

The regular meeting of the Board of Commissioners was held in Town Hall on Monday, March 3, 2020 at 6:00pm.

The following members were present: Mayor Larry Ward, Mayor Pro Tern Deanna Grubb, Commissioners: Barbara Hogan, Julie Loflin, David Askew and Scott Morris

1. Call to Order- Mayor Ward called the meeting to order at 6:00pm
2. Pledge of Allegiance
3. Approval of January 15, January 25 & February 3 Minutes- Commissioner Hogan made a motion to approve the minutes for the January 15, January 25, and February 3, 2020. Commissioner Askew seconded. 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.
5. Adoption of Agenda- Commissioner Grubb made a motion to adopt the agenda. Commissioner Grubb. Motion passed unanimously. (5-0)
6. Request to Close Undedicated Section of Finch Avenue – Kathy Baum- Mrs. Baum stated that she lives at 306 Bryon Street. There is an unused portion of Finch Avenue that joins her property. Mrs. Baum asked the Board to closed the unused section of Finch Avenue. Mrs. Baum thanked the Board for their time and consideration.
7. Resolution to Permanently Discontinue a Portion of Finch Avenue – R-2020-04 -Mr. Gamble stated that if the Board find that this street is not vital to future development of the Town, they have the option to initiate this resolution of intent to close this section of Finch Ave. This would trigger a public hearing, and the adjacent property owners would be contacted. The adjacent property owners would have an opportunity to voice any concerns they may have.

Commissioner Grubb made a motion to approve the resolution to permanently Discontinue a Portion of Finch Avenue and call for a Public Hearing. Commissioner Hogan seconded. Motion passed unanimously. (5-0)
8. Street Closure Ordinance for Lions Club Spring Fling – O-2020-01 – Ken Gamble- Mr. Gamble stated that the Denton Lion’s Club will host a Spring Fling on May 16, 2020. They have completed the event contract and will use Harrison Park as well as Salisbury Street and N. Main Street for vendors.
Commissioner Morris made a motion to approve the Street Closure Ordinance for Lions Club Spring Fling. Commissioner Grubb seconded. Motion passed unanimously. (5-0)
9. Art in the Park – Cyana Briles- Mrs. Briles stated that she is the President for the Denton Artisans Guild this year. The Denton Artisans Guild (DAG) would like to host Art in the Park on May 2, 2020, with a rain date of May 9, 2020. Mrs. Briles met with Mr. Gamble on February 24, 2020 to discuss the event contract. The DAG will purchase event insurance once they received approve from the Board of Commissioners.
The DAG will host a Juried Art Show, and Artisans Vendors Market.

Mrs. Briles introduced Geraldine Owens, Vice President of the DAG. Ms. Owens has been very active in helping plan this great event. Commissioner Hogan made a motion to approve the Denton Artisans Guild to host the Art in the Park on May 2, 2020. Commissioner Askew seconded. Motion passed unanimously. (5-0)

10. Consideration of Bids and Selection of Contractor for Repair / Paving Project – Rick Austin- Mr. Austin stated that the Bid Opening was February 26, 2020 at 2:00pm at Town Hall. There were nine bid packets mailed out and four bids received. The following are the bids that were received:

Waugh Asphalt	\$108,146.45
Hanes Paving	\$117,974.15
Y.P. Yates	\$125,526.90
Blythe Const.	\$130,537.50

Mr. Austin stated that the bids were less than what he expected, and it is his engineering recommendation to go with the bid from Waugh Asphalt.

Commissioner Morris asked if they could pave more streets since the bids came in lower than budgeted.

Mr. Austin stated that there is also patching and crack pour to be completed.

Commissioner Morris made a motion to accept the bid from Waugh Asphalt for \$108,146.45 for the FY19-20 Repair and Paving Project. Commissioner Askew seconded. Motion passed unanimously. (5-0)

11. Denton PD & SDHS Fundraiser – Chief Mark Hicks- Chief Hicks stated the he has talked with Fire Chief Travis Morris, Kevin Hudson- Principal at South Davidson High School, and Chad Ellington- Basketball Coach about having a benefit basketball game to purchase two deliberators. The basketball game would be between the Police/Fire Department and the SDHS basketball players. They are working out the details for this event. Chief Hicks stated they need the Board’s approval to move forward. Commissioner Hogan made a motion to approve the basketball game between the Police/Fire Department and the SDHS basketball players. Commissioner Loflin seconded. Motion passed unanimously. (5-0)
12. Urban Archery Renewal for 2021 – Ken Gamble- Mr. Gamble stated this letter is to show the intent of the Board to continue being a part of the Urban Archery Season for 2021. Mayor Ward stated there were no reported harvest during the 2020 season. Chief Hicks stated there has not been any issues with the Urban Archery Season. Commissioner Grubb made a motion to continue to participate in the Urban Archery Season for 2021. Commissioner Loflin seconded. Motion passed unanimously. (5-0)
13. Denton Jobs and Business Creation Program – Ken Gamble – Mr. Gamble stated that Attorney Mitchell has reviewed the Five Points Job Plan and has made revisions to the program that bring it in line with statute and case law. Once the Board signs off on the changes, we will hold an advertised public hearing on April 6th and then the Board can implement the new program. Any projects approved before June 30 will have to be funded

through budget amendments.

Mr. Gamble reviewed the Jobs and Business Creation Program:

1. Any new business may receive a grant from the general fund of the Town in an amount equal to three months of the minimum monthly bill for water, sewer and trash/garbage pickup services. This will only be granted after the business has been in business for one year.
2. Any business, whether an existing or new business, that adds a full-time employee of 35 hours per week or more within the Town limits may be eligible to receive a grant per employee hired. This is based on an employee working 35 hours per week and one year in business.
3. A grant may be awarded for the construction of each new residence or business building within the Town limits or the new use of an existing business building adding jobs and becoming a Town utility customer.
4. A Restoration and Renovation grant is available for property owners who make permanent changes to their existing properties to improve the appearance of these buildings, and also to enlarge and improve them. The amount of the grant will be based upon the increase to tax value due to the improvements as documented by the Davidson County Tax Department. A grant in an amount equal to a percent of the increased tax value will be paid annually for five years, after the total tax for that year has been advanced by the property owner. The Denton Planning Board will accept applications and award the grants. Sketches and estimates will be submitted with the application for the Planning Board for review and approval. Written authorization of the improvements by the building owner must be submitted to the Planning Board. Invoices will be submitted to the Town for verification prior to payment of the grant.

There were suggestions from the Commissioners on several items.

Commissioner Morris stated he would like to include coverage for a business to be reimbursed for a business sign.

Mr. Gamble stated that giving reimbursement for a sign is more of a beautification project and has no tax value to the property. There also needs to be something tied to performance, being in business one year.

Attorney Mitchell stated that he likes to see business incentives on the back-end of the business being in business for a period of time. He also stated that there should be a budget for these grants. Mr. Mitchell stated that they could table this item until there is further discussion.

Mr. Gamble asked the pleasure of the Board.

Commissioner Loflin stated that the Town had provided signs for several businesses in the past and it was not a favorable project.

Commissioner Askew stated he was not in favor of adding signage to the business grant.

Commissioner Hogan stated that there were several businesses that benefited from the sign grant.

Mayor Ward stated there was a business that the grant provided funding to help pay for tables and chairs. The business closed and they kept the tables and chairs.

Mr. Gamble suggested having a beautification grant that could include business signs.

Commissioner Morris made a motion to approve the Denton Jobs and Business Creation Program. Commissioner Grubb seconded. Motion Passed unanimously. (5-0)

14. Approval of Asbestos Removal Quote – Ken Gamble – Mr. Gamble stated that there are three quotes to remove asbestos from the old Police Department on Railroad Street, Abatement Pros \$7300, DARI \$8740, and Silver Lion \$8220. Mr. Gamble is recommending to go with lowest bid from Abatement Pros \$7300. Commissioner Hogan made a motion to approve the bid from Abatement Pros for \$7300. Commissioner Grubb seconded. Motion passed unanimously. (5-0)

15. Revision to Denton Personnel Procedures – Article VI Sections 4 & 13 – Ken Gamble- Mr. Gamble stated the item to be updated is in Section IV of the Personnel Policy. The current eight-week time limit does not cover what a tenured employee would have in accrued leave time. This policy change would read to be based on the leave time the employee has. Once they have exhausted all leave time, the next step would be leave without pay, outlined in section thirteen of the personnel policy. Commissioner Morris asked if the Town has shared leave time. Mr. Gamble stated yes. Commissioner Morris made a motion to Revision to Denton Personnel Procedures – Article VI Sections 4 & 13. Commissioner Grubb seconded. Motion passed unanimously. (5-0)

16. Town Attorney Update – Paul Mitchell- Mr. Mitchell stated that he has been working with Mr. Gamble in reviewing Denton Jobs and Business Creation Program. He has researched a deed of easement for the Denton Library and two adjunct property owners in regards to a drainage issue on School Street. Mr. Mitchell thanked Chief Hicks on the conduct of Officer Marshburn during a resent traffic stop of a friend having car trouble. Mr. Mitchell stated that the Beautification Grant would be a good idea if it is a significant improvement and a permit upgrade to the building.

17. Town Manager's Report – Ken Gamble- Mr. Gamble reviewed his Manager's report with the Board. A few highlights from the report:
Mr. Gamble met with a developer on February 18th that is looking to make a business investment in excess of \$1,000,000 in Town. Mr. Gamble will update the Board as soon as the project is confirmed and does not believe any incentives will be requested.
-Jesse Day with PTRC is working to if the Town could apply for a Storm Water Mapping Grant.
-South Emmons Fire District approved a two-cent tax increase to pay for half of the debt service payment on the new fire engine. Mr. Gamble stated they are also working with the County on a new fire service contract. If the contract is approved as per the guidelines of the County, the South Emmons Board would cease to be involved. The current contract has a subcontract for fire service with the Town of Denton and that is not valid.
-Customer service policy changes included a business receiving late charges. There were twelve business that Mrs. Jenkins reached out to as a reminder that the late fees would apply with the March payments.
-The Police Department spent eighteen-man hours and deployed the radar trailer to South Main Street after receiving a complaint during last month's Board meeting. There were nine charges, most of which were not speed related. They also took place in an intoxicated driver check point on

February 15, 2020 and there were 63 charges.

-The storms on February 6th caused damage to the fence around the intake pump station for the Water Plant. The cost to replace the fencing is \$3951.00. Our insurance does not cover flood damage.

- The nuisance property at 156 S. Snider is productively working on cleaning the area.

-Mr. High is working on the valve replacement and has contacted U-Locate to mark the surrounding power, phone and cable lines in the areas they will be working. The hydrant at Themo on S. Jones Street was replaced last week.

Commissioner Morris asked if the 63 charges during the check point were in Town.

Chief Hicks stated the check point was at Highway 109 and North Main Street with multi agencies. There was one DWI, some drug charges and other traffic charges.

Commissioner Morris asked if the Water Plant is feeding fluoride.

Mr. Gamble stated they are feeding fluoride with no issues.

18. Closed Session – In Accordance with NC G.S. 143-318.11(a)(3) Mayor Ward called for a motion for the Board to go into Closed Session.
Commissioner Grubb made a motion to go into Closed Session at 6:50pm. Commissioner Askew seconded. Motion passed unanimously. (5-0)
Mayor Ward called for a motion for the Board into Open Session at 7:03pm.
Commissioner Grubb made a motion to go into Open Session. Commissioner Askew seconded. Motion passed unanimously. (5-0)
Attorney Mitchell stated the Board met in Closed Session and no action was taken.
19. Town Manager Employment Agreement – Ken Gamble – Mr. Gamble stated the Board has a copy of the Manager's Employment Agreement for approval. The changes to the agreement are: on page one, add continue to employment services with Mr. Gamble as Town Manager; page 2, section 4a: clarified that one year of accreditable service and transfer of sick leave occurred on February 4, 2020; Section C: added 2.5% 401K Match; Section 5: changed \$200 vehicle allowance to \$400; Section 20-C: All changed would be effective March 2, 2020 with changes to compensation to be retroactive to the first full payroll after February 3, 2020.
Commissioner Loflin made a motion to approve the Town Manager's Employment Agreement. Commissioner Hogan seconded. Motion passed unanimously. (5-0)
20. Commissioner Comments / Concerns -
Commissioner Hogan informed the Board that the Tour de Kale would be meeting at Town Hall on March 8, 2020 in order to discuss this year's event. They will not be doing the bike run; however, they may do a 5k or an Ironman event.
Commissioner Hogan also shared with the Board that on March 24, 2020 from 9am-11am, there would be a representative here from Pediment Publishing. They are working on a coffee-table keepsake book on the history of Davidson County. They will be available for the public to come share photos that shows the history of Denton. The photos are scanned and returned to the resident.
-Mayor Ward stated that we need to have a paving company work on the utility patching more frequently. If the Town could work on some kind of agreement, it may save money in the long run.

Commissioner Morris stated that Handy Sanitary District has a crew patch the utility cuts with 48 hours.

Commissioner Loflin asked if the utility cuts has to settle for some time before it can be patched.

Commissioner Morris stated if the area is tamped correctly, it would not have to settle before patching.

There was a lot of discussion in regards to the utility patching within the Town.

Mr. Gamble asked if the consensus of the Board was to look into having a contract to do the utility cuts through the year instead of yearly with the patching contract.

The Board was in agreement.

-Mayor Ward asked when the LED light project would be completed. Mr. Gamble stated by the end of May, all lights should be changed.

Commissioner Loflin stated there are still some dark areas in Town.

Mr. Gamble stated that we could look at those areas to see if service can be added.

-Commissioner Morris stated he would like to see a parking space added to the resident at 205 E. Salisbury Street.

Mr. Gamble stated that he would like the pleasure of the Board. However, there has not been a parking space at this location. According to the zoning ordinance, the residences can have two parking spaces. This resident has two spaces on the property and one across the street from the house. It is an obstruction of view to have anyone park on the street.

Commissioner Askew stated he would like to give the person a parking space, there are issues at several intersections in Town.

There was a lot of discussion in regards to this issue.

The consensus of the Board was to add one parking space on Salisbury Street.

-Commissioner Morris asked if the Board could receive call reports from the Fire Department and Police Department.

Mr. Gamble asked what the Board would like to see in the reports.

Commissioner Morris stated he wanted information on drug arrest.

Mr. Gamble asked if they wanted a breakdown of enforcement. All were in agreement.

Mr. Gamble asked what information they would like from the Fire Department. It was in agreement to have a breakdown of the type of calls.

Chief Hicks stated that C-Com would be provide all call information.

-Commissioner Askew asked if the Adult Gaming Businesses were complying with the business hours.

Mr. Gamble stated they were according to the last report from the Police Department.

-Commissioner Askew stated the speed limit on Flat Swamp has been changed to 35mph but no one is observing the change.

Chief Hicks stated they would put the radar trailer there next week.

-Mayor Ward asked if the golf cart renewals are current.

Mrs. Jenkins stated there has been five renewals and they would send letters out to remind those that are not renewed.

21. New Business/Other Updates – There was not any New Business or Other Updates.

22. Announcements

March 2-6 –Bulky Item Pick-Up Week

March 3 – Primary Election Day

March 9- Mayor/Manager Breakfast at Park Place at 7am


April 4 12p-2p – Easter Eggstravaganza – Harrison Park

23. Board of Commissioners Adjournment-

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

Meeting adjourned at 7:25pm


Larry Ward, Mayor


Angel Jenkins, Town Clerk