

The Board of Commissioners of the Town of Denton a Regular Scheduled Meeting on Monday, December 2, 2024 at 6:00pm at Town Hall.

The following members were in attendance: Mayor Larry Ward, Mayor ProTem Deanna Grubb
Commissioners: Anne Carter Bean, Scott Morris, Hayden Hicks, Barbara Hogan
Town Attorney, Misti Whitman, Town Manager, Angel Jenkins, Town Clerk, Paula Hedrick

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

Mayor ProTem Grubb made a motion to add 15a. Closed Session – In Accordance with the NC G.S. 143:318.11 (3) Attorney/Client Privilege.

Commissioner Bean seconded the motion, Motion passed unanimously (5/0)

4. Approval of November 4, 2024 Minutes

Commissioner Hogan made a motion to approve November 4th, 2024 Minutes.

Commissioner Bean seconded the motion. 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.

Jodie Jackson resident of 755 Ebel Church Road, Denton spoke regarding the proposed solar panel farm to be located at Parcel #070420000002. It was mentioned at the Planning and Zoning (P&Z) meeting that they were going to install silicone solar panels. Silicone solar panels put off 14 grams of lead per each panel, 1250 grams per acre, with 1650 panels that would produce 9500 pounds of lead, based on 492 acres. This will affect drinking water, cause health issues, contaminate our water table. Ms. Jackson stated she would encourage everyone to test your water before any panels are placed. If you need a recommendation for a testing site, she has that information available.

Kim Markham resident of 4963 Valley Farm Road asked the Commissioners what are the goals for the Town of Denton. He asked that they do more research on effects caused by solar panels. If galvanized post is used, this could have effects on the topsoil. Topsoil cannot be replaced, affected topsoil would need to be dug up and hauled away.

It is recommended for a new farm, that there is a 100' buffer from the panels to the property lines. He had spoken with a gentleman currently whom has a solar farm near him and his main concerns were the undergrowth and maintenance of the panels. Mr. Markham stated he knew the Board of Commissioners would make the right decision, but he shared his concerns about

the buffers and the appeal. The closeness of the park where children play due to the electric magnetic field and the noise that the transformers would cause. Mr. Markham asked what benefits will the citizens of Denton see or will the energy produced be sent to Charlotte.

Commissioner Morris asked if this would go back before the Planning and Zoning (P&Z) Board before it is heard by the Commissioners.

Ms. Jenkins stated that the P & Z Board tabled the item at their November 2024 meeting for further discussion. P & Z will hear this again in January 2025 and will be brought to the Board of Commissioners in February 2025.

6. Review Agreement with NC Department of Transportation for Rail Signal Project on East First Street – Richard Mullinax and Nancy Horne

Ms. Jenkins introduced Mr. Mullinax and Ms. Horne, they are representatives from the NC Department of Transportation and are here to answer any questions the Board may have regarding the Rail Signal Project agreement previously submitted for review.

Mr. Mullinax spoke regarding the Municipal agreement for crossing safety signal project proposal for East First Street, the estimated cost will be \$450,000. The Town will be responsible for half of the annual maintenance cost, split with the NC DOT. Ms. Horne reiterated there are no matching funds, the project is 100% Federally funded. The maintenance cost will run around \$1,800 to \$2,100 per year.

Commissioner Morris asked what will the Town of Denton be responsible for?

Mr. Mullinax stated the pavement markings.

Commissioner Morris made a motion to approve the NC Department of Transportation for Rail Signal Project on East First Street.

Commissioner Hogan seconded the motion. Motion passed unanimously (5/0)

7. Review and Award Bid for SRP-D-ARP-0269-Waterline Rehabilitation Project- Heather Miller, LaBella Associates

Ms. Miller reviewed the bid process for the Waterline Rehabilitation project and stated there were three (3) contractors that were present for the bid opening held on November 14th, 2024 at Town Hall. On this date bids were taken for the waterline project. State Utility Contractors was the low bidder in the amount of \$1,021,629.00. Ms. Miller has worked with State Utility Contractors and is excited they were the low bid as they are incredibly good contractors.

Ms. Miller provided the Letter of Recommendation, which includes the certified bid tab, the Project Bid Information Sheet which requires a signature for DWI Submittal, and the Resolution of Tentative Award, which requires Council approval.

The project funding is in the amount of \$1,095,864.00. The total project cost, including construction, engineering fees, and the 5% contingency DWI requires to be included on the Project Bid Information Sheet, is \$1,191,819.45 which is over the total funded amount by \$95,955.45 of which \$51,031.45 is for the required 5% contingency. If the contingency is not used, the project will be over the project funded amount by \$44,924.00.

In reviewing the project, Carroll Avenue has 164 linear feet of waterline proposed to be replaced with this project. If the Board removed Carroll Avenue from the project, it will decrease the project amount by \$78,543.88, to an overall bid price to \$943,085.12. The total project cost, including construction, engineering fees, and the 5% contingency is then \$1,109,399.38 which is over the total funded amount by \$13,535.38. If no contingency is used, the project will not be over the funded amount.

A decision will need to be made as to how to proceed.

The Project Bid Information Sheet to be signed can be signed as-is with the total bid day bid amount and we will just have to contractor not install the waterline along Carroll Avenue. Otherwise, to reduce the bid price prior to submission to DWI, we would need to engage in negotiations with the contractor to get the cost down, which would involve removing Carroll Avenue. Ms. Miller stated that she does not believe working through a negotiation with State Utility Contractors would take exceptionally long as they are very anxious to get started!

Commissioner Morris asked Michael High if we had replaced the waterline on Carroll Avenue from Daniel to Varner already.

Mr. High confirmed that we had. The only line on Carroll Avenue that has not been replaced was line from Varner Street to Highway 109.

Commissioner Morris made a motion to approve the Waterline Rehabilitation Project using State Utility Contractors, Inc. less the waterline on Carroll Avenue.

Commissioner Bean seconded the motion. Motion passed unanimously (5/0)

8. ARPA Fund Project Updates - Heather Miller, LaBella Associates

Ms. Miller stated that a bid meeting for the ARPA Fund Project has been scheduled. She is checking to see what is needed in regards to the construction documents.

Denton Wastewater Treatment Plant Bar Screen and Screw-Conveyor Replacement Project

The plans and specifications approval letter has been received from DWI. The project will be sent to the Duncan-Parnell bid room by Wednesday of this week for contractors to review and download.

Following dates for the project are set as:

Pre-Bid Meeting: Thursday, December 12, 2024, with a site visit.

Bid Date: Thursday, January 9, 2025

Denton Wastewater Treatment Plant Modification Study.

LaBella visited the WWTP to ensure the WWTP drawings we based our analysis and assessment on are consistent with what is actually at the WWTP. Though our preliminary analysis and assessment determined that the oxidation ditch should work as designed, it is evident it does not. We are currently working on a hydraulic model to better understand what might be occurring to inhibit usage of the oxidation ditch.

The two (2) engineers and the CAD Tech working on the analysis and assessment and hydraulic model were out of the office today and so Ms. Miller was unable to get an update as to the status of this portion of the project. As soon as she has the opportunity to receive and update, she will provide it to Ms. Jenkins.

Town of Denton Identification and Repair of Infiltration & Inflow (I&I) into the Wastewater Collection System Project.

The Town of Denton has received and returned the Funding Offer Documents for the project. Ms. Miller has reached out before her time off as well as again today to confirm those funding offer documents have been received.

A question that she had asked a number of times while waiting for the funding documents to be provided by DWI and subsequently returned to DWI, is what type of project drawings and specifications are needed for submittal and approval as it will not be until after the completion of cleaning, CCTV, and smoke testing and their respective reports written and reviewed, that we will be able to determine where, if any, construction activity needs to occur that will require construction drawings. In addition to the question concerning what type of project drawings and specifications are needed for submittal, Ms. Miller asked if the sub-contractor doing the cleaning, CCTV, and smoke testing would be allowed to complete point repairs, replacement of complete runs of sanitary sewer, or rehabilitation as this would be the most efficient use of time and money instead of going through the bidding process.

Ms. Miller received a reply last week stating we will need to provide a submittal outlining the scope of work for the CCTV, smoke testing and cleaning in addition to a statement regarding intent to conduct point repairs at the time of the other tasks. This submittal would be called Phase I. After the Phase I cleaning, assessment, and minor repairs are completed then a Phase II plans and specification submittal detailing major repairs and or line and manhole replacement will need to be submitted for review and approval.

Ms. Miller is finalizing the information needed for this submittal and will get it submitted this week.

Commissioner Morris asked what was the estimate for the Engineer and Ms. Miller stated she thought it was around \$78,000.

Commissioner Morris asked if we were going to meet the December 2026 deadline to complete the project, and Ms. Miller stated that we would definitely be completed prior to December 2026.

9. Alliance Code Enforcement – Case Updates – Nicole Mabe and Derrick Mabe

Brandon Emory President of Alliance Code Enforcement introduced himself and spoke about the scope of work that they provide for the Town. They currently are covering 30 Municipalities and have dedicated 10 hours a week to serving Denton. He outlined the multi-step process from start to finish. First, they establish priorities, second perform finding the facts, third send a first notification, fourth second notification, fifth have hearings with the property owner and inspector explaining their violations in a more formal setting. Sixth a timeline is established and our Inspector Nicole Mabe follows up to make sure they have making improvements. Some cases they are not a quick turn-around, depending on the circumstance and financial situation of the property owner.

Ms. Mabe spoke briefly on our current open case list. The Commissioners mentioned that it would be helpful to know what stage each case is at.

10. Consideration of Request by Chad Easter to Close Alleyway between West Finch and West Noell Avenues – Angel Jenkins

Ms. Jenkins stated that she had received a request from Chad Easter regarding Alleyway closure between West Finch and West Noell Avenues. A copy of the request, and the property map has been provided for a review. Staff recommendation is to call for a Public Hearing at the January 2025 meeting. All notices will be filed in accordance.

Commissioner Hogan made a motion to call for Public Hearing for Alleyway closure between West Finch and West Noell Avenues.

Mayor ProTem Grubb seconded the motion. Motion passed unanimously (5/0)

11. Presentation from Modern Edge Technology Solutions, Inc. – Camera System for Town Hall, Harrison Park and Outdoor Market – Angel Jenkins

Ms. Jenkins introduced Jason White, President of Modern Edge Technology Solutions.

Mr. White thanked Ms. Jenkins for allowing him to review our needs and provide a quote based on those needs. Attached for reference is an outline for scope of work for cabling, camera system and upgrades to our current system and pricing. Mr. White introduced Axis Camera representative Brandon, to speak on behalf of the technology and specs of the cameras.

-Points of location: 7 cameras at Town Hall, 4 cameras at Harrison Park Gazebo, 2 cameras at the Community Market building.

-Back corners of Town Hall Building - to cover 270 degrees

-95% out of the box, 0% failure rate

-ethernet cable 16 port

-video

-great analytics

-24-hour footage saved

-completely expandable

-Category 6 non-plenum data cable

-HP/CM save to SD card

Commissioner Morris asked how many more cameras could be added if needed. Brandon advised that the system would allow for nine (9) more cameras.

Commissioner Bean stated that the company that installed her cameras at her business was not in favor of Axis cameras. She was not ready to make a decision on this product at this time.

There was no further discussion and they thanked Mr. White for coming.

12. Town Department Head Reports

Administration – Paula Hedrick

Public Works – Michael High

Police Department – Chief Mike James

Water Treatment Plant – Jason Faunce

Fire Department – Chief Brandon

Wastewater Treatment Plant – Troy Branch

Dorsett

(Reports attached for reference)

13. Town Attorney Update

Ms. Whitman shared that she has reviewed the MSD Consulting (Division of WSE of North Carolina) Scope of Engineering services for the Town of Denton Water Treatment Facility Reservoir Impoundment project that will be shared with Handy Sanitary District. She stated that her concerns are with paragraph 10 regarding “The OWNER shall not have or acquire any title to or ownership rights in any of the documents or information prepared by WSE.

14. Town Manager’s Report

Ms. Jenkins highlighted notes from the Manager’s Project Tracker report. (Report attached for reference)

- Received two roofing quotes for Public Works building
 - Davis Roofing - \$19,400
 - High Rock Home Improvement \$9,200
- DEQ – approved AMI Funds they believe they can cover new water meters with funds
- Summey – No report back

15. Commissioner Comments / Concerns

Commissioner Bean stated that she has had time to review the new Town website and she was expecting more on the website. Such as upcoming events, exciting pictures with more pop.

Commissioner Morris stated he thought it was mundane.

The suggestion was to look at Thomasville, Lexington, Troy, EDC websites.

Ms. Jenkins asked the Commissioners for specific things they would like to see.

15a. Closed Session – In Accordance with the NC G.S. 143:318.11 (3) Attorney/Client Privilege.

Mayor Ward asked for a motion and second to go into Closed Session. 8:10pm

Mayor ProTem made a motion to go into Closed Session.

Commissioner Hogan seconded the motion. Motion passed unanimously (5/0)

Mayor Ward asked for a motion and second to come out of Closed Session. 8:55pm

Mayor ProTem made a motion to come out of Closed Session.

Commissioner Hicks seconded the motion. Motion passed unanimously (5/0)

Action Taken: Place a Moratorium on all Special Use Permits

Commissioner Morris made a motion to place a Moratorium on all Special Use Permits.

Commissioners Hick's seconded the motion. Motion passed unanimously (5/0)

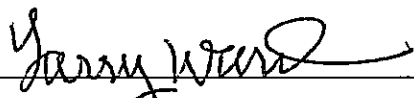
16. Announcements –

- December 5 – Town Staff Christmas Dinner
- December 6 – Hometown Christmas Tree Lighting, Love Lights Service 6:00pm
- December 7 – Christmas Activities & Holiday Vendor Market 10:00am-2:00pm
- December 7 – Christmas Parade 12:00pm
- December 24, 25, 26- Town Offices will be Closed

17. Board of Commissioners Adjournment

Commissioner Hogan made a motion to adjourn. 8:57pm

Commissioners Bean seconded the motion. Motion passed unanimously (5/0)



Larry Ward Mayor



Paula Hedrick, Town Clerk