TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING

DATE:	December 10, 2024
TIME:	4:30 PM
PLACE:	Burgaw Town Center 108 E Wilmington St
BOARD MEMBERS PRESENT:	Mayor Olivia Dawson Mayor Pro-tem James Malloy Commissioner Jan Dawson Commissioner Bill George Commissioner Michael Pearsall Commissioner William Rivenbark
BOARD MEMBERS ABSENT:	

1. Call to Order

The meeting was called to order by Mayor Dawson at 4:30 PM.

2. Invocation

The invocation was led by Revered Ben Horrell from Burgaw Baptist Church.

3. Pledge of Allegiance

The Pledge of Allegiance was said by all.

4. Approval of Agenda

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

5. Approval of Consent Agenda

*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Board.

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

A. Approval of the November 12, 2024 Regular Meeting Minutes

B. Ordinance 2024-33 Amending the FY 2024-2025 budget to include a Fund Balance Appropriation for the work by Duke Energy

C. Ordinance 2024-34 Amending the FY 2024-2025 budget to include the recognition of insurance proceeds

6. Special Requests/Presentations

A. New Employee Introductions

Chief Prevatte introduced the newest employees of the Burgaw Fire Department, Cameron Moniack and Matthew Wheeler.

B. Recognition of Pender High JROTC

Cody Suggs, Parks & Recreation Director, recognized Pender High School JROTC for their service in assisting with recent Parks, Recreation & Tourism events and presented a check to them on behalf of the Parks Foundation of Burgaw.

7. Departmental Items

A. **Information Technology Department**
Dustin McCullen, IT Manager

Dustin McCullen, IT Manager, advised approximately 45 help desk tickets were resolved over the past month. He continues to work on the Police Department laptop upgrades, as well as the website upgrades.

B. **Public Works Department**
Alan Moore, Public Works Director

Alan Moore, Public Works Director, said the box culvert for the North Walker Street project has arrived at the company and the town will take possession of it after the first of the year to begin installation.

Commissioner Dawson commented on the condition of the sidewalks on North Wright Street between Wilmington Street and Bridgers Street. The board decided to discuss this item under "Items from the Mayor and Board of Commissioners."

Commissioner Pearsall asked about the status of the 25 MPH speed limit throughout town, as previously approved by the board. Mr. Gantt advised there was a delay in getting the signs and posts. Staff will continue to work on this project and look into the possibility of a contractor to install the signs in residential neighborhoods; there are about 100 signs and posts to install so it will take some time. Commissioner Pearsall asked how the 25 MPH speed limit is currently enforced. Chief Hock advised the only areas that are enforced are the areas that are posted.

Mayor Dawson commented on the paving on Wilmington Street. Mr. Moore reminded the board that Wilmington Street is an NC DOT road, but when the town cuts into a road for any reason, the town is responsible for repaving. The area of discussion had recently been cut due to new water taps and leak repairs over the last several months.

C. **Fire Department**
Johnathan Prevatte, Fire Chief

Johnathan Prevatte, Fire Chief, advised there were around 83 calls for service over the past month, as well as approximately 330 training hours were completed. The department recently constructed new training props. Chief Prevatte said volunteer applications were received, including a junior application.

D. **Facilities & Grounds Department**
Damon Stanley, Facilities & Grounds Director

Damon Stanley, Facilities & Grounds Director, said he and his staff remain busy with various projects around town. He said the electrical project around the Courthouse Square is complete.

Commissioner Dawson asked about the two (2) Christmas wreaths that are not working near Hardee's. Mr. Gantt said he will reach out to Duke Energy. Mayor Dawson commented on these type of things and the need to stay on top of them throughout the year.

E. **Parks, Recreation & Tourism Department**
Cody Suggs, Parks & Recreation Director

Cody Suggs, Parks & Recreation Director, gave a brief update on the progress of the Westside Trail project. He hopes to have the preliminary pricing soon.

There was discussion about the town's stage and its current condition. Mr. Suggs said he has spoken with Attorney Rivenbark and decided it would be best not to rent out the town stage due to age and condition. Commissioner Malloy asked if staff had looked into the pricing for a new stage. Mr. Suggs advised it would be $14k+ for a new stage, but reminded the board of the county's plan for a possible permanent stage on the square in the future. Mayor Dawson said she hopes to have more information on the master plan for the Courthouse Square in the next couple of months. The board was in agreement for only town staff to utilize the stage. Attorney Rivenbark said an in-house policy for this would be sufficient.

Mr. Suggs reminded the board of the blocked off parking spaces on Wright Street between Courthouse Avenue and Fremont Street during the Christmas parade for the bleachers. The board was in agreement to allowing this again this year.

I. Adoption of Parks and Recreation Comprehensive Master Plan

Mr. Suggs reviewed the Parks & Recreation Comprehensive Master Plan. He said Commissioner Dawson mentioned some minor edits to him prior to the meeting. Commissioner Pearsall asked if Mr. Suggs will complete the grants or will we need to hire an outside firm. Mr. Suggs said it will depends on how the town wants to proceed. He said the grant writing is based on data and how it is written to show that the community wants it. Mayor Dawson said the plan was very well done. Mr. Suggs also added the Parks & Recreation Advisory Board suggested a different color theme for the printed plan. After discussion, Commissioner Malloy made a motion to approve the plan with the noted corrections by Commissioner Dawson and the change in color theme. The motion was seconded by Commissioner George and carried by unanimous vote. Mayor Dawson requested Mr. Suggs to send a final copy of the plan once the edits were completed.

F. **Planning Department**
Ron Meredith, Planning Director

Ron Meredith, Planning Director, advised he is working on UDO updates, gave an overview of current projects, and said he is working on a few code violations. The RFQ for the RCCP Grant is coming to an end and will be interviewing consultants soon.

Commissioner Malloy asked about the status of the fallen tree near the middle school on South Wright/Williams Street. Mr. Meredith said he is waiting for the property owner to contact him back.

G. **Building Inspections Department**
Louis Hesse, Building Code Administrator

Mr. Hesse was not present at the meeting, therefore no report from Building Inspections was given.

H. **Human Resources Department**
Kimberly Rivenbark, Human Resources Director/Deputy Town Clerk

Kimberly Rivenbark, Human Resources Director/Deputy Town Clerk, said four (4) new part time Firefighters, one (1) Patrol Officer and one (1) Public Works Equipment Operator were starting soon. Commissioner Pearsall asked where the positions are advertised. Ms. Rivenbark said they are listed on the town website, social media and NC Works. Commissioner Malloy asked about the status of a "second chance" program, that he mentioned previously in a board meeting. There was discussion by staff about this and Ms. Rivenbark gave an overview of the hiring process, including background checks. Mr. Gantt added there is no set policy and the criminal backgrounds are reviewed by staff during the hiring process. Eligibility for employment is based on a case-by-case basis, depending on several factors, including the type of offense, when it occurred, outcome, etc. Commissioner Pearsall said it would be a good thing for the town to give people second opportunities to grow and live here. Commissioner Malloy asked how do we need to get started with looking into "second chance" opportunities. Mayor Dawson and Ms. Rivenbark both said individuals need to apply for available positions first. Ms. Rivenbark said once they apply, then staff can determine the qualifications for the position and discuss their criminal histories.

I. **Police Department**
Jim Hock, Police Chief

Jim Hock, Police Chief, advised he has a new employee starting soon and there will be a promotion from within the department for the position of Corporal. He also said Sergeant Williams is half way through instructor training at Cape Fear Community College and Captain Fuller has become a certified CPR Instructor. In addition, Chief Hock gave a brief update on the "Chat with the Chiefs" events held recently.

Commissioner Malloy commented on the local schools being satisfied with the town's School Resource Officers.

8. Public Forum

Prior to Public Forum, Mayor Dawson called for a break between 5:24 PM and 5:40 PM.

Regina Fennell, 815 Ridgewood Avenue, voiced concerns with no street lighting in the area of US Highway 117 By-pass and Ridgewood Avenue, as well as the town not accepting her United Healthcare credit card as a form of payment for her utility bill. Mayor Dawson advised staff will look further into these two concerns and get back with her.

9. Public Hearings

A. **Consideration of a text amendment to update the current Unified Development Ordinance (UDO), the request by planning staff is proposed to amend Chapter 14, Flood Damage Prevention Ordinance**

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

Mr. Meredith reviewed the text change request as described in Ordinance 2024-35.

There being no speakers, nor discussion by the board, Mayor Dawson declared the public hearing closed at 5:54 PM.

I. Resolution 2024-32 Adopting a statement of consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Chapter 14, Flood Damage Prevention Ordinance

Commissioner Rivenbark made a motion to approve Resolution 2024-32 as presented. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

II. Ordinance 2024-35 A text change amendment to the Town of Burgaw Unified Development Ordinance (UDO) requested by staff of the Town of Burgaw to amend Chapter 14, Flood Damage Prevention Ordinance

Commissioner Malloy made a motion to approve Ordinance 2024-35 as presented. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

B. **Consideration for adoption of the updated Flood Insurance Rate Maps (FIRMs) from the National Flood Insurance Program (NFIP)**

Mayor Dawson declared the public hearing open at 5:55 PM.

Mr. Meredith reviewed the request as described in Ordinance 2024-36.

There being no speakers, nor discussion by the board, Mayor Dawson declared the public hearing closed at 5:59 PM.

I. Resolution 2024-33 Adopting a statement of consistency regarding flood map modification for the Town of Burgaw requested by staff of the Town of Burgaw for adoption of the updated Flood Insurance Rate Maps (FIRMs) from the National Flood Insurance Program (NFIP)

Commissioner Dawson made a motion to approve Resolution 2024-33 as presented. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

II. Ordinance 2024-36 A text amendment to adopt the updated Flood Insurance Rate Maps (FIRMs) from the National Flood Insurance Program (NFIP)

Commissioner Dawson made a motion to approve Ordinance 2024-36 as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

10. Items from Assistant Manager

A. Updates on current projects

Chief Hock spoke about the golf cart ordinance the board recently approved. He requested the board to consider adding seat belts as a requirement in the ordinance. After brief discussion, Commissioner George made a motion to approve the addition of making seat belts a requirement within the golf cart ordinance. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

There was discussion about concerns voiced regarding the sharp curve at the end of North Wright Street near Lewis Sausage. Chief Hock said he reached out to NC DOT and they have added reflective signage and they are working on having additional asphalt poured to widen the street in the curve. Public Works crews have also trimmed brush along the sides of the road as well for easier visibility. Commissioner Rivenbark said he brought this topic up at the recent NC DOT Transportation meeting that he attended and said they are working on a plan. There were comments by the board that this concern was voiced during the approval process of the Pender County Law Enforcement Center project.

Chief Hock said preliminary engineering has been done for water line replacements on West Fremont Street from McCullen Street to McRae Street, South Dickerson Street from Fremont Street to Satchwell Street and South Bennett Street from East Hayes Street to Walker Street.

11. Items from Manager

A. Proposed FY 2025-26 Budget Calendar

Mr. Gantt presented the upcoming budget calendar to the board and requested they determine dates for the Strategic Planning Retreat, as well as the Budget Work Session. After discussion, the board agreed to hold the Strategic Planning Retreat on February 18-19, 2025 beginning at 9 AM on both days. It was agreed upon to host lunch for the board and staff on February 18th. They also agreed to hold the Budget Work Session on May 5, 2025 with May 6, 2025 being a continuation day if needed. Commissioner Dawson made a motion to approve the budget calendar presented by Mr. Gantt with the addition of the dates set by the board. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

B. Updates on current projects

Mr. Gantt said he and staff are working on budget workbooks to be sent out to Department Heads for Capital Improvement Project updates.

Mr. Gantt gave a brief update on the Stormwater Master Plan and said the engineer consultants have completed review on about 650 structures out of around 850 structures in town. He said everything is going smoothly and plans to have a progress meeting soon.

Mr. Gantt gave an update on the Water & Sewer Master Plan project and said the RFQ publication is currently out and will review and make the selection of the firm after the RFQ deadline. Mr. Gantt explained the purpose of the project.

Mr. Gantt advised he met with Duke Energy regarding the downtown street scape project and said they walked around and discussed ideas and thoughts. More information to come on this project.

Mr. Gantt said staff is transitioning to online utility applications. He said this would be more efficient for the public and staff. Paper applications would still be available for those that do not have access to a computer.

12. Items from Attorney

There were no open session Attorney items.

13. Items from Mayor and Board of Commissioners

The board thanked the staff for all they are doing and continue to do for the town.

Mayor Dawson commented on the Wilmington Street paving that was recently done and said it looks good. She also reminded staff to do a Code Red call about the Christmas Parade street closures. Mr. Gantt said he and Mr. Suggs will handle this. Mayor Dawson said there are still some old trash roll carts lingering around the downtown area. Mr. Gantt will look into this prior to the parade. She also commented on moving forward with the 25 MPH speed limit signs as mentioned by Commissioner Pearsall.

There was much discussion about the condition of the sidewalks on both sides of North Wright Street between Wilmington Street and Bridgers Street. Mr. Moore added that the sidewalk on the north side of Bridgers Street between Wright Street and Dickerson Street also needs replacing. After discussion, Commissioner Dawson made a motion to appropriate $75k for the sidewalk replacements as mentioned on North Wright and Bridgers Street. The motion was seconded by Commissioner Malloy and carried by unanimous vote. The board requests these replacements be done as soon as possible.

A. Resolution 2024-34 Resolution to adopt the regular meeting schedule of the Burgaw Town Board of Commissioners for year 2025

Commissioner Dawson made a motion to approve the 2025 regular meeting schedule for the Board of Commissioners meetings. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

B. Appointment of Council of Governments (COG) Representative and Alternate Representative

Commissioner Malloy made a motion to appoint Commissioner Dawson to continue to serve in the capacity of the Town of Burgaw representative for the Cape Fear Council of Governments. The motion was seconded by Commissioner George and carried by unanimous vote.

Commissioner Malloy made a motion to appoint Commissioner George to continue to serve in the capacity as the Town of Burgaw alternate representative for the Cape Fear Council of Governments. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

14. Closed Session

A. Pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege and NC GS 143-318.11(a)(6) Personnel

Commissioner Malloy made a motion to go into closed session at 6:38 PM. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

Commissioner Rivenbark made a motion to go back into open session at 8:00 PM. The motion was seconded by Commissioner George and carried by unanimous vote.

15. Adjournment

Upon returning to open session, Attorney Rivenbark requested authorization from the board to extend an offer of $1,500, allowing up to $2,000 if needed with a counteroffer, on the Hearne property adjacent to Village on 18. Commissioner Malloy made a motion to approve the request by Attorney Rivenbark. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Commissioner George made a motion to approve the renewal of the Town Manager contract with changes as discussed in closed session. Attorney Rivenbark will send the changes in writing to Mr. Gantt. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

Mayor Dawson asked for an update on the Wilmington Street project. Mr. Gantt said this project was being handled by the previous Town Planner and we need to do the RFQ for design work. Mr. Gantt said staff will move forward with this project.

There was discussion about monthly reports from department heads that are distributed to the board in the agenda packets. It was the consensus of the board for all department heads to submit a report to the Town Clerk in time of delivering the agenda packets, whether they are complete or not due to timing.

Commissioner Malloy made a motion to adjourn the meeting at 8:15 PM. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Shortly after adjourning the meeting, it was remembered the Town Attorney agreement expires on December 31, 2024. Mayor Dawson declared the meeting to be reopened at 8:20 PM. Commissioner George made a motion to recuse Commissioner Rivenbark from the meeting prior to discussing the Town Attorney agreement. The motion was seconded by Commissioner Malloy and carried by unanimous vote. After brief comments, Commissioner George made a motion to extend the Town Attorney agreement through the month of January, expiring January 31, 2025, so that discussion can be had at the Board of Commissioners regular meeting in January 2025. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

Commissioner George made a motion to adjourn at 8:22 PM. The motion was seconded by Commissioner Malloy and carried by unanimous vote.