

**Town of Hertford
Town Regular Session Minutes
Monday, March 8, 2021
7:30 PM
Town of Hertford Community Center**

The Town of Hertford's Town Council held the Regular Session on Monday, March 8, 2021.

Mayor Earnell Brown called the meeting to order at **7:53 pm**.

COUNCIL MEMBERS PRESENT

Mayor Earnell Brown, Mayor Pro Tem Ashley Hodges, Councilman Frank Norman, Councilman Jackson, and Councilman Jerry Mimlitsch.

STAFF PRESENT

Town Manager Pamela Hurdle, Attorney Ben Gallop, Police Staff, and Police Chief Dennis Brown.

OTHERS PRESENT

Barry Ford, Gracie Felton, Susan Cyr, Sandra Anderson, Murielle Harmon, Matt Cyr, and Connie Brothers.

The invocation was offered by Councilman Mimlitsch.

Pledge of Allegiance was cited.

ADJUSTMENT/APPROVAL OF AGENDA

A motion was made by Mayor Pro Tem Hodges and seconded by Councilman Mimlitsch to approve the agenda as presented.

Discussion- Councilman Norman stated that the agenda packet was not received in adequate time. Councilman Jackson stated that some of the items continued from the previous month are not on the agenda. Mayor Brown stated that a call for agenda items was asked for on February 12th. After a brief discussion, Mayor Brown called for the vote. The vote:

Councilman Mimlitsch	Yay
Councilman Norman	Nay
Councilman Jackson	Nay
Pro Tem Hodges	Yay
Mayor Brown	Yay

The vote was 3-2

The Council voted to approve the agenda as presented.

APPROVAL OF MINUTES

Mayor Pro Tem Hodges made a motion to approve 2.3.2020, 2.10.2020, 2.13.2021, 6.1.2020, 6.8.2020, 7.6.2020, 7.13.2020, 8.3.2020, 12.7.2020, 12.15.2020, 1.11.2021, 2.8.2021, 2.9.2021, and 2.11.2021 minutes. The motion was seconded by Councilman Mimlitsch.

Discussion: Councilman Norman stated he did not get the agenda packet until the weekend. Mayor Pro Tem stated the Governing Body had the minutes since February 17th. The Mayor called for the vote. The vote:

Councilman Mimlitsch	Yay
Councilman Norman	Nay
Councilman Jackson	Nay

Pro Tem Hodges Yay
Mayor Brown Yay

The vote was 3-2.

The Council voted to approve the minutes for 2.3.2020, 2.10.2020, 2.13.2021, 6.1.2020, 6.8.2020, 7.6.2020, 7.13.2020, 8.3.2020, 12.7.2020, 12.15.2020, 1.11.2021, 2.8.2021, 2.9.2021, and 2.11.2021.

CITIZEN CONCERNS

Matthew Cyr- Front Street Hertford. Mr. Cyr spoke on the Hertford Police Department merging with the Sheriff Department. He asked the Council to consider this to save money, this is being done around the country, making sure the Sheriff department will employ the officers, and if the Council to do a study to identify how money can be saved.

Sara Winslow- Phelps Street Hertford. Ms. Winslow read the following letter:

March 8, 2021

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

A couple of these issues I was going to address at last month's meeting. However, I was informed by Chief Brown when I arrived that allowed attendance was at capacity; no other citizens would be allowed in. Five other citizens were turned away at the same time. Yet, additional folks were allowed in after we left. Double standard?

I have had several citizens express concern relative to the condition of the drives and poor condition in Cedarwood (new parts) and Edenton Road Cemeteries. The Town of Hertford owns and sells the plots in these cemeteries; thus, it is the Town's responsibility to maintain. Water standing and some people almost getting stuck visiting family graves, certainly not acceptable. Even before all the monsoon rains, we have had.

Michael Stallings Trucking – Price per ton delivered (just materials)

- #57 stone - \$32 per ton
- Crush and Run - \$26 per ton
- Slag - \$23 per ton (may hold the best)
- Would probably need 4 – 6 inches

I have read the 15 sets of TC meeting minutes posted on the Town's webpage and presented in February for approval. When I looked over the agenda for tonight's meeting 4 sets of minutes have been removed from the February list. Not sure how some WS and RS minutes can be identical in text. No doubt that an English teacher would run out of red ink on these. Numerous times I have cited the requirements of minutes in the NCGS and Town Charter/Ordinance (December 15, 2020). Looks like still 15 sets not complete.

Why is the approved 2020/2021 Town of Hertford Budget not on the website? Only the recommended budget.

On February 22, the water line to my home was broken again for the third time in last several months as a result of the bridge work. Between February 22 – 26, my path was blocked for access for over 16 hours by Town of Hertford Vac Truck, equipment or plumbing company. Church Street was one lane and at times no one or only one person was directing traffic and no signage...great liability to the town. During the time, some personnel were not wearing safety colors. Public Works personnel said, "they were doing the best they could do". The Town did not fix the problem – a plumbing company was hired and, in the process, cut an electrical conduit...which resulted in no streetlights on Church for several nights. On the 26th the water was cut off on Church Street – I have not talked with anyone who received notification that this

was going to happen or when water was restored. The plumbing contractor and NCDOT informed me that the Town was supposed to have notified (water shut off at 10:30 AM) those effected. So much for the new call alert system! I received no notification from the Town relative to loss of access when water was to be shut off or when restored. Where is a little common courtesy? I left a message at the Municipal Building at 11:15 AM and requested a call ASAP that afternoon...still no call. The Town has not flushed hydrants/lines for any of these...clearing the lines of "crud". So, the residents are having run gallons and gallons of water...charged to their water and sewer use bills...to clear their lines when it is no fault of theirs. How fair is this? I request that these comments are added to the official record and I receive a written response.

Thank you

Sara E. Winslow, 102 Phelps Street

Gilbert Vaughn- Ocean Hwy. Hertford. Mr. Vaughn stated he looked in the Perquimans Weekly and saw the elimination of the Police department. He also visited around two hundred houses and talked to approximately sixty-three residents, with fifty-nine stating the police department should stay and six residents stating they did not want to get involve or did not know of the information. Mr. Vaughn stated that if the Town put the police department to the sheriff department, it does save money because the Town has to pay the County and the overhead of the sheriff department. The Sheriff's department will have to pay the same amount of people, pay the administration, and paying the County you will have to pay the overhead. The Town will lose money. Mr. Vaughn stated he just does not want anyone to lose their grandson lie he lost his.

Quentin Jackson- 114 W. Grubb Street. Mr. Jackson stated since he has been with the local government, he hears that people saying they work with the federal government. Mr. Jackson stated the two are different as the police and the sheriff. Mr. Jackson stated there will be a domino effect such as the court cases. Mr. Jackson named young men that were from Hertford and killed in Hertford. Mr. Jackson voiced to know Hertford you will know what is PQ means or be able to cite the principal's names. Mr. Jackson stated items to Mayor Pro Tem Hodges such as integrity, will not raise campaign funds during Mayor Pro Tem's election, and releasing a taped conversation between Mr. Jackson and Mayor Pro Tem Hodges. Mr. Jackson apologized to Mayor Brown for the comments he made to her. He stated that Mayor Brown can be a great advocate for the community and the youth.

Dennis Brown- Hiland Park Hertford. Mr. Brown wanted to thank the citizens, former and present council, and anyone that has made his time in Hertford memorable. He received a disturbing phone call from one of his officers about the police department being disbarred. Mr. Brown stated that he would be fired if he put in the newspaper that his officers may lose their jobs and be notified by the newspaper. He would not do this to the officers and do not accept it should be done to the officers. Even though it is a fact-finding expedition, it sends the message to the officers that they need to get another job. Councilman Jackson made a motion and seconded by Councilman Norman (*because of the heating system fan, the motion could not be heard*). No vote on the motion was done. Mr. Brown thanked everyone for the great opportunity.

Frank Norman- Mr. Norman congratulated the police chief for al, the things he has done for the police department and town. Mr. Norman spoke about minutes on the website. Mr. Norman gave the example of the Town turning over the recreation department to the County and the Town struggles with getting to the rec center and having the building open to using it. Mr. Norman spoke on the 911 bill. He stated that everything the Town has turned over to the Town has cost the Town more and has gotten less service. Mr. Norman stated that the safety and well-being of this community are just as important as the Waterfront project.

Connie Brothers- 504 Willow Street. Ms. Brothers spoke on half of her daughter. Ms. Brothers want to know what are the criteria for parking, land identified by GIS that the Town owns, and how can the Town help them with the use of this land. Ms. Brothers requested that she be answered in writing.

Sgt. Roman- Hertford Police officer. Sgt. Roman stated he has been in law enforcement for twelve years and to learn about the disbandment of the police department for the newspaper is disrespectful. In 2019, the crime rate in Hertford rose nine percent. The council members that were elected should represent a balance of all people. The department has lost the trust of the staff and lost the trust of the town's citizens.

Det. Chitwood- Det. Chitwood introduced himself since most have not come to introduce themselves. Det. Chitwood has twelve years of experience in law enforcement. Det. Chitwood explained how much the department has done in a short time. He has assisted with dispatch solutions, eliminated some overtime, a map, revitalized old police forms, creating a community cleanup, and drug cleanup in the community. He asked what kind of official tells about department disbandment in a newspaper or does not evaluate all departments including their own concerning the budget.

Det. Zepetella- Det. Zepp was formerly employed in Fayetteville, NC. Det. Zepp asked the council if they knew how the department operates on a day-to-day basis. The department has improved the documentation of cases, code enforced on fourteen houses, done four searched and sixteen warrant cases, in thirty-one days.

Officer Polumbo- Officer Polumbo stated micro-managing the police department is not good. Emotionally, Officer Polumbo spoke on the town council's actions and the town council does not know what they are doing. Officer Polumbo ended his speech that he is from Fayetteville NC and a veteran.

Corporal Knigge- Corporal Knigge stated he has engaged with the community and believes that is what a small community does. Corporal Knigge stated he is trained in communications. Corporal Knigge also stated that the qualities that are within the police department force, will not be gotten if the Council chooses to go the other way. He ended with law enforcement is in every one of the officers. He asked that the officers be allowed to do their jobs the best they can and their know-how.

Administrative Support Specialist Sharion Sumrall- Ms. Sumrall spoke on trust. Ms. Sumrall stated shame on all of you. Ms. Sumrall stated that she was shocked to hear about the news of the police department. Ms. Sumrall stated she have witnessed a monopoly of officers that stated they would leave the employment of the Town if Pam Hurdle, then the executive assistant would become the manager. They held to their words. She asked them why would you condemn a person before giving them a chance. The police department has lost applicants by the applicants reading online about what is going on in Hertford. She stated that many applied and get hired but their hiring employment is to keep their certification. Ms. Sumrall stated today, the police department has an A-Team, two awesome officers that have solved numerous cases, and corporal and officers that are not scared to do their jobs. Ms. Sumrall stated shame on you and the statement (of disbandment) should have never been entertained. Ms. Sumrall closed her speech by thanking Chief Brown for believing in her, pushing her to her limits, receiving all the certifications and training, and he will be missed.

Mayor Brown thanked the police department for them attending the meeting and being honest.

CONTINUED BUSINESS

No continued business.

NEW BUSINESS

Establish the Youth Center in the Hertford Community Center *Resolution 3.8.2021-1*

Resolution to Establish the Youth Center in the Town of Hertford's Community Center

Resolution 3.8.2021-1

WHEREAS, the Town of Hertford's Community Center is a perfect location for a youth center. It is within the town limits, walking distance of youth populated communities, the Perquimans High School, and Hertford Grammar School.

WHEREAS, the Town of Hertford's Community Center is currently vacant, requires a minimum renovation, and is owned by the Town of Hertford.

WHEREAS, the Town of Hertford's Community Center is adjacent to existing basketball and tennis courts, across the street from Missing Mill Park for fishing and cookouts, and the Carolina Moon Theater for after-school theater activities.

WHEREAS, the Town of Hertford's Community Center is surrounded by amenities applicable to a Youth Center, i.e., shuffleboard, small playground equipment, and enough green space for a garden where

the youth can plant vegetables and learn about nutrition.

WHEREAS, the Town of Hertford's Community Center floor plan includes a kitchen, male and female restrooms, individual rooms for classrooms, a computer lab, and a large floor space for programs.

WHEREAS, the youth of Hertford do not have a safe productive location to gather, socialize and learn. The Youth Center will provide a facility and programs offering academic enrichment, career awareness and readiness, character and leadership development, recreation, and health/wellness activities. It will provide a place where classes can be conducted addressing education, accountability, social skills, tutoring programs, mental health, role models, helping children to identify their future/dreams, internet access, finances, connecting with and/or establishing civil/social groups.

WHEREAS, the Town of Hertford's Community Youth Center will be located at 305 Grubb Street, Hertford, NC 27944.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body takes the following actions in support of these objectives:

1. Approve a section of the Town of Hertford's Community Center for the Youth Center. (See attached) diagram.
2. Identify funding in the FY2021-2022 budget cycle for building renovations/repairs, to install Wi-Fi and fund building operation, i.e., utilities, Wi-Fi, and insurance.
3. Approve the Town Manager to provide oversight for building renovations/repairs, to install Wi-Fi, and manage funding for building operation, i.e., utilities, Wi-Fi, and insurance.

Presented to the Hertford Town Council for Approval 8
March 2021

Earnell Brown, Mayor

(ATTEST)

Pamela Hurdle, Deputy Clerk

Councilman Jackson made a motion to table Resolution 3.8.2021-1 and it was seconded by Councilman Norman.

Discussion: Councilman Norman stated he did not receive the agenda packet in time to read over the resolution. Councilman Jackson stated he will not be voting for this resolution and added how much will it cost to insure the building and other costs when the Town is scraping the police department. Mayor Pro Tem stated do more for the youth in the community and it can be part of the budget cycle. Mayor Brown called for the vote. The vote:

Councilman Mimplitsch	Yay
Councilman Norman	Yay
Councilman Jackson	Yay
Pro Tem Hodges	Yay
Mayor Brown	Nay

The vote was 4-1

Council voted to table Resolution 3.8.2021-1.

Town Council Meeting Protocol Resolution 3.8.2021-2

Resolution Town of Hertford's Town Council Meeting Protocol
Resolution 3.8.2021-2

WHEREAS, the Town of Hertford Governing Board voted, June 2020, to follow the "Suggested Rules of Procedures for City Council", by Trey Allen, School for Government.

WHEREAS, the Town Manager and Town Clerk prepares the draft agenda. The Mayor plays a major role in preparing draft agendas. The draft agenda is forwarded to the entire Governing Board to include their comments, input, deletions and adjustments Rule 13, Agenda, Page 25.

WHEREAS, last-minute additions to the agenda are only allowed if they are supported by a majority of members present and voting. Rule 13, Agenda, Page 25.

WHEREAS, the Officiator (Mayor) of the meetings executes the right to, "Without objection, the Mayor may call agenda items in any order most convenient for the dispatch of business." Rule 16. Order of Business, Page 30.

WHEREAS, "no member may speak more than twice on the same substantive motion. However, the debate shall alternate between proponents and opponents of the measure." Rule 25, Debate, Page36. If one or more members speak in favor or in opposition of a motion, and their speech is not opposed by the remaining members, debate is concluded and a vote is called for by the Officiator, as it is impossible to continue in an alternating manner.

WHEREAS, "...minutes should contain mainly a record of what was *done* at the meeting, not what was *said* by the members." Rule 6, Minutes Required for All Meetings, Page 13.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body takes the following actions in support of these objectives:

1. All council members shall review the agenda as it evolves and *include their agenda items*, with background information to the Town Clerk at least *two working days* before the date of the meeting. This to avoid the bi-monthly hourly debates over the contents, placement, or lack of supporting documentation. Rule 13, Agenda, Page 25.
2. The "Agenda package shall be prepared that includes, for each item of business listed on the draft agenda, as much *background information* on the topic as is available and feasible to provide and be furnished to each member *at least 24 hours* before the meeting." Rule 13, Agenda, Page 25.
3. "A member's first speech on a substantive motion shall be *limited to 10* minutes and any second speech on the same motion shall be *limited to five* minutes. The same rules apply to debate on a procedural motion, except that a member's first speech shall not exceed five minutes, and any second speech shall be limited to two minutes." Rule 25, Debate, Page36.
4. The meeting minutes need not record discussions, but substance to the discussion. Rule 16. Order of Business, Page 30.

Presented to the Hertford Town Council for Approval 8 March 2021

Earnell Brown, Mayor

(ATTEST)

Pamela Hurdle, Deputy Clerk

Mayor Brown read Resolution 3.8.2021-2. Councilman Jackson asked Attorney Gallop Councilman Jackson and Councilman Norman to oppose the resolution because of duplication of what is already a rule. Mayor Pro Tem Hodges made the motion to accept Resolution 3.8.2021-2 and it was seconded by Councilman Mimlitsch. Mayor Brown called for the vote. The vote:

Councilman Mimlitsch	Yay
Councilman Norman	Nay
Councilman Jackson	Nay
Pro Tem Hodges	Yay
Mayor Brown	Yay

The vote was 3-2.

Council voted to approve Resolution 3.8.2021-2.

Online Platforms Resolution 3.8.2012-3

Resolution Establishing Council Points of Contact for Online Platform
Resolution 3.8.2021-3

WHEREAS, the Town of Hertford Governing Body (referred to as “the Governing Body” hereafter) desires to establish clear lines of responsibility for the administration of the Town’s various online communication platforms, specifically Zoom, the Hertford Plan page on PublicInput.com, the Town of Hertford Website, and the Town of Hertford Facebook page;

WHEREAS, the Town of Hertford Charter Sec. 6 and Town of Hertford Code of Ordinances Article 1-1 Sections 1-5, 1-13, and 1-14 assign the authority to preside over meetings to the Mayor and Mayor Pro Tem in her absence;

WHEREAS, the Town of Hertford webpage and Town of Hertford Facebook page is critically important mediums for communicating with current and prospective Town residents, local businesses, external agencies, and other organizations interested in Town activities;

WHEREAS, the content on the Town of Hertford webpage and Town of Hertford Facebook page is frequently incomplete, out-of-date, or difficult to find;

WHEREAS, the Governing Body wishes to assign an additional resource to assist the Town Manager and the Town Clerk in maintaining the Town of Hertford webpage and Town of Hertford Facebook page;

WHEREAS, in his role as Hertford Town Council Representative to the Perquimans County Tourism Development Authority (TDA) Board, Councilman Mimlitsch is already involved in the planning aspects of many Town and County events;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body takes the following actions in support of these objectives:

1. Assigns responsibility for the creation and administration (i.e., “host” and “co-host” designations) of Governing Body meetings on the Zoom and PublicInput.com platforms to the Mayor and Mayor Pro Tem.
2. Requires the Mayor or Mayor Pro Tem to assign responsibility for the creation and administration (i.e., “host and “co-host” designations) of Governing Body meetings on the Zoom and PublicInput.com platforms to an alternate in the event they are unable to attend the meeting;
3. Establishes Councilman Mimlitsch, the Town Clerk, and the Town Manager as the exclusive administrators of the Town of Hertford webpage and Town of Hertford Facebook page;

Presented for Approval During 8 March 2021 Regular Session



Earnell Brown, Mayor

(ATTEST)

Pamela Hurdle, Deputy Clerk

Mayor ProTem Hodges read the resolution. A motion was made by Mayor Pro Tem Hodges and seconded by Councilman Mimlitsch to approve Resolution 3.8.2021-3.

Discussion: Councilman Jackson spoke to the citizens. Councilman Jackson stated he was the creator of the Facebook page and he will cancel the Facebook page. Councilman Norman stated there was no conversation or discussion before the resolution was done. After much decision, Mayor Brown called for the vote.

The vote:

Councilman Mimlitsch	Yay
Councilman Norman	Nay
Councilman Jackson	Nay
Pro Tem Hodges	Yay
Mayor Brown	Yay

The vote was 3-2.

Council voted to approve Resolution 3.8.2021-3.

Law Enforcement Services *Resolution 3.8.2021-4*

Mayor Pro Tem Hodges explained the resolution and the intent is to explore alternatives. Mayor Pro Tem made a motion to approve Resolution 3.8.2021-4 and it was seconded by Councilman Mimlitsch.

Discussion: Councilman Jackson voiced his concerns about Mayor Pro Tem Hodges voicing the use of fund balance, sheriff protecting the Town of Hertford, previous conversations of disbanding the police department, and the truth not being cited. Councilman Norman voiced his concerns about the resolution such as information in the emails were not the truth, electric fund, and its restrictions, utility rates increase, and the knowledge of the current police department. Councilman Mimlitsch stated he has talked to some of the police staff. Councilman Mimlitsch stated he does not believe in disbanding the police department but it is known that the Sheriff and Police do not get along. Councilman Mimlitsch stated he believes in the safety of our town and the Town needs to talk and see what the numbers are and what help is out there. Councilman Mimlitsch stated that he believes there needs to be open communication. The Police staff voice their concerns and the police staff left the meeting. *(Because of several conversations in the room, it was difficult to hear the remaining discussion on Resolution 3.8.2021-4.)* Councilman Jackson made a motion to table the resolution to never weary. The vote:

Councilman Mimlitsch	Nay
Councilman Norman	Yay
Councilman Jackson	Yay
Pro Tem Hodges	Nay
Mayor Brown	Nay

The vote was 2-3.

Council voted to not approve to table the resolution to never weary.

Back to the first motion on the floor that was not voted on -to approve Resolution 3.8.2021-4. The vote:

Councilman Mimlitsch	Yay
Councilman Norman	Nay
Councilman Jackson	Nay
Pro Tem Hodges	Yay
Mayor Brown	Abstain

The vote was 3-2.

Council voted to approve Resolution 3.8.2021-4.

A call to adjourn was made and withdrawn.

Accept Police Chief Resignation

A motion was made to accept the Police Chief Dennis Brown's resignation and for the Manager to identify an Acting Chief with the assistance of the Police Chief. Manager Hurdle stated that she and the Chief have already had the conversation. The vote:

Councilman Mimplitsch Yay
Councilman Norman Yay
Councilman Jackson Yay
Pro Tem Hodges Yay
Mayor Brown Yay

The vote was 5-0.

Council voted to accept the Police Chief Dennis Brown's resignation and for the Manager to identify an Acting Chief with the assistance of the Police Chief.

ADJOURNMENT

With no other discussion, Mayor Pro Tem Hodges made the motion to adjourn the meeting and it was seconded by Councilman Mimplitsch.

The meeting adjourned at **11:13 pm.**

