

The Board of Commissioners of the Town of Denton held their regular scheduled meeting on Monday, June 6, 2022 at 6:00pm at Town Hall.

The following members were in attendance:

Mayor Larry Ward, Mayor Pro Tem Deanna Grubb

Commissioners: Julie Loflin, David Askew, Scott Morris, Anne Carter Bean.

Town Attorney Misti Witman; Interim Town Manager, Kelly Craver; Town Clerk, Angel Jenkins

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** - Commissioner Grubb made a motion to approve the agenda. Commissioner Askew seconded. Motion passed unanimously. (5-0)
4. **Approval of May 2, 2022 Minutes** - Commissioner Morris made a motion to approve the May 2, 2022 minutes. Commissioner Loflin seconded. Motion passed unanimously. (5-0)
5. **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.*

-Imogene Morris, 225 Bombay Road. Mrs. Morris stated that the Memorial Day Service hosted by the Town was an Impressive, and reverent. The Movie in the Park had a great crowd as well, and other Towns would be envious. She also shared with the Board that the Memorial Bricks in Harrison Park needed attention to clear the weeds.

-Harrison Cole stated he is requesting that the Board not sign the Resolution in Opposition to the Special Use Permit Application, South Davidson Solar, LLC to Davidson County Board of Commissioners. Mr. Cole stated they would like to work with the Town to get to a place where everyone would be happy. They are willing to deed some of the road front property on Highway 109 to the Town of Denton, to be used for commercial development. They would also be willing to look at the Klopman Mill Road property with this option as well. They want to be good neighbors, and a part of the community by being a sponsor of local festivals.

6. **Public Hearing -Rezoning Request –Buddy Ball for 411 Spring Street -Kelly Craver**
Mr. Craver stated that Mr. Ball is requesting the property at 411 Spring Street from RA to R8. This would conform to the adjoining properties. The Planning and Zoning Board has approved this rezoning.

Mayor Ward asked for a motion to open the Public Hearing.

Commissioner Bean made a motion to adopt the Public Hearing. Commissioner Loflin

seconded. Motion passed unanimously. (5-0) Public Hearing opened at 6:07pm.

There was not anyone present to speak for or against the rezoning.

Commissioner Grubb made a motion to close to Public Hearing. Commissioner Loflin seconded. Motion passed unanimously. (5-0) Public Hearing closed at 6:08pm

Commissioner Morris made a motion to approve the rezoning request from RA to R8 at 411 Spring Street. Commissioner Loflin seconded the motion.

Motion passed unanimously. (5-0)

7. Public Hearing - Fiscal Year 2022-2023 Proposed Budget – Kelly Craver

Mr. Craver stated the Board has the Manager's Budget Letter, and the Budget Ordinance. The Public Hearing will be to review the proposed budget. Mr. Craver presented highlights of the proposed Fiscal Year 2022-2023 budget to the Board.

General Fund

The General Fund Budget is balanced at \$2,026,590.55.

- There are no increases in Ad Valorem Tax Rate. Rate remains at 60 cents per 100 dollars valuation.
- Due to the four dollar (\$4) per month per residence price increase for household garbage and recycling services, there is a two dollar (\$2) per month increase for all residences for this service.
- All staffing levels remain the same for all departments.
- An up to three percent (3%) merit pay increase is included in the budget for employees effective January 1, 2023.
- Powell Bill budget is \$130,000 based FY 22/23 revenue and previous years unspent Powell Bill Revenues.
- Paving and Sidewalk line item is at \$225,000 based on current year funding and appropriation of previous year's unspent funding.
- All Police and Fire Department capital requests are based on revenues from Grants
- Police Grant is for Computer equipment and less lethal weapons.
- Fire Department Grants are for Fire Hose, Hose reels, Hose rollers, Hose washer, Turn out gear and Gas Monitor Calibration system.
- All Public Works Capital requests were filled, except for a \$78,000 camera system. Water line valves and hydrant request were handled with an increase in Water line Maintenance line item. Some will be purchased in this year's budget. •

Water and Sewer Enterprise Fund

Water and Sewer fund is balanced at \$1,712,100.00.

- Water and Sewer Rates remain the same for FY 2022/2023.
- All staffing levels remain the same.
- An up to three percent (3%) merit pay increase is included in the budget for employees effective January 1, 2023.
- All Water Plant equipment requested was included in the budget recommendation.
- Engineering for the Electrical Grid and grit chamber renovation projects at the - Wastewater Treatment Plant is being funded in this year's budget.
- Renovation projects for the Wastewater Treatment Plant, water distribution and sewer collection systems could be funded by the NC Infrastructure and ARPA funds. We are scheduled to receive the remainder of our ARPA funds (\$273,000) in July of 2023 and the -NC Infrastructure funds are forthcoming. (\$1.5 million)

Commissioner Morris asked if there should be an adjustment made to the budget due to the Fire Department not receiving the State Grant.

Mr. Craver stated that we can look at a budget amendment when the needs are addressed in the Fiscal Year.

Commissioner Morris asked if the Water Plant Budget included the electric gate, and asked if the new generators are included in this budget.

Mr. Craver stated the electric gate is included in the proposed budget, and the generators will be paid from the State Infrastructure Funds, and/or the ARPA Funds. Funds will be appropriated when they are received.

Commissioner Morris asked if Handy Sanitary District would be responsible for half of the generators at the Water Plant.

Mr. Craver stated that he and Mrs. Whitman is reviewing the contract. This has been discussed with Mr. Hinnant, and their Board did not feel they were responsible for half the cost if it is paid for by ARPA Funds since they did not receive the ARPA Funds. Handy Sanitary District did receive 2 million dollars in State Infrastructure Funds, and the Town only received 1.5 million dollars.

Commissioner Grubb made a motion to open the Public Hearing. Commissioner Askew seconded. Motion passed unanimously. (5-0) Public Hearing opened at 6:15pm

Commissioner Grubb made a motion to close the Public Hearing. Commissioner Bean seconded. Motion passed unanimously. (5-0) Public Hearing opened at 6:16pm

Commissioner Loflin made a motion to adopt the Fiscal Year 2022/2023 Budget.

Commissioner Grubb seconded.

Commissioner Morris stated he would be against the adoption of the budget with the electric gate at the Water Plant.

Motion passed, 4-1: Aye: Loflin, Grubb, Bean, Askew. Nye: Morris

8. Approve Mowing Contract with Cranford's Landscaping for Fiscal Year 2022/2023 – Kelly Craver

Mr. Craver reviewed the proposed contract with Cranford's Landscaping for the Fiscal Year 2022/2023. The only changes to this year's contract is the addition of the Farmer's Market area, and the Water Plant.

The total cost per month is \$4400. The staff does recommend the approval of this contract.

Commissioner Grubb asked if Cranford's Landscaping would be responsible for the Memorial Bricks at Harrison Park.

Mr. Craver stated that Cranford's does spray for weeds on the properties they maintain.

Commissioner Bean asked if the Landscaping Contract is bid out each year.

Mr. Craver stated we did not bid this contract out this year.

Mrs. Jenkins stated the contract has a 2-year renewal, however the cost increase needed to be presented to the Board.

The Board discussed the services provided by the contract.

Commissioner Askew made a motion to approve the Mowing Contract with Cranford's Landscaping for Fiscal Year 2022/2023. Commissioner Bean seconded. Motion passed unanimously. (5-0)

9. Consideration of Request for Qualifications for Architectural Services – Kelly Craver

Mr. Craver stated that there was discussion at the last Board meeting for the need for Architectural Services at the former Suntrust Building. Mr. Craver has drafted the Request for Qualifications based on the concerns from the Board.

Commissioner Morris made a motion to approve the Request for Qualifications for Architectural Services. Commissioner Bean seconded. Motion passed unanimously. (5-0)

Commissioner Bean asked where firms would find the RFQ.

Mr. Craver stated that it would be online, and also sent out to Architectural Firms.

Mr. Craver asked about the dates for response.

Commissioners asked to have the RFQ's to be returned by August 22, 2022, and presented to the Board at the September 6, 2022 meeting.

10. Resolution in Opposition to the Special Use Permit Application, South Davidson Solar, LLC to Davidson County Board of Commissioners – Kelly Craver

Mr. Craver recognized Attorney Whitman.

Mrs. Whitman stated that with any citizen making a comment to the Davidson County Board of Commissioners, everyone has a right to reach out to them with any input on any subject. If the Board passed a Resolution as a Board, then you have to consider what the potential would be for any future business that would come before the Town Board. We are operating under the assumption that if the Special Use Permit is issued by the Davidson County Board, that a Special Use Permit will follow for the Town of Denton. The Special Use Permit in Denton would go before the Town Board, and it is a Quasi-Judicial Hearing with impartiality. This would be dealt with some discretion, however mild discretion if it meets the requirements in our Ordinances. This needs to be considered before passing the Resolution in Opposition.

Commissioner Bean stated that the area on Highway 109 is part of the NCDOT Byways Programs, The Uwharries Scenic Road. The County should take this into consideration.

Commissioner Loflin stated her concern is that in 2018, the approved solar farm was acceptable. Now, the proposed solar farm is larger and in the main corridor coming into Town. Mr. Cole stated this evening that they are willing to work with the Town so that it is not located directly on Highway 109.

The Board is in agreement not having the solar farm visible on Highway 109.

In light of Mr. Cole's comments tonight, the Board feels that they will be able to work with them on the process of the solar farm.

11. Annual Street Closure Ordinance for the Watermelon Festival and Street Festival – Kelly Craver

Mr. Craver stated this is a NC DOT requirement to request closure of the streets. The Watermelon Festival is the first Saturday in August, annually, 9am-2pm.

Commissioner Loflin made a motion to approve the Annual Street Closure for the Watermelon Festival. Commissioner Askew seconded. Motion passed unanimously. (5-0)

Mrs. Jenkins stated that the Street Festival is held the second Saturday in October. This is to update our annual street closure due to the date change from September to October.

Commissioner Loflin made a motion to approve the Annual Street Closure for the Street

Festival. Commissioner Askew seconded. Motion passed unanimously. (5-0)

12. Town Attorney Update –Misti Whitman

Ms. Whitman stated that she has spent a lot of time reviewing items for the Board this month. She also asked that if anyone receives any inappropriate emails to a Town email, please let her know.

13. Town Manager's Report – Kelly Craver

Mr. Craver stated that he has provided the report from the Police Department, Fire Department. and ACE Code Enforcement.

There was a quarterly meeting held with Handy Sanitary District. They will be billing for the sewer services to the new homes being built on North Main Street. They are also exploring interconnections with Albemarle and Montgomery County for their future increase in demand and a backup source. The generators for the Water Plant were also discussed.

-Commissioner Morris asked who from the Town met with Handy Sanitary District.

Mr. Craver stated that he, Michael High, and Heather Auman were part of this meeting.

The meeting was advertised to our Board. However, the Mayor and our Board representative were not available on the day of the meeting.

The Board asked to set a standing date for the quarterly meetings, around the second week, Tuesdays or Wednesdays.

-Commissioner Morris asked about the water leak at the water plant.

Mr. Craver stated that a leak was discovered on the 3-inch water line across the street going to the village houses. The leak was repaired and that seems to have made a difference. We will continue to monitor the area at the water plant.

-Commissioner Bean asked how long do residents have to respond to the ACE Code Enforcement issues.

Mr. Craver stated they typically have 30-days, as long as they are working towards compliance.

Commissioner Morris and Commissioner Grubb stated to make sure the Town Property is in compliance as well.

The Commissioners stated that Herschel Smith works hard to help keep the appearance of the Town looks good.

14. Commissioner Comments / Concerns

-Commissioner Morris asked about the cost of having extra trash carts at a location.

Mr. Craver stated the cost would be the regular monthly charge for the service, trash and

recycling.

Commissioner Morris asked if they just wanted extra trash carts, what is the charge.

Mrs. Jenkins stated that the extra carts would be trash and recycled due to the contract with Waste Pro.

Commissioners asked about the different colored carts that have been delivered to Public Works.

Mrs. Jenkins stated that Waste Pro brought the different colored carts to get us through until they received their regular carts.

-Mayor Ward asked for an update on the Banner Project.

Mr. Craver stated that Duke Energy is still evaluating the poles for allowing the banners to be installed.

-Mayor Ward asked about street paving for this fall.

Mr. Craver stated he is waiting on the street list from SEPI to provide to John Ryan with the Davidson County DOT.

-Mayor Ward asked about the tile work on South Jones Street.

Mr. Craver stated the information has been sent to the contractor.

-Commissioner Morris asked if the contractor building the apartments on North Jones Street would be responsible for the drive into the apartments.

Mrs. Jenkins stated they would be required to install the drive to NCDOT standards.

-Mayor Ward asked Heather Auman, Water Plant ORC, about the monitor that is at the intake on the water.

Mrs. Auman stated that the monitor belongs to the dam. They use it to monitor different things for the dam. The State did use it for some routine testing.

-Commissioner Bean asked about the progress on the camera system for live streaming the Board meetings.

Mrs. Jenkins stated she has received the proposed system; however, she is waiting on clarification of a couple of questions.

-Commissioner Bean asked about the property on Denton Road that is replacing a double-wide with another double-wide, what are we doing to follow-up on this progress.

Mr. Craver stated he has spoken with the resident and they stated they are still working to moving into the new home.

-Commissioner Bean stated that there is a real issue with speeding on Bombay Road.

Commissioner Grubb stated that it is a huge concern with the traffic at Bombay Park.

Both Commissioners stated that they vehicles are traveling well over the speed limit.

Chief Hicks asked about a time of day that this is happening.

Commissioner Bean and Commissioner Grubb stated it is any time of day.

Chief Hicks stated that they will do more patrols in the area.

-Mayor Ward asked how the Police Department handles residents driving golf carts to The Country Store, on Highway 109.

Chief Hicks stated they would issue a verbal warning.

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

Commissioner Grubb made a motion to go into Closed Session. Commissioner Bean seconded. Motion passed unanimously. (5-0)

Mayor Ward dismissed the Department Heads.

Mayor Ward called the Board back into Open Session.

16. Updates / New Business -There was no updates or new business.

17. Discussion of Amendment to Planning and Zoning Ordinance: Permitted Use Table

The Board of Commissioners discussed the Planning and Zoning Ordinance, Permitted Use Table. Changes were made to the Manufactured Homes, and Self-Storage.

18. Call for Public Hearing – July 11, 2022 – Amendment to Planning and Zoning Ordinance- Permitted Use Table – Kelly Craver

Commissioner Loflin made a motion to called for a Public Hearing for the Amendments to the Planning and Zoning Ordinance Permitted Use Table on July 11, 2022. Commissioner Askew seconded. Motion passed unanimously. (5-0)

19. Announcements

June 29th – Annual Tractor Ride and Shirer's Cars, 11am

June 30 – July 4th - Antiques Festival 7:30am-6pm

July 1st – July 3rd - Community Yard Sale, 7:30am-6pm


20. Board of Commissioners Adjournment

Commissioner Bean made a motion to adjourn. Commissioner Askew seconded. Motion passed unanimously. (5-0)

Meeting adjourned at 8:45pm.



Angel Jenkins, Town Clerk



Larry D. Ward, Mayor