

**Town of Pinetops**  
**Board of Commissioners**  
**Regular Monthly Meeting (Also Available via Zoom)**  
**May 4<sup>th</sup>, 2021 @ 6 pm**  
**Pinetops Town Hall**

**A. Call Regular Meeting to Order**

- a. Mayor Harrell called the regular meeting to order.

**B. Invocation**

- a. Invocation led by Commissioner Sugg.

**C. Pledge of Allegiance**

- a. Pledge led by Mayor Harrell.

**D. Proposed Agenda**

- a. Mayor Harrell asked that the following be added to the Agenda. The Board needs to appoint a new member to the Planning/ Zoning Board. Commissioner Mabry recommended Action Items 2-4 be removed and added to Items for Discussion at the next Board meeting. Mr. Mabry mentioned that these items are introduced as action items without being brought to the floor for comments nor input. Mr. Mabry stated to Mayor Harrell that he felt this was disrespectful and lack of transparency to the Board by allowing these resolutions to be drafted and to move forward without following proper procedures prior to a vote. Mr. Mabry motioned to move items to the discussion of next meeting, Commissioner Sugg disagreed saying it should be discussed that evening. Commissioner Webb agreed and asked to make a motion to add those Action Items to Items of Discussion. Commissioner Taylor made a motion to move them to discussion items this evening. Commissioner Webb seconded the motion. Motion passed unanimously. Commissioner Mabry asked to have the floor following the resolution discussion, Mayor Harrell approved. Commissioner Mabry also requested that the email forwarded by Commissioner Sugg, dated April 22, 2021, be attached to the minutes as Attachment A, followed with the proposed resolution be attached to minutes as Attachment B for future reference.

**E. Consent Agenda**

- a. Commissioner Mabry asked that the 4th paragraph on page 9 of the Budget Minutes, which referenced Chapter 13 from the Personnel Policy, be changed to Chapter 32 and that minute pages should always be numbered. Commissioner Webb made a motion to approve the Budget Retreat and Regular Meeting minutes. Commissioner Taylor seconded the motion. Motion passed unanimously.

**F. Public Comments**

- a. Commission Taylor took this time to mention the Battle Family would be having a plate sale on Saturday, May 8<sup>th</sup>, 2021 at Pines Chapel Church from 11am – 5pm or until they're sold out in order to garner donations and community support for

the tragic loss of their 6 year old son/grandson in a house fire. Which would be included in the weekly All Call about happenings in town.

b. **Van Holland – Tar River Times**

Van Holland asked who he would direct public records requests to. Commissioner Mabry suggests they be sent to the mayor. Mayor Harrell approves public records requests may be sent to her email.

**G. Departmental Reports**

- a. **Police Department:** Police Chief Harrell read over the police report from the month of April. They have six (6) full time officers and one (1) in training. With warm weather approaching, they've seen an uptick in activity in and around town. The police department needs a minimum of two (2) officers on duty at one time for safety. They are having a hard time accomplishing that with the current staff of officers but have a full staff of dispatchers. Commissioner Mabry asked how many reserve officers they had last year, and Chief replied only 1. Commissioner Mabry followed up asking how many reserve officers he'd like to have and if they advertise for the position. Chief Harrell said his ideal number of reserves would be 6 and that they don't specifically advertise for the reserve officer position. Commissioner Harrison asks how they advertise employment positions. Chief responds they use social media like Facebook, the town website, and the employment commission. The police department has utilized a prior \$24,800 grant from the Governor's Crime Commission in full. The chief stated he just signed another contract with the Governor's Crime Commission for another \$25,000 grant which will help supplement costs for equipment in the coming fiscal year. From April 1<sup>st</sup> to April 28<sup>th</sup> the police department has answered and/or initiated 1141 official police actions. There was a total of 23 traffic stops, 18 citations written and only 2 traffic accidents which happened in parking lots. The petition for the placement of speed bumps in the 100-300 blocks of S S.A. Gilliam St. and the 300 block of Cobb St. due to reckless driving yielded 15/16 citizens living in the community voting "Yes" for the placement and 1/16 voted "No". Commissioner Taylor asked if lowering the speed limit in that area would be more cost effective. Chief Harrell replied that people would still speed if officers didn't sit on that road specifically and enforce the speed giving citations. Commissioner Sugg asked about the difference a stop sign would make, how many and how much each speed bump is. Chief said that he wants at least three speed bumps, wasn't exact on the pricing but about \$2-3,000 for each and stop signs get sped pass. There were concerns on the condition of the property 303 S S.A. Gilliam St. was left in after demolition. The contractor was contacted, and concerns were expressed. He did comply with the request to clean the vacant property up. Photos and a copy of police report is attached to minutes.
- b. **Public Works Department:** Mr. Phil Webb read over the water and sewer report for the month of April. The total water flow was 4.84 while the sewer was 6.19. Well #8 is scheduled for completion in September while Well #4 will be abandoned when #8 is finished. The Public Works Department is down to four

full time and two part time employees. A detailed report will be attached to the minutes. Commissioner Harrison asks if a citizen falls into one of the many sinkholes in Town who'd be responsible. Mr. Phil replies the Town would be responsible. Commissioner Harrison then says that there is a major sinkhole behind her home on S Martin Luther King St and with the warm weather more and more citizens are out walking and could potentially get seriously injured if they were to fall into this hole. She's tried to fill it with rocks and concrete, but it just fell through. Commissioner Mabry mentions the sinkhole has been there for a while. Mr. Phil says the Public Works department has a long list of jobs to be completed that it just takes time to get through everything. Commissioner Mabry follows up saying the stormwater assessment was done in order to find each issue so that they can all be fixed accordingly. Mr. Phil goes on to say many streets in town have potholes and issues that need to be repaired as they only get \$40,000 in the Power Bill that doesn't go a long way in repair costs for the entire year. Commissioner Sugg asks if all the streets that need to be repaired have been identified. Mr. Phil mentions again it's on their to-do list.

- c. **Fire Department:** Chief Burress read over the fire report for the month of April. The Fire Department had only one (1) call for the month of April which resulted in the tragic death of a child. With 80 hours of training and 6 hours on standby for a total of 86 volunteer hours. Monthly fire reports were filed with the NCDOI as required by the NC Statue. There were numerous additional reports that had to be filed with the Department of Insurance due to the structure fire fatality. The fire department assisted the ATF, Fire Marshall and SBI in investigating the fire previously mentioned because there was a fatality, although according to the family did have a working smoke detector. Chief Burress goes on to say that the last fire fatality they had in Town was in April 1990. A more detailed report will be attached to the minutes. Commissioner Taylor said she had a question from the public and asked how the fire department is identifiable at a fire. Chief Burress replied their turnout gear, equipment, and helmets have the Town seal. Commissioner Taylor then mentions that the community and the family involved felt no comfort or consoling and that only two Pinetops firemen were present because there was nothing identifying on the volunteers. Chief Burress then says there were twenty-one (21) Pinetops volunteer firemen, seven from Macclesfield, five or six from South Edgecombe and a few from other surrounding cities for a total of 40 firemen there. Commissioner Sugg then asks in the spirit of process improvement do you go back and try to see what could have been done differently. Chief Burress said they do but will be going over this fire to critique it at the fire departments next meeting. Mayor Harrell asked shouldn't they be identifiable by their turnout gear if they were wearing it because she was told by citizens a lot of the volunteers did not have on their turnout gear. Chief Burress agrees they should and reiterates that there were 21 volunteers at the fire. He also mentioned once the fire was under control, he did go to the family to give condolences and apologize for their loss. Mayor Harrell asks when the

investigation will be finished, and the Chief replied he's unsure of an exact date but that it will most likely take a couple weeks. Chief Burress also presented the cemetery report for the month of April. The total number of plots sold was 1. There was mention that the pricing of plots should be looked into, they had some issues with cave in's on new graves, and items were going missing from graves some blown away with the wind some thrown away to keep the cemetery looking clean. A detailed copy of the cemetery report will be attached to the minutes. A discussion about new cemetery software was brought about by Commissioner Mabry.

- d. **Financial Report:** Mayor Harrell presented the financial report as Ms. Keesler, the finance officer, was unable to attend the meeting. The adjusted ending balance for the month was \$1,738,751.95. A detailed copy of the financial report, the expenditures, revenue and paid check report is attached to the minutes. There was a motion for the Board to approve a \$300,000 transfer from the electric fund to the general fund. Commissioner Mabry asked what exactly it needed to be moved for. Mayor Harrell replied it was an inner fund transfer to subsidize costs from the general fund that were already added into the Budget. Commissioner Webb made a motion to approve. Commissioner Sugg seconded the motion. The motion passed unanimously. Commissioner Sugg goes on to say he found the financial report was hard to comprehend as things weren't listed as a credit/debit so there would be a revision made in the future for easier reading. He also mentioned the investment information listed at the bottom of the report when he spoke to Ms. Keesler about it, she said the outcome from these investments weren't great and they'd work on a way to find more beneficial investments. Commissioner Sugg mentioned raising rates to apply for grants but that the total cost of the services the Town provides is needed to raise rates properly. He said while other cities such as Wilson raise their rates Pinetops falls behind so we'll get charged more in the long run. Commissioner Sugg mentions this will be something he will work towards finding a way to have more cost efficiency for equipment, personnel, etc. Commissioner Taylor asks if the financial downfall is because people stopped paying light and water bills over the COVID pandemic shut down. Not only that but consumption is on the baseline after years of Pinetops not raising rates with other cities Commissioner Sugg advised. Commissioner Mabry suggests looking into ARP (American Rescue Plan) money based on when each the town receives it and within two years you must spend it. The 1<sup>st</sup> \$180,000 can be spent on infrastructure, sustainability, broadband internet, water, sewer which should be planned and budgeted in an ARP Spending Plan. The Mayor comments we are now officially named "Distressed." Commissioner Mabry asked for a copy of distressed designation letter. Commissioner Sugg mentions Ms. Keesler already sent the budget and adjustments to the LGC (Local Government Commission). Mayor Harrell comments the LGC is just looking to make sure all is well with the Town and everything is being done correctly.

#### H. Items for Discussion

**a. Economic Development Assessment Advisory Committee**

Commissioner Mabry advised the board of the new town asset map which shows many businesses and “assets” to the town. He also tells the board about the next meeting May 5<sup>th</sup> at 10 am and plans to create a finalized mission statement to then present for the board’s approval.

**b. Planning/ Zoning Board Member Replacement**

Mayor Harrell mentions there has only been one candidate who is interested in the position a Ms. Ada Morgan. Commissioner Taylor makes a motion to appoint Ada Morgan to the Planning/Zoning Board. Commissioner Sugg seconds the motion. Motion passed unanimously.

**c. Storm Water Runoff Project**

Commissioner Sugg mentioned the thirty-five (35) item list for equipment and opportunity comes down to funding. The Town could potentially outsource the work to contracted companies the Town already has a good rapport with. There is also potential to use the \$19,000 in contingency money to put towards the stormwater runoff project by using \$8,500 a month since the money hadn’t been used by the end of the fiscal year June 30<sup>th</sup>. It was suggested that bids be taken towards the contracting of this project. Mr. Holland mentions there should be a set budget. Commissioner Mabry suggests that the bids be put out on a deadline and if no one applies within the time frame or meets the budget for the work then no one will be hired.

**d. Schedule Budget Work Session**

Commissioner Mabry advised the board he would be free the week of the 10<sup>th</sup> but would be busy for the next two weeks. No other board members had any specifications on time. Mayor Harrell suggests next Tuesday, May 11, 2021 and asks if morning or afternoon would be better for everyone. Commissioner Mabry says afternoon would be best. Mayor Harrell asks if everyone would be okay with having the meeting at 3 pm. Commissioner Webb made a motion to hold the meeting at 3 pm on Tuesday, May 11, 2021. Commissioner Sugg seconds the motion. Motion passed unanimously.

**e. Resolution – Delegation of Town Administrator Duties – Comm. Sugg**

Commissioner Sugg mentions that he wanted to designate how they would change the board dynamic to delegate responsibilities so the Town Administrator can oversee properly. Commissioner Mabry mentions the former Town Administrator was a code enforcement official and wanted to add that to the job description. Commissioner Sugg suggests a catch-all like “other duties may be assigned” for the job description as things arise since we cannot plan for every scenario. Mayor Harrell asks for a motion to adopt the resolution. Commissioner Sugg made a motion to adopt it. Commissioner Taylor seconds the motion. Motion passed unanimously.

**f. Resolution – Personnel Policy Amendment – Comm. Sugg**

Commissioner Sugg says all employees should report to Town Administrator. Many employees may want to run for a town office position which is fine but you

cannot hold a Town Board position and work for the town unless you give up the position for your 4 year term then you may get your job back. Commissioner Mabry addressed this as an issue at the beginning of the meeting. The mayor should not be the “police chief” (i.e. fire chief) but the people vote for the mayor not the commissioners. The town charter/ordinance says that any employee can hold two positions even on the Board. Referencing the attachment of the email Commissioner Sugg sent to the board about said resolution as well as the ordinance and personnel policy which specifically states the fire chief. Which he goes on to say is unjust to single someone out like that. Commissioner Taylor says that it’s supposed to reference all employees and not only the fire chief. Commissioner Sugg follows up in agreeance that it’s for all employees not just this one instance and the potential for conflict of interest is higher if you work for the Town while also sitting on the Board. The employee would have to relinquish their title if elected to office but can be reinstated after the term. Commissioner Taylor said this was brought up by the Board to be revised as she felt they had already discussed it. Commissioner Harrison then says she has no recollection of talking about this and how this process works. Commissioner Taylor reminds them they brought it up for a reason last meeting and asked why there was no disagreement then. Commissioner Mabry stated to Commissioner Taylor that she is addressing a similar resolution that was previously presented and adopted at the recent Board Special Call Meeting – Annual Budget Retreat on March 26, 2021, in which that resolution was not drafted and presented to the Board without any prior discussion, and he was unaware of any board discussion about this resolution. Commissioner Mabry takes the floor. Commissioner Mabry stated that it is unfortunate that he has to say what needs to be said, but in this matter, it needs to be said. Commissioner Mabry said that feels that the two resolutions brought forth targeting the Fire Chief and the Fire Department are intentional, personal, and just not right. Commissioner Mabry asked, why do we have a Board of Commissioners, why bury the recent resolution in the Political Activity section of the Personnel Policies knowingly that this may have impact or conflict with the Town Code of Ordinance, Chapter 31.09.(Ex Officio Offices). Commissioner Mabry stated that the proposed resolution in question has been addressed to him by a member of the staff on numerous occasions since being appointed Commissioner in 2019. He said he told the individual he did not agree with this action because it seem to be a personal issue and this decision could conflict with the Town Ordinance. Commissioner Mabry said that he did not agree with suggestion then and does not agree with the resolution being put forth now. Commissioner Mabry yielded to the floor. Mayor Harrell suggests more time to think on it before the motion is passed. Commissioner Sugg agrees that it can be discussed further. Chief Harrell speaking to Commissioner Mabry asks why he referenced the police chief in prior statements. Commissioner Mabry stated that he stands corrected and meant to say fire chief. Then asks Chief Harrell if he knew how many questions, he answers about how his mother is the Mayor, he is

the police Chief and his father works for him. Commissioner Mabry stated that his answer is always "I have no problems with this because we have a Board of Commissioners that govern the town." Chief Harrell then says he's been dealing with those types of questions over the past decade. Along with other department heads spreading rumors about him and his family. Commissioner Mabry disregards his comment over voicing that the fact the Board is in session. Mayor Harrell asks for the bickering to stop between the two. Commissioner Taylor follows up that the bickering needs to come to an end because she didn't want to hear it, respectfully. People are going to talk but if you're doing your job there shouldn't be an issue. Everyone sweeps their issues under the rug and that's not okay if it needs to be said say it but respectfully. Don't make the situation personal, make it work, doesn't make it right or wrong but if its working let it be Commissioner Taylor finishes. Chief Harrell states if his performance is an issue he should be evaluated. Commissioner Taylor agrees and Mayor Harrell once again tells everyone to stop the arguing and to get back on track.

**I. Action Items**

- a. **Designate Finance Officer as Authorized Representative for 3184-H Project**  
Mayor Harrell explains this is to authorize Ms. Keesler as the representative for the well replacement project. Commissioner Webb makes the motion to authorize Ms. Keesler. Commissioner Sugg seconds the motion. Motion passed unanimously.
- b. **Cemetery Records Software – Comm. Mabry**  
Commissioner Mabry says he got a quote for one user but hasn't gotten the full quote for two users on the software as well as the acres of the cemetery are needed from Chief Burress.
- c. **Speed Bump Petition – Chief Harrell**  
Mayor Harrell asked if the Board was okay to vote on the speed bumps to be put on S.A. Gilliam St. Commissioner Sugg asks if this is the petition 15/16 residents signed. Mayor Harrell reiterates this petition was signed by 15/16 residents who said "yes" and want the speed bumps to be put on the road to prevent speeding, only one person said no. Commissioner Sugg made the motion to put the speed bumps on S.A. Gilliam. Commissioner Harrison seconds the motion. Motion passed unanimously.
- d. **Contact Demolition Contractor concerning lot on S.A. Gilliam – Chief Harrell**  
Chief Harrell states after he contacted the contractor he came back and cleaned the demolished property up.

**J. Additional Comments**

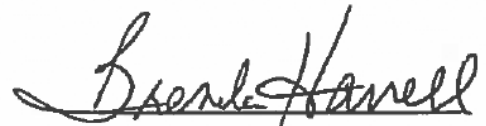
- a. Commissioner Mabry asks for a meeting with the department heads about getting the Town Dropbox populated with all the data and documents from projects each department handles.
- b. Commissioner Sugg mentions Commissioner Mabry provoked a thought about the housing and abandonment code process which entails how the Town closes or

doesn't close on abandoned houses. He states he spoke with the attorney to gain clarity on how to proceed and how many steps are in the full process when dealing with abandoned properties. The handout identifies everything in those different processes. Commissioner Mabry mentions it covers how the entire process from beginning to end but it's just a draft that can be revised or modified for future reference. Commissioner Sugg follows up that he's correct it can be revised or just used as a guideline for how they want to proceed. This isn't something that needs to be voted on just something to think about he says. There was one thing it suggests that should be put into action which would be to have a code enforcement officer Commissioner Sugg finishes. Commissioner Mabry then says that was something he wanted to add to the job description of the new Town Administrator as the former Administrator, Ms. Bess, had been the authorized code enforcement officer previously. Commissioner Sugg suggests in the interim Chief Harrell for the position since he has mostly been dealing with the contractors for work the Town has needed completed until an Administrator is chosen. Commissioner Mabry says the only issue with that would be appointing him then when a Town Administrator is hired, he would be relinquished of the position. Commissioner Taylor agreed saying it could be cause for conflict later and that the Town shouldn't allow anymore bids without the contractor being willing to clean up after. Mayor Harrell asks if they are going to make a motion to appoint Chief Harrell to the position then. Commissioner Mabry says yes but on an interim basis just until a new Administrator is chosen. Commissioner Sugg makes the motion to appoint Chief Harrell as the code enforcement officer. Commissioner Taylor seconds the motion. Motion passed unanimously.

**K. Adjournment**

- a. Mayor Harrell states that they have went over the entire agenda and if no one has anything else was there a motion to adjourn this meeting. Commissioner Sugg makes the motion to adjourn. Commissioner Taylor seconds the motion. Motion passed unanimously. Meeting end time 7:41pm.

Date: 10/1/2021



Mayor Brenda Harrell

ATTEST,



Town/Utility Clerk Odyssey Brown