

The Board of Commissioners of the Town of Denton held a special meeting on Monday, June 5, 2023 at 6:00pm at Town Hall.

The following members were in attendance: Mayor Larry Ward, Mayor ProTem Deanna Grubb
Commissioners: Julie Loflin, David Askew, Scott Morris, Anne Carter Bean.

Town Attorney, Misti Whitman, Town Manager, Angel Jenkins; Town Clerk, Paula Hedrick

1. Call to Order

Mayor Ward called the meeting to order at 6:00pm

2. Pledge of Allegiance

Mayor Ward led the Pledge of Allegiance

3. Adoption of Agenda

Mayor ProTem Deanna Grubb ask that we add 8a to the agenda for review of Jobs Creation Grant.

Motion made by Mayor ProTem Deanna Grubb to adopt agenda with the addition of 8a.

Commissioner Bean seconded the motion. Motion passed unanimously (5/0)

4. Public Comment- *Citizens may speak on items not listed on the printed agenda. Please state your name and address and observe the three-minute time limit.*

Ms. Texie Smith and Ms. Faye Cole would like to speak in regards to the plans for Johnson Park located just behind Ms. Cole's home at 165 Board Street. Ms. Smith stated that Ms. Cole doesn't mind the walking trails, but she had been told that the parking lot for the park would be located behind Ms. Cole's home and they do not want it located there. They have not seen or heard anything in regards to the plans for the park and requested to see the plans.

*Mayor Ward stated there are no plans in place as this time.

*Commissioner Morris stated that the plans that they had at one time were several years old.

*Ms. Smith noted they inquired after the bamboo was cut and was told it would be a walking trail. They would like to attend the next meeting to learn more about the park plans.

*Mayor Ward continued to say that he would make contact with them once plans are available. Mayor Ward inquired about the popup of bamboo in Ms. Cole's yard. Ms. Smith indicated that it is still growing. Mayor Ward did state that their request would be taken into consideration.

Imogene Morris, 225 Bombay Road stated that the Memorial Service held at Harrison Park was beautiful and so well planned. She appreciated the Board allowing Tucker Phillips to

sing the National Anthem. She is very appreciative of the Chief of Police and others for being in attendance to take care of all.

5. Consideration and Approval - Alliance Code Enforcement Contract – Angel Jenkins

Ms. Jenkins stated that we have been working with Alliance Code Enforcement for 3 years since early 2020. This contract is written for automatic approval unless either party desires changes and is agreed upon by both parties. This year we will see an increase in fees from \$38 per hour to \$40 per hour. They are in town 10 hours per week. We have addressed concerns with the timing of handling issues. Alliance Code Enforcement has had recent change over in staffing in the last few weeks and we now have a new code enforcement officer. Ms. Jenkins stated that she is confident that this issue has been resolved.

*Commissioner Morris stated that some do not seem to be taken care of as quickly as they should be.

*Ms. Jenkins, that was the issue and the reason for the replacement of officer. A new code enforcement officer has been assigned to us and ensures us that we should start to see changes in the area.

*Commissioner Morris questioned the home located at 249 Farmbrook Drive and Ms. Jenkins stated that there is a 2-step code enforcement process and they both are being reviewed and actions will be taking place.

*Commissioner Morris did question if this home falls under minimal housing as it is his understanding that some of the floors are falling in.

*Ms. Jenkins stated that this would need to be reviewed with the Alliance Code officer. They are in town one or two days a week and she would speak with him about that.

*Commissioner Morris asked if we had to pay for that service since the initial officer did not handle and we are having a second officer review the case.

*Ms. Jenkins stated that from the monthly billing, it does not appear so.

*Commissioner Bean asked about the locations that have been on the list for an extended period of time. There are concerns that potential sale of properties may be affected by those that have not been resolved.

*Ms. Jenkins stated that was addressed with Alliance Code Enforcement and they have indicated that all prior cases would be reviewed and addressed quickly. There currently is a four-step process that they have to follow and they are working through those processes.

*Commissioner Morris confirmed that this is just a 1-year contract.

*Ms. Jenkins stated that if at any point we are not satisfied that we do have the right to reach out to them regarding our concerns and the contract can be cancelled at any time.

*Ms. Whitman stated that you have to have a meeting with the Town Manager and after 30 days you have to give notice.

*Mayor ProTem Deanna Grubb made a motion to continue services with Alliance Code Enforcement for 1 year, hoping that we do continue to see positive changes going forward with the new officer. Commissioner Bean seconded the motion. Motion passed unanimously (5/0)

6. Approve Contract with Davidson County Department of Senior Services for FY 23/24

Ms. Jenkins provided details from the contract with Davidson County Department of Senior Services for the FY23/24. This is a standard contract for renewal of services with the Davidson County Senior Services. There are no changes in the contract. They do provide meals and other services to our seniors - arts and crafts, line dancing and exercise. They meet daily for meals on wheels, Monday – Friday, they pay 75% of the monthly utilities and they take care of all their telephone and internet expenses.

*Commissioner Bean made a motion to continue the Davidson County Department of Senior Services for FY 23/24. Commissioner Askew seconded the motion. Motion passed unanimously (5/0)

7. Consideration and Approval - NC Department of Transportation New Grade Crossing with Active Warning Devises on First Street – Angel Jenkins

Ms. Jenkins stated we have been contacted via email from the NC Department of Transportation about adding a cross bar at First Street, which currently has a stop sign. They have identified First Street as an area that could benefit with a working crossbar. This would be paid by a grant that is 100% Federally funded with no match from the State or Municipalities. The initial cost is covered but there would be a yearly maintenance fee in the amount of \$1,784.00 which is one half the projected yearly maintenance. Ms. Jenkins stated that this is in accordance to the General Statues. Ms. Jenkins stated that she had spoken with Commissioner Loflin and it was brought to her attention that this request has come before the Board before and that is why we have a stop sign at this location.

*Mayor ProTem Grubb stated that she thought this was a yearly offering from them.

*Ms. Jenkins stated that if the town were to consider adding this ourselves then we would have to pay 90% of the project cost according to the statue. The advantage of this grant is that we would only have 50% of yearly maintenance fees. The maintenance fee could increase overtime, and we would be responsible for 50% of whatever that fee may be.

*Mayor ProTem Grubb stated that she thought that there had been 3 accidents thus far at

that crossing.

*Commissioner Loflin indicated that at some point, the railroad cut the side of the bank down.

*Commissioner Askew asked if we pay for other crossings.

*Ms. Jenkins advised that we do not as they are NC DOT roads.

*Commissioner Loflin stated that if we do it on this street, would this cause them to force our hand on doing it on other streets?

*Commissioner Morris asked about Fourth Street.

*Commissioner Loflin asked if this was for arms or just lights.

*Commissioner Bean stated according to the letter the scope of work is for installation of new crossing active warning devices consisting of flashing lights, bells and gates.

*Ms. Jenkins stated that they would have an Engineer come out and take a look at it first.

*Commissioner Bean questioned what is the number of people that actually look at the stop sign.

*Ms. Jenkins stated that there are a lot of residents that do not adhere to the stop sign.

Commissioner Morris made a motion to approve the NC Department of Transportation New Grade Crossing as long as it does include gates. Commissioner Bean seconded the motion. Motion passed unanimously (5/0)

8. Approve Development Agreement with EH & A Investments, LLC – Angel Jenkins

Ms. Jenkins stated that she would let Attorney Whitman review this with the Board.

*Ms. Whitman stated that this is the requested agreement with Mr. Shuler regarding the Duplex project on N. Jones Street. Mr. Shuler has met all requirements, and the requests made by the Board of Commissioners for a bond on paving the street. Paragraph 7 has been added, it states that the developer may petition the Town to accept the street and take over the maintenance of the same after the one-year warranty period has been met. Ms. Whitman stated that The North Carolina Department of Environmental Quality has been the current hold up of Mr. Shuler's Certificate of Occupancy. NC DEQ has still not provided the approval for the water line. Both Mr. Shuler and Ms. Jenkins have been working with them to resolve any questions they may have.

*Commissioner Loflin stated that she prefers all construction of the project to be completed prior to the town taking over Fletcher Lane.

*Michael High stated that he was told that there would only be a total of 7 duplexes, that they would not be adding that 8 duplex.

*Ms. Whitman stated that is the reason for the agreement so that all units would be completed prior to paving, so that the paving would not be messed up from heavy equipment. Mr. Shuler shares the same concerns that the Board has, thus the reason for the bond in case something was to happen to him.

*Commissioner Bean stated that he has had so much trouble and out of good faith as he had tried to make everything right that she feels we should grant the request in paragraph 7 and his desire to be completed prior to the paving.

Commissioner Bean made a motion to approve the Development Agreement with EH & A Investments, LLC. Commissioner Morris seconded the motion. Motion passed unanimously (5/0)

8a. Jobs and Business Creation Program and Downtown Beautification review.

Ms. Jenkins stated that a few meetings ago we had discussed reviewing this grant. We currently have \$8,000 budgeted for this program. Ms. Jenkins stated that this program updated in 2020 and was initially designed to increase the construction of new residence and/or businesses, as well as new use of an existing buildings adding jobs and becoming a Town utility customer. Currently the program has provided the builders a refund on their initial Water/Sewer tap fees. Ms. Jenkins stated that there had been one request last year for Downtown Beautification funding that did not meet qualifications for Grant #5. In reviewing the grant, we need to determine if we are going to continue any or all of the grants and if the Planning and Zoning Board has authority to allocate funds.

*Commissioner Bean asked to confirm that #5 is only available to Downtown Businesses.

*Ms. Jenkins stated that is how it is currently written. It could be written to extend this to business within the corporate limits.

*Commissioner Loflin asked what if we remove the whole program, what does that do to the budget?

*Ms. Jenkins stated that those funds can be reallocated.

*Mayor Ward asked Michael High how expensive is a rock bore, noted in Grant #3.

*Commissioner Askew made a motion to eliminate the grant for water and sewer taps.

*Commissioner Loflin seconded the motion

*Commissioner Bean asked if the motion was just to eliminate Grant #3 and keep the rest.

*Commissioner Morris recommends that we keep the Beautification program, to help those businesses that may need this incentive to help promote their business.

*Commissioner Askew restated the motion to remove Grant #3

*Commissioner Loflin seconded the motion again. Motion passed unanimously (5/0)

*Commissioner Loflin asked if we could still bring this before the Board at a future meeting for further review.

*Ms. Jenkins stated that we could.

9. Public Hearing - Fiscal Year 2023-2024 Proposed Budget – Angel Jenkins

Ms. Jenkins stated that last month we presented the proposed budget for review. This budget does not have an increase to property tax rate. This year; tax collection rate is at 97.34% and the county is at 97.74%. There are no increases to our Water/Sewer and trash services. This budget provides for several projects; revitalization to the downtown market area, replacing aging equipment for our Public Works Department, new vehicle for the Police Department, new turn out gear for the Fire Department, several upgrades to the water/sewer plants, personnel is budgeted for 5% merit (based on evaluations provided by Department Heads) increase in January to take effect with the first payroll of the year. Sales tax makes up about 19% of our Revenue budget. Online sales, the sales tax comes back into our county. Powell bill is at 2% of the budget, fees that we collect for waste services is 3% of our revenue which is at \$8.00 for each resident, there is a \$5.00 motor vehicle fee for all vehicles registered in the town of Denton. Our largest expenditures are our salaries which is at 35% for all expenses. Water/Sewer has had a 2% increase due to new homes being built in the area. We anticipate Handy Sanitary to continue their revenue stream. Ms. Jenkins has spoken with Handy regarding their potential expansion with the City of Albemarle Water and inter-connection with Davidson Water. Their goal is to keep the Town of Denton as their main source of water. Salaries are at 38% leaving 62% for expenses. Expenses have gone up over the last few years overall. Overall, the General and Enterprise fund is at \$4,167,672.

*Commissioner Morris asked how much was budgeted for paving? And we have budgeted for 1.5 new employees?

*Ms. Jenkins stated that paving was budgeted at \$355,000, and yes, we have budgeted for 1 additional police officer (total 6) and changing parttime administrative assistant to full time.

*Commissioner Morris asked if we had budgeted for the bathrooms.

*Ms. Jenkins stated that we do not have figures for the project at this time. John Fuller Architecture will be following up with the renovation updates. We will do a budget amendment when we have more information.

USDA has a small grant for \$50,000 for revitalization to a Town Hall, that she will be

researching further.

*Commissioner Morris asked if we have a description for the administrative position.

*Ms. Jenkins stated that she will be an Administrative Assistant. Ms. Jenkins provided a brief definition of what this position consists of.

*Commissioner Bean inquired about the other services we provide and what the time spent on those services.

*Ms. Jenkins, we do not have a breakdown by minute of actual time spent at this time. We provide services to our citizens for Water/Sewer payments, CheckFree payments, Davidson County Tax payments, Online payments. Noting that our online payments still have to be keyed into our system because they are not a direct feed to our Southern Software Payment system.

*Commissioner Bean asked if other towns offer the CheckFree payment service.

*Mayor ProTem Grubb advised that this service is vital to our community so that the citizens have a way to make payments without having to drive out of town.

*Commissioner Bean questioned if the revenue and expenditure percentages should come up to 100%.

*Ms. Jenkins stated that there are multiple line items that make up the difference that were not verbally spoken but are recorded in the budget.

*Commissioner Morris questioned the paving and sidewalk budget amount shows \$225,000 and not \$300,000.

*Ms. Jenkins noted that the Powell Bill amount is not included in that figure and is accounted for on a separate line item.

Mayor Ward asked for a Motion and Second to Open Public Hearing for the 2023-2024 Proposed Budget

Mayor ProTem Grubb made a motion to Open Public Hearing

Commissioner Loflin seconded the motion. Motion passed unanimously (5/0)

Mayor Ward asked if there was anyone present that would like to speak on behalf or against the proposed budget. Hearing none.

Mayor Ward asked for a motion and second to Close Public Hearing.

Mayor ProTem Grubb made a motion to Close Public Hearing.

Commissioner Bean seconded the motion. Motion passed unanimously. (5/0)

Mayor Ward asked for a motion and second to approve 2023/2024 budget.

Mayor ProTem Grubb made a motion to approve 2023/2024 budget.

Commissioner Loflin seconded the motion. Motion passed unanimously. (5/0)

10. Approve Fiscal Year 2023-2024 Fee Schedule – Angel Jenkins

*Ms. Jenkins stated that there are no changes to the fee schedule.

Commissioner Loflin made a motion to approve 2023/2024 fee schedule.

Commissioner Bean seconded the motion. Motion passed unanimously. (5/0)

11. Town Attorney Update

*Ms. Whitman stated that she shared Ms. Jenkins frustration with the North Carolina Department of Environmental Quality (NC DEQ) and their response time on projects. She advised that she received a call today from the attorney with Handy Sanitary, she will speak with them and report back.

*Mayor Ward asked that if there was something that we need to be made aware of please let us know.

12. Town Manager's Report

*Ms. Jenkins stated that she has spoken with Darrell Hinnett with Handy Sanitary regarding the SCADA System that was approved at a prior meeting. The connection that they have with Davidson Water, City of Albemarle Water and Montgomery County.

*Ms. Jenkins shared that she, the Mayor and Commissioner Morris were in attendance to an EDC Board meeting to discuss the future of the Board. The county has decided to do their Economic Development in house, they are looking to hire an EDC Director and they do not know what this means currently for the future of the EDC Board. The county has made the decision that they are not going to fund this board. They felt that they were not currently in the know of what is going on and concerns with the extensive growth in the county. Eventually a decision will have to be made as to what this means for the municipalities as well. They are looking at the workforce and schools in the area. Potentially training staff for the businesses that are coming to the county.

*Ms. Jenkins stated that Alliance Code Enforcement is looking at getting everything in order since the replacement of a staff member.

*Ms. Jenkins advised that we have recently had Harrison Park, Farmer's Market, Town Hall, Cemetery, Fire Department and Police Departments pressure washed.

*Ms. Jenkins noted that there have been two events recently held by our Parks and Recreation Board. Both the Bike Rodeo and Movie in the Park were attended well.

*Ms. Jenkins in regards to NC DEQ, we have several projects still open. Spring Street –

stated that she has spoken with Chris Reid regarding the waterlines that he has donated, Hwy 109 Extension we are currently waiting on finalization and N. Jones Street (is not ours), but checking to see where we are at with that project.

*Ms. Jenkins stated that she has reached out to LaBella in regards to them attending a future board meeting. In speaking with Heather Miller our Engineer, she had reviewed information from the department heads regarding the needs. She will be getting back with us in planning a time she can visit and do a presentation.

*Ms. Jenkins stated that there are projects that we are currently paying for using our ARPA funds. The projects consist of replacement of the 2" water lines, pump station upgrades, oxidation ditch at the sewer plant and booster pumps.

13. Commissioner Comments / Concerns

*Mayor Ward asked about the Hwy 109 lights that we discussed at a prior meeting.

*Ms. Jenkins stated that she reached out to Duke Energy regarding the addition of lights to Broad St., Ivey St., Harvard St., Kinney Ave., Floyd St. We are still waiting on information back from Duke Energy, they will be doing these in sections.

*Commissioner Morris asked about the purple street lights.

*Ms. Jenkins stated that if you see any, please let us know so that we can report them. There was a defect in the LED lights, so we certainly can address them.

*Commissioner Bean asked about the Short Stop restaurant.

*Ms. Jenkins advised that they are still moving forward.

*Commissioner Bean mentioned that she has concerns about the speed of traffic on Bombay Road.

*Ms. Jenkins stated that as summer approaches we will be setting up to do radar checks in that area.

14. Closed Session for Personnel Matters in Accordance with NC G.S. 143-318.11(a)(6)

Mayor Ward asked for a motion and second to go into Close Session 7:09pm

Mayor ProTem Grubb made a motion to open Close Session.

Commissioner Morris seconded the motion. Motion passed unanimously (5/0)

Mayor Ward asked for a motion and second to come out of Close Session

Commissioner Bean made a motion to come out of Close Session.

Mayor ProTem Grubb seconded the motion. Motion passed unanimously (5/0)

15. Announcements

June 3, 2023 Summer Kickoff – Movie in the Park 6:00pm

June 12, 2023 Planning & Zoning Board Meeting 6:00pm

June 19, 2023 Parks & Recreation Board Meeting 6:00pm

July 10, 2023 Board of Commissions Meeting

*Mayor Ward read aloud the above announcements.

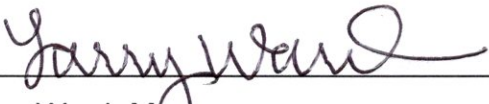
16. Updates / New Business

No updates or new business.

17. Board of Commissioners Adjournment

Commissioner Askew made a motion to adjourn. Mayor ProTem Grubb seconded the motion. Motion passed unanimously (5/0)

Meeting adjourned at 7:31PM



Larry Ward, Mayor



Paula Hedrick, Town Clerk