

**Town of Hertford**  
Regular Session (In Person/Zoom)  
Monday, April 11, 2022 – 6:00 p.m.  
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 Zoom) on Monday, April 11, 2022 at 6:00 pm.

**COUNCIL MEMBERS PRESENT**

Earnell Brown, Mayor	Connie Brothers
Ashley Hodges, Mayor Pro Tem	Jerry Mimplitsch

**COUNCIL MEMBERS ABSENT**

Sandra Anderson

**STAFF PRESENT**

Janice McKenzie Cole, Interim Town Manager  
Gina Durante, Town Clerk  
Ben Gallop, Attorney

A quorum was present.

Mayor Brown called the meeting to order. The invocation was followed by the pledge of allegiance.

**APPROVAL OF AGENDA**

A motion was made by Mayor Pro Tem Hodges and seconded by Councilman Mimplitsch to amend the agenda as follows:

- On the Consent Agenda add the minutes from March 14, 2022
- Under New Business add 7e ABC Profits to the Town of Hertford

The motion was approved unanimously with the following voice vote:

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

A motion was made by mayor Brown and seconded by Mayor Pro Tem Hodges to approve the agenda as amended. The motion passed 4-0 with the following voice vote:

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

### **CITIZENS CONCERNS**

Sara Winslow addressed Council regarding fishing from public property, specifically Walter's Bridge and the S-Bridge. She is concerned that ordinances prohibiting fishing activities have not been enforced and signage does not reflect those ordinances but contradicts it. Furthermore, with the S-Bridge reopening with only a sidewalk on the east side of the bridge and no lighting, there is a potential danger after dark if fishing continues. She requests that Council consider how to address or enforce this issue prior to the S-Bridge opening. Her written statement is attached.

Kim Brinn addressed Council regarding rental/vacation properties in Hertford. She suggested that owners of rental/vacation properties be required to register those properties with the town, and possibly pay a small fee per property registration. Kim stated that not knowing the number of rental properties has been a problem applying for some grants in the past.

### **CONTINUED BUSINESS**

#### **MINUTES FROM MARCH 14, 2022 AND MARCH 28, 2022**

Mayor Pro Tem Hodges stated the March 14, 2022 minutes were approved in the Consent Agenda. He noted that at the March 28, 2022 work session he abstained on the vote to rename the grassy area located on Market Street and East and West Academy to Central Park. His reason was that he questioned the need to approve the renaming of the grassy area to Central Park at the Work Session so he abstained from the vote. He will support to approve it now in the Regular Session. He moved to approve those minutes if that change was made. Mayor Brown made a motion to accept the changes made by Mayor Pro Tem Hodges and Mayor Pro Tem Hodges seconded. The motion passed unanimously 4-0 with the following voice vote:

Councilwoman Anderson	aye
Councilman Mimplitsch	aye

Mayor Pro Tem Hodges    aye  
Councilwoman Brothers    aye  
Mayor Brown                aye

#### **GOLDEN LEAF FOUNDATION FLOOD MITIGATION GRANT CONTRACT FEE FOR APPLICATION PREPARATION**

Mayor Brown stated this was previously approved. Interim Town Manager Cole indicated that Withers Ravenel will charge \$4,000 for preparing the application, that information was not available when Council approved moving forward with the grant.

#### **NEW BUSINESS**

##### **GRANTS FOR ELECTRIC VEHICLE CHARGING STATIONS**

Mayor Brown opened discussion regarding the DAQ grants for electric vehicle charging stations. These charging stations will support the economic development of downtown as it will bring people in to eat and shop while charging vehicle. Interim Town Manager Cole provided slides showing map of priority corridors, funding and grant information and visual representation of the station. Discussion was supportive of four charging stations located in the marina, or possibly in a few locations. Council will later determine size/capacity of chargers and exact locations. Deadline for these grant applications is May 16, 2022. Mayor Pro Tem Hodges made a motion for Interim Town Manager Cole to work on application and bring a draft to the May 9, 2022 Regular Session Town Council Meeting. Councilman Mimplitsch seconded the motion. The motion was passed unanimously 4-0 with the following voice vote:

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

##### **SCHEDULE FOR BUDGET SESSIONS**

Interim Town Manager Cole suggested May 5, 2022 and May 12, 2022 for Budget sessions. Since the Town is on the Unit Assistance List we have to submit a draft budget by May 16, 2022. Mayor Pro Tem Hodges made a motion to accept May 5, 2022 and May 12, 2022 for budget work sessions. Councilman Mimplitsch seconded the motion for those work session dates. The motion passed 4-0 with the following voice vote:

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

#### TOWN MANAGER'S REPORT

Interim Town Manager Cole stated that Council passed a resolution to extend/expand the no wake zone and sent it to the County. The County requested that we present it at their Commissioner's meeting. Sara Winslow accompanied Interim Town Manager Cole and presented the resolution to the county. The County Commissioner's approved it and it will be forwarded to the Fish and Wildlife Commission in Raleigh. There is a zoning meeting on Monday, April 18, 2022 and agenda items are murals, temporary signs and smoke shops.

#### ABC STORE PROFITS TO THE TOWN OF HERTFORD

Interim Manager Cole reported that the Town had received checks from the ABC store marked sends profits to town, law enforcement and alcohol education. She was not sure how Council handled those checks in the past. It was determined that the Town just acting as a pass through and the checks for law enforcement and alcohol education should be forwarded to the appropriate entities.

#### COUNCIL REPORTS/CONCERNS

Councilwoman Brothers is concerned about the conditions of properties in Hertford and would like a town clean-up as rodents and snakes are becoming active with the warm weather. She thanked Miss Felton of Raleigh, NC for making the trip to clean up her property on Market Street. Councilmembers discussed the trash, debris and inoperable/junk cars on properties. Interim Town Manager Cole stated there is an ordinance for abandoned/junk vehicles that should be amended as the current ordinance deems the police department as responsible for enforcement. Mayor Brown suggested not just a clean-up of our streets but how can we assist our residents and neighbors to remove trash, assist with maintenance for residents in need, overwhelmed or do not have sufficient equipment to remove unsightly, unwanted items. Councilwoman Brothers is planning this for June 4, 2022.

Mayor Pro Tem Hodges stated that he, Manager Cole and Director of Tourism Stacey Layden attended the Harbor Town Initiative meeting in Columbia. The project has received \$5.5 million and shared their plan with the municipal and county attendees.

HTI is purchasing two not-yet built boats and a separate dinner boat that will transport people between towns on the Albemarle Sound. Remaining funds will be used for the operations and maintenance of Harbor Town. The dinner boat is the only vessel expected to be operating this summer, the other two vessels should be complete and ready for operation in 2023.

Councilman Mimplitsch asked that we all continue to pray for Councilwoman Anderson's recovery after surgery.

Mayor Brown addressed the missing speedbumps on King Street. A Hertford citizen has asked that the speedbump near the basketball court be replaced as there are a lot of children across the street. Mayor Brown also wanted to publicly thank Public Works for all their work on utilities, work at the pump station on Church Street, and fixing leaks throughout the town, including the marina and the sheriff's office on the Front Street side. There remains a significant leak on Market Street in need of repair. Mayor Brown also asked that we pray for Councilwoman Anderson's complete recovery.

#### **ANNOUNCEMENTS WERE READ**

The new Town Clerk, Gina Durante, was introduced.

Mayor Pro Tem Hodges made a motion, and Councilwoman Brothers seconded it to enter into a closed session pursuant to NCGS§143-318.11(a)(3) To consult with an 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.

The motion passed unanimously 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 and seconded to adjourn the meeting.

The motion passed unanimously with the following voice vote:

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

The meeting adjourned at 7:38 p.m.

April 11, 2022

Sara E. Winslow

102 Phelps Street (or some address?)

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

I would like to address TOH Ordinances—Article IV—Fishing from Public Property—Section 4-41 Walter's Bridge (S. Church St) and Section 4-42 S- Bridge.

Even though the ordinance states that fishing is prohibited on Walter's Creek Bridge—fishing has been occurring for years on the sidewalk side—which is a good thing. Prior to September 2019, there were signs posted—fishing allowed from sunrise to sunset on the sidewalk side. No fishing allowed on non-sidewalk side.

Fishing by ordinance is permitted on the sidewalk side of the S-Bridge from sunrise to sunset. The ordinance contains numerous other conditions. Also, a good thing.

On September 3, 2019 these allowed fishing activities/issues came before Council—there was no vote, no public hearing to change or rescind the ordinances. The HPD was instructed by a Councilman to remove all the signs from Walter's Creek Bridge and the S-Bridge that referenced the fishing times and areas, which they did. HPD was instructed not to enforce the ordinances, which they did. TOH Manager informed me there was nothing she could do about it, even though the ordinances were still on the books. Increase in activity on sides of bridges with no sidewalks happened.

Yesterday, I noticed that the sign at Walter's Creek was back up—fishing allowed sunrise to sunset.

Looking ahead to when the new S-Bridge opens—the structure will provide an opportunity for people to fish from Hertford to almost Winfall. A sidewalk will only exist along the East side of the bridge. No lights will exist along the roadway from just pass the draw/truss to Winfall. Thus, certainly dangerous after dark.

So my request is just be thinking about how to address this issue and ensure it is enforced. You have a couple months, maybe longer before the bridge opens.

Thank you!

## **ARTICLE IV FISHING FROM PUBLIC PROPERTY**

### **Section 4-40 Skinner's Bridge**

Fishing is hereby prohibited on Skinner's Bridge on Wynne Fork Road, State Road 1338, Department of transportation Bridge No. 11. Signs shall be posted on such bridge indicating that fishing is prohibited.

### **Section 4-41 Walter's Bridge**

Fishing is hereby prohibited on Walter's Bridge on Church Street, State Road 1336, Department of transportation Bridge No. 31. Signs shall be posted on such bridge indicating that fishing is prohibited.

### **Section 4-42 "S" Bridge**

Fishing shall be permitted on the "S" Bridge on Church Street, US Highway 17 Business, Department of Transportation Bridge No. 8, upon the following conditions:

- 1) Fishing shall be allowed only between sunrise and sunset, as set out in the schedule for "Sunshine and Sunset" computed by the Nautical Almanac Office, United States Naval Observatory.
- 2) Littering is prohibited
- 3) There shall be no consumption of alcoholic beverages on said bridge nor shall anyone who is intoxicated fish or otherwise be on said bridge.
- 4) There shall be no parking for fishermen on Phelps Street or Newby Street or in any private lots in the immediate area of said bridge.
- 5) There shall be no profanity.
- 6) There shall be no urination on said bridge or in any area of any neighborhood or street adjacent to said bridge.
- 7) Trashcans shall be provided on said bridge and all litter is to be placed in said trashcans.
- 8) There is to be no cleaning of fish in said bridge and there shall be no fish or any part thereof placed in said trash cans or anywhere else on said bridge.
- 9) Fishing shall be allowed only from the sidewalk on said bridge.
- 10) All fishing operations and fishing gear and equipment shall be confined to the sidewalk on said bridge and there shall be no operations (such as casting) or fishing gear or equipment, which shall extend onto the roadway of said bridge.

Fishing on the "S" bridge will be continuously monitored by the Town to ensure strict compliance with the terms of this ordinance. This ordinance shall be repealed if not strictly complied with.