TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING

DATE:	November 8, 2022
TIME:	4:30 PM
PLACE:	Historic Train Depot, 115 S. Dickerson Street
BOARD MEMBERS PRESENT:	Mayor Olivia Dawson Mayor Pro-tem Wilfred Robbins Bill George, Vernon Harrell, Jan Dawson and James Malloy
STAFF PRESENT:	James Gantt, Town Manager Kristin J. Wells, Town Clerk Zachary Rivenbark, Town Attorney Wendy Pope, Finance Officer Kimberly Rivenbark, Deputy Town Clerk Jim Hock, Police Chief/Assistant Town Manager Louis Hesse, Building Code Administrator Alan Moore, Public Works Director Cody Suggs, Parks & Recreation Director Gilbert Combs, Planning Director
STAFF ABSENT:	Jim Taylor, Fire Chief
MEDIA PRESENT:	None
INVOCATION:	Commissioner James Malloy
PLEDGE OF ALLEGIANCE:	All

The meeting was called to order by Mayor Dawson at 4:30 PM and the invocation was led by Commissioner Malloy. Mr. Gantt introduced the new Planning Director, Gilbert Combs.

Approval of Agenda

Mayor Dawson asked to amend the agenda by adding a closed session pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege and NC GS 143-318.11(a)(6) Personnel. Commissioner Dawson made a motion to approve the agenda as amended. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Approval of Consent Agenda

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

A. Approval of the September 13, 2022 Regular Meeting Minutes
B. Approval of the September 13, 2022 Closed Session Meeting Minutes
C. Resolution 2022-22 Request to amend Map Review Officer list for the Town of Burgaw
D. Ordinance 2022-29 Amending FY 2022-2023 budget to reflect expenses for new HVAC unit in the Police Department

E. Ordinance 2022-30 Amending FY 2022-2023 budget to reflect changes to the Pay Classification Plan

SPECIAL PRESENTATIONS/REQUESTS

Chaplain Diana Brown – Fee waiver request for use of the Burgaw Community House

Mr. Suggs advised Ms. Brown was not present at the time of this agenda item. He briefly explained her request as stated in her letter to the board that was included in the agenda packet. Commissioner Dawson asked if a long-term rental rate needs to be considered. Mr. Gantt said we have charged the applicable rate for other renters that wanted to use the facility more than once for an on-going event or program. There was discussion amongst the board and staff regarding resources in town that could possibly assist Ms. Brown.

Ms. Brown arrived later in the meeting, but was recognized by Mayor Dawson after the discussion of Resolution 2022-23.

Ms. Brown requested a fee waiver for use of the Burgaw Community House for one or two days a week for her outreach program as described in the letter within the agenda packet submitted to the board members (on file in the Clerk's office). She said the purpose of using the building would be a variety of outreach activities, including a food pantry, toy giveaway, activities for the citizens, workshops, etc. Usage of the building would be for a six month period. Mayor Dawson asked if Ms. Brown was currently working along with other organizations in town such as Safe Haven and Pender Christian Services. Ms. Brown said she does everything through her organization. Commissioner Harrell asked if Ms. Brown will be charging for any of her services and if she plans to use the building for storage. Ms. Brown advised there will be no fees, nor storage needed. Commissioner Dawson asked Ms. Brown how she receives her funding for offering the activities, food for the homeless, etc. Ms. Brown said her organization receives food from pantries, etc. She also added that her and some of the workers personally contribute towards the purchase of items. Commissioner Malloy asked Ms. Brown if she has considered working closely with area organizations that are currently doing similar things that Ms. Brown has spoken about. Ms. Brown said she works with all of them as a team. She said she hasn't thought about working along with an organization to possibly use their facilities. After some discussion, Commissioner Harrell said he has a hard time giving the space without rent. He added that he appreciates what Ms. Brown is doing for the community, but the town depends on the rental fees to continue maintenance of the facility. Commissioner Robbins voiced he was in agreement with Commissioner Harrell. He said he would have difficulty waiving the fee for anyone. Mayor Dawson called for a motion to approve the request by Ms. Brown; no motion was made. Commissioner Malloy provided his assistance in helping Ms. Brown work with other organizations to find an appropriate location.

DEPARTMENTAL ITEMS

Parks, Recreation & Tourism Department – *Cody Suggs, Director*

Street closure requests for New Year's Eve Blueberry Drop

Mr. Suggs advised the test fireworks were recently done with no major complaints received. Since the fireworks could easily been seen from the event's usual spot on Fremont Street, Mr. Suggs requested approval to close the same streets as years past, as well as additional streets for the area of the fireworks. Commissioner Robbins made a motion to approve the street closures as listed below. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

- Wright Street from Courthouse Avenue to Fremont Street from 4:00 PM to 9:00 PM.
- Fremont Street from Wright Street to Walker Street from 12 noon to 9:00 PM.
- Dickerson Street from Industrial Drive to Williams Street from 7:00 PM to 7:30 PM.
- Clark Street from Dudley Street to Dickerson Street from 7:00 PM to 7:30 PM.

Street closure requests for Christmas Parade

On behalf of Emily Baker, Chamber of Commerce, Mr. Suggs requested the same street closures as years past for the annual Christmas Parade. He advised he understands the Chamber has submitted their application to close NC Highway 53 for the duration of the parade. Commissioner Robbins made a motion to approve the street closures as listed below. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Industrial Drive from Dickerson Street to Progress Drive, starting at 4:30 PM for line-up.
Dickerson Street from Enterprise Drive to Bridgers Street, starting at 5:00 PM.
Fremont Street from Dudley Street to Walker Street, starting at 5:00 PM.
Wright Street from Bridgers Street to Williams Street, starting at 5:00 PM.
Wilmington Street from Dudley Street to Cowan Street, starting at 5:00 PM.
Walker Street from East Hayes Street to Bridgers Street, starting at 5:00 PM.

Resolution 2022-23 Authorizing Town of Burgaw to accept a North Carolina Parks and Recreation Trust Fund Grant

Mr. Suggs advised a copy of the North Carolina Parks and Recreation Trust Fund Grant contract was included in the agenda packets to the board members. Commissioner Harrell asked for clarification about item #8 and #12 on page 3 of the contract (on file in the Clerk's office). Mr. Suggs explained. Commissioner Harrell also asked about the gaga ball pit. Mr. Suggs explained what it is. There was discussion about the town providing balls for the gaga ball pit. Mr. Suggs said he has thought about doing a check out program where citizens can come to town hall and check out balls, tennis rackets, etc. Commissioner Robbins said he would like a sign put up at the pit explaining how to play. Mr. Suggs briefly explained the pricing within the contract, etc. He said Attorney Rivenbark and staff have reviewed the contract. Commissioner Dawson made a motion to approve Resolution 2022-23 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Inspections Department – *Louis Hesse, Building Code Administrator*

Resolution 2022-24 Directing Town Attorney to petition the superior court for an order directing the property owner of 715 N. Wright Street to comply with the order of the town

building official to bring the dwelling to minimum standards of fitness or remove or demolish the structure

Mr. Hesse explained his request as described in the resolution. Attorney Rivenbark has reviewed the resolution with no concern. There being no questions from the board, Commissioner Malloy made a motion to approve Resolution 2022-24 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

BREAK 5:18 PM – 5:33 PM

PUBLIC FORUM

John Westbrook, 410 East Fremont Street, spoke about cleaning of the sidewalks. He said if money is a problem, don't clean the sidewalks on Wright Street. He suggested to use the money to repair the sidewalks rather than cleaning.

PUBLIC HEARINGS

Public Hearing #1 – *Gilbert Combs, Planning Director*

Consideration of a Major Subdivision Final Plat application for Coastline Station Subdivision located on a ±2.47-acre tract containing seven lots at 818 W. Bridgers Street Extension. The site is zoned O&I (Office & Institutional) and developed under the R-7 (Residential) standards of the Unified Development Ordinance. The property is further identified as tax reference number 3219-83-9783-0000.

Referenced attachments are on file in the Clerk's office.

Mayor Dawson declared the public hearing open at 5:36 PM.

Attorney Rivenbark: For anybody hear to speak, which it will probably just be Mr. Smith, on Public Hearing #1 for Coastline Station, and we're going to start doing this…Alan and Louis, if you will stand to be sworn too, just in case anybody has any questions. We're probably going to do that most of these…but if you will… I, state your name, do solemnly swear that the testimony you will give today will be the truth, the whole truth and nothing but the truth, so help you God, or you may affirm. Thank you. The following individuals were sworn in by Attorney Rivenbark:

- Gilbert Combs, Planning Director
- Louis Hesse, Building Code Administrator
- Alan Moore, Public Works Director
- Andrew Smith, Nxt Levl, LLC

Gilbert Combs: Thank you, Mayor and members of the commission. Mr. Andrew Smith is seeking a final plat approval for a major subdivision located at 818 West Bridgers Street Extension. The lot is 2.47 acres in size and is zoned O&I (office and institutional) which permits residential development that follows R-7 residential standards. Adjacent property to the north is zoned industrial and office and institutional, to the south across west Bridgers Road extension is R-12 residential, to the west is institutional and to the east is industrial and office and institutional zoning. The adjacent land uses are agricultural, institutional and vacant. Here are

photos of the subject property and across from the subject property on West Bridgers Street extension. The proposal is to subdivide the parent lot into seven smaller lots, all with road frontage on West Bridgers Street extension. Water and sewer infrastructure are already in place in the right of way fronting the project. It is important to note that consideration of this item should be based on the applicant's ability to adequately respond to the four findings of fact. One of those findings coincide with staff's responsibility to ensure conformity with the unified development ordinance. This table shows that residential use designed to R-7 residential standards are permitted in the O&I office and institutional zoning district. The minimum lot size permitted is 7,000 square feet and the proposed lots range from over 12,000 square feet to nearly 19,000 square feet. The minimum required road frontage is 60 feet and the proposed lot frontages range from 60 feet to nearly 68 feet. The front side and rear yard setbacks are identified on the final plat and meet the applicable yard setbacks. Just another reminder, this item is a quasi-judicial proceeding. The four findings of fact must be met. This concludes staff's portion of the presentation. I am here for any questions and the applicant is present and will provide a response to these items.
Andrew Smith: Good evening, everyone. It's good to see everybody again. So, as Mr. Combs said, the parcel is 2.4 acres so we are subdividing that into seven lots. The last time we were here with the preliminary, nothing has changed since we were here last. Obviously, we are here now with the final. I spoke to Mr. Alan with Public Works and so, when the taps are applied for, when the builder applies for the taps, that's when ultimately they'll come in and be able to put in the infrastructure in the front. So, as a developer, we are technically just surveying the lots off in accordance to what the zoning allows for O&I which reverts back to R-7. Again, we tried to make the lots as, obviously, as big as we could with relations to the minimal road frontage that, what's allowed, which is 60 feet. These range from 60-68 feet, so the lots will be in size as he had mentioned from roughly 12,000 to right at 18-19,000 from left to right. I know that there is four findings of facts. Do you want to read those questions off or…
Attorney Rivenbark: You can read them and state how you believe they are met.
Andrew Smith: Okay. Do we have those?
Gilbert Combs: Mr. Attorney, I actually [inaudible comment].
Attorney Rivenbark: Sure, then let's do this then. Mr. Planner, is it your intention to incorporate all of the slides as presented into the evidence today?
Gilbert Combs: Yes, Mr. Attorney.
Attorney Rivenbark: Okay, so we can reference them by number on the slides as long as that particular slide stays up on the screen.
Andrew Smith: Okay, forgive me I can't see the [inaudible comment]. I got them on my phone so if you don't mind, I'll pull them up here.
Commissioner Dawson: Can I ask you a quick question?
Andrew Smith: Please. Yes, ma'am.
Commissioner Dawson: The fire hydrants. It's noted that there are fire hydrants on east and west. How far are those hydrants from…
Andrew Smith: On the final plat…I apologize, I don't have the larger one with me…
Commissioner Dawson: And we can't…this is too tiny for us to see, so…
Andrew Smith: I understand. I am sorry.
Commissioner Dawson: See them?
Andrew Smith: I apologize ma'am. I'm looking. Here they are. I don't know off the top of my head.
Gilbert Combs: There is one at the bottom right, where the water line is.

Andrew Smith: That’s right. It’s across the road.
Commissioner Dawson: Then, the other one…you said there is one east and west?
Andrew Smith: We only know of this one from my understanding.
Commissioner Dawson: I don’t… the fire marshal is not here to ask him, but I know there is a certain distance there needs to be…for insurance purposes. How far away do you have to be…
Andrew Smith: If you’re within 500 feet you get a discount on insurance, if you’re within 500 feet.
Commissioner Dawson: That one is, but I don’t know about the other one.
Andrew Smith: Technically, based on where this one is located, it should be less than 500 feet, knowing each one of those lots are 60 feet roughly in size.
Gilbert Combs: If I may, I actually brought this to attention to the Fire Chief and I asked if he had concerns with the location of the fire hydrants in proximity to this project and he said no.
Commissioner Dawson: Okay.
James Gantt: There are two fire hydrants on either side of the project.
Andrew Smith: I remember going on the Google maps and going down the street and seeing them. Do you guys have any other questions? So, mainly in regards to number one, the location and character, it is developed again, it is O&I tract, so it will now revert back to R-7 for zoning purposes. But ultimately, we are meeting all requirements of R-7. We’re actually well above [inaudible comment] at this point. So, it is in harmony and it’s going to be developed exactly as the plan here, as the final plat. That would be number one. With regards to number two, so, again, we are meeting all of the requirements…the road frontage, the setbacks, the 25 feet in the front, 12 on the sides. We are, again, doing the 12,000 so that is in accordance with the zoning. It does actually meet the future land use of the 2023 plan that you guys… In regards to the property being proposed, will it affect any adjoining or abutting properties. You have the Board of Education behind it, the property is what it previously…it did have some abandoned homes on it…that have been removed. So, ultimately, there is farmland across the street from it, so…We’re going to bring value by bringing the single family homes to the area, so it makes me think it will increase value to the area. Then, in regards to the…the use will not materially endanger the public health or safety. So, again, working with DOT, ultimately we developed one access for two properties. Lot seven, the last lot on the right will have it’s own access. But that was solely done so no one was backing out onto the Henry Brown Road there, or West Bridgers Street. So, we designed it…we made it larger actually working with the engineer to allow for someone to back up on the property and pull back out forward onto the street, as opposed to backing straight out of the property.
Commissioner Dawson: For all the lots?
Andrew Smith: Every lot except lot seven because it is an odd number. Lot seven is a single…that lot sits further back…the house on that one will sit roughly about 65-70 feet back. They’ll have significant amount of space, where the other ones are sitting at the minimum of 25-30 feet from the street.
Commissioner Dawson: And they’re going to be able to turn around and not have to back out?
Andrew Smith: Yes, ma’am. The way it’s designed is each one of those at the street is 20 feet and when it goes in, it actually widens to 40 feet so that they can actually back up and then come out. The DOT is requiring…you know, obviously, 6 inches of gravel, and you know, they have their requirements when we pull out onto a state road, so you know, I was asked previously, in the planning meeting, if they were going to be paved and they will be paved.
Commissioner Dawson: Okay.
Mayor Dawson: Any additional questions? Okay. I will close the public hearing.

Mayor Dawson declared the public hearing closed at 5:49 PM.

Item 1 - The location and character of the special use permit, if developed according to the plan as submitted and approved, be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address the impacts of the project.

Commissioner George: Yes.
Commissioner Harrell: Yes.
Commissioner Dawson: Yes.
Commissioner Robbins: Yes.
Commissioner Malloy: Yes.

Item 2 - The use is allowed pursuant to this ordinance and meets all the required conditions and specifications, including, without limitation, those set out in this ordinance.

Commissioner George: Yes.
Commissioner Harrell: Yes.
Commissioner Dawson: Yes.
Commissioner Robbins: Yes.
Commissioner Malloy: Yes.

Item 3 – The use of the property as proposed will not affect other adjoining or abutting property values.

Commissioner George: Yes.
Commissioner Harrell: Yes.
Commissioner Dawson: Yes.
Commissioner Robbins: Yes.
Commissioner Malloy: Yes.

Item 4 – 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.

Commissioner George: Yes.
Commissioner Harrell: Yes.
Commissioner Dawson: Yes.
Commissioner Robbins: Yes.
Commissioner Malloy: Yes.

Commissioner Robbins made a motion to approve the major subdivision final plat as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

Public Hearing #2 – *Gilbert Combs, Planning Director*

Referenced attachments are on file in the Clerk's office.

Mayor Dawson declared the public hearing continued at 5:50 PM.

Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Section 9.3 Traffic Impact Study subsection 9.3.3 Applicability. This amendment will modify the number of trips a development generates per day that would require a traffic impact study.

Mr. Combs presented slides and explained the text amendment request. Planning staff was tasked with researching best practices related to traffic impact study, TIS, thresholds. Four neighboring jurisdictions all set a peak-hour trip generation threshold with two establishing a full-day threshold in addition to the peak-hour. The consistency found during benchmarking was reinforced by the Cape Fear Regional Planning Organization (RPO) and the Wilmington Metropolitan Planning Organization (WMPO) stating these numbers were more in line with common practice in the region. Currently, we have two sets of standards depending on use, one that would require a TIS if generating 200 or more trips per day and one if generating 400 trips or more per day. Planning staff would like to point out that the specific use should not determine the necessity for a TIS, rather the impact to a roadway. The use is merely a part of a formula that determines this impact. Similarly, in the findings, there were no other jurisdictions applying different standards based on use. Staff proposes to use both peak hour or daily trip thresholds, whichever is less.

Commissioner Harrell asked about the wording of the ordinance. He said it states 100 trips or more, or 1,000 trips per day. He said he believes there is a typo in the amendment proposed. Mr. Gilbert will see that it gets changed to “100 AM or PM peak hour trips or more.” Commissioner

There being no further questions or comments from the board, Mayor Dawson declared the public hearing closed at 5:56 PM.

Resolution 2022-26 Adopting a statement of consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by town staff to section 9.3.3 of the Unified Development Ordinance to revise the criteria determining traffic impact study requirements for development review and approval.

Commissioner Robbins made a motion to approve Resolution 2022-26 as presented, with the correction of the typo as mentioned by Commissioner Harrell above. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Ordinance 2022-31 Approving a text change amendment of the Town of Burgaw Unified Development Ordinance requested by town staff to section 9.3.3 of the Unified Development Ordinance to revise the criteria determining traffic impact study requirements for development review and approval.

Commissioner Dawson made a motion to approve Ordinance 2022-31 as presented, with the correction of the typo as mentioned by Commissioner Harrell above. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Mr. Combs left the meeting due to not feeling well.

Departmental Updates – *Department Heads*

Police Department- Jim Hock, Police Chief/Assistant Town Manager

- Detective Sergeant Williams was presented with Advance Law Enforcement certificate from NC Criminal Justice Training & Education Standards.
- Working on a jake break policy to bring forward to the board for review in the future.
- Reviewed results from a recent ALE/Alcohol Operation in town at local restaurants and businesses that sell alcohol. Certificates will be issued to those businesses that complied with the law in not selling alcohol to those under the age of 21. Four businesses failed the operation.
- No shave November is underway. Money paid by the officers to not shave for one month is being used to purchase children clothing to be donated to Safe Haven.
- Officer Murdock attended Crisis Intervention Training.
- Interviews will be held soon for Patrol Officer.

Public Works Department – Alan Moore, Director

- Working on getting Christmas decorations up around town.

Attorney Rivenbark mentioned a potential liability issue with the canal washing out under East Hayes Street. He said he looked at it briefly and it appears to look bad. There was discussion about getting a quote for a box culvert for the area mentioned. Mr. Gantt commented on the process for fixing the area as discussed in regard to the state being involved since it is a flood way. Attorney Rivenbark suggested a temporary fence for the area at this point. Commissioner Malloy asked for clarification on the process with working along with the state since it is a flood way. Mr. Gantt explained. He also said Wallace Street near the trail really needs a box culvert as well. After discussion, no one was opposed to the idea of Mr. Gantt working on quotes and designs for Wallace Street and Hayes Street culverts.

Building Inspections Department – Louis Hesse, Building Code Administrator

- Plans have been received for the proposed ABC Facility.
- Windsor Fiberglass has received their flood permit.
- Cardinal Foods projects continue with some complications but are working through them.
- Hare Properties is moving slow on their cold storage construction.
- There are about 20 new construction houses currently in town.

Commissioner Robbins commented on us allowing single-wide homes. Mr. Hesse said they are allowed in RA zoning districts.

Parks, Recreation & Tourism Department – Cody Suggs, Director

- Working on Christmas events.

- There is a basketball tournament planned for this coming Saturday, but there are currently no teams registered.
- Advised there has been a complaint about balls rolling away at the new courts at Rotary Park. A fence is planned to be installed around the courts with park in-lieu of fees received, donation received from the Rotary Club, and funds received from a fundraiser by the Parks & Recreation Advisory Committee.
- New doors are to be installed at the bathrooms.
- Some repairs were needed in the incubator kitchen due to a small gas fire that created minor damage.
- Gearing up for depot repairs. Mr. Suggs said some of the areas in the back of the depot are rotting and needs replacing. He suggested to replace with hardie board. There was no opposition from the board, as long as there is no issue with the state historic preservation. There was much discussion by the board and staff regarding historical looks, etc. Mr. Hesse gave some overview from what occurred with the renovation of the depot years ago. He said funding for the renovation was provided by citizen donations, USDA grant, etc. Attorney Rivenbark suggested the town approach the historic preservation before doing any repairs. Commissioner Robbins agreed and said we need to be careful how we fix things since there was a lot of money spent in renovation in the past. After some discussion, it was agreed upon to get quotes on the wood for replacement instead of the hardie board. Mr. Gantt will also check with the historic preservation before repairs.

Commissioner Malloy asked Mr. Suggs if there have been any issues with damage in the park bathrooms. Mr. Suggs said it is mostly trash, with occasional writing on the walls and stalls. Commissioner Dawson commented on cameras at the bathrooms. Mr. Suggs said the new doors to be installed will have automatic locks that will open at 6 AM and close at 9 PM every day.

Commissioner Harrell asked about the new oak trees in the cemetery. Mr. Suggs reminded everyone of the tree replacement program. He said this project is part of the cemetery enhancement project. Chief Hock will review this in his upcoming presentation.

Finance Department – Wendy Pope, Finance Director

- Adela Matthews, Customer Service Representative, has returned to work from maternity leave.
- Finance staff is working on cross-training.
- Currently working on FEMA documents from Hurricane Ian
- Working on reporting for the American Rescue Plan funds received.
- Wendy and Tiffany attended the Edmunds User Conference. New software updates will be available for us to possibly use.

Human Resources Department – Kim Rivenbark, Director

- Working on the cemetery enhancement project along with Chief Hock.
- Working on cleaning up cemetery records and organizing files.
- Lucas Baustista-Guzman has filed for retirement and his last day will be December 31, 2022.

Clerk's Office – Kristin Wells, Town Clerk

- Reminded the board of the Veterans Day Ceremony this Friday at 11 AM.

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

Resolution 2022-25 Resolution authorizing a construction contract to Trader Construction Company of New Bern, North Carolina for the Emergency Watershed Protection (EWP) Project in the amount of $190,715

Mr. Gantt explained Resolution 2022-25. Attorney Rivenbark has reviewed the contract. There being no questions from the board, Commissioner Harrell made a motion to approve Resolution 2022-25 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Public Works storage discussion

Mr. Gantt advised this item is coming back to the board in regards to the NC Blueberry Festival storage in the Public Works warehouse. He said he reviewed the latest communication with the festival was when they moved back into the Old Jail from utilizing the Public Works office. There was a motion at that time to allow the festival to utilize storage in Public Works. Things have changed since then and the board wishes to inform the festival they will need to remove their items from the town facility. Commissioner Dawson said we are in need of storage for Christmas items and this was discussed amongst the Beautification Committee as well. Commissioner Dawson said it may be a good idea to enclose a portion of the warehouse for Christmas decorations to keep them clean and organized. After some discussion, Commissioner Harrell made a motion to direct Mr. Gantt to inform the NC Blueberry Festival they must remove all festival items from the Public Works warehouse by June 30, 2023. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Updates on current town projects

- Mr. Gantt commented on the tropical storm that is currently in the Atlantic that could cause impacts for Burgaw.
- Mr. Gantt said we should hear something from the Rural Transportation Grant that we applied for by mid-December. He reminded the board this was a grant submitted for funding of improvements at Dees Park, as well as sidewalks on both sides of Courthouse Avenue. Mr. Gantt gave an overview of what was proposed in the project. Commissioner Dawson commented on the bathroom facility. Commissioner Harrell commented on the electrical lines underground and the ability to have power/water in the bollards along the street. Commissioner Harrell also voiced his concern on the thickness of the sidewalk on one side. Mr. Gantt explained it would be the same elevations across the street once the street is raised.
- Mr. Gantt, Chief Hock and Mayor Dawson attended an ABC Board meeting to discuss their plans in reducing the amount of funding the town will get in the future due to construction of their new facility. Mr. Gantt briefly explained their funding and how they distribute it amongst municipalities in the county.

- Updated the board on the progress of the EMS building.
- Explained a new grant that is coming out with the state with federal money. This grant will go to the RPO's and will be distributed to certain projects in the area. Mr. Gantt said he sees this grant being possible funding for charging stations in town. He said installation of sidewalks, bike lanes, pedestrian walkways, etc. would be projects included as well. Mr. Gantt said he would like to see improvements with sidewalks along Highway 53 between Timberly Lane and US Highway 117, as well as along US Highway 117 By-pass area. Commissioner Harrell suggested it be tied into the Wilmington Street project. Everyone was in favor to allow Mr. Gantt to move forward with submitting as a potential project.

Other items

Commissioner Harrell asked Mr. Gantt if we have received all the payments for "Welcome to Flatch." Mr. Gantt confirmed that we have received all payments.

<u>ITEMS FROM ATTORNEY</u> – *Zachary Rivenbark, Town Attorney*

Attorney Rivenbark stated he only had items for closed session.

<u>ITEMS FROM ASSISTANT MANAGER</u> – *Jim Hock, Assistant Town Manager*

Cemetery Enhancement Project

Chief Hock presented a PowerPoint presentation (on file in the Clerk's office) regarding proposed cemetery enhancement projects. There was discussion regarding timeframe for allowing service flowers on gravesites, fencing, shrubs, trees, and monument repairs.

Chief Hock advised a few trees are being proposed to be removed, but trees will be replaced. There was discussion on the Veterans memorial. Commissioner Harrell said the crepe myrtles just need shaping instead of removing them as proposed. Commissioner George suggested not to have any trees at all. Commissioner Harrell wants there to be trees. Commissioner Dawson said the crepe myrtles need to be removed. Commissioner Robbins agreed with Commissioner Dawson. Removal of the crepe myrtles will allow the Veterans memorial to be more visible.

Chief Hock reviewed the plan for fixing headstones. Commissioner Robbins suggested we contact the masonry class at Pender High School. Mr. Gantt said we have to be very careful with moving stones. Some of the headstones are actually sinking into the ground.

Chief Hock spoke about the gates and brick columns. He said the gates need to come off, be sanded and powder coated. Some of the brick columns need repairs as well.

Costs were reviewed by Chief Hock. The most expensive part will be the fencing. The fence on the wastewater treatment plant side would be removed and replaced with an 8 foot black galvanized fence with black slats. The fence on the school side would be the 5 foot galvanized fence with the black slats in it. Chief Hock reviewed the other pricing for the remaining projects. We are still waiting to get a quote on the headstone repairs. There was brief discussion about issues with placing names on the Veterans monument. Quinn-McGowan had been doing the engraving on the monument but are no longer able to do that since the stencil is no longer available. Chief Hock and Ms. Rivenbark will continue to look for someone.

Chief Hock advised there is approximately $120k in the perpetual care funds. Commissioner Robbins said we need to take a substantial amount of money out of the perpetual care funds to do the work. Chief Hock suggested we allocate $3k towards the perpetual care funds each budget year. Mr. Moore said the drainage needs to be looked at. Chief Hock said there is concern with digging up drain lines in the cemetery due to not knowing exactly where bodies are. There was discussion about sink holes being created due to the water not draining.

Chief Hock also added the town is looking into the NC State Archeology Historic Cemetery program.

Attorney Rivenbark reminded everyone of the Potter's Field and being careful when doing improvements.

After discussion, everyone agreed to move forward with the projects proposed by Chief Hock. Everyone agreed for Chief Hock to reach out to a contact of someone who just fixed headstones at Rockfish Cemetery in Wallace. Commissioner Harrell made a motion to appropriate up to $75k from the perpetual care funds for cemetery enhancement projects. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Other items from Assistant Town Manager

Chief Hock gave an update to the board regarding the expansion of the Public Works facility. He advised he is still waiting to get a quote from the contractor. He showed an image of the proposed design and explained the layout.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Sidewalk cleaning discussion

Mayor Dawson brought back the discussion on cleaning the sidewalks in the downtown area, as proposed by the Beautification Committee. There was some discussion on this matter and Commissioner Harrell requested the cleaning not be done during business hours. Mr. Moore reminded the board the cost from the quote he received was $.18 per square foot at approximately 19,000 square feet. Ms. Pope said her notes reflected a total of $6,400 for 38,000 square feet (doing the cleaning twice a year). Plus, an additional $2,000 for courthouse square. One cleaning would cost $3,200. There seemed to have been some confusion on the amounts received from different staff. Ms. Wells reminded the board that the Beautification Committee had originally agreed to have the sidewalks cleaned in November before the holidays, as well as May. The committee had agreed to reach out to the NC Blueberry Festival about cleaning the sidewalks after the Blueberry Festival in June. There was then discussion amongst the committee about the town cleaning the sidewalks one time in November and have the festival association clean them after the festival in June. After much discussion, Commissioner Dawson made a motion to approve cleaning of the side walks (approved list by the board at a prior meeting) one time, not to exceed $4,000. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Board meeting schedule and agenda discussion – ***Mayor Dawson***

Mayor Dawson commented on the meeting schedule since the last few meetings we have had to stop in the middle of business to conduct the public forum and public hearings. She asked the board for feedback. Commissioner Harrell would like the public forum to stay where it is on the agenda because people are getting off of work and we need to make it convenient for people. There being no further comments, there were no meeting schedule and agenda changes.

Other items from Mayor and Board of Commissioners

Commissioner Harrell requested staff look at placing a one way sign coming out of the wash house across the street from the depot. Staff will look at this.

Commissioner Harrell asked what happened to the crepe myrtles on Fremont Street. Mayor Dawson advised this was discussed at the last meeting.

Commissioner Harrell said Harrell Park is looking good.

Commissioner Robbins commented on all the hours that our volunteer firefighters are putting in for training. He requested we look at the incentive program again.

Commissioner Robbins commended Mayor Dawson on a job well done since becoming Mayor.

CLOSED SESSION – 8:36 PM

Commissioner Harrell made a motion to go into closed session pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege and NC GS 143-318.11(a)(6) Personnel. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

OPEN SESSION – 9:34 PM

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

ADJOURNMENT

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

The meeting was adjourned at 9:34 PM.

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G. Olivia Dawson, Mayor

Attest:______________________________
Kristin J. Wells, Town Clerk