

The Board of Commissioners of the Town of Denton held a special meeting on Monday, July 10, 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 meeting to order at 6:00pm

**2. Pledge of Allegiance**

Mayor Ward led Pledge of Allegiance

**3. Adoption of Agenda**

Mayor ProTem Grubb made a motion to adopt agenda.

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.*

\*Phillip Steed at 203 Broad Street shared concerns of the air quality on Broad Street and E. First Street due to the burning of brush for over one week. He had reached out to the property owners, Fire Department, Police Department, Town Manager and the Forestry Department with no resolution. He asked the town to look at putting an ordinance in place to keep from this happening again.

\*Commissioner Morris asked Fire Chief Dorsett if the burn permit wasn't to exceed a certain number of days. Chief Dorsett stated that the burn permits from the Forestry Department are for one week.

\*Steve Smith at 221 Broad Street shared the same concerns as Mr. Steed regarding Broad Street. Mr. Smith also indicated that he has concerns about the water pressure once the houses are complete, as it is not great now. He is also concerned if there will be an issue with electricity, speed limit, and upkeep on road. Mr. Smith shared concerns of adding a walking park (W. Johnson Park) to the area, and the potential of unsupervised guest. Mr. Smith also asked if the Board knew what the intentions were for the site where they have cleared at the end of Broad Street and E. First Street.

\*Ms. Jenkins stated that at this time no permits have been requested for this property, there are several options that could be based on the zoning classification of the property. but at this time no request has been made. Ms. Jenkins stated that state ordinance allows burning for property clearing.

\*Mr. Steed asked if there was anyone else that he could reach out to regarding the air quality in the area.

\*Mayor Ward stated the permit was issued by the Forestry Program and because this is a clearing of a lot, and not a residential burn it is within guidelines.

\*Ms. Jenkins asked if Mr. Steed had reached out to Winston-Salem to their Air Quality Control Department.

\*Mr. Steed stated that he had not at this point, but he would.

\*Ms. Jenkins stated that there will be a hydraulic study done for this area, and this will provide information regarding the possibility of adding a water booster. The Developer has written in his proposal to pave Board Street at the completion of the construction and to add speed bumps.

\*Ms. Maggie Ketek at 185 E. Fionch Avenue shared concerns regarding the storm water pipes that come off the parking lot at Rick's Restaurant and the Freedom Boutique. The drainpipes run on the back of her property and when it rains the property floods washing gravel out of the drive.

\*Ms. Jenkins stated that she had Alliance Code Enforcement to review the area. There is not a direct path that the water flows, which is causing the overflow of water on Ms. Ketek's property. Ms. Jenkins stated that she has put in a work order for Public Works to inspect the culvert, and clear of any debris from the tile under the road. We should see some difference once the right of way is cleared, the culvert, and tile under road have been cleared.

## **5. Public Hearing for Consideration of Special Use Permit & Variance G.S. 160D-705(c)(d)**

**Morris Mini Storage 31 Bell Avenue PIN ID: 6668-02-86-1934 – Angel Jenkins**

\*Commissioner Morris requested to be recused from voting.

\*Mayor ProTem Grubb made a motion to recuse Commissioner Morris from voting on Special Use Permit and Variance.

\*Commissioner Bean seconded the motion. Motion passed unanimously (4/0)

\*Mayor Ward read aloud the Quasi-Judicial proceedings guidelines NC G.S. 160D-705(c)

\*Ms. Whitman read the Oath of Law to witnesses Mr. Morris and Ms. Jenkins, both responded I do.

\*Mayor Ward called the first witness. Ms. Jenkins asked if the Special Use Permit and Variance are held as two separate hearings. Ms. Whitman replied that they are to be held separately.

\*Ms. Jenkins stated that she received a request from Commissioner Morris for a Special Use Permit for construction of self-storage units at the corner of Bingham and Bell Ave. A notice of Public Hearing was printed in the Denton Orator on Wednesday June 21, 2023

and letters were mailed to all adjacent property owners on this same date. The property was posted on June 21, 2023. By the zoning ordinance it is permitted in Neighborhood business by Special Use Permit. Request was approved by the Planning & Zoning Board. It is the recommendation of staff to approve Mr. Morris request for a Special Use Permit. Mayor Ward asked for a motion to Close Public Hearing.

\*Commissioner Bean made a motion to Close Public Hearing.

\*Mayor ProTem seconded the motion. Motion passed unanimously (4/0)

\*Mayor ProTem Grubb made a motion to approve the Special Use Permit for Construction of self-storage unit located at 31 Bell Avenue. Ms. Grubb read aloud the approval requirements in accordance to the Quasi Judicial proceedings. (Copy of motion attached to the minutes.)

\*Commissioner Loflin seconded the motion. Motion passed unanimously (4/0)

\*Open Public Hearing - Quasi Judicial proceedings NC G.S. 160D-705(d)

\*Commissioner Bean made a motion to Open Public Hearing for the purpose of Variance at 31 Bell Avenue.

\*Mayor ProTem Grubb seconded the motion. Motion passed unanimously (4/0)

\*Ms. Jenkins stated that she received a request from Commissioner Morris for a Variance on the rear set-back for the self-storage mini warehouse at the corner of Bingham and Bell Avenue (Documentation attached).

The back of this property has an unopen alley way. The request was made to allow for a 10' set back verses the standard 20' set back. Mr. Larry Furr has requested that the alley way not be closed as it adjoins his property, thus the reason for the request is for the 10' set back. To close an alley way, the property is split between the adjoining property owners.

Request was approved by the Planning & Zoning Board. It is the recommendation of staff to approve Mr. Morris request for a Variance.

\*Mr. Morris stated that there would be 30' from the fence of the adjoining property to the doors on his mini storage units.

\*Mayor Ward asked for a motion to Close Public Hearing.

\*Commissioner Bean made a motion to Close Public Hearing.

\*Commissioner Loflin seconded the motion. Motion passed unanimously (4/0)

\*Commissioner Bean made a motion to approve the Variance for Morris Mini Storage located at 31 Bell Avenue. Ms. Bean read aloud the approval requirements in accordance to the Quas Judicial proceedings.

\* Mayor ProTem Grubb seconded the motion. Motion passed unanimously (4/0)

## **6. Approve HVAC System Contract for the Denton Civic Center – Paula Hedrick**

\*Ms. Jenkins stated the heating and air system at the Civic Center is currently not working. Last summer we had issues with it cooling, as well as in the winter with the heat using the emergency heat often. Tommy Carrick with Denton Plumbing and HVAC did a service call a few weeks ago. Mr. Carrick stated that the units need to be replaced. We have received three (3) quotes for replacing both units.

- Buie Electric - Quote #47 \$30,000.00
- Air Maxx – Quote 4460 \$12,897.00
- CLUB Services - Quote:2043 \$14,500.00
- Kenny’s Electric Plumbing & HVAC LLC – Quote \$9,750.00

\*Ms. Hedrick stated each contractor was provided a list of requirements for the HVAC system. (Documents attached) They were asked to provide detailed information based on their findings during inspection. After further review of the submitted quotes, the quote from Kenny’s Electric Plumbing & HVAC LLC does not address repairing the duct work that is damaged under the building. The other two quotes address either repair or replacement of duct work.

Ms. Hedrick stated that she reached out to Kenny’s Electric Plumbing & HVAC LLC on Friday and this morning to allow him to revise his quote. We received a reply this morning, indicating that they would get out to take another look. As of meeting time, no update was provided.

\*Commissioner Loflin stated that Kenny’s Electric Plumbing & HVAC LLC bid could not be considered as it was not a complete bid.

\*Commissioner Bean asked if we could approve the lowest bid with the contingency if their bid comes in under the next lowest bid?

\*Commissioner Loflin stated that we do not have to accept the lowest bid.

\*Commissioner Loflin made a motion to approve the bid from Air Max.

\*Commissioner Askew seconded the motion. Motion passed unanimously (5/0)

\*Commissioner Morris noted the decision was made on the premise that one bid was submitted and not complete.

## **7. Consideration and Approval - Jobs Creation and Beautification Grant**

Everyone has a copy of the current Jobs Creation and Beautification Grant which was last updated in April 2020.

1. **Utility Service Grant:** Ms. Jenkins stated is for new businesses, the purpose of this grant is to increase new customers to the Town's utility system. We have not had a request for this grant any many years.

\*Commissioner Bean asked if people know this grant exists?

\*Ms. Jenkins stated it was published last year in The Denton Orator.

\*Commissioner Bean asked do other towns, where businesses put in an application for services, does the town Attorney's give new business a packet with what is available?

\*Ms. Whitman stated that only if a new business comes in and asks what grants are available, then information is provided. As a general rule it is not publicized, you have to ask what is available.

\*Ms. Jenkins stated we do not require a business license, so normally businesses do not come into Town Hall to see what may be available.

2. **New Jobs Grant:** Ms. Jenkins stated the revision would be to set an amount we want to establish for an existing or new business that qualifies a new hired employee. The business must be within the Town limits, the employee must be above median wage set forth by Davidson County as published by the NC Department of Commerce and they must work full-time for a consecutive 12 months. This would be monitored and recorded by their Employment Security reports. The reports would be submitted to the Town Manager for review and approval. At the end of the 12 months the grant may be awarded.

\* Commissioner Bean what if we set the grant at \$500.00 The Board is in agreement to set the grant amount at \$500.00.

\*Commissioner Morris asked if this was a one-time payout. Ms. Jenkins confirmed that was correct. This would be for one new employee and not existing employees.

3. **Residential, Commercial, and Industrial Construction Grant:** Ms. Jenkins stated this grant has been used many times over the past several years by local contractors for the water and sewer grants. To the point that it has exhausted the budget allotted for this grant. Current taps are \$1,000 for water and \$,00 for sewer in town. Out of town is \$2,000 for each. The request to cover the rock bore expense has not been as much.

\*Commissioner Loflin stated that she thought we had eliminated the offer of a grant equal to 50% of the cost of a rock bore. Commissioner Askew was under the same

impression. Commissioner Morris stated that the decision was made to not fund the rock bore.

\*Ms. Whitman stated the decision was made to not fund the tap grant fees and the rock bore but it would be revisited at this meeting.

\*Commissioner Morris asked would it look inviting to eliminate the Residential and leave this grant available to Commercial and Industrial businesses. Maybe add a stipulation that they must have 5 employees and still offer the incentive.

\*The majority of the Board decided to agree to change item #3 to Commercial and Industrial only, equal to the cost of the taps and not to exceed a \$5,000 payout to one business.

\*The decision of the Board was to eliminate rock bore fee reimbursement.

4. **Restoration and Renovation grant:** Ms. Jenkins stated this grant is available to property owners who make permanent changes to existing properties. A grant in an amount equal to a percentage of the increase tax value will be paid annually for five years. \*Commissioner Morris stated that the percentage would be based on the renovations only and not the total tax value of the property.

\*Ms. Jenkins confirmed that is correct.

The Board decided to set the percentage at 50% and not to exceed \$5,000 in total paid annually over a five (5) year period.

5. **Downtown Beautification Grant:** Ms. Jenkins asked how we would enforce the payback if the business did not meet the specified requirements.

\*Commissioner Morris stated that this needs to be available to businesses in Town limits.

\*Mayor Ward stated he did not agree to paying out for signage.

\*Ms. Whitman stated some towns, do not award the grant until after they have been in business for 12 months.

8. **Approve Fiscal Year 22-23 Audit Contract with Tony Brewer, CPA- Paula Hedrick**

Ms. Hedrick stated that Mr. Brewer works with Eddie Carrick, CPA. He has provided services to us for the last 2 audits. The price for his services has not increased and should not exceed \$4,500.00 (Documentation attached)

\*Commissioner Morris made a motion to approve the Fiscal Year 22-23 Audit Contract from Tony Brewer, CPA. \*Commissioner Loflin seconded the motion. Motion passed unanimously (5/0)

9. **Approve Employee and Volunteer- Sexual Abuse and Misconduct Prevention Policy – Angel Jenkins**

Ms. Jenkins stated that with this year's insurance renewal, we required to have a Sexual Abuse and Misconduct Prevention (SAM) policy. All employees and volunteers will be required to review this policy annually.

\*Commissioner Bean made a motion to approve the Sexual Abuse and Misconduct Prevention Policy as provided.

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

#### **10. Update on Outdoor Market Revitalization Project – Paula Hedrick**

\*Ms. Hedrick stated that the projects initially discussed in our budget meeting are progressing along. The Outdoor Market and Pavilion in Harrison Park have been pressure washed.

\*Ms. Hedrick provided updated photos with before and after photos of both locations after the pressure washing.

\*Ms. Hedrick stated that Phase 2 of the renovations will be staining both locations, using the appropriate materials for the different types of wood.

We received quotes from two (2) companies:

- Gibson Paint and Design - Outdoor Market \$3,500      Harrison Park \$3,100
- Dave Milligan – Outdoor Market \$9,810      Harrison Park \$8,765

Gibson Paint and Design has been contacted to do the project. Mr. Gibson estimated that he would start in mid-August.

\*Commissioner Bean asked what materials would be used to stain both locations.

\*Ms. Hedrick stated that the Outdoor Market would be finished in a Benjamin Moore Semi-Transparent Stain (Natural Look) and the Pavilion will be an IPE Oil Stain based on a recommendation from Stewart Sexton. (Mr. Sexton provided details on the type of wood used when the Pavilion was built)

\*Ms. Hedrick shared an image of the Denton Outdoor Market sign and where it will be placed.

\*Commissioner Bean asked will the sign have "buy local/eat local/play local".

Ms. Hedrick stated that it would.

Commissioner Bean asked if we were going away from our initial wording of "A Great place to live and grow".

Ms. Jenkins stated that the Town motto/slogan is "A Great Place to Live and Grow". This has not changed. The original sign for the Farmer's Market area had the wording buy local/eat local/play local on it. We kept the wording the same because the initial intent of the Farmer's Market was to provide a place for local farmers to bring produce raised locally to sell. We updated the requirements in 2020 in order to have more interest in the event

space. The switch from Farmer's Market to Outdoor Market (at Harrison Park) opens the space to different vendors.

\*Ms. Hedrick stated that we have received quotes for the new sign to replace the sign at Red Hill on Highway 109 from several companies. The quotes range from \$12,000 to \$16,000. We are still waiting for some quotes to come in.

\*Ms. Hedrick stated that she inquired with a painter regarding murals, it is estimated starting at \$15,000. We have applied for a beautification grant that would help accomplish the needed projects. We are waiting to hear back if that will be awarded.

\*Ms. Hedrick stated the need for new trash receptacles has been reviewed and are being quoted at this time. This will be brought back before the board. The image of the trash receptacle for Thomasville was provided and quoted, which was higher than expected. Ms. Whitman stated she would provide the contact person that designed Thomasville's trash receptacles and see if we could get a quote from them.

\*Ms. Hedrick stated that she received confirmation from Windstream that they have approved the replacement of the leaning poles at the intersection of E. Salisbury Street and S. Main Street. It may be two to three months before the work can be done.

#### **11. Review Police Department Speed Study Data- Angel Jenkins**

\*Ms. Jenkins stated that the speed study information provided to the Board is for Bombay Road, N. Main Street, and S. Main Street. In reviewing the information, our biggest problem area for speeding is N. Main Street.

When reviewing the reports, the S. Main Street data for incoming is going out of Town. There was not a good location to put the radar sign to capture the information differently.

\*Ms. Jenkins stated that Chief Hicks will be gathering information for Peacock Avenue and Flat Swamp Road. We are also looking at an area that could help track speed patterns on Highway 109 between Rick's Restaurant and Farmer/Denton Road. (Speed Study attached to minutes)

**Town Manager Angel Jenkins stated that the Board would need to add item 11a: to approve the 23/24 Fire Department Election of Officers.**

#### **11a. Approve the 23/24 Fire Department Election of Officers**

\*Ms. Jenkins stated the 23/24 Election of Officers for the Fire Department was held on June 29<sup>th</sup>, 2023. A list of the new Officers is attached to the minutes and will be effective as of July 1, 2023.

\*Mayor ProTem Grubb made a motion to add 11a to the agenda for Fire Department



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

## **12. Town Attorney Update**

Ms. Whitman stated that she did not have anything to report at this time for public records.

Ms. Whitman also stated that she and Ms. Jenkins are continuing their weekly calls.

## **13. Town Manager's Report**

Ms. Jenkins reported the following to the Board:

- Ms. Jenkins spoke to Todd Yates regarding the S. Jones Street Culvert Project. He stated this may take some time to review and figure out the best solution to proceed.
- Architect John Fuller will have updated renderings for review at the next meeting.
- The press release has been released regarding Mike James as our next Police Chief. Ms. Jenkins will notify the Board when his start date is set.
- Police Chief Mark Hicks retirement reception is July 31, 2023, from 2:00pm-4:00pm. at Larry Furr's Southern Theater and Event Center.
- Public Works has been short staffed this week due to staff vacations. They have a lot of projects that are ongoing as well as the Antique Festival. Public Works staff worked on the sewer line at our Fire Department. Michael High, Public Works Director and staff did the repair work by cutting through the concrete in the bay in order to replace the line. It was discovered that the original installation years ago was wrong. It is surprising that it had not failed years ago.
- Next week, Public Works will be replacing the two (2) inch water line on Spring Street. There are work orders for water leaks that will be repaired after the Spring Street line is complete. Ms. Jenkins and Mr. High reviewed the projects that are open and suggested a priority list to keep moving forward. Mr. High said that he is receiving a lot of calls directly asking for work to be done around town. Ms. Jenkins instructed Mr. High and other Department Heads to have anyone calling them directly contact Town Hall to report the issue and start a work order. This takes the pressure off the Department Head and keeps the workflow going. It is difficult and stressful when they are getting direction from several different sources, and this causes things to be missed.

Ms. Jenkins expressed to the Board that if they have any concerns or issues to let her or Town Hall staff know, and they will be glad to start the work order for the department.

- The Antique festival was a great success. The vendors were happy with the traffic

downtown and several have already registered for next year.

- The Water Plant had their inspection last week and received a good report. There are several projects being worked on at this time.
- The Wastewater Treatment Plant ORC, Troy Branch is working on maintenance projects at the plant over the next couple of weeks. His staff member will be in school the end of month.
- The Police Department is still not able to access the information for a call report under the new reporting system. They are looking into this issue to provide information to the Board. We are glad to say that Captain Scherer has returned to work following surgery.
- The Fire Department has a new part-time employee, Brett Swaim. The June 2023 Fire call report has been provided to the Board. (copy attached to the minutes)
- Davidson County has mailed the 2023 Property Tax bills. Town Hall is seeing an increase in payments being made.

### **13. Commissioner Comments / Concerns**

\*Commissioner Morris asked if we are still one man down at the Police Department.

\*Ms. Jenkins that we are still one man down and we have placed an ad regarding an opening in the Police Department.

\*Commissioner Morris asked if we were still paving this fall.

\*Ms. Jenkins stated that the bid packets will go out in August.

\*Mayor Ward asked if Ms. Jenkins thought that we could go ahead and have the roads paved now as we are not Greensboro.

\*Commissioner Morris questioned as he thought that the paving would start this fall and why did bid packets not go out in May so that we could start paving in September.

\*Ms. Jenkins confirmed that bid packets go out in August based from a recommendation from SEPI. Normally, bid packets go out in the fall for spring paving. This will fall in the current budget year, whether it is Spring or Fall paving.

\*Commissioner Morris stated that it matters to the people that we have not paved in four years, and we haven't even put it out for bid yet. Commissioner Morris stated that earlier this year we said that we would pave in August or as soon as possible.

Ms. Jenkins stated that in 2020 prior to the pandemic, the Town did a crack seal project throughout the Town. No paving was done in 2021 due to COVID, and in 2022 Mr. Carver was working with the NC DOT to add our project on with their work in the area to get a good price and maybe more work. There were not any contractors interested in doing the work through NC DOT. When we reviewed this during the budget planning, we talked

about bidding out in the Fall and paving in the Spring.

\*Commissioner Morris stated that the Board thought that we would pave in August or September. He stated he did not think that the Board thought it would be next whenever.

\*Commissioner Bean stated that she thought we would check with Donnie Apple and Todd Yates about doing some paving.

\*Ms. Jenkins stated that Mr. Yates is busy with several projects including the S. Jones Street Culvert Project and short staffed. Mr. High has reached out to Mr. Apple regarding the paving project.

Ms. Jenkins expresses again that it has been presented as bidding the paving project out in the fall and paving in the Spring.

#### **14. Announcements**

No new announcement's

#### **15. Updates / New Business**

No updates or new business at this time.

#### **16. Board of Commissioners Adjournment**

\*Mayor Ward asked for a motion and second to adjourn.

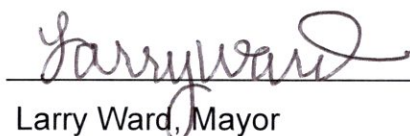
\*Commissioner Askew made a motion to adjourn.

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

Meeting adjourned at 8:04pm



Paula Hedrick, Town Clerk



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Larry Ward, Mayor