

January 5, 2004

Mayor Goldsborough called the regular meeting of the Denton Town Council to order on this date at 7:00 PM leading everyone in the Pledge of Allegiance to the Flag.

Mayor Goldsborough asked that the record show that all members were in attendance.

Councilman Horsey asked for an amendment to the Dec. 15, 2003 meeting minutes, under Reports of Officers, the cost should be \$135,000 to 95,000, not (195,000). Councilman Horsey made a motion to approve the minutes of the December 1, 2003 meeting and the December 15, 2003 meeting as corrected. Mayor Goldsborough stated that we have a motion to accept the minutes as corrected and called for the vote; the motion passed unanimously 5-0.

Swearing in – new Councilmember

Karen Monteith Clerk-Treasurer read the statement swearing in Councilman Foster to a five-year term.

Election of Officers

Mayor - Councilman Branson made a motion to appoint Councilman Horsey to serve as Mayor for 2004, seconded by Councilwoman Stockley, and with no further discussion the motion passed unanimously 5-0.

Vice-Mayor – Councilman Horsey made a motion to appoint Councilwoman Stockley to serve as Vice Mayor for 2004, seconded by Councilman Branson, and with no further discussion the motion passed unanimously 5-0.

Mayor Pro Tem – Councilman Horsey made a motion to appoint Councilman Branson to serve as Mayor Pro Tem for 2004, seconded by Councilwoman Stockley, and with no further discussion the motion passed 4-1, with Councilman Branson abstaining.

The board switched seats.

Mayor Horsey started his term by thanking Councilwoman Goldsborough for her year as Mayor, stating it was very fruitful and is looking forward to working with her, his fellow council member's¹, the Town Administrator and Town Staff in the upcoming year.

Petitions, remonstrance's and communication

Introduction and adoption of resolutions and ordinances

#434 Water Ordinance Amendment – This ordinance repeals Ordinance #428 and clears up the discrepancy between #428 and #416, with respect to the Water Capacity Charge and Section C and D increase the fees assessed for water turn off and calls for service from \$25.00 to \$50.00 during regular hours and from \$50.00 to \$100.00 after hour's calls. Mayor Horsey asked the pleasure of the board.

Councilwoman Goldsborough made a motion to adopt Ordinance #434, seconded by Councilman Branson; and with no further discussion the Motion passed unanimously 5-0.

#435 General Obligation Installment Bonds – This Ordinance was prepared by the Bond Council Joann Levin who is with McKennen, Shelton & Henn. This ordinance

¹Correction to the minutes before adoption on 2/2/04

is required by USDA for both the Police Department Facility and Infrastructure Improvements proposed under the Market and Eighth St. Project. This is in the event the Town Council makes a decision to increase the loan amount for the Market St. project.

Councilwoman Stockley made a motion to adopt Ordinance #435, seconded by Councilwoman Goldsborough; and with no further discussion the Motion passed unanimously 5-0.

#436 – Sewer Ordinance Amendment – This ordinance amends the sewer ordinance #391 to allow the Clerk-Treasurer and the Superintendent of Public Works to consider a request for abatement on sewer when there is proper certification of an outside leak.

Councilman Foster made a motion to adopt Ordinance #436, seconded by Councilman Branson; and with no further discussion the motion passed unanimously 5-0.

#437 Property Transfer Ordinance – This ordinance allows for the transfer of the former well-house property on Edenton Lane to Diana Hadley.

Councilwoman Stockley made a motion to introduce Ordinance #437, seconded by Councilman Foster; and with no further discussion the motion passed unanimously 5-0.

Reports of officers, board and committees

Mayor Horsey announced that Mayor Goldsborough, Carl Scheffel, Terry Fearins and he went to Annapolis and received a grant award for \$175,000 to be used towards the 4th St. Revitalization Project.

Other Old Business

Staff provided the board with a copy of a letter from Mr. Ashok Zalavadia regarding the Hotel Project thanking the Board for providing them with a property tax abatement for three years. Mr. Zalavadia asked for consideration to start the tax abatement beginning July 1, 2004.

Councilwoman Goldsborough made a motion to abate the property taxes beginning July 1, 2004, seconded by Councilman Branson, and with no further discussion the motion passed unanimously 5-0.

Staff advised that the County does not have the authority to abate the real estate tax. The Town will need to pursue the County having an ordinance that allows for a local hotel tax. Councilman Branson wanted to make clear that his intentions are to offer the property tax abatement as long as there is a room tax. Staff advised that the Law requires the County to provide revenue generated to municipalities in which facility is located. They can retain a percentage for administration.

New Business

Agenda #1 – Water and Sewer Allocation Request

J.D. & Arleen Neal are requesting a water/sewer allocation for a proposed subdivision within the town limits on Camp Road. The Planning Commission reviewed the concept plan and found it consistent. The subdivision has been submitted for preliminary review and approval at the January 27th Planning Commission meeting. An allocation of 57 ERU's is requested for the 27 townhomes, 26 single family lots and 4

duplexes. An ERU equals 225 gallons per day. Mr. Neal will pay 25% on Jan. 27, 2004 at the Planning Commission Meeting.

Councilman Branson made a motion to allot 57 ERU's to the Neal's, seconded by Councilwoman Stockley, and with no further discussion the Motion passed unanimously 5-0.

Agenda #2 – Request for Annexation

Mr. Ryan Showalter of Miles & Stockbridge, Mr. Bob Rowe and Mr. Nick Rocks developers came before the board to seek consideration of annexation of 853 acres located in West Denton. They provided an overview of the project they are proposing. Ms. Brynja Booth, the Town's attorney was also present. Councilman Branson and Councilwoman Stockley asked about connection to the Town and were advised that the proposed properties would be considered contiguous to the town boundary through the river to connect through the Sunset Ave. area. The Town attorney said that she will be reviewing to make sure continuity to the existing Town boundary, Councilman Foster asked about the connection of adjoining properties. Ms. Booth advised that the properties that are included in the annexation proposal have already signed a petition to be annexed. Surrounding property owners can also be added if they wish.

Councilman Branson made a motion to refer the request for annexation to the Planning Commission for review, seconded by Councilwoman Stockley; the motion passed unanimously 5-0.

Councilman Branson made a motion to also refer this annexation request to the Town Attorney for legal opinion, seconded by Councilwoman Stockley; and with no further discussion the motion passed unanimously 5-0.

Other New Business

Ms. Fearins asked the board for approval to prepare a proclamation for Mr. Paul Wise.

Councilman Branson made a motion for staff to create a proclamation in memory of Mr. Paul Wise to be signed by all Council members, seconded by Councilwoman Stockley; and with no further discussion the motion passed unanimously 5-0.

Chief Cox advised the board that he had received 3 bids for the financing of two police vehicles, and that Centreville National came in with the lowest interest rate of 2.9% on a \$25,000 loan.

Councilwoman Goldsborough made a motion to borrow \$25,000 from Centreville National Bank for the purchase of two police vehicles, seconded by Councilwoman Stockley; and with no further discussion the motion passed unanimously 5-0.

Mayor's Association Dinner will be held on Jan. 21, 2004 – Mayor Horsey and Councilwoman Goldsborough advised that they would both like to attend, anyone else wishing to attend was asked to let staff know.

Eastern Shore of Municipalities Dinner will be held on Jan. 20, 2004 at Annie's anyone wishing to attend was asked to let staff know.

With no further business to discuss Mayor Horsey adjourned the meeting at 7:45 PM.

Respectfully submitted,

Karen L. Monteith
Clerk-Treasurer