds and it was deeded to the town on January 5, 2006 and recorded on January 9, 2006 so it has been just over 10 years. Commissioner Hill made a motion to table it until they have had a chance to look at it and then

we are going to have to come back and discuss it in a closed session. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda was B.F. Grady School Sewer District Interlocal Agreement. Commissioner Hill stated that he and George had looked at it and they think everything looks fine. Timmy said he had a concern about the smell at the interim manhole. Timmy said originally they had discussed putting something there to take care of the smell for the whole duration. George said his recollection was that we didn't come up with a solution, we just said that something has got to be done. George asked is there a solution? Timmy said it was left in the hands of the engineers and he never got any feedback from it, so that is kind of where we are at. Kim stated that she has not heard anything back from the engineer. Timmy said if it is as simple as a solution that they would put in and it was some type of automatic system inside the manhole or close by. George said like some kind of filtering or venting. Timmy replied yes sir and that is the only thing that he can think of but then you would have to have power there and who would pay the power bill. George stated everything is an expense and correct him if he understands it wrong but his recollection is everything is their expense until the wastewater gets into our system. Once it gets into our system, then it is our baby but until it splashes down, it is theirs. Everything before the splash is theirs. Timmy said they do have a similar unit set up at our Moss Hill School lift station and it is called a scrubber. It pulls air out of the manhole. It runs it through a filtering system and then blows it back in. George said that means it runs on electricity and does that mean another generator or a pair of generators. Timmy said there wouldn't have to be a generator there if it shuts down for a small period of time. George asked what if it shuts down for 24 hours. Timmy said he wouldn't think that would be a problem. Commissioner Hill said it could be shut down for a week or two here but we have got the portable generators so that we can move them around. Mayor Sykes asked wouldn't we need to put about the generator in the agreement. George stated they can bring a portable generator just as easily as we can unless Goshen Swamp washes out. He said even though he is drafting this in a contentious way, I am also in the back of my mind thinking that this is going to be something where Duplin County and Town of Pink Hill cooperate. Mayor Sykes stated yes and I think we will. George said we have got the upper hand frankly, they need us worse than we need them. Commissioner Hill said we want to bring the sewer here because that is revenue, but we don't have to have it if they want to say no they are not going to do this or this. Timmy told George the only other thing is we have a grease trap ordinance in place for everybody else in town and he would like for that to be in place. He said he doesn't know if there might be a grease trap already at the school but there should be one if there is not. George asked if the grease trap needed to be at the school or at the entry point. Timmy stated it needs to be at the school. He said he needs to have access to it because it comes to his system. Commissioner Hill said or any other restaurant or business with food preparation. Timmy said that would be anybody that ties on and he hadn't thought about it that way. Kim asked George if he could look back in his emails that she sent him where David & Associates asked for an agreement from the town. She said she was just wondering on how soon we need to get that to them because it has been a while since he sent it.

George said that he would find a place to put each one of the air scrubbers in and get it to you to look at and tell me if you agree with the language or if he needs to change it around or something like that. George asked Timmy if he had read the rest of it and Timmy replied yes. George

asked him if he had any problem with the rest of it and Timmy replied no. Kim stated the County Manager and the Engineer Group did get invited to the September meeting and she informed them of when the October board meeting was going to be and that it was cancelled. She said they didn't reply. George said the reason he had put him down as Clerk instead of County Manager was because they had a couple of deeds that they had conveyed out. They had the chairman of the county commission sign it and then had him countersign it but where he countersigned it they called him clerk instead of county manager and their county attorney did it. George said he didn't do a whole lot of thinking, I just copied it. He said just like for our signature, he had the mayor sign and the town clerk and he wants their raised letter seal on the final one and if they have got to find it, then so be it. George stated that he would email it to Kim later in the week and she can get it to you to look at and you and I can get on the phone together. Kim asked George if she needed to put it on the agenda again for next month. George stated yes and put in your minutes that the proposed interlocal agreement was discussed and two additions were proposed by the public works director.

The next item on the agenda was Set Date for Appreciation Dinner and Set Date for Christmas Party. Mayor Sykes said last fiscal year she suggested that the Town of Pink Hill have an appreciation meal for our Fire Department, our rescue, our Police Department, and the town employees Kim and Shelia, excluding us the town board and us the town board doing whatever. She stated that the town has not honored you really and she just thinks it is time to do it and she would like for them to do it. Mayor Sykes said it would be just the firemen members and not their wives. She said if they would like to come up with a date that most of you can go to and would be available that is fine. Commissioner Hill said and really we would love to wait until after Christmas. Mayor Sykes told them to get a consensus of when and maybe we can work out a date. Commissioner Hill said we might could do it on your Thursday meeting night. Susan Myers spoke up said she would be glad to host this at her house. She stated she could handle up to 40 people in one room and we could open up her heated swimming pool too. Mayor Sykes stated she appreciated the offer. She said we would get the number of people and get back with them and would let Susan know if they decide to do it at her place. Mayor Sykes told Kim to put this on the February 2017 agenda to be discussed again.

Mayor Sykes said she asked Kim to get some dates and prices for the Town Christmas Party. Kim said this is the for Town Employee/Commissioner party. She said that the mayor asked her to call the Chef & the Farmer, Queen Street Deli, and the Country Squire to get some prices. Kim said everyone had the three choices in front of them to look at. Mayor Sykes asked which one was attractive. Commissioner Hill asked which dates were available. Kim replied December 2nd and December 16th for the Queen Street Deli and the same dates for the Country Squire as well as December 9th. After everyone looked at the different menus, dates and times Commissioner Hill made a motion to have the Town Employee/Commissioner Christmas Party on December 2, 2016 at 6:30 p.m. at the Country Squire. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda was Police Updates. Chief Thigpen said since the last meeting which was on September 20, 2016 they have had 6 reported incidents with 8 total offenses, 1 arrest, 5 accidents, issued 22 citations for a total of 24 charges, and issued 16 warning citations. He stated they had to take the marked Dodge Charger for repairs due to the brakes messing up

and wouldn't stop like it should. He said they took it to Randy Byrd and he said he saw the problem but he wasn't sure on it, but the only thing he knew was to put a new master cylinder and something else in it and hoped that it would fix the issue. Chief Thigpen told him that he erred on the safe side and Randy said you can probably drive it like it is. Chief Thigpen told him that I didn't want no issue with not stopping, so I told him to go ahead and fix what he thought would correct the problem. He said it was like \$500-\$600. He said other than that everything else has been good. Mayor Sykes and the board thanked him.

The Fire Department Report was next on the agenda. Fire Chief Tony Heath since the 24th of September up to today they have had 6 traffic accidents, 2 fire alarms, 13 EMS calls, 2 service calls, 2 structure fires, 1 electrical hazard, and 1 odor of smoke which was a total of 27 calls in 37 days. Fire Chief Heath wanted to ask the board is there any objection to the term of service for the officers going from a 1 year to a 2 year term. Kim asked him if they had checked their bylaws. He said he wanted to check here first. Kim said what she was thinking and if it is in your bylaws when Kenny did them, she thinks that it is stated in there so what he would need to do is just do like an insert and have it typed up and given to us so we can give it to them and where it would be like an amendment to your bylaws.

Timmy said he would like to say something. He said there were several others but these guys pretty much stayed at the fire house for about three days during the hurricane and looked after some EMS folks that were there also. They provided meals and everything else over there and had the town, as far as city limits, cleaned up the day after within three or four hours. He said we didn't have a lot. Timmy said the fire department actually cleaned the streets. Mayor Sykes stated they appreciated that.

Kim said she knows they have an officer meeting coming up to vote on new officers, so could they do a verbal amendment and then make the change in the bylaw. George said yes, if that is the consensus of the board but it needs to be done in open session by vote but they need to amend their bylaws first. Commissioner Hill made a motion to extend the terms of the fire department officers to 2 years as per the fire department amending their bylaws. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda was Drainage & Sewer Repair on N. Front Street. Timmy said that Commissioner Quinn had gave him another person (Pomona) to talk to and their bid should be in with the other two bids for the board to look at. He said it is aluminum and it is pretty well drawn and the reason there is two is the top number would be the one that we have already had to fail which is on N. Front Street. While they were there talking the guy wanted to know where that water came from that washed that out. Timmy said he told him that they had another street over there that was most likely put in at the same time. The guy recommended looking into grant/FEMA monies to help with this for a small town. Timmy said he was supposed to get in touch with Mayor Sykes to get that started and I hadn't seen her yet. Kim said the only thing is with FEMA, that she learned in the meeting plus what Roger Dail said, is you have to file everything on insurance if there is a problem first. Then let the insurance take care of it before we can get reimbursed through FEMA and it is not guaranteed that you will get reimbursed. Commissioner Quinn asked Timmy what did he think about that. Timmy stated he thinks it is a very good thing but this is not installed price either. He said you still have demolition and you

would have to put a bypass in the street. Mayor Sykes asked which one were we talking about right now. Kim stated Pomona. Kim said you are saying that the \$61,000 is not for everything. Timmy replied no. He said the top price would be for just N. Front Street. The next price, \$27,496 represents N. Central Avenue to do the same unit, the tile, and the bulkhead.

Commissioner Hill understood that one of the locations was by Barbara Jenkins house but asked where the other one was. Timmy said it is right behind Woodrow's. Commissioner Hill asked what about the one over by Albert Grant's house. Timmy stated that he didn't get that one looked at. He said that is probably just a simple tile fix. Timmy said the guy would come and help install that but you still have to have machinery there to do all the demolition and to do all the covering back up just for the tile unit and the bulkheads. Kim asked did he know how much it would cost for like the demo and the rest of the work. Timmy stated that he didn't go that far because the prices were so high. He said the guy estimated \$90,000 to \$125,000 because of cost of hauling the stuff away. Commissioner Hill asked but you don't have a bid for these two on Central Avenue. Timmy replied no sir. He said he was asked to get a detailed bill from R&B which he did. Timmy said he just rewrote it but the prices are the same. He said that he trusts Taylor's Hauling's work but he also trusts the R&B Group as far as their work and both of them have done work for the town. Kim said on R&B the \$4,400 extra at the bottom that would be additional because it is not included in the \$40,744 so there is an additional \$4,400 where he is talking about all the waste materials it is going to put on our dump site. She asked Timmy if he has a dump site for him to put that. Timmy said the \$4,400 is clean backfill dirt and not to haul away. He said he did talk to Taylor and he said if you take some of the cement out, right now there is cement on both sides, and just do a rock bulkhead then you could probably knock \$30,000 off. Commissioner Hill stated a rock bulkhead is not going to hold that water. Kim said what she did because she knew they were going to have to do a budget amendment was she just took all three estimates and did a separate budget amendment until she knew which one the board wanted, and then she is going to present the board the budget amendment that we need to do because she didn't know which one they were going to go with. She said because it has got to come out of savings because it is not budgeted. Timmy asked if they wanted him to get some more prices. Mayor Sykes asked the board if they were satisfied with either one of these. Commissioner Hill stated that he was satisfied with both of their work but the difference in the price is what he is looking at. Timmy said personally he wants to go ahead and fix the sewer line and you can wait on the drainage but he wouldn't want to wait very much longer. He said that he can put a patch over it and fill it full of dirt but it is going to last a short period of time. Commissioner Hill made a motion to go with the R&B Group. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda is Water/Sewer Report. Timmy said as far as their water situation from the last meeting, we were unable to meet with WASA Neuse Regional to have our discussion. He said but since then he has tried some different angles and he has found something that is working. Timmy said they were putting a lot of water on the ground to keep the residuals up and keep fresh water in all parts of town like he feels like we need to do. He said that is working but like he said they are putting a lot of water on the ground. Timmy said he personally has not figured out a solution but he would like for he and Commissioner Hill to do it together. He said he feels like everything else is going well.

Timmy said he would like the consensus of the board since you mentioned that we had a plant to go under water and it was on Smith Grady Road. He doesn't think it has ever gone under water before, but will it go under water again probably if we get 9 inches of rain. Mayor Sykes said that he needs to look at it. Commissioner Hill said if nothing else build a dike around it. Timmy said we would have to hire an engineer to come out there and take a look at it. Mayor Sykes asked if it was insured because you would have to do that first. Timmy said nothing was actually damaged but the plant did go under water. Kim stated all the lift stations are insured and we do have flood insurance. Timmy said they shut the pumps off because there was very little flow coming into there. Mayor Sykes said what about our flood insurance and is it reasonable. Timmy asked do we have flood insurance. Mayor Sykes said yes we do. Kim said she is assuming we have it on all the lift stations too. Timmy said speaking of lifting it making it where it can't go under water again, that is where he was aiming at with that. Mayor Sykes told him to check with the insurance and see. Kim said she would call Tammy tomorrow and find out. Timmy said he didn't know about the old plant because it didn't actually go under water but it was high level for about four days. He said he can tell us this, the very expensive project that we did adding the bypass down at the old plant, those two pumps kept up a lot longer than one pump. Commissioner Hill thanked Timmy. Mayor Sykes thanked Timmy also.

Budget Amendments if needed was next on the agenda. Kim handed out a copy to each board member to look at. Commissioner Hill made a motion to amend the budget on the General Fund and the Water Fund as presented to the board. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda was Remarks by Town Attorney. George said he was just so thankful that this town didn't suffer any more than it did from the hurricane and the Neuse River flooding. He said he knows any damage is bad but he is just glad that Pink Hill was able to avoid the terrible, terrible damage that so many others have seen. George said as he understands it most of the businesses here are back up and running and nobody in town has been displaced other than what we heard about a few minutes ago and he is thankful for that. He said he was very happy to be able to be here. Mayor Sykes thanked George.

The next item on the agenda was to Discuss Commissioner Grady's open seat. Mayor Sykes asked if the board was going to discuss Commissioner Grady's open seat or do we want to table it. Commissioner Hill asked if anyone had come forward. Mayor Sykes stated she had not heard of anyone. Kim said to remember that the minutes just got approved tonight so it has not been on the website yet, they will be put on there tomorrow. Commissioner Hill made a motion to table this until the next meeting in December. Commissioner Quinn seconded the motion and it carried unanimously.

The next item on the agenda was Comments by the Board. Mayor Sykes said she wanted to commend the Eagle Scout project and it looks good. She said that whenever Barbara and her son were here we agreed and glad that they would do it, but we did say it was contingent on them cleaning up the property around the sign when it was completed. Mayor Sykes said she has had a couple of comments from the public that there is some debris down there and she noticed it again today. There is some cement pieces in front of the sign and she needs to get that cleaned up but the sign looks good and she thinks everybody is happy with it. Mayor Sykes said she

needs to get it cleaned up because it takes away from the sign. There are two or three big clumps of cement there and it does take away from the sign. Mayor Sykes said she was also going to comment on Alex's property up there but we would have to go into closed session about what she wants to know and she would like to table that until the next meeting.

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.