TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING

DATE:	March 10, 2020
TIME:	4:00 PM
PLACE:	Historic Train Depot, 115 S. Dickerson Street
BOARD MEMBERS PRESENT:	Mayor Kenneth Cowan
	Mayor Pro-tem Wilfred Robbins
	Commissioners Jan Dawson, Bill George, Vernon Harrell, James Murphy
STAFF PRESENT:	James Gantt, Town Manager
	Kristin J. Wells, Town Clerk
	Zachary Rivenbark, Town Attorney
	Alan Moore, Public Works Director
	Louis Hesse, Building Code Administrator
	Jim Hock, Police Chief
	Jim Taylor, Fire Chief
	Wendy Pope, Finance Officer
	Tiffany Byrd, Deputy Finance Officer
	Cody Suggs, Parks & Recreation Director
	Andrea Correll, Planning Director
MEDIA PRESENT:	None
INVOCATION:	Reverend William Smith
PLEDGE OF ALLEGIANCE:	All

The meeting was called to order by Mayor Cowan at 4:00 PM and the invocation was led by Reverend Smith.

Approval of Agenda

Commissioner Dawson made a motion to approve the agenda as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Approval of Consent Agenda

Commissioner Dawson made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

A. Approval of the February 11, 2020 regular meeting minutes
B. Approval of Resolution 2020-04 Amending the Personnel Policy to reflect the addition of a part time Building Inspector

RESOLUTION 2020-04
AMENDING THE TOWN OF BURGAW'S PERSONNEL POLICY

WHEREAS, the Town of Burgaw Board of Commissioners approved the use of the Personnel Policy on September 11, 2012; and

WHEREAS, the Town Manager recommends adding the Part-Time Building Inspector job description as attached.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the Town of Burgaw Board of Commissioners hereby amends the Personnel Policy to reflect the changes attached.

Adopted this 10th day of March 2020.

SPECIAL REQUESTS/PRESENTATIONS

Arbor Day 2020 Proclamation

Mayor Cowan read aloud the proclamation for Arbor Day 2020. Mr. Suggs commented on the tree giveaway planned for March 20, 2020. He said this event is a joint effort between the town and the county. Mr. Suggs advised the ceremony for the town being named Tree City USA will be held at Burgaw Elementary School on March 19, 2020. He also presented the board with a 10 year plaque of being named Tree City USA.

Spring Festival Request

There being no one present to present on behalf of the Pender County Spring Festival, Mr. Suggs reviewed the requests submitted by Ross Harrell. In addition to the money donated by the town and TDA at a prior meeting, the festival committee requested street closures as follows: closure of Wright Street between Fremont Street and Wilmington Street, and closure of Fremont Street between Wright Street and Walker Street on Saturday, May 2, 2020, as well as closure of Wright Street between Fremont Street and Wilmington Street on Friday evening, May 1, 2020 for the street dance. They would also like to reserve the depot dock for the street dance in case of inclement weather. Commissioner Dawson made a motion to approve the requests. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Planning Board Request

Louis Davis, Chairperson for the Planning & Zoning Board, advised the members of the board would like a pay increase since they act as three separate boards (Planning & Zoning Board, Board of Adjustment, and Tree Board). He commented some of the meetings take a lot of time. On behalf of the Planning & Zoning Board members, Mr. Davis requested the town board to consider increasing their current pay rate of $30 per meeting/month to $100 per meeting/month. After some discussion, it was the consensus of the board to discuss this matter during the upcoming budget process.

PHEnix Robotics

Morgan Hansen presented information on the PHEnix Robotics team at Pender High School and requested a sponsorship from the town. Mayor Cowan commented the board would take this request under consideration.

Other Presentation

Mayor Cowan presented a check on behalf of the NC Blueberry Festival to the Burgaw Fire Department for their assistance at the annual pancake breakfast.

DEPARTMENTAL ITEMS

Planning Department – *Andrea Correll, Director*

Board member appointment to the Cape Fear Rural Transportation Planning Organization's Advisory Committee

Ms. Correll asked for a member of the board to serve on the Cape Fear Rural Transportation Planning Organization's Advisory Committee. She advised this committee discusses major projects such as a railroad line, bypass, etc. Mayor Cowan commented he would be glad to serve on the committee. Commissioner Harrell commented he would be glad too, as well. After brief comments, Commissioner Robbins nominated Commissioner Harrell to serve on the committee and he would step in to be an alternate. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Finance Department – *Wendy Pope, Finance Officer*

Ordinance 2020-05 Approving a fund balance appropriation for purchase of Fire Department Equipment

Ms. Pope advised the board agreed to move forward with the purchase of extrication equipment for the Fire Department during the budget retreat on February 28, 2020. She advised the quote has been received and came in just below $29k. Commissioner George made a motion to approve Ordinance 2020-05. The motion was seconded by Commissioner Dawson and carried by unanimous vote. Chief Taylor commented on the use of the equipment.

ORDINANCE 2020-05
AMENDING FISCAL YEAR 2019-2020 ANNUAL BUDGET
Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2019-2020 on June 11, 2019; and

WHEREAS, the Town of Burgaw desires the Burgaw Fire Department to have extrication equipment available for use in emergency situations; and

WHEREAS, a quote has been received from C.W. Williams for the purchase of all equipment needed by the BFD; and

WHEREAS, an appropriation from General Fund fund balance is required to complete the purchase of the equipment in the FY 19-20 budget, therefore, additional revenue and expenditure must be recognized.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

Section 1: The FY 2019-2020 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-3900-00-900	Fund Balance Appropriation	$29,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-5300-10-740	Capital Outlay	$29,000

Adopted this the 10th day of March 2020.

ITEMS FROM THE ATTORNEY – *Zachary Rivenbark, Town Attorney*

Attorney Rivenbark stated he had a few items for closed session.

Amendments to Town Facility Usage Policies

As a request from a prior board meeting, Attorney Rivenbark commented he and Mr. Suggs have reviewed the amendments of the usage policies for town facilities regarding complimentary use, etc. After some discussion, Commissioner Dawson made a motion to approve the amendments as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Mr. Suggs also commented on the Chamber of Commerce Depot Usage Policy. He and Attorney Rivenbark have reviewed the policy and made some updated amendments, including the Chamber paying the cleaning fee for their events. There was also discussion about businesses wanting to partner with the Chamber. Mr. Suggs advised the event would be approved by the town. Any partnered event would come to Mr. Suggs for approval and if there was question, he would seek approval by the Town Manager. If there was any uncertainty, the event would be taken to the board for approval. Commissioner Robbins made a motion to approve the amendments as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ITEMS FROM THE MANAGER – *James Gantt, Town Manager*

Old EMS Building Renovation Update

Mr. Gantt gave an update on the renovations at the former EMS Building. He advised the building plans from the architect are almost complete.

Courthouse Avenue Project Update

Mr. Gantt advised he recently sent an email to the board members that contained the proposal from WithersRavenel. He said the cost of the plan as presented would be $49,600, plus additional reimbursable expenses up to $3,200 for travel, materials, etc. Mr. Gantt advised the next step would be for the board to accept the proposal or move to the next most qualified engineering firm to get their proposal. Commissioner Harrell asked if there is a possibility of getting funding for the plan. Mr. Gantt advised staff is planning to meet soon to finalize a grant application. Commissioner Robbins commented on the cost of the parking study. Mr. Gantt said the amount for this particular part of the plan includes the entire block. Mr. Gantt advised there is $100k in the current FY 2019-2020 Capital Improvement Fund for downtown revitalization that can be applied towards this project.

After brief discussion, Commissioner Harrell made a motion to accept the proposal as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Resolution 2020-05 Grant Submission Approval

Mr. Gantt advised this is a generic resolution to give the Town Manager authority to apply for grant funding. He advised most grant applications require a resolution. Mr. Gantt advised there is funding available for the storm water drainage project in the area of Stag Park Road. There being no further discussion, Commissioner Robbins made a motion to approve Resolution 2020-05 as presented. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

RESOLUTION 2020-05
GRANT SUBMISSION APPROVAL

WHEREAS the Board of Commissioners of the Town of Burgaw, North Carolina recognizes the need to stimulate growth and to maintain a sound economy within the Town of Burgaw; and

WHEREAS the Board of Commissioners recognizes the need to obtain grant funding from various funding organizations to support these efforts;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the Town of Burgaw that: The Town Manager of the Town of Burgaw is authorized to prepare, sign, and submit grant applications to any grant funding organization on behalf of the Board of Commissioners, including but not limited to, USDA, Golden Leaf, CWMTF, etc., to include any supporting information and documentation and to administer a resultant grant contract including requisite general administration and project management contracts and agreements pursuant to regulations of the applicable funder.

Adopted this 10th day of March 2020.

Upcoming Filming Request

Mr. Gantt advised the town has received a filming request for TV Pilot “This Country” from Mike Hewett. Mr. Gantt said the request was approved by himself and Chief Hock, but wanted to advise the board of the filming locations and road closures as described below.

> *March 18, 2020 from 7 AM to 5 PM on Ashe Street between Wright Street and Cowan Street, and North Walker Street from East Wallace Street to East Wilmington Street, and 12 PM to 8 PM on West Fremont Street from South Wright Street to South Dickerson Street; March 19, 20, 21, 2020 from 7 AM to 9 PM on South Wright Street from East Fremont Street to East Wilmington Street, Wilmington Street from South Dickerson Street to North Walker Street, Walker Street between Bridgers Street and Satchwell Street*.

Commissioner Harrell asked if the businesses have been contacted that will be affected by the road closures. Mr. Gantt advised Mr. Hewett said they had contacted businesses, sent letters, and they were going to go door to door. Signs will also be placed in various locations advising businesses are open.

John Westbrook was present and spoke in regards to this matter. He said that he was not contacted by the filming crew until the day of this meeting, and that was by chance. He stated people cannot operate a business without parking and suggested there be a procedure to follow when businesses need to be contacted. Mr. Westbrook commented he believes he has worked out something with Mr. Hewett. He expressed his frustrations in not knowing what is going on in the downtown area regarding matters like this one.

Mayor Cowan stepped out of the meeting to take a phone call during the comments by Mr. Westbrook. Commissioner Robbins was asked to chair the meeting during his absence.

Commissioner Robbins commented he agrees with Mr. Westbrook and thought there was a process already in place to notify businesses. Mr. Gantt advised the movie company is supposed to notify anyone affected by the filming as part of the permitting process. Commissioner Harrell suggested the film crews have signed papers from those affected to present to the board when they request a permit. Mr. Gantt advised he would look into doing some sort of approval form for the film companies to have within the application.

Other comments by Mr. Westbrook

Mr. Westbrook commented on the amount in the budget for the Courthouse Avenue project. He stated $100k is really low. Mr. Gantt advised this money was placed in a capital reserve fund and will try to add to it every budget year for downtown revitalization projects. Mr. Westbrook made additional comments about the amount of money to be spent to improve Courthouse Avenue.

Mayor Cowan stepped back into the meeting and resumed as chair.

Amendments to the Town Debris Policy

Mr. Gantt advised the board requested staff look at the current debris policy for the town. After suggestions from the board and discussion with staff, it was recommended not to limit the amount of yard waste placed at the curb and for it to be monitored and picked up throughout the week, not only on Fridays. Mr. Gantt advised if amounts for particular residences becomes an issue, it would be handled on a case-by-case basis. He also said Public Works is going around almost every day picking up debris and white goods since the purchase of the grapple truck.

Commissioner Dawson commented on specifying at least a couple of days within the policy so people will know when pick up times will occur on a weekly basis. She does not want it to be left open ended. Mr. Gantt advised the department plans to continue to pick up anything out by the curb on a daily basis. Commissioner Harrell asked how cost effective it is to do pick-ups every day. Mr. Moore advised it is worth picking up each day. After some discussion, it was decided to continue picking up debris and white goods every day and adjust to certain days if need be. Commissioner Harrell would like to see a daily tally of how much and what is being picked up. Mr. Moore advised his department is already tracking this type of information.

Commissioner Dawson made a motion to approve the policy as presented. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Robbins commented on the possibility of placing a passive park on the piece of property where the old laundry mat was on South Wright Street. He would like to place a couple of benches and a fence along the edge of the property next to the canal. There was discussion on the erosion and safety concerns with the canal. Charles Rooks was present and commented he does not believe it is very logical to place a fence around every ditch in Burgaw. Commissioner Robbins commented if we turn the small area into a passive park, he is only asking for a piece of fence to place at the back of the green space in front of the canal. Mr. Gantt advised he and staff will look at the property and bring back an idea at the next board meeting. Commissioner Harrell suggested the possibility of planting some bushes rather than a fence.

Commissioner Harrell commented on the mulch at Harrell Park. He suggested a barrier be placed between the tennis courts and the park area so the mulch will not spill onto the tennis courts. Public Works and Mr. Suggs will take care of getting this done.

Commissioner Harrell spoke in regards to his concern with the plastic water meter lids. He said this is the fourth time he has commented about this matter and nothing has been done about it. He advised someone has fallen again because of this issue. Commissioner Harrell stated this is a serious matter and does not want the town liable. There was some discussion about the way the lids fit on the meter boxes. Mr. Gantt advised he and staff will look into bringing back a solution, especially for the ones that are along sidewalks, etc.

BREAK 5:22 PM – 5:33 PM

PUBLIC FORUM

Charles Rooks, 105 N. Bennett Street, commented on his concerns with the Courthouse Avenue project. He said if the town is going to spend that kind of money on a project, the property owners need to be involved since they will benefit most from the project. There was also discussion regarding the Old EMS Building renovations. Mr. Rooks voiced his concern on spending tax payer money for these types of projects. He said there are other projects, such as sewer improvements, that the town has no choice but to do.

Charles White, 601 Lee Drive, made comments in regards to business related yard debris and asked the town to look into having a place for businesses to dispose of debris. There was discussion about town residents buying a county sticker to use the dump sites. Mr. White asked if the town picks up pallets, televisions, computers, etc. After some discussion, Commissioner Harrell suggested the town look into how we can accommodate businesses with disposal of debris. Ms. Pope advised most businesses in town have dumpsters that are coordinated directly with Waste Industries.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS – Continued

Commissioner Robbins asked Mr. Suggs to share information related to the Community Yard Sale planned by the TDA. Commissioner Robbins commented this event is a great idea.

Other comments by Mr. White

Mr. White commented on the recent solar farm issue. Mayor Cowan advised this was a legal matter and could not be discussed at this time.

Comments from Mayor Cowan

Mayor Cowan asked Ms. Correll about the by-pass that has been in recent discussions from NC DOT. After some discussion, there were comments made that the time period has passed and new proposals for the by-pass must be put back in place if this is something all parties agree to move forward with again. Ms. Correll advised she would send updates regarding the project to the board members.

There was also some discussion about the rail coming through town again. Commissioner Harrell asked for input from the board so it can be relayed during the NC DOT meetings.

Mayor Cowan commented he and Attorney Rivenbark spoke about Larry Boehling's lot at the corner of Fremont Street and Walker Street. He said the possibility of placing bathrooms on the property was discussed in the past. Mayor Cowan asked if the board would like to entertain this idea again. Attorney Rivenbark stated Mr. Boehling approached him and said he would need rent money from the NC Blueberry Festival if they want to use the space for the festival again this year. He also said that Mr. Boehling stated he would sell the lot to the town if we were still interested. There were no further comments made on this matter.

CLOSED SESSION – 5:56 PM

Commissioner Dawson made a motion to go into closed session pursuant to GS 143-318.11 (a) (3) Attorney/Client Privilege. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

OPEN SESSION – 6:33 PM

Commissioner Dawson made a motion to go back into open session. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Upon reconvening into open session, Mr. Gantt advised he needed all of the board members' signatures on a letter to the LGC in regards for the reason the FY 18-19 audit is late.

ADJOURNMENT

Commissioner Harrell made a motion to adjourn. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

The meeting was adjourned at 6:38 PM.

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Kenneth T. Cowan, Mayor

Attest:______________________________
Kristin J. Wells, Town Clerk