

The Board of Commissioners of the Town of Denton held their regular scheduled meeting on Monday, May 3, 2021 at 6:00pm at Town Hall.

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

Town Attorney Misti Witman and Paul Mitchell

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. Approval of April 12, 2021 & April 22, 2021 Minutes – Commissioner Hogan made a motion to approve the April 12 & 22, 2021 Minutes. Commissioner Askew seconded. Motion passed unanimously. (5-0)
4. Public Comment – No one was signed up to speak during public comment.
5. Adoption of the Agenda – Commissioner Morris made a motion to adopt the agenda. Commissioner Grubb stated that we need to switch item 7 & 8, the Oath of Office with Kelly Craver first and then the Oath of Office for Misti Witman. Commissioner Morris so moved as the amended agenda. Commissioner Hogan seconded. Motion passed unanimously. (5-0)
6. Proclamation Honoring Retiring Town Attorney Paul Mitchell – Mayor Ward read the Proclamation into record honoring Paul Mitchell's 37 years of service to the Town of Denton as the Town Attorney. Mayor Ward and the Board of Commissioners presented a clock to Mr. Mitchell as a token of appreciation. Mr. Mitchell stated that he appreciates the Town, the residents and those that he has worked with over the years.
7. Oath of Office – Interim Town Manager – Kelly Craver – Paul Mitchell administered the Oath of Office to Mr. Craver.
8. Oath of Office – Town Attorney – Misti Witman – Paul Mitchell administered the Oath of Office to Ms. Witman.
9. 2021 Law Enforcement Officer Week Proclamation – Mayor Ward – Mayor Ward read the Proclamation into record. Mayor Ward thanked Chief Hicks and his staff for their hard work. Chief Hicks asked that everyone keep the families of the two officers that were killed in the line of duty in Boone, NC in their prayers.
10. 2021 Public Works Week Proclamation – Mayor Ward – Mayor Ward read the Proclamation into record. Mayor Ward thanked the Public Works department for all they do for the Town.

11. Public Hearing - Applications for Water & Sewer Tap Grant Under Denton Jobs & Business Creation Program – Kelly Craver
 - a. Daniel Graham – 228 Old Camp Road -
 - b. Buddy Ball – 311 & 333 Garner Street

Interim Manager Kelly Craver stated that both Daniel Graham and Buddy Ball have met the requirements for the Tap Grant and a certificate of occupancy has been issued for the properties. The Staff recommendation is to award the grant to Daniel Gramham for \$2000 and Mr. Ball for \$4000.

Commissioner Hogan made a motion to open the Public Hearing. Commissioner Grubb seconded. Motion passed unanimously. (5-0)

Mayor Ward opened the Public Hearing at 6:13pm.

There was no one from the public to speak for or against the Tap Grant.

Commissioner Hogan made a motion to closed the Public Hearing. Commissioner Grubb seconded. Motion passed unanimously. (5-0)

Mayor Ward closed the Public Hearing at 6:14pm

Commissioner Morris made a motion to approve the \$2000 Tap Grant Under the Denton Jobs & Business Creation Program for Daniel Graham. Commissioner Hogan seconded. Motion passed unanimously. (5-0)

Commissioner Hogan made a motion to approve the \$4000 Tap Grant Under the Denton Jobs and Business Creation Program for Buddy Ball. Commissioner Askew seconded. Motion passed unanimously. (5-0)

12. Resolution to Use Upset Bid Process for Disposal of Real Property – R-2021-03 – Kelly Craver – Mr. Craver stated that the upset bid process is outline in NC G.S. 160A-266. We have an offer of \$2000 on West Finch Avenue. There are utilities on the property and it will need to be surveyed and recorded as such. This will be published in the Orator on May 12th, 2021.

Commissioner Morris asked who would be responsible for paying for the survey of the property.

Mr. Craver stated that it is usually up to the Town to provide the survey but this could be a condition of the sale for the buyer to pay for the survey.

Mr. High stated there is one water line, on the backside of the property and one sewer line that comes in at an angle on the property.

Mr. Craver stated that the Board may want to amend the resolution to require the buyer to pay for the survey.

Attorney Mitchell called Point of Order- He stated that the buyer would need to be informed of this condition of sale. They may not be interested in paying for the survey.

Commissioner Morris asked if the Resolution could be approved with the approval of

the buyer to pay for the survey.

Mr. Mitchell stated the resolution could be approved with the stipulation of the buyer paying for the survey. If the buyer doesn't agree, it can come back to the Board in June.

Commissioner Morris made a motion to approve the sale with the stipulation that the buyer pays for the property to be surveyed. Commissioner Hogan seconded the motion. Motion passed unanimously. (5-0)

13. Resolution Opposing NC Legislature SB 349 / HB 401 – Kelly Craver.

Mr. Craver stated that this bill has been presented in the Senate and House. The two things that are the most critical, one being that it would allow for multi-family housing in a single-family district. This would typically lower the value of the homes near them.

The second thing is that it does away with parking requirements. This would create all kinds of issues with parking on the streets.

Mr. Craver stated that staff recommendation is to oppose the NC Legislature SB 349 / HB 401.

Mayor Ward read the Resolution into record.

Attorney Mitchell stated that the proposed Legislation seems unconstitutional.

Commissioner Grubb made a motion to adopt the Resolution Opposing NC Legislature SB 349 / HB 401. Commissioner Hogan seconded. Motion passed unanimously. (5-0)

14. Mini Track Hoe Purchase – Michael High – Mr. Craver stated that after speaking with Mr. High and Mrs. Jenkins, the Board needs to provide guidance on the amount they would allow Mr. High to spend on this purchase.

Mr. High stated that he has talked to Caterpillar and Bobcat. Both are not willing to quote the equipment without a set cost.

Mayor Ward asked Mr. High what he felt was a reasonable amount for this equipment and how much would he use it.

Mr. High stated that they would be using this equipment in most repair work. The going rate is around \$40,000.

Commissioner Morris asked if he was going to surplus items to pay for this purchase.

Mr. High stated that the following items could be up for surplus: black Dump Truck; the John Deere, generator, small generators.

Commissioner Grubb asked what the cost of a new machine would be.

Mr. High said a new Mini Track Hoe is around \$75,000.

Commissioner Morris made a motion to allow up to \$45,000 for the purchase of a Mini Track Hoe. Commissioner Hogan seconded. Motion passed unanimously. (5-0)

15. Capital Project Ordinance for Fire Engine Replacement – Chief Travis Morris – Chief Morris stated that last year the structure changed for how we work with South Emmons. Our agreement is now with the County and not South Emmons to provide services.

When the South Emmons Board was dissolved, they asked that anything in excess

be accrued in a capital project fund to be used by the Fire Department to purchase the next engine.

Commissioner Morris asked Mrs. Jenkins if this is how this should work.

Mrs. Jenkins stated that it would be a Capital Reserve that excess funds would be added to each year to go towards the purchase of a new engine.

Chief Morris stated that this can be reviewed after the audit and any funds would be reviewed at that time.

Commissioner Morris stated that South Emmons wanted to make sure that their tax dollars would go towards the Fire Department instead of the General Fund of the Town.

Attorney Mitchell asked if this would be reviewed and renewed yearly.

Chief Morris stated that it would be renewed yearly.

Commissioner Hogan made a motion to approve the Capital Project Ordinance for Fire Engine Replacement. Commissioner Morris seconded the motion. Motion passed unanimously. (5-0)

16. Budget Amendment 4 – Angel Jenkins – Mrs. Jenkins stated that budget year, the sales tax revenue was under estimated due to the uncertainty during the pandemic. By December 31, 2020, we had received the amount budgeted for sales tax. This amendment is to add the revenue into the budget and disperse the expenses. Commissioner Hogan made a motion to approve the Budget Amendment 4. Commissioner Grubb seconded the motion. Motion approved unanimously. (5-0)

17. FY21-22 Proposed Budget – Angel Jenkins – Mrs. Jenkins presented the Board with a Power Point presentation for the Purposed Budget. The only change in the previous recommendations in April. The Revenues were adjusted in the Ad Valorem by 3.7%, based on the re-evaluation on properties by the County. And one changed to the cost of the project for the Waste Water Treatment Plant to the basin walls, after full review the quote was increased by \$12,000 to \$100,000 which is reflected in this presentation. Mrs. Jenkins reviewed the information with the Board and a copy of the presentation is attached to the minutes.

18. Summer & Fall Town Events – Angel Jenkins – Mrs. Jenkins stated that with the recent changes in the Governor's restrictions on public gathering, 100 indoors and 200 outdoors, the Administration is looking for guidance from the Board on upcoming Town events. Memorial Day Service, the Antiques Festival the first week in July, and the Street Festival is scheduled for the second Friday and Saturday in October. The Parks & Recreation Board has the Watermelon Festival scheduled for the first Saturday in August and other activities are pending.

We have been contacted by Barbara Johnson to hold mini concerts at Harrison Park. This is a group that had been meeting at Bojangles every Friday night to play music. They would like to meet at Harrison Park, with the Board's approval.

Boyd Hulin's Bluegrass Band, The Axe Handlers has contacted the Town about providing a free concert in the park but at a cost to the Town of \$400. The Parks &

Recreation Board has the funds available if they would be willing to host this event.

We have also had interest in hosting a Summer Concert series at Harrison Park. Commissioner Hogan would like to have a big named band come to Town to draw a large crowd of people.

There are a lot of surrounding Town's hosting Concerts. It maybe hard to book bands, this late in the year.

Mayor Ward stated that Ronnie Harrison wanted to do the Car Show at Memorial Day this year.

It was in agreement to do a Service at Harrison Park and Car Show for Memorial Day.

The Commissioners were in agreement to move forward with hosting the events in Town: Memorial Day Service, Antiques Festival, and Street Festival, and to reopen the Civic Center for rentals.

They also requested more information on the cost of hosting the Concerts in the Park and bring this information back to the Board.

19. Town Attorney Update – Paul Mitchell & Misti Whitman

Paul Mitchell – Mr. Mitchell stated that he worked with Chief Hicks and Officer Inman in a deposition regarding Quick Check and the involvement in the accident on Highway 109 a couple of years ago. The transcript has been approved for this deposition. Mr. Mitchell was also involved in speaking with Mr. Craver about being the Interim Town Manger.

Misti Witman- Ms. Witman stated that Mr. Mitchell has been bringing her up to speed on all the current happenings in Town. All files have been transferred to her office. Mr. Gamble provided insight prior to leaving and she has a wonderful working relationship with Mr. Craver.

20. Town Manager's Report – Angel Jenkins – Reviewed information from Ken Gamble.

-Mrs Jenkins stated that they are advertising for the open position at the Waste Water Treatment Plant.

-The Storm Water Infrastructure Mapping Grant was approved in October and we are waiting on guidance from PTRC as to when this project will start.

-The VOiP Phone system has been updated. There have been a few issues but everything is being handled through their support staff. The Water Plant is having issues due to internet connection.

-There have not been any bids received on the Old Camp Road Property.

-The work at Clark Acres is set to begin in June.

-The Mainline Valve Replacement and Line Repair has been completed. There is a small leak in front of the Water Plant that they will be back to repair. Mrs. Jenkins thanked the Water Plant Staff, and Public Works for all the work they did to make sure this project went smoothly.

-There was a credit of 1,000 gallons of water issued to each customer and an

adjustment issued to Handy Sanitary District for extra flushing that was needed to clear up the brown water.

-Commissioner Morris asked about the air conditioner bids for Town Hall.

Mrs. Jenkins stated that they have received bids from two companies on two different types of units. There is another company that is submitting a bid out of Albemarle.

Mr. High stated that the last company that came out was looking at converting the center room into a utility room.

-Thomas Rawls has turned in his notice at the Water Plant. The policy states that we have to wait to advertise the position until the employee has left. If the Board agrees, we would like to move forward with the advertisement of the position. The Board was in approval.

Mr. Craver stated that last Wednesday he met with the Town staff and toured the facilities. Mr. Gamble left a list of items that need attention. Today has been a day of organizing what needs to be accomplished. Mr. Craver stated that he will have a set schedule so that everyone is able to reach him when he is needed. Right now, he will hold office hours Monday, Tuesday and half a day on Wednesday.

21. Commissioner Comments / Concerns – Mayor Ward read a thank you card from Lillian Koontz from the Davidson County Health Department.

22. New Business/Other Updates- No new business or other updates.


23. Announcements


a. Memorial Day Event – Monday May 31st

24. Board of Commissioners Adjournment

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

Meeting adjourned at 7:35pm


Larry D. Ward, Mayor


Angel Jenkins, Town Clerk