

**TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING**

DATE: March 11, 2025
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 Commissioner Malloy.

3. Pledge of Allegiance

The Pledge of Allegiance was said by all.

4. Approval of Agenda

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

A. Approval of the February 11, 2025 Regular Meeting Minutes

- B. Approval of the February 11, 2025 Closed Session Minutes
- C. Resolution 2025-09 Designating Authorized Signatories for Town Bank Accounts
- D. Ordinance 2025-06 Amending the FY 2024-2025 budget to reflect the transfer of funds for the West Side Trail project
- E. Approval of FY 2025 Town of Burgaw and TDA Audit Contracts and Engagement Letters

6. Special Requests/Presentations

- A. Retirement Proclamation for Ray Rivenbark

Mayor Dawson read aloud a Retirement Proclamation for Ray Rivenbark.

- B. Arbor Day Proclamation

Mayor Dawson read aloud the Arbor Day Proclamation. Jayna Augst with the Parks, Recreation & Tourism Department gave an overview of the Arbor Day events scheduled for March 21, 2025.

- C. North Carolina Blueberry Festival - Street Closure Request

As a member on the NC Blueberry Festival Association, Cody Suggs requested the following street closures for the Annual NC Blueberry Festival in June. He advised the streets are the same as the past, with a few adjustments to times. Commissioner Rivenbark made a motion to approve the street closures as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Streets same as years past, with some different times.

- Half of Dudley Street to Fremont Street will be closed from 3:00 p.m. on Friday, June 20th, until 10 a.m. on Saturday, June 21st, for the BBQ cook-off event.
- Parking spaces on Wright Street from Courthouse Ave to Fremont Street will be closed from 5:00 a.m. on Friday, June 20th.

- Wright Street from Wilmington Street to Fremont Street will be closed from noon on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Courthouse Ave and the adjacent alley will be closed from noon on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Fremont Street from Walker Street to Wright Street will be closed from 6:00 a.m. on Friday, June 20th, until noon on Sunday, June 22nd.
- Walker Street from Wilmington Street to Fremont Street will be closed from 5:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Walker Street from Fremont Street to Satchwell Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Fremont Street from Walker Street to Cowan Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Fremont Street from Wright Street to Dudley Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Wright Street from Fremont Street to Satchwell Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Dickerson Street from Wilmington Street to Fremont Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Dickerson Street from Fremont Street to Satchwell Street will be closed from 10:30 p.m. on Friday, June 20th, until 11 p.m. on Saturday, June 21st.
- Satchwell Street, between Dickerson Street and Dudley Street, will be closed from 6 a.m. on Saturday, June 20th, until 6 p.m. on Saturday, June 21st.

D. Pender County Spring Festival - Street Closure Request

Ross Harrell was present on behalf of the Pender County Spring Festival and requested street closures for the annual Spring Festival events to be held on Friday, May 2, 2025 and Saturday, May 3, 2025 on the Courthouse Square. He requested closures of Wright Street between Courthouse Avenue and Fremont Street starting at 5:30 PM on Friday, May 2, 2025 for the street dance event. He requested closure of Wright Street from Wilmington Street to Fremont Street, as well as Fremont Street from Wright Street to Walker Street on Saturday, May 3, 2025 beginning early in the morning until 4:00 PM. Mr. Suggs advised the Special Events Application lists closure of Courthouse Avenue as well. Mr. Harrell clarified that was a mistake and said they were not requesting closure of Courthouse Avenue this year. Commissioner Malloy made a motion to approve the requested street closures. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote. Mr. Harrell mentioned the festival has utilized the town's picnic tables, trash and recycling carts and electricity in the past. The board had no issues with providing these items.

7. Departmental Items

A. Information Technology Department

Dustin McCullen, IT Manager

Dustin McCullen, IT Manager, advised there have been approximately 35 help desk tickets that were resolved for the month of February. He also said the website project is complete.

B. Public Works Department

Alan Moore, Public Works Director

Alan Moore, Public Works Director, advised he had no additional updates from what is listed in the monthly report.

C. Fire Department

Johnathan Prevatte, Fire Chief

Johnathan Prevatte, Fire Chief, advised there were 66 calls for service during the last month and said the department worked on various training opportunities. He said one volunteer firefighter has joined the department, as well as one junior firefighter. Chief Prevatte also said the department is implementing a ride-along program for anyone over the age of 16. He gave a brief overview of the program.

D. Facilities & Grounds Department

Damon Stanley, Facilities & Grounds Director

Damon Stanley was not in attendance to provide an update.

E. Parks, Recreation & Tourism Department

Cody Suggs, Parks & Recreation Director

Cody Suggs, Parks & Recreation Director, said he attended the Pender County Board of Commissioners meeting to inform them of the Parks Foundation splash pad project. He said the county commissioners were receptive to the idea of a splash pad. Mr. Suggs advised pressure washing would be done at the depot prior to the upcoming Mayor's Gala to be held on March 29, 2025. He also said GAF donated \$10k towards the splash pad project and a press release was sent out.

Mr. Suggs advised he is working with Peter Jernigan with Trail Life on getting the exercise equipment installed on the east side of the trail. The Parks Foundation will be purchasing mulch and boarder.

Mr. Suggs said he received a Special Events Application from the Pender County Arts Council to hold concerts in Dees Park. He said they have requested to close Courthouse Avenue between Wright Street and the alley on the evenings of the concerts, which are scheduled to occur on April 11, May 9, June 13, July 11 and August 8. These dates are the same dates the Arts Council hosts the cruise-in events

downtown. Commissioner Malloy made a motion to approve the requested street closure between 2 PM and 8 PM on the dates listed above. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

I. West Side Trail Project Update

Mr. Suggs gave a handout to the board explaining the breakdown of line items for the cost to complete the West Side Trail project. The amount needed from the town to complete the project is \$692,844.20. After discussion by Mr. Suggs and the board, Mr. Gantt said we need to look at other ways to fund the project instead of pulling it from fund balance. Commissioner Malloy and Commissioner Pearsall voiced their desire to get this project moving and get it done. Mr. Kalwitz spoke about the financial side of funding the project and agreed with Mr. Gantt that the funds did not need to come out of fund balance. After much discussion, Mr. Gantt said staff will work diligently to get bids from banks for financing the project. Commissioner Rivenbark made a motion to move forward with approving a fund balance appropriation in the amount of \$692,844 and allowing staff to seek a financial loan to cover the cost of the project, with the understanding if loan funding does not work out, the funds still remain pulled from the fund balance to cover the cost of the project. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

F. **Planning Department**

Ron Meredith, Planning Director

Ron Meredith, Planning Director, advised the Planning Board meeting for February was canceled due to weather. He said updates to the Unified Development Ordinance are ongoing. He also said he has received a few calls about development, as well as around 15 zoning violations he and staff are working on. Mr. Meredith said there will be a public meeting on March 12, 2025 at the Burgaw Town Center for the rain garden project.

Commissioner Pearsall commented it was good to see Mr. Meredith driving through the west side of town recently.

Mayor Dawson asked Mr. Meredith if a sign sweep was planned soon. Mr. Meredith said staff is planning to do this very soon.

I. Resolution 2025-10 Supporting the Town of Burgaw's Multimodal Planning Grant Program Application

Mr. Meredith gave an overview of the resolution presented and advised he received assistance from the Cape Fear Council of Governments. There being no questions or concerns voiced by the board, Commissioner Dawson made a motion to approve Resolution 2025-10 as presented. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

G. Building Inspections Department

Louis Hesse, Building Code Administrator

Louis Hesse, Building Code Administrator, said he and staff are staying busy and current projects are moving along smoothly. He advised Building Inspector Ivey English is finishing up Inspector Level 3 classes.

Commissioner Malloy asked about the status of the house on Wright Street. He said the roof is starting to cave in. Mr. Hesse said the owners had a plan but it didn't work out. He also added that staff hasn't had much time to work on minimal housing issues lately, but hopes to work on these issues soon. Mayor Dawson commented on a program in years past that helps replace homes.

H. Finance Department

Hans Kalwitz, Finance Officer

Hans Kalwitz, Finance Officer, advised the finance office is preparing for the audit and everything is underway. He also said he is working on quarterly budget departmental reviews.

Commissioner Rivenbark said he has confidence the audit will be completed on time, but said the board needs to be made aware of things whenever documents are not submitted on time.

I. Human Resources Department

Kimberly Rivenbark, Human Resources Director/Deputy Town Clerk

Kim Rivenbark, Human Resources Director, shared photos of a recent employee luncheon where staff competed in a chili cookoff. She also added two positions were currently being advertised, one Facilities & Grounds Maintenance Worker and one Water and Sewer Maintenance Worker.

J. Police Department

Jim Hock, Police Chief

Jim Hock, Police Chief, advised Detective Sergeant Lee Williams has received his instructor certification, as well as firearm instructor certification. He also said new firearms and holsters have been delivered. Chief Hock advised Demetria Williams has completed radar class. Chief Hock advised Watchguard has been on site completing camera system upgrades that was approved in the current budget year. Chief Hock also said he attended the recent Parks, Recreation & Tourism Senior Lunch and Learn event and spoke about scams. He said he recently attended a quarterly E-911 meeting as well.

8. Public Forum

Prior to Public Forum, Mayor Dawson called for a break between 5:31 PM and 5:37 PM.

John Johnson, 200 S. Dickerson Street, said someone with the town's landscaping crew worked on the holly trees near his property and discovered small brick-like pieces under the trees and were scattered in the green space next to his property. He voiced concerns about mowing and the pieces possibly hitting cars or harming people. Mr. Johnson brought the brick-like pieces to show the board. After comments, Mayor Dawson advised staff will make sure the area is cleaned. Mr. Johnson also spoke about a second item of concern with the damaged sidewalk next to his property along Dickerson Street. He passed around an image of the sidewalk for the board to look at. Mr. Gantt advised this section of the sidewalk is in the permitting stage with NC DEQ for a water line replacement and once that is completed, the sidewalk will be replaced. There were comments about doing something in the interim so that the broken areas of the sidewalk are more visible. Attorney Rivenbark suggested painting the area with orange paint to bring attention to it. Mayor Dawson said the town would keep Mr. Johnson informed of the timeline for the project and replacement of the sidewalk.

Daniel Wedlock, 712 W. Bridgers Street, said he appreciates all that is done in the Town of Burgaw and voiced concern with sidewalks in the western part of town. He said people are seeing sidewalk improvements on the east side of town, but not the west side. He said at least start working on a sidewalk on Wilmington Street in the area of Piggly Wiggly towards Lanier Hardware. Mr. Wedlock said he was concerned when we heard about the replacement sections of the trail sidewalk on the east side for the upcoming budget, but the town hasn't started on the west side trail yet. He also said water is still standing in the ditch in front of his property (spoke about this at a previous meeting) and requested mosquito spraying in his area. Public Works will make sure the area is sprayed for mosquitoes and staff will evaluate the ditch drainage.

9. Items from Assistant Manager

A. Update on current projects

Chief Hock advised he received good feedback from the recent K9 and drone training held in town. He said everything went smoothly. He also said the new Public Works dump truck and detective truck are being striped and completed with wiring. He added the old Public Works dump truck and a Facilities & Grounds truck will be surplussed soon.

Commissioner Rivenbark asked about the status of the 25 MPH speed limit signs for neighborhoods. Mr. Gantt advised he was still waiting to hear back from the contractor; he will reach back out.

10. Items from Manager

A. Update on current projects

Mr. Gantt gave an update on the downtown project involving Duke Energy. He said some of the project requires work on the Courthouse grounds, so easements needed to be obtained and were approved by the county. He said Duke Energy is still waiting on contractors, but assured staff it will be completed before summer festivities in the downtown area. Mr. Gantt said he is working with Duke Energy to coordinate with NC DOT and the future project at the intersection of Wilmington Street and Wright Street.

Mr. Gantt advised he met with Duke Energy about the requested street lights along US Highway 117 near Ridgewood Avenue (discussed at a prior meeting). Duke Energy is doing an assessment of the street light needs in the area and will get back with Mr. Gantt on a plan.

Mr. Gantt said he is expecting to have a proposal soon for the Water & Sewer Master Plan. He also said the Wastewater Master Plan is progressing smoothly.

11. Items from Attorney

Attorney Rivenbark stated he only had items for closed session.

12. Items from Mayor and Board of Commissioners

Commissioner Pearsall advised he had items to discuss in closed session.

Commissioner George commented on a fast driving truck along Wilmington Street. He said there needs to be a traffic light at the intersection of Wilmington street and US Highway 117.

Mayor Dawson commented on sidewalks and requested staff to make sure repairs are on the list to be done. The sidewalk next to Burgaw Methodist Church along Walker Street still needs to be done.

A. Consideration of one (1) Tourism Development Authority appointment

Wendi Clawson applied to be considered as a member on the Tourism Development Authority. There being no concerns voiced by the board, Commissioner Rivenbark made a motion to appoint Ms. Clawson to the Tourism Development Authority. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

13. 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 6:12 PM 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 Rivenbark and carried by unanimous vote.

Commissioner Malloy made a motion to go into open session at 7:54 PM. The motion was seconded by Commissioner George and carried by unanimous vote.

14. Adjournment

Upon returning to open session, there were two motions following discussion held in closed session.

With the resignation of Attorney Rivenbark effective immediately, Commissioner Dawson made a motion to allow the Town Manager to contact the North Carolina League of Municipalities to appoint an attorney in an interim role until a permanent replacement. The motion was seconded by Commissioner Malloy and carried by unanimous vote. Mr. Gantt said he will work on drafting an RFP for seeking a permanent Town Attorney.

Commissioner Pearsall made a motion to eliminate the Assistant Public Works Director position and hire a Public Services Director to be head of both Public Works Department and Facilities & Grounds Department. The motion was seconded by Commissioner Malloy and carried by unanimous vote. Commissioner Pearsall requested this position be advertised and filled as soon as possible.

Commissioner Dawson made a motion to adjourn the meeting at 7:57 PM. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.