

Town of Hertford
Regular Session Meeting (In Person/Facebook)
Monday, June 10, 2024 – 6:00PM
Horace Reid Community Center, 305 W Grubb Street

The Council of the Town of Hertford held a Regular Session Meeting at the Horace Reid Community Center (also by Facebook) on Monday, June 10, 2024, at 6:00 PM.

COUNCIL MEMBERS PRESENT

Ashley Hodges, Mayor Sandra Anderson, Mayor Pro Tem
Connie Brothers Keith Rouse
Rhonda Waters

STAFF PRESENT

Janice McKenzie Cole, Town Manager
Doris Walton, Assistant Town Manager
Ashley Eure, Finance Director
Gina Durante, Town Clerk
Johny Leidy, Attorney

A quorum was present.

CALL TO ORDER

Mayor Hodges called the meeting to order.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Gilbert Vaughn, followed by the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion and a second were made by Mayor Pro Tem Anderson and Councilwoman Brothers to approve the agenda with the following amendments:

- under New Business add 7f) Additional funds for EDA; and
- under Closed Session add 11c) §143-318.11 (5)(i) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract for the acquisition of real property by purchase, option, exchange, or lease. to approve the agenda as presented.

The motion passed unanimously, 5-0.

CONSENT AGENDA

Councilwoman Waters motioned to approve the Consent Agenda consisting of:

- a) Minutes for the 5/13/2024 Regular Session and 5/28/2024 Work Session & Public Hearing
- b) Ordinance closing Clark Street for Fireworks related activities 7/6/2024

Mayor Pro Tem Anderson seconded the motion and it carried, 5-0.

CITIZEN CONCERNS

- Pastor Gilbert Vaughn addressed Council expressing that we are one race, and that is the human race. He discussed the black and white races in the United States and explained the Niger culture. He read from a letter written in 1712 by Willie Lynch regarding the management of slaves. Pastor Vaughn emphasized that Juneteenth is a national holiday that should not be minimized. We should all be celebrating it and not be confined to one location to celebrate.
- Tony Riddick also addressed Council regarding Juneteenth. He discussed the history and economic impact on the United States. He explained that for safety reasons he would like to see Hyde Park closed. There will be several activities for children, and people, including the elderly, should be able to safely and freely walk around the event. Mr. Riddick acknowledged that another street will be closed that day and questioned if there is a policy prohibiting the closure of more than one street in Town on the same day. Lastly, he noted the diverse aspects of unity, and why we should celebrate the importance of Juneteenth and America's freedom from a different perspective.
- Dr. Penni Brown began by stating that Juneteenth is meant to be unified. The two scheduled events on June 15th in Hertford are meant to educate people and inform people about the significance of Juneteenth. Dr. Brown also requested that Council close Hyde Park during the NAACP Juneteenth Celebration for the safety of the community.

CONTINUED BUSINESS

- a) **Budget FY2024-2025** – Manager Cole stated that the budget was presented to Council at a previous meeting and there have been several meetings and discussions regarding the budget. Mayor Hodges acknowledged that there have been numerous budget meetings and discussions, and a Public Hearing regarding the proposed budget was held on May 28th. He asked Council if they had any questions for Manager Cole. There were no questions.

A motion and a second were made by Councilman Rouse and Councilwoman Brothers to approve the FY24-25 Annual Budget for the Town of Hertford. The motion to approve the FY24-25 Annual Budget passed, 5-0.

Mayor Hodges thanked the staff for the budget, acknowledging the enormous task of building a budget.

- b) **Fee Schedule** – Manager Cole provided Council with the updated Fee Schedule which was also previously presented and posted on the website for discussion at the Public Hearing. She noted the only change was to lower the increased fee of \$100 for use of the Community Center’s multipurpose room or kitchen to \$75. Manager Cole provided justification for the \$300 residential utility deposit that the Town will require for new residential service, which includes comparison of residential utility deposit information from municipalities in our region. The \$300 deposit amount is based on the average rate for one month of utilities for a residential account.

Councilwoman Brothers motioned to approve the Fee Schedule for FY24-25 as presented. Councilwoman Waters seconded the motion and it passed unanimously, 5-0.

NEW BUSINESS

- a) **Budget Amendments** – Finance Director Eure explained the three budget amendments to Council.

1. **FY24-40: Move funds to balance out payroll items.**
 - a. Fire Supplies to Fire Life Insurance (\$100.00)
 - b. Streets Health Insurance to Streets 401K (\$100.00)
 - c. DMV Health to DMV Full-time (\$2,000.00)
 - d. DMV Health to DMV FICA (\$1,000.00)
 - e. DMV Health to DMV LGERS Pension (\$400.00)
 - f. Sewer Collection Contingencies to Water Full-time salary (\$11,000.00)
 - g. Sewer Collection Contingencies to Water LGERS (\$750.00)
 - h. Sewer Collections FICA to Sewer Collections LGERS (\$1,100.00)
 - i. Sewer Treatment Contingencies to Sewer LGERS (\$2,000.00)
 - j. Electric Overtime to Electric Regular Time (\$35,000.00)
 - k. Electric Contingencies to Electric Health (\$1,500.00)

Councilman Rouse made a motion to approve Budget Amendment FY24-40 and Councilwoman Waters seconded. The motion passed unanimously.

2. **FY24-41:** Balance line items within the budget; two months of bypass pump rentals; correcting interest and principal split that was off in software conversion; pay for drug screening for new employee; cover the cost of new employee uniform.
 - a. Water vehicle to Water Fuel (\$735.00)
 - b. Sewer collections Contingencies to Sewer Collections Rental (\$2,700.00)
 - c. Debt Services Interest to Debt Services Principle (\$51,220.43)
 - d. Electric Contingencies to Electric Drug Screening (\$30.00)
 - e. Electric Contingencies to Electric Uniforms (\$200.00).

A motion was made by Mayor Pro Tem Anderson to approve Budget Amendment FY24-41. A second was made by Councilwoman Brothers, and the motion and it carried, 5-0.

3. **FY24-42:** Move funds to pay for the water tank maintenance.
 - a. Water Capital Outlay to Water Professional Services (\$2,600.00)
 - b. Water Dies and Subscriptions to Water Professional Services (\$2,640.00)

A motion was made by Councilwoman Waters to approve Budget Amendment FY24-42. Mayor Pro Tem Anderson seconded the motion and it carried, 5-0.

- b) **Powell Bill Map Contract** – Manager Cole explained that the Powell Bill is funds we receive from NCDOT to maintain, resurface, and repair Town-owned streets. A new study of our Powell Bill Map should be done every five years to indicate any changes, eliminations, or additions. The Town had such a study done three years ago, but Manager Cole realized that the Marine Industrial Park was not included in this study, so we are losing funding. Withers Ravenel, who did the Town’s last study, has submitted a contract to perform an updated study for our Powell Bill Map for \$1,750.00. Manager Cole noted that we will use Powell Bill funds to pay for the study.

A motion was made by Councilman Rouse to approve the Powell Bill Map Contract from Withers Ravenel for \$1,750.00. Mayor Pro Tem Anderson seconded the motion, and it was unanimously approved, 5-0.

- c) **Revised Utility Policy** – Manager Cole stated that our Utility Policy needed to be updated. The Utility Staff and Public Works worked on updating our policy. She

gave Council a draft copy of the revised Utility Policy with comments from Mayor Hodges and Utility Director Earline White. The fees are separate and apart of the policy and need to be approved by June 30, 2024, but this policy does not. Recommendations and suggestions based on comments in updating the policy include, but are not limited to, the following:

- 1) Information regarding rules, regulations, and requirements for utilities is available in the Town Ordinance, as they are more permanent and standardized, and will not be included in the policy.
- 2) Code Red was added to the policy because residents whose bills are past due are notified via Code Red that the cut-off date is approaching.
- 3) Determination of deposit information will be eliminated and there will be one standard deposit fee for all new residential accounts.
- 4) The phrase "all day" will be eliminated from the section about extreme weather conditions below 32° and above 95°.
- 5) Manager Cole explained that there is no in-depth corresponding section in the policy for Water and Sewer to match Electric. There is not the flexibility in Water and Sewer that there is in Electric: different voltage requirements, solar etc. Water and Sewer is a matter of hooking up to the service. There are general items in the latter part of the policy that refer to both Sewer and Water and Electric such as meters and meter reading, and it has been adapted to reflect that those apply to both.

Manager Cole stated that they are open to more comments and if Council wants those or others incorporated, they will be added. Council discussed it and Manager Cole advised them that the Utility Director is creating a flyer that will include the residents' and Town's responsibilities. Deposits from businesses will be based on the historical use of the property. A final Utility Policy will be presented to Council at a later meeting.

d) Request to close Hyde Park for NAACP Juneteenth Celebration 06/15/2024

Council discussed the importance and significance of the Juneteenth Celebration and the safety of our residents and guests is a priority. They expressed their preference that the two events scheduled for the same day near each other be coordinated as a unified celebration for Hertford. Mayor Hodges supports closing Hyde Park and is hopeful that the people from each event can confer prior to the Juneteenth Celebration.

A motion was made by Councilwoman Waters to approve Ordinance FY24-15 to close Hyde Park for the NAACP Juneteenth Celebration. Mayor Pro Tem Anderson seconded the motion, and it was approved, 5-0.

Manager Cole added that last minute planning can create problems, and the Special Event Request Form should be submitted 45 days before the event. That allows more of an opportunity for discussion and planning. It's unfortunate to

have people split their time between two events celebrating Juneteenth. The NAACP's Special Event Request Form was received approximately two weeks prior to the event and well after the first Juneteenth Special Event Request Form was submitted. Manager Cole had suggested that the NAACP move their celebration to the actual date of the holiday, Wednesday, June 19. That date was not an option for the NAACP due to prior commitments.

e) Request to close Hyde Park for Sheriff's Office & Fountain of Life Church Refining Relationship 7-13-2024

A motion was made by Mayor Pro Tem Anderson to approve Ordinance FY24-14. Councilwoman Waters seconded and the motion was approved unanimously, 5-0.

f) Additional Funds for the EDA Contract

Manager Cole stated that we got the EDA contract for \$300,000 (\$180,000 from the EDA, \$60,000 from the Town, and \$60,000 from the County) for the construction design for Boardwalk and retaining wall as part of the Riverfront project. We put it out for bid twice and received a bid from the Timmons Engineering Company, which Council approved. The Timmons Company has found that there is some work that they will have to get a subcontractor to perform. They shopped around and have come back with the lowest figure they could find for that work, which brings the total to \$335,000. We may be able to use some of the money from the legislature for the Harbor Town as this work could be related to the docks. If we are unable to use funds from the legislature, Manager Cole recommends that it come out of the Fund Balance. She explained that we need to move forward with Timmons because they were the only company to provide us with a bid. Before she signs the contract committing the Town to the additional \$35,000, she wanted Council's approval. Manager Cole requested an extension for spending the EDA grant and we have until March 6, 2025, to use it.

Councilwoman Waters made a motion to commit to the additional \$35,000 for the contract with Timmons Engineering Company. Mayor Pro Tem Anderson seconded the motion and it carried, 5-0.

MANAGER'S UPDATE

Manager Cole stated that the Harbor Town Ferry is scheduled to arrive in Hertford from Manteo at 12:15 pm on Thursday, June 13. It will depart Hertford at 3 pm and return to Manteo.

Manager Cole noted that the mural painted on the side of the Community Center by Seeds of Success is complete. O'Neal Pullie, an art teacher from Elizabeth City, helped and directed the kids painting the mural. Former Mayor Earnell Brown was organizing.

The mural was funded through a grant from the Perquimans Art League. Manager Cole thanked all those that were involved in it and said they did a very good job.

COUNCIL REPORTS/CONCERNS

Councilwoman Waters had no report.

Councilwoman Brothers wanted to remind everyone about the Juneteenth Celebration, Saturday, June 15th. She thanked the sponsors: Perquimans Art League, North Carolina Arts Council, Elizabeth City State University, and Mr. James Jones.

Councilman Rouse stated that he had a meeting in Hertford with some young men and it was very positive, noting that they have a very positive vision and shared what they want to see in the community. He said the First Baptist Church is working on a grant to offer the community hot meals five days a week. Councilman Rouse mentioned that he discussed with Mayor Hodges that he needs a dedicated space to meet with people. He believes that when the grants come through, it will make a very big and positive change in the community. Mayor Hodges asked Councilman Rouse if he has heard back from the Boys and Girls Club regarding the grant that was applied for, but Councilman Rouse said he has not. Councilman Rouse was told that they would contact him when there is information. Mayor Hodges will follow up.

Mayor Pro Tem Anderson had no report.

Mayor Hodges acknowledged the completion of the mural at the Community Center and said it turned out great; and we are so proud of what they have done. He thanked Mr. Pullie for his guidance and former Hertford Mayor Brown for her vision. Mayor Hodges thanked Sheriff White for the Perquimans County Sheriff's Hot Block Party last Friday. He attended the quarterly Hertford Housing Authority meeting on Wednesday. He intends to attend their quarterly meetings throughout his term as Mayor. Mayor Hodges noted that they have challenges and anything we can do to help HHA, we want to. He again thanked Manager Cole and the staff for their work on the budget. He invited all to come out and celebrate Juneteenth.

ANNOUNCEMENTS

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| June 14 | 5pm – 7pm | Friday Night Stroll, Downtown Hertford (Church Street will be open to traffic) |
| June 15 | 11am – 6:30pm | Juneteenth Celebration at Central Park, Freedom Walk at 10:30am at Colored Union Soldiers Monument to Central Park |

June 16	5pm - 7pm	Music in the Park, Missing Mill Park Jazz group Connections will be playing
June 17		Carolina Brotherhood Ride will pass through Hertford
June 21	11 - 2 & 4 - 6	Ruritan National Fish Fry. Pick up at Hertford Baptist Church Parking Lot (Tickets are \$12/plate)
June 29	10am – 3pm	Dog Festival at the Perquimans County Rec Center
July 4	1pm - 8 :30pm	Neighborhood Block Party on Pennsylvania Avenue
July 6	5pm	July Fourth Festivities and Fireworks, Missing Mill Park

Councilwoman Brothers added that Habitat for Humanity will be dedicating a home on Dobbs Street, Saturday, June 15 at 2:00 pm. Also, tomorrow, June 11th, the African American Experience of Northeast North Carolina Board, which she serves on, will be meeting and the Director of the North Carolina African American Heritage Commission will be there.

CLOSED SESSION

Councilman Rouse made a motion to go into Closed Session to approve previous Closed Session Minutes; and pursuant to NCGS §143-318.11 (3) to consult with attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body which privilege is hereby acknowledged; and §143-318.11 (5)(i) to establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract for the acquisition of real property by purchase, option, exchange, or lease. Councilwoman Brothers seconded the motion and it carried, 5-0 at 7:20 PM.

RETURN TO OPEN SESSION

Council returned to Open Session at 7:57 PM.

ADJOURNMENT

A motion and a second were made by Councilwoman Waters and Councilwoman Brothers to adjourn the meeting. The motion to adjourn was approved 5-0.

The meeting was adjourned at 7:58 PM.