

The regular meeting of the Board of Commissioners was held via Zoom.us on Monday, April 6, 2020 at 6:00pm. Mayor Ward did a roll call for all members present.

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

Town Attorney: Paul Mitchell, Town Manager: Ken Gamble, Town Clerk: Angel Jenkins

Department Heads: Troy Branch, Heather Hicks, Mark Hicks, Michael High and Travis Morris

1. Call to Order- Mayor Ward called the meeting to order at 6:00pm
2. Pledge of Allegiance – Mayor Ward lead the Board in the Pledge of Allegiance
3. Approval of March 2 & March 11 Minutes – Commissioner Hogan made a motion to approve the March 2 & March 11 minutes. Commissioner Morris seconded. Motion passed unanimously.
4. Public Comment – Citizens were provided an email address to send any comments or concerns to be shared with the Board during the meeting. Mrs. Jenkins reported there were no citizen comments.
5. Adoption of Agenda – Commissioner Grubb made a motion to adopt the agenda. Commissioner Askew seconded. Motion passed unanimously. (5-0)
6. Remote Participation Resolution – R-2020-05 – Paul Mitchell - Mr. Mitchell stated that the resolution is modeled by Davidson County's and Thomasville's Resolution. The School of Government has also provided some guidance on this Resolution which is new for everyone. The Resolution is well within the law and commended the Manager for the adjustments made to the Resolution. Commissioner Morris made a motion to approve the Remote Participation Resolution – R-2020-05. Commissioner Hogan seconded. Motion passed unanimously. (5-0)
7. Public Health Month Proclamation – Mayor Ward – Mayor Ward read the Public Health Month Proclamation and thanked Davidson County Health Director Lillian Koontz for joining the meeting this evening. Ms. Koontz gave the Board an update on the current health situation in Davidson County and thanked the Mayor and Board for making this proclamation. The Health Department is always working for the citizens of Davidson County. Commissioner Hogan made a motion to approve the Public Health Month Proclamation. Commissioner Grubb seconded. Motion passed unanimously. (5-0)
8. 2020 Municipal Clerks Week Proclamation – Mayor Ward – Mayor Ward read the Proclamation for the 2020 Municipal Clerks Week. Commissioner Morris voted to approve the 2020 Municipal Clerks Week Proclamation. Commissioner Grubb seconded. Motion passed unanimously. (5-0)

Point of Order –Attorney Mitchell asked to allow Lillian Koontz to leave the meeting. Mayor Ward so moved. Ms. Koontz thanked the Board again for allowing her to join the meeting.

9. Public Hearing - Close Undedicated Section of Finch Avenue – Ken Gamble – Mayor Ward asked for a motion to open the Public Hearing. Commissioner Hogan made a motion to open the Public Hearing. Commissioner Loflin seconded. Public Hearing was opened at 6:19pm.

Mr. Gamble stated that Kathy Baum came to a meeting on March 2, 2020 and requested an unopen portion of Finch Ave be closed. The Board approved a resolution of intent to close and hold a public hearing. This information was posted on the property and the notice was advertised in the Denton Orator. All property owners except the Henry Harrison, parcel ID 667801056791 were sent letters. The Harrison property is tax foreclosure. Information could not be obtained by the Davidson County Tax Office or the Davidson County Attorney's office. This property owner was not notified; however, the property was posted with the meeting notice and does satisfy the posting requirements. There have not been any comments against the closure of Finch Avenue.

Mayor Ward closed the Public Hearing at 6:22pm.

10. Resolution to Permanently Close a Portion of Finch Avenue – R-2020-06 – Ken Gamble – Mr. Gamble stated to let the record reflect that the public could make comments on the Closure by sending an email to a provided email address. There were no comments received.

Commissioner Morris made a motion to Permanently Close a Portion of Finch Avenue. Commissioner Hogan seconded. Motion passed unanimously. (5-0)

11. Public Hearing – Denton Jobs & Business Creation Program – Ken Gamble- Mr. Gamble stated that at the last meeting the Board direct Commissioner Morris, Attorney Mitchel and Mr. Gamble to work through some of the policies to make them more acceptable to the Board. The following are the highlights of the Denton Jobs & Business Creation:

1. Utility Service-. Any new business may receive a grant from the general fund of the Town in the amount equal to three months of the minimum monthly bill for water, sewer and trash/garbage pickup services. Grant will be paid after the business has been in operation for one year.
2. New Jobs- Any employer that adds a full-time employee with at least 35 hours per week, they can receive a grant. There has to be a public hearing, and the Board can make the decision as to how much the grant would be for each grant. The position has to be filled for at least twelve months.
3. Residential, Commercial and Industrial Construction – A grant may be awarded for a rock bore, equal to fifty percent (50%), when this is required to obtain water services. The grant would provide the tap fees back to the builder. Once the certificate of occupancy, they can receive the taps fees back
4. Restoration and Renovation – A grant is available for property owners who make permanent changes to their existing properties to improve the appearance of the buildings, and also to enlarge and improve them. Tax deferred grant paid annually for five years.
5. Downtown Beautification- A grant for improving the appearance of the Denton Downtown. Grants are up to \$1,000.

All grants would be approved by either the planning and zoning Board and/or the Board of Commissioners

12. Denton Jobs & Business Creation Program – Ken Gamble

Commissioner Morris made a motion to change the font that is italicize to regular font, correct the grant numbers to read one through five (1-5) and to approve the Denton Jobs & Business Creation Program.

Commissioner Grubb seconded. Motion passed unanimously. (5-0)

13. Emergency Amendment to Customer Service Policy – R-2020-07 – Angel Jenkins –

Mrs. Jenkins stated that she recommends Emergency Amendment to the Customer Service Policy is in accordance with Governor Cooper's Executive Order 124. This amendment states that the Town of Denton utility service will not charge late fees, cut off service for non-pay or charge a reconnect fee during the next 60 days.

Mr. Gamble stated that the Governor's Executive Order 124 was only for residential services, however, this amendment applies to the local businesses as well.

Commissioner Hogan made a motion to approve the Emergency Amendment to Customer Service Policy – R-2020-07.

Commissioner Morris seconded. Motion passed unanimously. (5-0)

14. Free Bulky Item Pick-Up Month – Ken Gamble – Mr. Gamble stated that

Commissioner Morris asked to have this item added to the agenda. The Town offered a free bulky item pickup the first week in March. Mr. Gamble stated that although it is nice to always be thinking about the resident needs, the Public Works Department may not be able to handle the additional work with the current project load and also being short staffed. Mr. Gamble also stated that with the current coronavirus, it is not safe for the Public Works staff to be picking up items from homes that may or may not be infected with the virus. Mr. Gamble recommended that the Board not approve the additional free bulky item pickup month.

Commissioner Morris stated that with a lot of people being out of work, it would give them something to focus on instead of the virus. Commissioner Morris asked if we are still picking up for residents that pay for the service.

Mr. Gamble stated that we are still providing a paid service. We are still providing brush pickup at no charge.

Commissioner Loflin stated that in her neighborhood, they are busy doing yard work and has seen the Town pickup the items for the neighbors. She is recommending to maybe entertain this option at a later time.

Commissioner Hogan stated she would approve doing it at a later time.

Public Works Director Michael High, stated that large items such as mattress, box springs and sofas are picked up with the backhoe. Smaller items are picked up by hand.

Mr. Gamble stated there is a free week in March and November.

Commissioner Grubb stated she would approve doing this service at a later date.

Commissioner Morris made a motion to approve the last two weeks of April be free bulky item pick-up.

Commissioner Hogan seconded. Motion did not pass. (Vote was 2-3)

Commissioner Grubb stated that the Davidson County Emergency Management Conference call stated that the last week in April may be the peak for the virus in our area.

15. Families First Coronavirus Response Act & Emergency Paid Sick Leave Act – Ken Gamble Mr. Gamble stated this is an extremely complicated law that was passed by the US Congress on March 18, 2020. There are two decision points for this act. The Town does not participate under the current FMLA because the Town has under fifty employees. The Emergency FMLA that applies to full and part time employees and to all businesses. However, the law does allow the exclusion of healthcare providers and emergency responders. To be clear, the emergency responders are not just police and fire, it also includes public works employees, water and sewer employees and employees that are providing basic services to the community. Under this act, we would have employees that would be eligible for 10-12 weeks paid leave. The Town is not able in a position as far as the size of staff or the depth of skills we have to handle one or two employees being out on leave. For that reason, Mr. Gamble is recommending that the Board exclude the emergency management from the FMLA portion of the Families First Coronavirus Response Act.

The second part of the Act is the Emergency Paid Sick Leave. This provides 20 hours for two weeks, both full time (80 hours) and part time (40 hours) staff. The part time staff would be based on the number of worked hours per week. The two weeks corresponds with the 14-day quarantine.

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19;

Employees that qualify for leave under items 1-3 would receive pay at their full pay rate. Items 4-5, they would only be eligible for two-thirds of their pay during the leave. The Board of Commissioners has empowered the Manager through the personal policy to make legal changes come, to make those changes necessary to be in compliance with the law and then the Board would ratify the changes. Mr. Gamble is asking that the Board ratify the decision to exclude all emergency responders from the Emergency FMLA and all employees be eligible for the Emergency Paid Sick Leave.

Commissioner Loflin made a motion to approve excluding Emergency Responders from the Families First Coronavirus Response Act and Approving Emergency Paid Sick Leave Act for all Employees.

Commissioner Grubb seconded. Motion passed unanimously. (5-0)

16. June 30 Audit Contract – Angel Jenkins – Mrs. Jenkins stated this is the yearly audit contract with Eddie Carrick. The contract is for the same amount as in previous years, \$7000 for the Town Audit and \$2000 for the Handy Sanitary Water Study. Commissioner Loflin made a motion to approve the June 30, 2020 Audit Contract.

Commissioner Grubb seconded. Motion approved unanimously. (5-0)

17. Surplus Property Resolution – R-2020-08 – Ken Gamble- Mr. Gamble stated the list of items from Public Works, Waste Water and the Fire Department are being presented to the Board of Commissioner as surplus and is no longer of use to the Town.
Commissioner Grubb made a motion to approve the Surplus Property Resolution- R-2020-08.
Commissioner Hogan seconded. Commissioner Morris asked if the Fire Department items be delayed for 30 days.
Commissioner Grubb amended the motion to declare the items as surplus and delay the sale of the items for 30 days. Commissioner Hogan seconded. Motion passed unanimously. (5-0)

18. FY20-21 Budget Presentation – Ken Gamble Mr. Gamble presented the proposed FY 20-21 Budget Presentation to the Board of Commissioners. A copy of the Budget presentation is attached to the minutes.

Mr. Gamble stated the Town is required to present and maintain a balance budget. Mr. Gamble reviewed the budget items to the Board. Mr. Gamble is still trying to calculate the impact on sales & use tax and other tax revenues on the General Fund and the Suspension of late & delinquent fees and delayed payments on the Enterprise Fund. This information will be updated on the May 4, 2020 presentation. Mr. Gamble also stated that the economic impacts due to the COVID-19 are unknown.

19. Town Attorney Update – Paul Mitchell- Mr. Mitchell stated it has been a busy month and he would like to pay tribute to the Town Manager and Town Staff for handling everything during this crisis.

20. Town Manager's Report – Ken Gamble -Mr. Gamble provided the Manager's Report to the Board. Mr. Gamble stated that the staff will be tracking the lost revenues during this crisis on a monthly basis. The Board will be able to see the reasons for the adjustments that will need to be made to the budget.
Michael High is working on the hydrant replacements and are currently waiting on U-locate to come out and mark the lines.
The asbestos has been removed from the old Police Department Building. Public Works is under staffed and they are working to accomplish the work that is needed. Mr. Gamble also thanked the other Department Heads for their hard work as well.

21. Commissioner Comments / Concerns – There was no Commissioners comments or concerns.

22. New Business/Other Updates- There was no new business or other updates.

23. Announcements:
April 2020 – Complete CENSUS

24. Board of Commissioners Adjournment – Commissioner Hogan made a motion to adjourn. Commissioner Grubb seconded. Motion passed unanimously. (5-0)
Board Adjourned at 7:53pm.

Larry Ward, Mayor

Angel Jenkins, Town Clerk