

January 27, 2025

Working Session – 6:00 PM

At 6:00 PM Mayor McNinch called the Working Session of the Denton Town Council to order on this date, leading everyone in the Pledge of Allegiance to the Flag.

Attendance:

Mayor McNinch, Councilman Lister, Councilman Branson, Councilman Taylor, and Councilman Johnson were in attendance.

Staff in attendance included: Scott Getchell, Chief George Bacorn, Mark Chandler, Donna Todd, Katie Northam and Karen Monteith.

Mrs. Lyndsey Ryan, Town Attorney, attended by phone.

Discussion was held on the following:

New Street Names

Staff presented several new street names received from developers for upcoming projects and discussion was held.

Mr. George Bailey, owner of Denton Project LLC., was in attendance and said that the names submitted for his project were selected from researching Denton's history.

These will be placed on the February agenda for consideration.

Strato Holdings, LLC – Legal Agreement

Mrs. Donna Todd, Director of Planning & Codes and Mrs. Lyndsey Ryan, Town Attorney, presented and answered questions on the Inspection and Maintenance Agreement of Private Stormwater Management Facilities for Strato Holdings, LLC, development project. The agreement guarantees the maintenance for the stormwater management of the Wendy's Fast Food Restaurant and the proposed commercial access road (Strato Drive).

Strato Holdings, LLC – Wendy's Water and Sewer Allocation

Mrs. Todd presented and answered questions on the Water and Sewer Permit Application received from Strato Holdings, LLC, requesting approval for 4.5 ERUs for the Wendy's Fast Food Restaurant to be located next to the new Dunkin' site, 601 Legion Road. The fee for restaurants is based on the number of seats. The Wendy's Restaurant site plan includes 56 seats, and the water and sewer allocation fee will be \$40,500.

Caroline County Commissioners - Sharp Road Park Legal Agreements

Mrs. Todd and Mrs. Ryan presented and answered questions on the Forest Conservation Easements and the Forest Conservation On-Site & Off-Site Maintenance Agreements for Lots 1, 2, 3 & County Offsite Area at the Sharp Road Park. The agreements meet the requirements of the Town's Forest Conservation Ordinance to establish a long-term binding protective agreement which may be in the form of a forest conservation easement in, on, over and through the Forest Conservation Area, to ensure the permanent protection, management and inspection of the area, and limits uses of the area.

Mr. Getchell, Town Administrator, also shared that it has been discovered that the original MOU for the Park, between the County and the Town, states that both agencies will share a common access, but it does not mention shared maintenance and inquired how to fix this.

Mrs. Ryan shared that the Town can create a Shared Road Agreement to address this oversight.

FEMA's Building Resilient Infrastructure and Communities (BRIC) Direct Technical Assistance Initiative

2025-2

Mrs. Katie Northam, Project Manager, gave a presentation to update the Council on the FEMA DTA Grant progress and current application status.

Caroline County Hazard Mitigation Plan Resolution

Mrs. Northam provided a draft Resolution seeking for the adoption of the 2024 Caroline County Hazard Mitigation Plan as the Town's 2024 Hazard Mitigation Plan.

Third Pillar Solar – Lease Agreement

Mrs. Northam presented a draft Lease Agreement for Third Pillar Solar to install floating solar panels on both storage lagoons at the Wastewater Treatment Plant. The agreement has been reviewed by the Town Attorney, and staff is working on adding the maintenance access plan and the property description. The liability insurance language is being reviewed LGIT.

Letter of Support – MDE Comprehensive Flood Management Program Grant

Application

Mrs. Northam shared that with the help of the Center for Watershed Protection, they are assisting with preparing a grant application through MDE's Comprehensive Flood Management Program for replacement of the culvert near the intersection of 5th Street and Legion Road. They are requesting \$195,000 to fully fund the proposed project and the grant application is due January 31, 2025.

Mayor McNinch signed a Letter of Support that was presented to be submitted with the grant application.

Miscellaneous

Councilman Lister shared that Waterworth recently presented a draft of the preliminary Utility Rate Model, which indicates the Town should consider rate adjustments for both the water and sewer fund.

Councilman Johnson requested to have the Town's Emergency Operations and Communication Plan placed on a future agenda for discussion for updating.

Councilman Taylor announced that there will be a joint Working Session with the Planning Commission on February 11 at 6:00 PM.

Executive Session

With no further business to discuss for the January 27, 2025 Working Session, Mayor McNinch asked for consideration to hold an Executive Session for the discussion of Legal Matters – by Authority of the Open Meetings Act, Maryland Code Annotated, General Provision Article § 3-305 (b) (2014) (3) consider the acquisition of real property for a public purpose and matters directly related thereto; (7) consult with counsel to obtain legal advice.

At 7:00 PM Councilman Lister made a motion to hold an Executive Session as requested, seconded by Councilman Taylor, passing unanimously.

The Executive Session was held in the Training Room on the 2nd Floor of the Town Office Building.

Present

All Council members were present in person for the Executive Session.

Staff present included Scott Getchell, Chief George Bacorn, Donna Todd, Katie Northam and Karen Monteith.

Attorney Mrs. Lyndsey Ryan, by way of phone.

Discussion

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Discussion was held with the Town Attorney on the draft MOU Agreement, tweaking the terms and project timeline for the development of the proposed Commerce Drive Project.

Staff and the Town Attorney will finalize the proposed Agreement and distribute it to all parties, inviting them to submit comments in writing directly to the Town Council prior to the next Working Session, at which time everyone will meet to discuss.

No action was taken during the Executive Session.

At 7:24 PM, Councilman Johnson made a motion to close the Executive Session and reopen the Working Session. The motion was seconded by Councilman Taylor, passing unanimously.

The Executive Session was closed, and the meeting room was reopened to the public.

Working Session Resumed

With no further business to discuss, Mayor McNinch asked for a motion to close the Working Session.

At 7:25 Councilman Johnson made a motion to close the Working Session, seconded by Councilman Branson, passing unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*