

## **Minutes Regular Monthly Meeting November 13, 2018 at 7:30 PM**

Mayor, Horace Reid called the meeting to order. Commissioners present were Mayor Pro Tem, Archie Aples, Sid Eley, Frank Norman, and Quentin Jackson. Others present were Town Manager, Pam Hurdle, Town Attorney, Ben Gallop, Town Clerk, Cindy Sharber, Connie and Vanora Brothers, Murielle Harmon, Kay and Skip Matthews, Edgar Salvo, Anne and Greg Benton, Diane Stallings, Virginia Miller, Earnell Brown, Ashley Hodges, Susan Beckwith, Peter Williams, Judy Bateman, Sarah Mills, Paul Chappell, Jennifer Byrum, Tony Riddick, Rod Norman, Rhonda Waters, Drew Woodard, Dennis Brown and Bert Webb.

The pledge and the prayer had been done earlier at the start of the work session.

Motion by Quentin Jackson seconded by Archie Aples and passed 5-0 to approve the agenda as amended by removing the TDA board item.

Motion by Frank Norman seconded by Archie Aples and passed 5-0 to approve the regular meeting minutes on October 8, 2018, recessed meeting on October 18, 2018 and closed session meeting on October 18, 2018 as presented.

### **Scheduled Business Appointments**

There were none.

### **Council Concerns**

Sid Eley informed the board that 3 new businesses had opened in Hertford being Brown's Chiropractic Care, Crown Mart and Family Mart. He said Hunter Consultant would be having a ribbon cutting Thursday at 10:30 and Camp Cale would be having a ribbon cutting Thursday from 5-7.

Frank Norman expressed concerns of the completeness of the minutes and wanted the minutes to reflect when the vote wasn't unanimous that the names be listed of who voted against the motion. Cindy Sharber said she was already recording names in the minutes of who voted against a motion. Frank said that he and Quentin went to Los Angeles not for a pleasure trip even though they did have fun, but they wanted to see what they could bring back to help Hertford. He said a lot of information was brought back to help this town. He said both he and Mr. Jackson bought up issues that others weren't aware of because they had never been mentioned on a national level, so they weren't aware of the problem. Both on national and state level have been changes made that will benefit this community. He wanted everyone to know when they choose to travel, he is no going for pleasure but to see what he can bring back for this community. He said he was also able to get confirmation from other municipalities that said they had been there, done that, we know your struggle call me we can make it happen. He

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said they also got an opportunity to talk to the head of ABC Disney who said he had no problem bringing a movie or television show to your town, but no one has ever asked. He said they learned a lot, they got a lot of information and networking with others that they hope will help. He said they were told grants and funding opportunities out there for things that they want to do.

Quentin Jackson said Los Angeles was swell, he personally thanked the town manager for her help with complications because of the difference in the way they do things on the west coast versus the east coast. He said he had to wake up at 5:00AM not realizing they are in a different time zone and Pam got up and helped them out and he believes she went above and beyond helping him. He said he and Mr. Norman received stoles representing NBC-LEO. He said Candice Smith councilwoman out of Greenville just got elected to the State house and that left a vacancy on National Black Caucus for a district rep from North Carolina which Mr. Norman will fill that seat. He said the National Black Caucus of Local Elected Officers is the largest group at the National League of Cities. Quentin said he belongs on many boards and he was happy to see Mr. Norman getting involved but it was very difficult because they started early in the morning until late at night with the different things you had to attend. He said every year this conference is held in a different state. He said last year this conference was held in Charlotte which he attended. He said he has held state titles and now national titles but as a district rep he gets to choose where people get to come to North Carolina and he wants people to see our town. He doesn't think it is right that every time they must take someone to Elizabeth City. He said as a regional director he has a choice which town they go to. He said that why it is very important to keep our town on its toes and cues. He said he bought back a resolution book which as a nation is sent to Washington, DC for consideration for what the local levels want. He said he sits on Young Leaders of National & Small City Council, newly elected to Public Safety & Crime Prevention, NBC-LEO, State League member and National League of Cities member and he holds a board of directors' seat on 2 of these. He said Hertford has never done this on a National level

Archie Aples announced he will be resigning his council seat effective January 1, 2019 and said the last council meeting he would be attending would be December 10, 2018 at that meeting he will be put out a statement to the citizens as to why he is resigning his seat.

Mayor Reid said he was sure many in the room tonight are not happy to see Mr. Aples resign but they must agree with what the gentleman is trying to do. He said he told him the same thing and he is sure others will tell him the same. He said Mr. Aples is a person who has done a lot of work for other agencies. He told Mr. Aples he was glad you were here and glad that he met you and if you change your mind come on back. He said he understood what he was saying and so far, he had done a good job. He said they will miss him doing his job and miss seeing his face and him coming in talking to everyone and shaking hands with everyone.

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### **Citizens Concerns**

Edgar Salvo first directed his comment to Mr. Jackson that he needed to stop referring to the citizens as you guys. He said the citizens deserve more respect than that. Then he read the attached.

Connie Brothers said after the recent rain that while she was out delivering papers early in the morning that nearly every street in town was flooded. She also said that the statement is on the agenda about audio and video recording are possible during the meeting, but it doesn't state that it will be posted on social media. She requested that what had been videoed early tonight not be posted on social media.

Murielle Harmon said when someone says money is floating around, she would like for them to present a semi-annual budget report showing what money is left and the areas that may need tightening up. She said by Archie Aples announcing he was resigning his seat from the town council was a sad day for Hertford. She said she thought it wasn't going to happen when she first heard about him resigning but then realized it was going to happen and it was the only diplomatic route. She said she doesn't use the words we and they, but they are being used a lot and when they are being used it is black and white. She said that she felt Archie was too white for the black people and too black for the white people. She felt people didn't have respect for Archie to the degree he, his family, and his home had been threatened. She said Sid had a home invasion earlier this year as well which brings up the question who the hell would want to serve on this town council? She felt if things kept happening that the State would come in and take over. She said that the council members needed to come to a level or respect for each other. She said this loss should be an awakening that they needed to do better by the citizens here and not here. She said Quentin had called her a liar and she found it interesting that expertise at legal. She said we currently have two councilmen with restraining orders against each other. She said she had previously mentioned the town being the laughing stock of the Northeast corridor, but the new comment is you got yourselves a town clown. She said when you become a councilman you don't come to grow up you should already be grown. She said she had been told she would probably be the next to be threaten. National Crime Prevention how did that happen? Do they want good things? We do have a voice we need to demonstrate we are paying attention we want things different. They owe that to us. On a downhill slope from a year ago. She said the perception is bad can collectively do together. Words matter.

Virginia Miller thanked Archie Aples for his service and told him she was sorry to see him leave. She said she thought he had been a positive influence on our town. She said she voted for him and she encouraged others to vote for him. She wanted to thank him for his service and tell him how sorry she is to see him leaving.

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Susan Beckwith thanked Mr. Aples for his service and said she appreciated the integrity of the man you are, the example in the community you are and the hard work you put in. She said she voted for him as well & campaigned for him. She bought her first house in 2004 next to One Stop and redid it in four years then she moved across the street and redid Temperance Hall. She came to live here fulltime in 2011, sold a business and wanted to open a business but the infrastructure was not ready for the reinvestment at that point, so she went to Edenton and opened a Bed & Breakfast and restaurant. She said 2 years ago she acquired Chowan Golf and Country Club and pulled them out of bankruptcy and redone that into a wedding venue generating a lot of income and tax revenue. She said the last thing she wanted to do was sell alcohol, but a lot of that gets sold too but they sell so little compared to percentage of sales they don't have to report back to ABC Board any longer. She has served 2 years on the NC Smart Start Partnership for children representing these 2 counties. She said she rotated off that board 1 year ago and while on that board she didn't do anything else. She was very concerned from the roots up in this community the way up and out is education and having our preschoolers ready for school. She said we have county commissioners that rarely tell us no, but we must ask. There is a lot of grant money out there, but we haven't asked for it. We are in a position right now where we have been designated an opportunity zone which is a brand-new federal government program that has just come out with the last standards coming out in October. She said people can come here and invest money they have made on capital gain, they can invest in our town and county and pay zero taxes. She said they can invest that money here for ten years and have a reduction on those capital gains that they are going to pay. What she's saying tonight is that we have a real opportunity if we can clean our act up, clean this mess up, we can move ahead. She hasn't given the whole situation in the press the time and attention. She said many here serve on National Boards and Children's boards on State and Federal level. She said we are very proud of our public schools that we have here, and we are the only county in the state that receives Title 20 funds. She said people are moving here because of our schools. She said we need to focus and build on what we are doing right. She said folks want to bring jobs and invest their money here. She said she created 15 full time jobs in Edenton. She said people will come here and create good paying jobs and call Hertford home. She said she wasn't going to point fingers, but she is not going anywhere, and she doesn't care who threatens her. She knows a seat is coming available here and we need to fill it with someone responsible, someone that cares, someone who doesn't have an issue to even a score, someone who isn't going to shirk with bad body language. She said everyone in this rooms sets an example when they walk out that door which affects jobs, teachers, pastors, Bible study leaders, youth groups, boys and girls club, continuing education, and children's programs. When she first got here in 2004, she had 4 boys who all played soccer in Chesapeake and she drove to the recreation center and looked at the fields she said to herself this is a community that really cares about their kids. Quentin Jackson snickered, and Ms. Beckwith said she didn't know what was funny, but she would appreciate his respect. She said they needed to support

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positive things going on in this community. She said new businesses are opening and they needed to eat at the restaurants, shop local and spend our money here or they are not going to last. We got to spend and reinvest here, and she knows a lot of people don't feel like doing that because it's been strained for a long time. She said she has been in early education for 30 years she said she is not a Bed and Breakfast professional innkeeper it's not what she does and it's not what excites her. She likes fixing things creating jobs and changing things for young people excites her. She hopes it will excite you and hope we are going to act on this and see how serious our reputation out there is right now. She agreed with Murielle that they are not going to have respect until they expect it and we expect it nothing less it's important. She said a lot of us came here right at retirement age, but we have got a lot of young people around. Need to be able to clean it up and provide those new opportunities that can come with the new opportunity zone and a lot of work has already been done moving toward that. She said when you go to a National Conference as a representative there is usually a committee with an agenda that goes ahead, and she wasn't sure if that happened here if so, I thank you for your time and work and if not, that be changed.

Quentin Jackson tried to respond but citizens said that he wasn't supposed to respond. At which time Mayor Reid gavelled the meeting. Quentin said the Mayor had given him the floor and he hadn't relinquished the floor and he was gaveling him without knowing what he was going to say. He told the Mayor he couldn't gavel him. Quentin Jackson asked Attorney Gallop if the Mayor could gavel him and not give him a reason why. Ben Gallop said he wasn't sure he would have to get back with him.

### **Continued Business**

Motion by Frank Norman seconded by Archie Aples and passed 5-0 to table the Waste Industries contract increase request until they can get feedback from the citizens. Concerns were Frank Norman said not everyone had a recycle bin and since everyone who has a garbage can would be required to pay the increase fee, he would like the citizens to be able to voice their opinion. Sid Eley was concerned that the items picked up for recycling may be going to the landfill and not for recycle. He didn't feel that the citizens needed to pay more money for a can that wouldn't be recycled, and he agreed with Frank about asking the customers. Archie Aples asked the attorney since the town is under contract until 2021 and if Waste Industries changes what they are charge wouldn't that be a breach of contract. Ben Gallop said that would be a breach and if Waste Industries tries to back out of the contract.

Pam Hurdle attempted to introduce the new public works director, Greg Benton but Quentin Jackson told her it wasn't on the agenda.

### **New Business**

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Motion by Sid Eley seconded by Frank Norman and passed 5-0 to adopt the Floodplain resolution as presented.

Motion by Frank Norman seconded by Sid Eley and passed 5-0 to accept the fire departments recommendation to appoint Drew Woodard as fire chief. Drew Woodard thanked Archie Aples for all that he has done for the fire department. Quentin Jackson thanked Frew for his service and handed him some books from the National League and Cities and mentioned a free course through FEMA for responding during natural disasters that individuals could sign up until November 30<sup>th</sup>.

Motion by Frank Norman seconded by Archie Aples and passed 5-0 to appoint Pam Hurdle to the Firemen's Relief Board.

Motion by Frank Norman seconded by Sid Eley and passed 5-0 to table the Planning and Zoning Board of Adjustment appointments.

Motion by Frank Norman seconded by Archie Aples and passed 5-0 to appoint Quentin Jackson to the Recreation Advisory Board.

Motion by Archie Aples seconded by Frank Norman and passed 5-0 to accept the NCDOT Right of Way Agreement and accept the \$450 payment.

Vanora Brothers thanked Archie Aples for his service. Quentin Jackson tried to stop her from talking about Mr. Aples because it was not on the agenda, but she continued. She then shared the Perquimans County Independence Day Committee, are hosting their 4<sup>th</sup> annual Independence Day Celebration. The event activities will take place on Friday, July 5<sup>th</sup> at 5:00 pm, and the parade at 6:00 pm. Lineup for the parade will begin at Hertford Grammar School at 4:30pm. The parade will kick off at 6:00 pm going down Dobbs Street to Church Street to Grubb Street and will disband at old Harris Shopping Center (upon Mr. Harris's approval). She said further details will be forthcoming and thanked them in advance for their support.

Motion by Archie Aples seconded by Frank Norman and passed 4-1 to approve the 2019 Independence Day Celebration as presented. Quentin Jackson voted against the motion.

Motion by Archie Aples seconded by Frank Norman and passed 5-0 to approve the Christmas lunch and closure on December 21<sup>st</sup> at noon.

Motion by Quentin Jackson seconded by Archie Aples and passed 5-0 to table the Longevity and call bonus for staff and firemen.

Motion by Frank Norman seconded by Quentin Jackson and passed 4-1 to appoint Quentin Jackson as the NCLM Advocacy Delegate. Sid Eley voted against the motion.

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Motion by Quentin Jackson seconded by Frank Norman and passed 5-0 to table the travel budget agenda item till after the closed session.

Motion by Quentin Jackson seconded by Sid Eley and passed 5-0 to table the Foundation Fitness membership until the town manager has an opportunity to check with the County manager to see if town employees could use the facilities at the senior center after hours.

Mayor Reid presented the ABC report showing an increase of 13.99% over last October.

Motion by Frank Norman seconded by Archie Aples and passed 4-0 to excuse Quentin Jackson from any discussion pertaining the Jackson claim.

Motion by Archie Aples seconded by Frank Norman and passed 4-0 to approve resolution #2018-11-1 designation a claim committee for a specific claim hereafter referred to as the Jackson Claim Committee.

Motion by Archie Aples seconded by Frank Norman and passed to go into closed session per NCGS § 143-318.11(a)(3) attorney-client privilege.

Motion by Archie Aples seconded by Frank Norman and passed 4-0 to go into regular session.

Motion by Archie Aples seconded by Frank Norman and passed 4-0 as the Jackson claim committee for the town to cover any cost for Ms. Bateman's legal fees and judgement if necessary.

Murielle Harmon asked if the motion regarding legal fees and judgement was for a litigation that was moving forward, or it is a litigation that has been resolved and if she incurs any cost the town is going to pay it?

Attorney, Ben Gallop said that Mr. Jackson is suing Ms. Bateman and the town, and the town council has exercised the discretions to pay Ms. Batman's legal fees and judgement if necessary.

Murielle Harmon said so it is moving forward. Ben Gallop said he's not sure where it is moving but he hoped it was moving forward to dismissal. He said he was sure Mr. Jackson hopes it moves forward to a judge. He said currently the hearing is set for 3:00PM on November 21<sup>st</sup> in Hertford.

Quentin Jackson said he didn't want to make a budget amendment to increase travel, but he wanted to know if they could move money between line items. Ben said our budget ordinance says Pam as the budget officer can transfer amounts up to \$3,000 between line item expenditures within a department with an official report of such transfers being given at the next regular meeting of the Board of Commissioners and she may transfer amounts up to

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\$1,000 between departments of the same fund with an official report of such transfers being given at the next regular meeting of the Board of Commissioners.

Motion by Quentin Jackson seconded by Archie Aples and passed 5-0 to adjourn the meeting.

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Mayor

Clerk

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