

## Regular Monthly Meeting December 10, 2018 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, Tim Brinn, Peter Williams, Martha Borders, Susan Beckwith, Gracie Felton, Kay and Skip Matthews, Rhonda Waters, Murielle Harmon, Edgar Salvo, Susan Cox, Judy Bateman, Tony Riddick, police officer, Ben Martin, Jeff Best, Lora Aples, Michael Washington, Anne and Greg Benton, Diane Stallings, Vanora and Connie Brothers.

Mayor Reid led the Pledge of Allegiance.

Sid Eley had the prayer.

Motion by Quentin Jackson seconded by Sid Eley and passed 5-0 to approve the agenda as amended by removing close session pursuant to NCGS § 143-318.11(a)(6) personnel.

Motion by Sid Eley seconded by Frank Norman and passed 5-0 to approve the minutes of the regular meeting of November 13, 2018, close session of November 13, 2018 and work session meeting of December 3, 2018.

### **Scheduled Business Appointments**

Jeff Best of Jeff Best, CPA, P.L.L.C. presented the audit for year ending June 30, 2018. Highlights included the town had \$90,000 less in expenditures over revenues and a healthy fund balance of 81% for unassigned fund balance. He said the town could operate for 8 months without collecting any revenue. Material weakness is the same it has been for many years the segregation of duties. Significant noncompliance budget amendments were not made to account for over expenditures. Quentin Jackson asked Jeff if he was opposed to council members having town issued credit cards? Jeff told Quentin to provide him with scenarios for needing a town issued credit card.

Tim Brinn presented a report on behalf of the Historic Preservation Group. Tim said as a result of the three trips the State historic officials made to Hertford, they believe they found 178 historic structures in the town that aren't in the first historic district. He said instead of going in to do wholesale demolition he wanted to make sure the town wasn't tearing down an important piece of history. He shared the federal government offers a 20 percent tax credit for historic structures, North Carolina offers a 10 percent credit, but if the property is in a Tier 1 county, there is another 10 percent that can apply. He said the clock is ticking in North Carolina because some members of the General Assembly want to get rid of the historic tax credit after 2019 but, the federal credit would remain. He said Elizabeth City had decided to get started so they pulled \$29,000 out of their tourism fund to do it. He said Elizabeth City's existing historic zone was created in 1972, so there may be a lot more structures that are eligible now. Hertford

did its original study in 1998 at a cost of \$9,000 and used a lot a volunteer time. He estimated the cost of hiring a certified historic expert to do the report now would be between \$25,000 and \$30,000, even with volunteer work. Tim said the paperwork could be submitted to Raleigh to start the process at no cost to the town. Motion by Sid Eley seconded by Quentin Jackson and passed 5-0 to get the process started by having the paperwork submitted at no cost to the town.

Michael Washington owner of J & M studios and photographer gave a presentation about his company videoing the town council meetings and stream on Facebook or You tube. He said we would have to set up real time messaging protocol with our IT representative. He said the cost to recording 2 meetings a month for a year would cost \$4,800.

Frank Norman was not comfortable with using Facebook and You tube. Quentin Jackson would like to see his work.

Motion by Frank Norman seconded by Quentin Jackson and passed 5-0 to have Mr. Washington come back next month to show his work either at the work session or the regular meeting.

Frank Norman had set up a video conference presentation from Mr. Hearn regarding IT services. Council agreed to get more information and get back with Mr. Hearn. Quentin Jackson felt this should have been reviewed during the work session and suggested that as future reference for all members of council.

### **Council Concerns**

Frank Norman was not happy with they way the parade was handled as far as the placement of the Mayor in the parade line up. He said he had spoke to Sid about his concerns and Sid advise him it was a county project not a town project. Frank said typically if the Mayor isn't a marshal, he is usually at the beginning to be on the grand stand to watch the rest of the parade. His next concern was what he calls the alphabet committees such as HHI and EDC. He said they seem to have a lot of communication about how council should function, but they aren't coming to the meetings unless making a proposal or demand.

Quentin Jackson thanked new public works director for a job well done on the grand illumination. He said Susan Cox had bragged they work from sun up to sun down to make sure everything worked. He thanked Sid Eley for the work that went into the parade but agreed with Mr. Norman that the Mayor should have been higher up in the line up position. He said the way council has been treated is unfair and the auditor just said the town was \$90,000 under on expenditures versus revenues with a fund balance of 81%. He said he was proud to be part of the council and felt the citizens are in good hands better than they were before. Quentin was concerned about the 41-day utility billing right before Christmas. He said the problem needed to be fixed and fixed now. He would like for council to vote to not access late fees or turn any customers off this month because this was a town problem. Quentin said he and Archie ran

together and lost their first attempt at being a town commissioner. He said he hated to see him walk away with all he had invested. He thanked him for his service and wished him well.

Archie Aples said this was his last official meeting he would be resigning from the board the end of the month. He said this wasn't an easy decision, but it is the right decision for he and his family. He said he came here to retired but instead ended up taking two jobs and seats on fourteen boards. He said he could be negative but chose not to. He wishes the council and the citizens well. He thanked the citizens for their support and said he had been unselfish for seven years, but it was time for him to be selfish. He thanked his wife Lora who was in attendance and said when she asked what he was going to do with all his free time he told her they would travel. He said this group of people working together for the betterment of the town and everyone needed to buy local and support the local businesses to make Hertford better. He said his motto is to put more into than you ever take out.

Mayor Reid thanked Ms. Aples for loaning the town her husband. He thanked Archie for being a part of the town council even though they may not have talked everyday or every week. Mayor Reid requested that Town Manager, Pam Hurdle surplus Mr. Aples' iPad to him.

### **Citizen Concerns**

Martha Borders read the following: Our country was founded with a diverse population coming from many nations as we grew and prospered. Some came willingly while others were forced to come through poverty, famine or slavery. Slowly our nation is learning to embrace all ethnicities, but we still have a way to go.

In order to have a vibrant and healthy Town of Hertford, all of us need to embrace the idea of diversity. Diversity means the inclusion of different types of people in a group or organization. By having different perspectives on problems that arise in a group, an informed and logical decision can be made free of prejudice and anger.

The Town of Hertford has a population of approximately 2,124 residents. The median age is 39 years with 54% of the residents married. 41% of the families have school aged children. 56% of the population is female and 44% is male. I could find no information on trans genders. Approximately 58% are white, 40% are African American and 2% are other.

4% have less than a ninth-grade education. 13% have a 9-12 grade education. 40% are high school graduates, while 43% have some college, associate degree, bachelor's degree and graduate degrees.

Our unemployment rate is around 15% which is way above the national average.

There are many other statistics I could mention but I don't want you all to go to sleep.

The point is Hertford has a very diverse community.

In the coming month or two our town council needs to make a decision as to whether they want to replace the council member who is leaving.

I encourage the council to study the statistics mentioned while coming to a decision. This does not imply council needs to strictly stick to the percentages I cited.

Do you want a town council reflective of our diverse population?

I realize after talking to many residents that diversity on town council, in the distant past, has not been honored. This was wrong. Regrettably we cannot change the past. Instead council has an opportunity to move forward. Our town council can reflect the diversity of all our citizens.

The question moving forward for town council is what is best for Hertford, so all our diverse population can be represented, respected and honored. Coming together will strengthen our town and allow us to grow into the Hertford many of us envision.

Mayor Reid and Councilmen thank you for giving me the opportunity to speak tonight. My name is Virginia Miller, I have resided at 405 North Front Street for the past 13 years. Prior to moving to Hertford, I owned and operated a retail and service business in Roanoke County, Virginia for 15 years. I am currently part owner in a family business which owns commercial real estate in the County of Roanoke, City of Roanoke, and City of Christiansburg, Va. I am familiar with procedures required of business owners in regard to adhering to municipal ordinances.

I am here before you to address Councilman Jackson's admonishment of Manager Hurdle at last week's planning session. If Councilman Jackson has an issue with Manager Hurdle's performance the issue should be handled in private and not at a public meeting. The issue was is regards to Ms. Felton's request to open an internet sweepstakes business in the Town of Hertford. I was at the September 10th meeting when Ms. Felton came before this board stating she had purchased property with the intent of opening an internet sweepstakes business. It was obvious she had not first researched the requirements necessary to do so prior to the purchase. It is Ms. Felton's responsibility to insure she could operate an internet sweepstakes business in that location. It is Manager Hurdle's responsibility to uphold the town ordinances and as compliance officer to make sure these ordinances are adhered to by the public. Ms. Felton had been advised to request a business license for a convenience store and go before the planning board in order to proceed with her plans. Manager Hurdle's job was to inspect the premises and make a recommendation upon that inspection and upon doing so Ms. Felton was not in compliance. I agree that Hertford is in dire need of businesses locating in our town, but we must be assured those businesses be in compliance with our ordinances. I would expect nothing less from our professionals.

Secondly, I wish to address the issue of the overlay district and permitting groups to use commercial property parking lots for fund raising. I agree with councilman Norman that the property owner's permission should be necessary prior to permitting. The property owner

would have insurance liability as well as non-compete agreements with tenants he must adhere to.

### **Continued Business**

Motion by Frank Norman to query the citizens for their input about the Waste Industries Recycling Charge. Motion died for lack of a second.

Motion by Quentin Jackson seconded by Sid Eley and passed 4-1 to table the Waste Industries Recycling Charge until the contract ends in 2021. Frank Norman voted against the motion.

Motion by Quentin Jackson seconded by Archie Aples and passed 4-0 to approve the original proposal for call bonuses presented by the manager. Sid Eley as a recipient asked to be excused from voting. Pam said the firemen appreciated the offer for the increase for call bonuses but didn't want to fall in the category to receive a 1099 for the bonus.

Pam Hurdle read an email from County Manager, Frank Heath denying the town's request for the county to allow town employees access to the senior center after hours to be able to use the exercise equipment due to liability and oversight reasons. Pam said currently Foundation Fitness charges \$20 a month but she has requested a group rate as of this meeting she hadn't received that request from the owners. Pam said Planet Fitness offers membership for \$10 and a deluxe membership package for \$20. Quentin Jackson said he had requested this information as a good recruitment tool but it's not something we need. He told Peter Williams he had incorrectly quoted him in the newspaper regarding last month's discussion. Frank Norman said it would be a good tool to assist with insurance incentives. Sid Eley requested Town Manager, Pam Hurdle get the best deal from Foundation Fitness and Planet Fitness and report back next month.

### **New Business**

Pam Hurdle introduced the new public works director, Greg Benton. Greg Benton said he had two new employees at public works Drake Trueblood and Blair Wilson and joke they were probably already in bed since they were both young guys.

Motion by Frank Norman seconded by Sid Eley and passed 5-0 to table the Planning and Zoning Board of Adjustments appointments accept for the reappointed of Joe T. White, Jr. for the ETJ and Sarah Mills as the secretary until next month since the manager had just received 2 more applications today.

Motion by Sid Eley seconded by Archie Aples and passed 5-0 to approve the request from Historic Herford and Rotary Club of Hertford for their 2019 Dine, Drink and Dance event on April 13, 2019.

Public Hearing – Text amendment to Article 2-1.13(4A) Types of signage. The Planning and Zoning Board of Adjustments has requested to add illuminated signs to the Overlay District.

Hearing no public comments motion by Sid Eley seconded by Archie Aples and passed 5-0 to approve the recommendation.

Public Hearing – Text Amendment to Article 2-1.13(3C) and adding Permit Permitted. To permit exterior sales such as fundraiser, yard sales, farmers markets, Christmas trees, plants, bagged ice, newspapers. Motion by Archie Aples seconded by Frank Norman and passed 5-0 to table at the request of the town manager until she hears back from the property owner.

Public Hearing – Approve a simple subdivision along Nates Drive. Motion by Quentin Jackson seconded by Sid Eley and passed 5-0 to approve a simple subdivision of two front lots in Spring Village Subdivision.

Mayor Reid presented the ABC report showing an increase of 12.64% over last November.

Motion by Archie Aples seconded by Sid Eley and passed 5-0 to adjourn the meeting.

DRAFT