

The Board of Commissioners of the Town of Denton held a Regular Scheduled Meeting on Monday, February 3, 2025 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

Mayor Ward asked for Motion and Second to adopt tonight's agenda.

-Commissioner Morris asked to postpone the hearing until a later date in order to accommodate the larger crowd. Since we do not have adequate seating tonight for everyone to sit.

-Mayor ProTem Grubb seconded the motion.

-Several from the community stated that they had taken off work to be at tonight's meeting. Many were willing to move forward with the meeting. A gentleman in the public asked for clarification of whom can and cannot speak today at the meeting.

-Ms. Whitman asked the Board to hold the motion until after Item # 6 Closed Session on the agenda.

-Commissioner Morris stated that he did not want to but stated under the advice of the Town Attorney, we will postpone his motion until after Closed Session.

3. Adoption of Agenda

-Commissioner Morris asked to add Summey Engineering Hydraulic Study to the agenda under 17a.

-Mayor ProTem Grubb made a motion to adopt the agenda adding in 17a.

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

4. Approval of January 6, 2025 Minutes

-Commissioner Bean made a motion to approve January 6, 2025 minutes.

-Commissioner Hicks 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.

Theresa Matthews offered a thank you to Mayor Ward, Chief James, and staff for their assistance in statewide identification of the homeless in the area. This is a way to pinpoint

and get services for the homeless in the community. This is provided by DC Connect, which is sponsored by Davidson Medical Ministries. This enables them to offer assistance for shelters, medical needs, food etc. This identifies those that are living in the woods, or structures not meant for human habitation with no water and electricity.

Bill Sigmon 411 Old Camp Road wanted to know if those that are members and stockholders of the Denton Swim Club would be allowed to speak as adjacent property owners [during the public hearing for the Solar Farm]. He stated that they were not allowed to sign up when coming in, and he had asked that question but it was not clarified.

-Ms. Whitman stated that we would clarify that before we move forward with the evidentiary hearing, we will have a standing determination.

Mr. Sigmon asked if that would be tonight.

-Ms. Whitman stated we would know once we determine if the meeting will be postponed or not.

6. Closed Session for Attorney/Client Privilege in Accordance with NCGS 143-318.11(a)(3)

Mayor Ward asked for a Motion and second to go into Closed Session.

-Mayor ProTem Grubb made a motion to go into Closed Session.

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

-Commissioner Hogan made a motion to come out of Closed Session.

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

-Commissioner Hogan made a motion to go into Open Session.

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

7. Public Hearing - Quasi-Judicial Hearing Special Use Permit for Solar Farm – South Davidson Solar, LLC (Cypress Creek Renewables Parcel #0704200000024)

-Ms. Whitman stated that a Quasi-Judicial Hearing is an evidentiary hearing. That means it is like a court case in that only certain people are allowed to present evidence and testify, not everyone is allowed to speak. Ms. Whitman noted that both sides are allowed to have an attorney present.

Participation is limited to the parties that have standing. In regards to the question from Mr. Sigmon in reference to being a stockholder at the Denton Swim Club. In this case an incorporated entity is registered with the Secretary of the State (SOS) and have a registered agent. The town is required to serve that party based on the address on record

with the County, and they did that. A club representative, namely the club President can speak for the stockholders and provide evidence in the hearing.

Mr. Sigmon asked if we considered that the Denton Swim Club is only active with their mail and business the months of May, June, July and August. They would not have gotten that letter.

-Ms. Whitman stated that unfortunately we can't consider that, we have to serve in accordance with the statutory guidelines.'

State laws set's specific procedures and rules concerning how this board must make its decision. These rules are different from other types of land use decisions like rezoning cases. The Board's discretion is limited. The Board of Commissioners are not allowed to make a decision based on personal preference but upon competent, relevant and substantial evidence in the record.

The Commissioners must base their decision upon the Findings of Facts for the Special Use Permit request.

Listed below are the Finding of Facts for reference.

- (1) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
- (2) The use meets all required conditions and specifications of the permit;
- (3) The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity; and
- (4) The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the town and its environs.

-A citizen stated that most are concerned about their groundwater being contaminated by some of this stuff, and all the health potentials, has an environmental impact report come out that the citizens can see.

-Mayor Ward stated that information will be forth coming.

-Citizen stated that would alleviate at least their fears.

-Mr. Sigmon asked for a 60-90 days delay to prepare for the next meeting.

-Mr. Harrison with Cypress Creek Renewables agreed to late February-early March and he also would like to set up another informal meeting with the public to answer any questions that they may have. They could have their experts available to address questions.

-Commissioner Morris made a motion to set the postponed meeting for March 18th 6:00pm at the Southern Theatre Event Center.

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

Mayor Ward asked for a 15-minute recess.

-Mayor ProTem Grubb made a motion to approve 15-minute recess.

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

8. Review and Award Bid for ARPA SRP-W.ARP-0267 Bar Screen and Conveyer Project- Heather Miller, LaBella Associates

Ms. Jenkins stated that Ms. Miller had a family emergency and was not present to speak. Ms. Jenkins will follow up with Ms. Miller for her next availability to meet. Ms. Jenkins asked for a date from the Commissioners that would work for them.

9. Approve 24/25 Contract with Davidson County Senior Services for use of the Denton Civic Center

Ms. Jenkins stated that Davidson Country (DC) Senior Services has a new director. We just received their contract for the 24/25 fiscal budget year, this is presented for approval for them to use the facilities Monday thru Friday. DC Senior Services offers meals on wheels, and other activities for the seniors in the community. They have started the Senior Café which is between lunch and 5:00pm to do lunch and learn events for those that are not part of the regular programs. Seventy-five percent (75%) of utilities are covered by the DC Senior Services division.

-Commissioner Morris made a motion to approve the 24/25 contract with Davidson County Senior Services for use of the Denton Civic Center.

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

10. Approved updated Town of Denton Fee Schedule

Ms. Jenkins stated at our last meeting we approved the bulk water rate for this new year and this is to update to the Town of Denton Fee Schedule. Increase applies to Public Recreation Water Rate of \$1.8059 per 1000 gallons.

-Mayor ProTem Grubb made a motion to approve the update to the Town of Denton Fee Schedule.

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

11. Approve Budget Amendment 2024/2025-03 for Wastewater Treatment Plant Clarifier Gearbox

Ms. Jenkins stated this is for the clarifier mechanisms for two clarifiers at the Wastewater Treatment plant that were rebuilt, this was not a scheduled maintenance on these clarifiers. The work was done through Charles Underwood. This was not an approved budget item.

-Commissioner Morris made a motion to approve Budget Amendment 2024/2025-03 for

the repairs to the Wastewater Treatment Plant Clarifier Gearbox.

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

12. Approve Budget Amendment 2024/2025-04 for Police Department Flooring and Painting Project

Ms. Jenkins stated that the Board approved the actual projects and this is just to approve the final cost for the Flooring and Painting at the Denton Police Department budget amendment.

-Commissioner Hogan made a motion to approve Budget Amendment 2024/2025-04 for the Flooring and Painting Project at the Denton Police Department.

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

13. Approve Town of Denton Policy for Data Breach or Imminent Breach Procedures

Ms. Jenkins stated that Chief James is working on policies that we need in order to be able to apply for grants through the Governors Highway Safety Program. The Data Breach policy is something that we have not had in place. Policy for Data Breach or Imminent Breach Procedures outlines procedures to follow in the event of a data breach involving personally identifying information or other confidential information maintained on personal computers, agency networks, or internet programs used by staff and volunteers. Ms. Jenkins stated that Chief James would be our Project Director.

-Commissioner Morris asked if this was for just the Police Department.

-Ms. Jenkins stated that it was for all Departments of the Town of Denton.

-Mayor ProTem made a motion to approve the Town of Denton Policy for Data Breach or Imminent Breach Procedures.

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

14. Review the Town's Jobs and Business Creation Grant

Ms. Jenkins gave an update of the most recent changes noted in the minutes from July 2023 and August 2023. There are 5 different grants available. 1. Utility Services, 2. New Jobs Creation, 3. Commercial and Industrial Construction 4. Restoration and Renovation 4. Business Beautification. The grant information was shared out through The Orator last year and on our website. Ms. Jenkins stated Commissioner Hogan has asked to review the Town's Jobs and Business Creation Grant.

-Commissioner Morris stated that he would like to see the following changes to the program.

Item 1. Utility Service – The grant shall be paid after the business has been in operation

for ~~one~~ year 6 months. The business may receive a grant refund in the amount equal to three months minimum utility services.

Item 2. New Jobs – At the end of the ~~twelve~~ six-month period, the Town grant will be paid upon documentation by the business to the effect that the employee was hired, was employed for the full twelve months, and was paid above median wage for Davidson County.

Item 3. No changes

Item 4. No changes

Item 5. Business Beautification – All grants will be paid ~~after the business is active for twelve consecutive months~~ at completion.

Request must be presented to the Planning and Zoning Board for Pre-approval.

15. Consideration to Purchase 2016 Ford Explorer from Archdale Police Department

Ms. Jenkins stated that the Police Department has been offered a Back-up Police Vehicle (2016 Ford Explorer) from the Archdale Police Department. With Staff driving vehicles home, when one is in the shop it makes it difficult to have a vehicle for them to drive. The Chief's Tahoe is starting to have multiple issues. The Ford Explorer along with upgrades would be \$4,033.

(Documentation and pictures attached)

-Commissioner Bean made a motion to approve the purchase of the 2016 Ford Explorer for the Police Department.

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

Ms. Jenkins asked if the Board would approve the Budget Amendment to allocate funds for the purchase of the 2016 Ford Explorer.

-Commissioner Bean made a motion to approve the Budget Amendment to allocate funds for the purchase of the 2016 Ford Explorer.

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

16. For Consideration and Approval of Request from Heart of the Carolinas Antique Power Club to Host Antique Tractors and Cruise-in Downtown – May 3, 2025

Ms. Jenkins stated that Ms. Hedrick has asked for consideration for the Heart of the Carolinas Antique Power Club to host Antique Tractors and Cruise-in Downtown and use the property at 71 N. Main Street.

Ms. Hedrick stated that the Heart of the Carolinas Antique Power Club is a non-profit organization that gives back to the community. The club is looking to host our second

annual Tractor and Car show. Last year we held our first event at Mr. Furr's property on Anderson Street. With that property currently being listed for sale, the club wanted to secure a location now. The event was well attended. The club has had more interest from local car owners for a cruise-in. The club would like to request the use of the grounds at 71 N. Main Street, Harrison Park and Community Market. Tractors could park in the grass area behind the building, and cars could park in the parking lot or along the streets. We plan to ask local business to be open on that day and vendors would be set up at the Artisan Market. The event would be at no cost to the community, and we will be asking for sponsorships and donations. Thank you for your consideration.

-Mayor ProTem Grubb made a motion to approve the Heart of the Carolinas Antique Power Club to Host Antique Tractors and Cruise-in Downtown – May 3, 2025.

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

17. Approve 2025 Town / Parks and Recreation / Community Events Calendar

Ms. Jenkins stated that the Parks and Recreation (P&R) met and have put together our event Calendar for 2025. The Back-to-School Bash date will be determined once Davidson County finalizes the school calendar. Bark in the Park date will be finalized once Barbara Simpson confirms her schedule. The P & R will be looking at bands for a concert series in the park.

-Commissioner Morris asked if we could add a small remembrance ceremony for 9/11. Ms. Jenkins stated that the P&R Board is looking into a concert series for the summer. They are checking other communities as to not overlap with their schedules and check band availabilities.

-Commissioner Bean made a motion to approve the 2025 Town of Denton Events Calendar.

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

17a. Review of Summey Engineering Hydraulic Study

-Commissioner Morris made a motion to terminate our contract with Summey Engineering for the Hydraulic Study immediately. The Town has been waiting for over a year for the Hydraulic Study to be completed and we are no further along.

-Commissioner Morris made a motion to let the Wooten Company complete the Hydraulic Study.

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

18. 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

Documentation attached for reference.

19. Town Attorney Update

Ms. Whitman stated that she did not have any additional information to share.

20. Town Manager's Report

Ms. Jenkins shared that she and Mayor Ward had participated in a family event at the Denton Public Library, Readers become Leaders. She met Susan Scarboro, a Master Gardner. They are interested in planting wildflower in areas around Town that will feed the NC Native Bee Population. Ms. Jenkins has pulled together several areas that would be great locations for the flowering gardens.

The Commissioners agreed to this project.

21. Commissioner Comments / Concerns

No additional comments or concerns


22. Announcements

- February 10 – Planning and Zoning Board Meeting- 6pm at Town Hall
- February 17 – Parks and Recreation – 6pm at Town Hall


23. Board of Commissioners Adjournment

Commissioner Morris made a motion to adjourn 8:08pm

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



Larry Ward, Mayor



Paula Hedrick, Town Clerk