

Town of Hertford  
Regular Meeting (County Courthouse/ Zoom)  
Monday, February 14, 2022  
6:00 p.m.

The Council of the Town of Hertford held a Regular Meeting at the Perquimans County Courthouse (also by Zoom) on Monday, February 14, 2022 at 6:00pm.

COUNCIL MEMBERS PRESENT

Earnell Brown, Mayor  
Ashley Hodges, Mayor Pro Tem

Connie Brothers  
Jerry Mimlitsch  
Sandra Anderson

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Janice McKenzie Cole, Interim Town Manager  
Ben Gallop, Attorney

A quorum was present

Mayor Earnell Brown called the meeting to order and asked Councilwoman Connie Brothers to give the invocation. This was followed by the pledge of allegiance.

**APPROVAL OF AMENDED AGENDA**

Councilwoman Brothers asked that Item 6b, the scheduled appointment for Bridgette Jernigan to speak about the KEYS Program, be removed from the agenda and that the agenda be amended to add Item 9f Movie: Freedom of NC. Councilman Mimlitsch made the motion to approve the agenda with these changes and Mayor Pro Tem Hodges seconded it. The motion was approved unanimously with the following voice vote

Councilwoman Anderson	aye
Councilman Mimlitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

**CONSENT AGENDA**

On the motion of Councilman Jerry Mimlitsch and the second of Mayor Pro Tem Hodges, the consent agenda was approved unanimously by the following voice vote:

Councilwoman Anderson	aye
Councilman Mimlitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

The consent agenda consisted of the approval of the minutes for January 10, 2022 and January 24, 2022.

## **SCHEDULED APPOINTMENTS**

**-Lee Padrick, CERRI**, Chief Economic Development Planner, Northeast Prosperity Zone, Main Street & Rural Planning Center, NC Department of Commerce

Mr. Padrick stated that the Town of Hertford applied last Fall for CERRI Round 2 and we were accepted. He believes the Hertford Community and Riverfront Plan designed by Allison Platt helped. Traditionally the next step would be abbreviated planning, but we already have the plan. He said if Council would give him a group to work with, he felt that he could cut the usual four meetings down to two. He thought including someone from the Chamber or one of the merchants in that group would be beneficial so that the business community would be represented. \$50 million has been received from the General Assembly and although the guidelines have not been finalized, he believed CERRI would receive a substantial share for streetscape and community development activities. He said he hopes to start in March if Council agrees. He would hope to get a top ten list for funding from the group.

### **-Sara Winslow – S-Bridge**

Ms. Winslow requested that Council send a letter to the Department of Transportation (DOT) or higher ups expressing our preference that a bulkhead rather than rip rap be used for the abutment at the Hertford side of the S-Bridge. The rip rap is cheaper, but considering the adjacent river is 13 feet deep a huge amount would be needed and trash and debris would accumulate there. The Town would have to bear the expense of monitoring and maintaining it. The bulkhead that DOT has constructed for the tender house stops short of where it needs to be and is only about two feet out of the water. As a result, it has already been breached two or three times by strong southeast winds. Hurricane Isabel had a 7.5 ft storm surge and now hurricanes are more frequent and would impact the pumping station and storm water drains. Ms. Winslow did not think that we would make much headway in trying to get the current bulkhead raised. In the past the Town has not been vocal enough and taken a strong stand on DOT's proposals for the S Bridge project, but feels it is important that we take a stand now on this issue of a bulkhead vs. rip rap.

## **CONCERNED CITIZENS**

Sara Winslow spoke to Council about the need for a No Wake Zone and read from the attached statement and provided photos as attachments along with the relevant statutes, previous Town Resolution and a new proposed one.

## **CERRI RESOLUTION AND MEMORANDUM OF UNDERSTANDING**

A motion was made by Councilman Mimplitsch and seconded by Councilwoman Anderson to accept the CERRI Resolution and Memorandum of Understanding. The motion passed by 5-0 vote. The voice vote was

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

A motion was made by Mayor Pro Tem Hodges to designate HCAT as the committee to work with CERRI and identified the Main Street HHI Resurgence Committee to designate a member

of the business community. The motion was seconded by Councilwoman Brothers and it passed 5-0 with the following voice vote

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

#### **LETTER TO DOT REGARDING BULKHEAD v. RIP RAP**

Mayor Pro Tem Hodges made a motion for Manager Cole to prepare a letter for Mayor Brown's signature opposing the use of rip rap and to ask the County to join with us opposing this short-sighted savings. The motion was seconded by Councilman Mimplitsch and passed 5-0 with the following voice vote

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

#### **UTILIZATION OF THE ROBERT HARVEY BUILDING (FORMER POLICE DEPARTMENT)**

Manager Cole indicated that she understood Council has considered renting part of the Robert Harvey Building, but asked that it be used for the Town's administrative offices instead. She wants to move her office over there and will need space for the vacancies that she is trying to fill. A motion was made by Jerry Mimplitsch and seconded by Councilwoman Brothers to use the entire Robert Harvey Building for administrative offices. Mayor Pro Tem Hodges said that he did not oppose the motion, but was concerned about the under utilization of the Horace Reid Building(former Hertford Community Building). He thought we should look at what the footprint looked like in the future for no excess and no shortage.

#### **JUNETEENTH OBSERVANCE**

Councilwoman Brothers let Council know that she is working with the African American Tour Organization for northeast North Carolina.

She indicated that the Mayor had asked her to coordinate the Juneteenth celebration. It will be on June 18<sup>th</sup>. The Mayor mentioned two individuals that she thought would be great assets. Penny Brown was instrumental in getting Congress to approve Juneteenth as a federal holiday. Also Jacqueline Lassiter previously organized an outstanding Juneteenth celebration. Councilwoman Bothers said that Jacqueline Lassiter charges a \$1,200 to \$1,500 fee and she felt that we were capable of doing it without that costs. She was enlisting the assistance of Marvin Tucker Jones of Ahoskie who has been successful in getting several of the markers around the state. Mayor Pro Tem Hodges made a motion, seconded by Councilwoman Anderson to authorize Councilwoman Brothers to proceed with planning the Juneteenth celebration. The motion passed 5-0 with the following voice vote.

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

## **THE SUMMIT**

Manager Cole said she would like to organize a regional summit that brings all funding agencies together to explain what they will fund, when the funding is available and what they are looking for in the application process. She suggested a June or July timeframe to give the governing bodies a chance to complete their annual budgets. A motion was made by Councilwoman Brothers and seconded by Mayor Pro Tem Hodges to authorize Manager Cole to proceed with planning a Summit. The motion passed 5-0 with this voice vote

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

## **MOVIE**

Councilwoman Brothers said that Freedom of North Carolina was the movie she wanted to make available to the community. It was filmed on the Hope Plantation by a North Carolina native James Jones. Asst Superintendent Bunch has approved the use of the High School on Friday, February 25<sup>th</sup> at 6pm. The Town would need to sign off on the request form. A motion was made and seconded by Councilman Mimplitsch to support the movie showing at the high school and directing Manager Cole to make the necessary arrangements.

## **COUNCIL'S REPORTS AND OBSERVATIONS**

Councilman Mimplitsch commented on how prepared the new Council members are and what an asset they are to the Council. He also thanked the manager and the speakers, and Stacey Layden for all the work she has done on the museum.

Councilwoman Brothers stated that at the Board of Elections monthly meeting they passed moving the West Hertford voting location from Louise's to the Department of Social Services. She also explained that she is a member of the African American Experience in Northeast NC. Each County was to select one goal and she selected Meridien Lodge #18 as a site that needs to be developed. Finally, Ann Benton wanted Council to know that she was appreciative of the Public Works Department because of the work they did cleaning the streets.

Mayor Pro Tem Hodges thanked Councilwoman Brothers for the work she did on the dedication of the buildings. At the HCAT meeting on January 25<sup>th</sup>, they spoke of prioritization of the resiliency projects. He thanked Larry Sandeen. He also thanked the Public Works Department for the work they were doing on the Capital Improvement Plan. He was impressed with the level of detailed knowledge they had and felt that momentum was building. He welcomed Mayor Brown back.

Mayor Brown said that the Youth Program is up and running. They have eight activities planned and she read them off. The Perquimans Art League (PAL) is partnering with them and helping to solidify their 501(c)(3) status. These activities are on Wednesdays in March and will use the Horace Reid building. She is talking to the St. Paul AMEZ Church and First Baptist Missionary Church about a strategy of schedule, roles, and cost to use the King Street Park. They are looking at a timeline of one year to try to make it work. The ministers seem to be on board. They are waiting to hear from their congregants. She thanked everyone for all the support and acts of kindness. She and her family felt love coming from Hertford. She thanked Mayor Pro

Tem Hodges for representing the Town at her son's service. She thanked the citizens who showed up at her house when she returned with lit candles and sang Amazing Grace.

The announcements were read.

### **CLOSED SESSION**

Councilman Mimplitsch moved and Councilwoman Brothers seconded a motion to go into closed session pursuant to NCGS§143-318.11(a)(3) to consult with an attorney employed by the public body in order to preserve the attorney-client privilege between the attorney and the public body and (a)(7) to plan conduct, or hear reports concerning investigations of alleged criminal misconduct. It passed 5-0 with the following voice vote

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

Open session resumed.

A motion was made by Councilman Mimplitsch and seconded by Mayor Pro Tem Hodges to adjourn. The motion passed unanimously and the voice vote was as follows:

Councilwoman Anderson	aye
Councilman Mimplitsch	aye
Mayor Pro Tem Hodges	aye
Councilwoman Brothers	aye
Mayor Brown	aye

Adjournment at 8:18pm

February 14, 2022

Sara E. Winslow, 102 Phelps Street

Good evening, Mayor Brown and members of the Council. Thank you for the opportunity to speak.

I would like to address a boating safety issue – In 2011, the TOH adopted a resolution – Perquimans River No Wake Zone, requesting to PC Commissioners to submit formal application to the NCWRC for designation and approval. This was done and established a No Wake Zone in the lower and upper “Hertford Bay” – 15A NCAC 10.F .0355 (1) (B) (b) and (d). For the rules to be enforced the area has to be properly marked with No Wake Buoys.

So many vessel operators whether boats or Personal Water Craft (PWC), have no idea of the “rules of the road/laws” – you just get on it – start up and take off. Much less the water depth or what they are running over. GS 75A-13.3 – PWC – required to operate no greater than no wake speed within 100 ft of anchored vessel, dock, pier, persons engaged in angling, etc. As you can see from the pictures.

There is a huge shoal area off of Front Street that runs past USCG Marker 9. Depending on the wind tide, can be as little as 18 inches of water on the shoal area. I’ve seen boats hit that shoal..it will stop them dead in the water. A true safety issue – serious accident waiting to happen or even worse.

I’m requesting that the process begin – for expansion of the No Wake Zone from the Perquimans River Bridge (No. 8) – 17 Business and extend northeast to 25 yards past USCG Shoal Marker 9 (Green). In the packets – pictures of boat operations in the area, the relevant NCGS, the 2011 TOH resolution and a draft resolution.

This is a true safety issue! Thank you