TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING

DATE:	December 09, 2014
TIME:	4:00 PM
PLACE:	Burgaw Municipal Building
BOARD MEMBERS PRESENT:	Mayor Eugene Mulligan
	Commissioners Jan Dawson, Wilfred Robbins, Charles Rooks and Elaine Tyson
BOARD MEMBERS ABSENT:	Howard N. Walker, Jr.
STAFF PRESENT:	Chad McEwen, Town Manager
	Sylvia W. Raynor, Town Clerk
	Robert Kenan, Town Attorney
	Bill Fay, Director of Public Works
	Anthony Colon', Utility & Compliance Specialist/ORC
	Jennifer Feehan, PW Administrative Assistant
	Louis Hesse, Building Inspector
	Ashley Loftis, Finance Officer
	Rebekah Roth, Planning Administrator
	Montrina Sutton, Chief of Police
	Kristin Wells, Deputy Clerk
	Allen Wilson, Fire Administrator
MEDIA PRESENT:	Bill Walsh, Star News
INVOCATION:	Nick Smith, Chaplain
PLEDGE OF ALLEGIANCE:	All

The meeting was called to order by Mayor Eugene Mulligan at 4:00PM. Mayor Mulligan thanked Public Works staff and Louis Hesse for the great job done on the Christmas lights and decorations downtown. He thanked Commissioner Dawson and the Promotions and Special Events Committee for all their hard work in coordinating the downtown decorations as well as the very successful tree lighting event. Mayor Mulligan also commented on the success of the first event at the Pender Arts Council building which included an open house with a poetry reading, music and refreshments.

Approval of Agenda

Mayor Mulligan asked if there were any requests for amendments to the agenda. There being no amendments requested, Commissioner Robbins made a motion to approve the agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Approval of Consent Agenda

Mayor Mulligan asked if there were any requests for amendments to the consent agenda. There being no amendments requested, Commissioner Dawson made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote. The consent agenda and the following items were approved:

A. Minutes of the November 10, 2014 Regular Meeting

B. Resolution 2014-46 Board of Commissioners Meetings Schedule for 2015

RESOLUTION 2014-46
RESOLUTION TO ADOPT THE REGULAR MEETING SCHEDULE OF THE BURGAW TOWN BOARD OF COMMISSIONERS FOR 2015

WHEREAS, General Statute 160A-71 allows a board to fix a time and place for regular meetings; and

WHEREAS, General Statute 143-318.12 (a) requires the Board of Commissioners schedule of regular meetings to be kept on file with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED that the following meeting schedule for the calendar year of 2015 is hereby adopted by the Town of Burgaw Board of Commissioners:

Tuesday	January 13, 2015	4:00 PM
Tuesday	February 10, 2015	4:00 PM
Tuesday	March 10, 2015	4:00 PM
Tuesday	April 14, 2015	4:00 PM
Tuesday	May 12, 2015	4:00 PM
Tuesday	June 09, 2015	4:00 PM
Tuesday	July 14, 2015	4:00 PM
Tuesday	August 11, 2015	4:00 PM
Tuesday	September 08, 2015	4:00 PM
Tuesday	October 13, 2015	4:00 PM
Monday	November 10, 2015	4:00 PM
Tuesday	December 08, 2015	4:00 PM

BE IT FURTHER RESOLVED THAT all meetings shall be held in the meeting room of the Burgaw Municipal Building unless otherwise posted.

Adopted: December 09, 2014

SPECIAL PRESENTATIONS

Presentation of FY 2013-2014 Audit – Greg Adams

Greg Adams with Thompson, Price, Scott, Adams & Company, PA presented a brief overview of the FY 2013-2014 Audit. Mr. Adams presented copies of a power point handout for their review (copies of presentation and official audit on file in the Clerk's office). There was a brief question and answer session regarding the audit. Upon completion of the review, Mr. Adams advised there were no significant findings in the audit.

Promotions and Special Events Committee Update – Jim Fouche

Jim Fouche, Chairperson of the Promotions and Special Events Committee thanked the Board for creating the committee and allowing citizen input. Mr. Fouche advised the directive from the Board of Commissioners was for the committee to promote special events and to create a marketing plan. He said the marketing plan was put on the back burner in order to focus on the tree lighting ceremony. He advised they plan to start on the marketing plan after the holidays in order to present something by budget time to designate funds for the marketing of the depot.
Mr. Fouche advised the committee has previously heard the presentation from El Puente regarding the proposed multicultural event and he wanted the Board to know that the Promotions and Special Events Committee endorses that event.

Parks and Recreation Committee Proposal – Noah Harrell

Noah Harrell, Vice Chairperson of the Parks and Recreation Committee spoke on behalf of the committee regarding a proposal presented by Irene Edwards of El Puente. Mr. Harrell stated that the Town of Burgaw in conjunction with El Puente started an experimental "Wellness through Movement" program earlier this year at the community house. He said that currently there are two yoga classes on Tuesday evening and one Zumba class on Wednesday evening. Mr. Harrell also stated that in addition to providing the space free of charge, the Town also paid a yoga instructor $30.00 per week with El Puente funding the other classes. He said all classes are free and open to everyone. He advised the classes have been well attended and there have been requests for more classes. A petition of interest with approximately twenty signatures was presented to the Board. He advised the Parks and Recreation Committee endorses this proposal. Mr. Harrell presented the following request regarding the use of the Community House for wellness classes:

PROPOSAL 1

TOWN OF BURGAW COMMISSIONERS
TOWN OF BURGAW DEPT. PARKS & RECREATION

"PROMOTING WELLNESS THROUGH MOVEMENT"

BURGAW COMMUNITY HOUSE: JAN. 6, 2015 – DEC. 31, 2015

RESTORATIVE YOGA: *TUESDAYS 9:30 – 10:45AM (Breast cancer survivors- begin March 2015)*

YOGA: HATHA FLOW:	*TUESDAYS 5:30-6:45PM*
GENTLE YOGA:	*TUESDAYS 7:15 – 8:30PM*
YOGA: FOUNDATIONAL	*THURSDAYS 7:15 -8:30PM*
ZUMBA:	*WEDNESDAYS 6:00-7:00PM*

All classes are provided without cost to the participant.
Requesting: Use of the Community House at no cost to El Puente NC

Commissioner Robbins stated that he thinks this is a good thing; he is glad that we are doing it and thinks it fills a void in the community.

Commissioner Dawson asked where the classes will be held if the community house is booked by a paying customer during their regularly scheduled classes. Irene Edwards commented that most likely in that event the classes will be canceled unless they could possibly work out something with the Pender Arts Council to use some of their space.

Commissioner Robbins made a motion to continue to allow El Puente use of the community house for one year for the purposes outlined in the presentation (above) and to pay for one instructor for one class in the amount of $30.00 per week. The motion was seconded by Commissioner Rooks and carried by unanimous vote. Commissioner Rooks requested that attendance records be kept during the year and reported to the Board at the end of the year (2015) in order to justify use of the building and support of the classes.

PROPOSAL 2

Use of the RAIL ROAD DEPOT DECK: FARMERS MARKET
Every Friday morning 7:00am-12:00pm from April 3 to October 30, 2015

Mr. Harrell advised the second request is for use of the depot dock for a farmer's market beginning April 3, 2015 and ending on October 30, 2015. He advised this item has previously been discussed with the Board and El Puente is seeking approval of the proposal. He commented that Molly Rousey with Feast Down East has been contacted in an attempt to collaborate, as requested by one of the Commissioners. Per Ms. Rousey there is no possibility to collaborate and there may be a conflict of interest. He advised Feast Down East uses the entire deck on Thursdays.

Irene Edwards, El Puente, advised the idea behind the farmer's market is to encourage people to buy fresh produce to be used in conjunction with nutrition and cooking classes beginning in April at the Cooperative Extension Office. Commissioner Rooks asked if there is a list of farmers interested in participating in the farmer's market. Ms. Edwards advised currently there are three farmers on board to participate. She said her goal is to have six farmers and some vendors with arts/crafts/home baked goods to have a total of ten vendors. Commissioner Dawson commented that she does not want the farmers market to turn into a flea market. Ms. Edwards advised that is the reason for limiting the number of participants. Commissioner Robbins stated that he has a problem with limiting the number of farmers to six. Mayor Mulligan asked if any farmer will be excluded from the market. Ms. Edwards said as long as the space is adequate to accommodate each farmer they will be welcome. She said she doesn't want this farmers market to get so big that none of the farmers are making enough money to justify being there. There was much discussion about the need for tables for the farmers market. It was suggested by Mayor Mulligan that the farmers provide their own tables, thereby causing the farmers to be responsible for cleanup and removal of product, tables, etc. Commissioner Dawson inquired about the role of the health department in the farmer's market related to the sale of home baked goods. Ms. Edwards advised she has cleared that with the health department and because it is a once a week market, the home baked goods may be sold without any issues. Ms. Edwards advised she had not thought about the health department's role in the farmer's produce sale and that she will have to check on that issue. Commissioner Tyson said the only problem she has with the concept of a farmer's market is the choosing of the farmers that will participate. She asked if six farmers are chosen for this year but there are others that did not get chosen, will they get an opportunity next year. Ms. Edwards said she hasn't really thought about that and she thinks it will depend on the success of next year whether or not we have returning farmers or other farmers looking to participate. She said she will pick the six with the help of the health department.

Mayor Mulligan asked the Board if they agree with the concept of having a farmer's market at the depot as requested. Commissioner Rooks made a motion to accept the request with the stipulation that if there is a rental conflict the farmer's market will be canceled for that day and that the function will continue to remain a farmer's market. The motion was seconded by Commissioner Dawson and carried by unanimous vote. Commissioner Rooks commented to Ms. Edwards that she will need to develop guidelines that will reflect positively on the community.

Irene Edwards, El Puente presented request number three. She reminded the Board that she has previously spoken to them regarding a multicultural festival. She advised she has actually booked the depot dock for Saturday, October 17, 2015. She advised she proposes to the hold the festival from 11:30AM until 6:00PM. Ms. Edwards reviewed the plans outlined below.

PROPOSAL 3

PROMOTION/EVENTS – TOWN OF BURGAW
PENDER COUNTY COMMISSIONERS

PROPOSAL FOR: ***PENDER COUNTY MULTICULTURAL FESTIVAL - OCTOBER 17, 2015***

Town Property:	*Rail Road Depot Deck: 3 tables & chairs center of deck for visitors*
Requesting use:	*Adjacent graveled area: tent and stage for entertainment*
	CLOSE*: Dickerson St from Wilmington St to Freemont St &*
	Courthouse Avenue
County Property:	*Courthouse Annex parking lot: self-contained vendors*
	Tables with 2 chairs each for participating organizations and community resources
	3 Portable Johns
Private property:	*El Puente NC: changing station for entertainers*
	Laundromat Parking Lot: command station & EMS
Proposed Entertainment:	
	Irish Step Dancers; Polynesian Dances; Caribbean Drummers;
	Latino Folklorico Dancers; Local High School Jazz Band;
Proposed Art Contest:	*What does "multicultural" mean to you? Pender/Heidi Trask/Topsail High Schools student body to choose – gift certificate x 3*

Requesting:
Law enforcement presence
Trash containers & pick up
Town sponsorship for cost of one tent rental

Approx. Costs:			
Entertainment		*$1,500.00*	
Portable Johns:	*3 @ $130*	*400.00*	
Tables:	*20 @ $7ea*		*140.00*
Chairs	*60 @ $.75ea*	*45.00*	
Tents	*1 @ 20x40*	*400.00*	
	1 @ 20x30	*300.00*	

Commissioner Tyson commented that October is the busiest month for weddings and that the depot is booked for the whole month. Ms. Edwards stated that originally she wanted to book the depot for October 24 but it was already reserved, so she booked for the previous weekend and she paid for the use of the dock. Mr. McEwen asked Ms. Edwards if she was asking for the town to pay for the portable toilets; she advised no. He advised here that he doesn't think three will be enough and she needs to make sure that they are serviced in the middle of the day. She said that rental of the dock includes the use of the depot rest rooms and she feels that between the two there will be adequate rest rooms. Mr. McEwen asked about her plans for tables and chairs. Ms. Edwards advised she is working with a rental company to provide tables and chairs.

There was much discussion regarding the need and placement of law enforcement officers. Chief Sutton advised she would need at least two officers; one posted at Wilmington and Dickerson Streets and one posted at Fremont and Dickerson.

Commissioner Rooks asked for the time of the event. Ms. Edwards said the event will start at 11:30 and end at 6:00 but people will come early to set up, so she is requesting street closure from 9AM to 9PM. Ms. Edwards advised that no vendors will be allowed to sell alcohol.

There being no further discussion, Commissioner Robbins made a motion to accept the proposal for the Multicultural Festival as presented. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

Nora McCann, NCDOT - Pender County Comprehensive Transportation Plan affecting Burgaw and its planning jurisdiction. Resolution 2014-40 will be presented for Board of Commissioner's approval.

Nora McCann with the North Carolina Department of Transportation (NCDOT) presented draft portions of the Pender County Comprehensive Transportation Plan (CTP). The CTP involves a detailed analysis of the Pender County transportation system, including roadway, rail, bicycle, pedestrian, and transit facilities. Its goal is to produce a long range transportation plan for Pender County to assist transportation decisions over the next 25 to 30 years. She advised some changes to the plan have been made based on comments from the board at the November meeting.

Ms. McCann advised it is necessary for the board to review the new proposed plan and, if approved, pass another resolution of adoption. She advised the Board that included in packets are the portions of the plan affecting Burgaw, including bicycle infrastructure, pedestrian infrastructure, highway improvements, and future bus and transit routes. Any project that the town may want to be funded by NCDOT in the future should be included in this plan. As a note, intersection improvements are not specifically designated by this plan. (All maps and documentation is on file in the clerk's office.)

Upon completion of Ms. McCann's review of the maps, there was a very lengthy discussion regarding the proposed improvements to the NCDOT roads that would affect the town. Many questions were asked and answered. Commissioner Rooks said the bottom line is that this is just a long range plan with no commitment and no funding and that if any of the proposed actions are taken, the town and the public will have the opportunity to review the proposal and have input before any work is done.

Mayor Mulligan called for a motion on Resolution 2014-40. Commissioner Rooks made a motion to approve Resolution 2014-40 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

RESOLUTION 2014-40
A RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN OF PENDER COUNTY, NORTH CAROLINA WITHIN ITS PLANNING JURISDICTION

WHEREAS, the Burgaw Board of Commissioners, Pender County Planning Department, Cape Fear Rural Planning Organization, Atkinson, Burgaw, St. Helena, Surf City, Topsail Beach, Watha, and the Transportation Planning Branch, North Carolina Department of Transportation actively worked to develop a transportation plan for Pender County; and
WHEREAS, the Board of Commissioners and the Department of Transportation are directed by North Carolina General Statutes 136-66.2 to reach agreement for a transportation system that will serve present and anticipated volumes of vehicular traffic in and around the town; and
WHEREAS, it is recognized that the proper movement of traffic within and through the Town of Burgaw is highly desirable element of the comprehensive plan for the orderly growth and development of the Town; and
WHEREAS, after full study of the plan and a public meeting held at the October 16, 2014 Town of Burgaw Planning Board meeting, the Board of Commissioners feel it to be in the best interests of the Town of Burgaw to adopt a plan pursuant to General Statutes 136-66.2;
NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:
The Town of Burgaw Board of Commissioners hereby adopts the Pender County Comprehensive Transportation Plan that is within its planning jurisdiction. This plan should be approved and adopted as a guide in the development of the transportation system in Burgaw and the same is hereby recommended to the North Carolina Department of Transportation for its subsequent adoption.
Approved: December 09, 2014

DEPARTMENTAL ITEMS

Finance – ***Ashley Loftis, Finance Officer***

Ordinance 2014-35 Amending the FY 14-15 Budget to provide funding to cover the cost of replacing Police Car #25

Ashley Loftis, Finance Officer advised on September 17, 2014 a vehicle accident occurred that involved a citizen running into the rear of Officer Batson's patrol vehicle while stopped at a stop sign at the intersection of Timberly Lane and Hwy 53. An insurance claim was filed with the Town's insurance carrier to repair the vehicle. However, the related party's insurance carrier decided with the amount of damage that was done combined with difference in value of the vehicle pre-accident and post-accident, it was better to deem the vehicle a total loss. The insurance settlement totaled $23,028.46. A quote was obtained for the purchase of a new vehicle in the amount of $23,085. Ms. Loftis advised quotes were obtained for the removal and reinstall of the equipment, decaling the vehicle, and tinting the windows. She said equipping this vehicle for patrol will cost $2,793.26. After, utilizing the insurance proceeds, a fund balance appropriation in the amount of $2,850 is needed to cover the remainder of the costs.

There being no discussion, Commissioner Robbins made a motion to approve Ordinance 2014-35 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

ORDINANCE 2014-35
AMENDING FISCAL YEAR 2014-2015 ANNUAL BUDGET
Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2014-2015 on June 10, 2014; and
WHEREAS, the Town of Burgaw has received insurance settlement proceeds of $23,028.46 for replacement of Police Department car #25; and
WHEREAS, the total cost to replace this vehicle and equipment is $25,878.26; and
WHEREAS, the Town of Burgaw will require a general fund fund balance appropriation to cover the additional expense to replace the damaged vehicle.
NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

Section 1: The FY 2014-2015 budget be altered to reflect the following changes:

	INCREASE BUDGETED REVENUE	
Account Number	Account Description	Amount
10-3900-00-900	Fund Balance Appropriated	$2850
	INCREASE BUDGETED EXPENDITURE	
Account Number	Account Description	Amount
10-5100-10-740	Capital Outlay	$2850

Approved: December 09, 2014

Resolution 2014-47 Approving a Copier Service Agreement with CopyPro

Ms. Loftis advised The Town currently leases copiers and has a service agreement through COECO Office Systems. She said that recently, the town has experienced issues with the machines as well as response time on maintenance calls.

Ms. Loftis advised she discussed this issue with Erik Harvey, IT manager for the town and he put her in contact with a representative from CopyPro. As a result she has received a quote from CopyPro showing what type of equipment we would be using and the cost. Ms. Loftis informed the Board our cost will remain the same but our equipment and our service call time will improve. She also said with CopyPro, there is a local service tech in the area so that our wait time is minimal.

Ms. Loftis said CopyPro has agreed to buy out our current service agreement with COECO and handle the shipment of all COECO leased equipment back to COECO. CopyPro will pay the Town $1,792.25 to cover the remainder of our contract.

After a brief discussion, Commissioner Dawson made a motion to approve Resolution 2014-47 to include an amendment to correct language in the contract to state "Town of Burgaw" instead of "City of Burgaw". The motion was seconded by Commissioner Rooks and carried by unanimous vote.

RESOLUTION 2014-47
RESOLUTION FOR COPIER SERVICE AGREEMENT

WHEREAS, the Town of Burgaw currently has a copier service agreement with COECO Office Systems that is due to expire April 8, 2015; and
WHEREAS, this service agreement covers the maintenance cost and the supply cost for four copiers/printers within Town Hall; and
WHEREAS, the Town was provided a quote from CopyPro that would cover the same cost as our current contract and provide better machines and service to the Town; and

WHEREAS, CopyPro has agreed to pay for the remainder of the Town's current service agreement with COECO in the amount of $1,792.25; and
WHEREAS, the Town wishes to cancel the current copier service agreement with COECO and enter into a new service agreement with CopyPro.
NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSONERS THAT:
The current service agreement with COECO Office Systems be canceled and a new service agreement with CopyPro become effective upon approval and that CopyPro will pay the remainder of our current service agreement in the amount of $1,792.25.

Adopted this ninth day of December, 2014.

Resolution 2014-48 Approving Financing of New Fire Engine

Ms. Loftis advised during the November 10, 2014 Board of Commissioners meeting, a contract with C.W. Williams to build a new fire tanker apparatus was approved. Also, at this time it was approved to seek financing for this purchase.

Ms. Loftis said a request for proposals was sent out to financial institutions for financing options. Proposals were received from Branch Bank & Trust ("BB&T") and Four County Electric Membership Corporation. The financing from BB&T was for installment financing whereas, the financing through Four County is grant money that is provided through the USDA Rural Economic Development Grant (USDA REDG) to local utilities that is then passed on to local entities that are making purchases for economic development. The financing specifications from each proposal are listed below.

			Fees		Annual Debt Service
BB&T (until Dec 31)			**Fees**		**Debt Service**
	10 yrs.	2.99%	Prepayment penalty 1%		$28,120.96
	12 yrs.	3.15%	Prepayment penalty 1%		$24,327.30
USDA REDG (via Four County)					
	10 yrs.	0.000%	Administrative fee 1%	$2,400.00	$24,000.00
			Attorney/Recording fee	$1,500.00	
				$3,900.00	

INTEREST

	BB&T interest	Four County interest
10 yr	$41,209.60	$0
12 yr	$51,927.60	

Ms. Loftis stated that after careful review of these proposals, she feels that the best fit for the Town of Burgaw would be financing through Four County Electric Membership.

After a brief discussion, Commissioner Rooks made a motion to approve Resolution 2014-48 as approved. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

RESOLUTION 2014-48
RESOLUTION FOR FINANCING OF NEW FIRE ENGINE

WHEREAS, the Town of Burgaw Board of Commissioners approved a contract on November 7, 2014 with C.W. Williams to construct a new fire tanker apparatus; and
WHEREAS, during this approval the Board of Commissioners also approved the requesting of proposals for financing on this apparatus; and

WHEREAS, a request for proposals of financing up to $240,000 was sent out to financial institutions; and
WHEREAS, two responses were received from Branch Banking and Trust Company ("BB&T") and Four County Electric Membership Corporation; and
WHEREAS, the proposal from BB&T offered terms of 10 years at an interest rate of 2.99% or 12 years at an interest rate of 3.15% along with a 1% prepayment penalty; and
WHEREAS, the proposal from Four County Electric Membership Corporation offered a 10 year financing at 0% interest rate with no prepayment penalty and 1% administrative fee along with the Town covering the attorney and recording fee.
NOW, THEREFORE, BE IT RESOLVED that the Town Manager is hereby authorized to enter into an agreement with Four County Electric Membership Corporation to finance the purchase of a Fire Tanker apparatus from C.W. Williams for an amount not to exceed $240,000.00 with anticipated delivery as soon as possible.

Adopted this ninth day of December, 2014.

Police Department – ***Montrina Sutton, Chief of Police***

Resolution 2014-49 Authorizing the Purchase of a Service Agreement with Motorola Solutions

Montrina Sutton, Chief of Police advised The Burgaw Police Department uses Motorola Radios in their daily duties for the sole purpose of communicating with officers and other law enforcement agencies. She advised Motorola Solutions has presented the Burgaw Police Department with a service agreement for the radios. Chief Sutton said these radios go through lots of day to day wear and tear, not to mention adverse weather conditions. She advised to date we have an average cost of $400.00 dollars per radio for each repair and at this time she has four radios that are in need of repair. The service agreement that has been presented would cover some of the cost for repairs however it will not cover anything due to wear and tear, intentional misuse, accidents, and acts of God.

Chief Sutton presented an amended agreement in the amount of $583.80 which is pro-rated for seven months and will end on June 30, 2015. Chief Sutton advised the cost in the amount of $583.80 for the agreement would come from the maintenance and repair of equipment line item. She asked the Board to consider approving the purchase of the Motorola Solutions Service Agreement.

After a lengthy discussion, Commissioner Robbins made a motion to approve Resolution 2014-49. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

RESOLUTION 2014-49
A RESOLUTION AUTHORIZING THE PURCHASE OF A SERVICE AGREEMENT WITH MOTOROLA SOLUTIONS

WHEREAS, the Town of Burgaw, Burgaw Police Department is currently requesting to purchase a service agreement with Motorola Solutions.
WHEREAS, the Town of Burgaw, Burgaw Police Department utilizes portable hand held radios for the purpose of a means of communication.
WHEREAS, the Town of Burgaw, Burgaw Police Department has a total of two XTS 2500 and twelve XTS 1500 radios.
WHEREAS, the radios are used by the Patrol Officers daily for duty. At times they become inoperable and are sent out for repair.
WHEREAS, the repairs are done by Motorola Solutions only. The service agreement would cover some of the repairs.
WHEREAS, the service agreement allows the Town of Burgaw, Burgaw Police Department to end the service agreement at any time requested, by written notice.
WHEREAS, the total cost of the service agreement as stated $583.80, pro-rated for seven months until June 30, 2015.
NOW THEREFORE, BE IT RESOLVED by the Town of Burgaw of Commissioners that:

1. The Board of Commissioners does hereby approve the purchase of a service agreement for the Burgaw Police Department with Motorola Solutions.
2. The Board of Commissioners does hereby approve the cost of the service agreement at a total of $583.80 pro-rated for seven months until June 30, 2015.
3. This Resolution supersedes and amends any prior Resolution on the subject matter.

Adopted this 09th day of December 2014.

Discussion Item – Bluetooth capable phones

Chief Sutton advised at the last Board meeting Bluetooth capability for the patrol cars was discussed. She advised she has received an estimate from Soundtronics located in Wilmington in the amount of $291.52 per car for a total of $3,498.24 for twelve cars. She advised Bluetooth would be a 3x2 screen mounted to the dash and the duty phone would pair with the Bluetooth as the officer gets into the car.

Chief Sutton also searched Wal-Mart online and found a Motorola Sonic Rider Wireless In-Car Speakerphone. She advised the cost per car is $41.59. She said the speaker mounts on the visor above the driver and pairs with two phones at one time. It is good for 20 hours or more depending on usage. Charging adapters come with each speakerphone, the total cost for twelve cars $499.08 not including tax.

There was much discussion regarding safety concerns when officers are driving and talking on cell phones. It was also pointed out that even though the officers would be able to talk on the phones hands free, they still must use their hands to key the mic on the radios while driving.

After discussion, Commissioner Dawson made a motion to approve purchase of the Motorola Sonic Rider Wireless In-Car Speakerphone in the amount at $41.59 each for a total of $499.08 not including tax. The motion was seconded by Commissioner Robbins. Commissioners Dawson and Robbins voted "aye". Commissioners Rooks and Tyson voted "nay". There being a tie vote, Mayor Mulligan broke the tie by voting "aye". The motion was carried by three "ayes" to two "nays".

Discussion Item – Matthew 25 5K Run

Chief Sutton advised that at the November meeting the Matthew 25 Center is requested officer assistance with a 5K Run in the spring of 2015. She advised that per the Board's request she has spoken with Ms. Paula Schwefel, Director of Matthew 25 Center regarding the requirements for assistance. Chief Sutton said the 5K Run would utilize twenty-six intersections in town and each intersection would have to be closed for a period of four hours, maybe less. Ms. Schwefel stated that she could supply volunteers to help with the intersection closing. Chief Sutton advised it appears that seven police officers would be needed to assist with the 5K Run. She said it is very possible that all of the officers assigned would accumulate overtime for this event. The total for officers would be approximately $833.20 including benefit cost.

After a brief discussion, Commissioner Robbins made a motion to approve the request for the 5K run for the benefit of the Matthew 25 Center. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

BREAK 5:35 – 5:45

PUBLIC HEARINGS

Public Hearing 1 – *Rebekah Roth, Planning Administrator*

Consideration of a text change amendment to Section 19-4 of the Unified Development Ordinance regarding the expansion of nonconforming uses.

Ordinance 2014-36 Approving a Text Change Amendment to *Section 19-4: Extension or Enlargement of Nonconforming Situations* of the Town Of Burgaw Unified Development Ordinance

The public hearing was opened at 5:46PM.

Rebekah Roth, Planning Administrator presented the following background information regarding the public hearing:

> **Background.** In September, I was approached by Bill Henderson of Cardinal Metal Works about adding a 75'x75' addition to the existing structure on E. Wilmington St. Extension. As a sheet metal manufacturer, this longstanding business is considered a nonconforming light industrial use located on a property zoned B-2, Highway Business. After examining the ordinance, I was required to make an interpretation as to whether the expansion of a building housing an existing nonconforming use that met all dimensional requirements would be allowed.
>
> While I eventually interpreted the ordinance to read that expansions of buildings housing nonconforming uses was not prohibited, I found it difficult to make this interpretation due to conflicting language in the ordinance. In cases where staff interpretations become difficult, it is a good idea for an ordinance to be clarified to ensure that regulations are clear to all parties and administrative decisions do not require excessive discretion. My interpretations can always be appealed, but that does involve a quasi-judicial process in front of the Board of Adjustment, discouraging some would-be appellants.
>
> **Planning Board Recommendation.** After discussing several options at their October meeting and reviewing a proposed text change amendment at their November meeting, the planning board voted to recommend approval of an amendment to the ordinance that would allow nonconforming uses to expand to additional land on the original tract and to expand the footprint of a building housing a nonconforming use as long as it met all required standards of the ordinance, such as setbacks. They found the proposed amendment to be consistent with the land use plan, reasonable, and in the public interest and adopted the attached Option A draft consistency statement.

Commissioner Dawson asked if the Planning Board discussed how many non-conforming uses we currently have. Ms. Roth advised she has not done a thorough survey but she cannot recall many that have been in continuous use that have kept the grandfathered status. Commissioner Dawson asked Ms. Roth to work on compiling a list of current non-conforming uses.

There being no further discussion, Mayor Mulligan closed the public hearing at 5:49PM. Mayor Mulligan requested a motion regarding the Statement of Consistency Option A. Commissioner Robbins made a motion to approve the Statement of Consistency Option A (listed below). The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Statement Regarding the Consistency of the Proposed Amendment to the Unified Development Ordinance with the Burgaw 2030 Comprehensive Land Use Plan

Option A: Finding the proposed amendment consistent with the land use plan, reasonable, and in the public interest The board finds that the proposed text change amendment is consistent with the Burgaw 2030 Comprehensive Land Use Plan because it supports the profitability and sustainability of existing businesses and industries and because the plan recommends reviewing, and amending as necessary, the town's ordinances to remove unnecessary barriers to the retention and expansion of existing businesses. While individual nonconforming uses may not be in conformance with the plan's Future Land Use Map, the proposed text change is reasonable since it allows uses currently in existence to expand as necessary on land they already occupy. In addition, the proposed text change is in the public interest because public health, safety, and general welfare would not be negatively impacted by the expansion of a nonconforming use's building.

There being no further discussion, Commissioner Rooks made a motion to approve Ordinance 2014-36 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2014-36
APPROVING A TEXT CHANGE AMENDMENT TO *SECTION 19-4: EXTENSION OR ENLARGEMENT OF NONCONFORMING SITUATIONS* OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the Town of Burgaw is a municipal corporation organized under the laws of North Carolina, invested with the powers enumerated in Chapter 160A of the North Carolina General Statutes; and
WHEREAS, the Town of Burgaw Board of Commissioners adopted the Unified Development Ordinance (UDO) and official zoning map on December 12, 2000; and
WHEREAS, current language in the UDO regarding the expansion of nonconforming uses is conflicting; and
WHEREAS, the Town of Burgaw desires to clarify that the buildings housing nonconforming uses may be expanded as long as they meet ordinance standards; and
WHEREAS, the Town of Burgaw also desires to clarify that nonconforming uses may be expanded to occupy lands on the original tract; and
WHEREAS, the Town of Burgaw Planning and Zoning Board voted at their November 20, 2014 regular meeting to recommend the proposed text change amendment; and
WHEREAS, the Town of Burgaw Board of Commissioners finds that the proposed amendment is consistent with the Burgaw 2030 Comprehensive Land Use Plan's goals to reduce unnecessary barriers to the retention and expansion of existing businesses; and
WHEREAS, the Town of Burgaw Board of Commissioners also finds that the proposed amendment is reasonable and in the public interest because building must still meet all ordinance standards and because there is no link between public health, safety, and general welfare and larger buildings;
NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:
SECTION 1: The Town of Burgaw Unified Development Ordinance be amended to read:
Section 19-4: Extension or Enlargement of Nonconforming Situations
(B) Nonconforming Uses:
(1) Subject to paragraph (A) (2) of this subsection, a nonconforming use may be extended throughout any portion of a completed building that, when the use was made nonconforming by this Ordinance, was manifestly designed or arranged to accommodate such use. ~~However, subject to Section 19-7 of this Ordinance (authorizing the completion of nonconforming projects in certain circumstances); a nonconforming use may not be extended to additional buildings or to land outside the original building.~~ *No nonconforming use shall be expanded to occupy a greater area of land than was occupied by such use at the time it became nonconforming; specifically, no nonconforming use may expand to land not part of the original tract at the time the use became nonconforming.*
(2) A building or structure devoted to a nonconforming use may be enlarged, extended, reconstructed, or moved as long as it meets all standards of this ordinance.
(3) Subject to Section 19-7 of this Ordinance (authorizing the completion of nonconforming projects in certain circumstances), a nonconforming use of open land may not be extended to cover more land than was occupied by that use when it became nonconforming.
SECTION 2: This amendment to the Unified Development Ordinance becomes effective immediately upon adoption of this ordinance on this, the 9th day of December, 2014.

Public Hearing 2 – *Rebekah Roth, Planning Administrator*

Consideration of a text change amendment to Sections 4-9 and 4-10 of the Unified Development Ordinance updating uses allowed in the B-1 zoning district and requiring solid waste plans.

The public hearing was opened at 5:50PM.

Rebekah Roth, Planning Administrator presented the following background information:

> **Background.** This past summer, the Town of Burgaw Board of Commissioners approved a grant to offset water and sewer capacity fees for certain uses in the downtown area. One of the uses encouraged by this grant is restaurants; however, the zoning ordinance still requires a conditional use permit for this use. The primary zoning issue reviewed during the conditional use permit process for downtown restaurants is solid waste. None of the other conditional use standards listed in the ordinance apply for existing buildings, and all new construction in the B-1 district requires a conditional use permit regardless of the use. Currently, entrepreneurs who would like to start a business have to go through the conditional use process, paying approximately $300 in application fees, before receiving zoning approval, and they still have to meet all building and health department codes.
>
> **Proposed Text Change.** To reduce the regulatory burden for these businesses, staff has prepared a text change amendment that will allow restaurants as a use-by-right in the B-1 zoning district. Because solid waste provision is an issue for any change of use, the amendment requires a solid waste plan be approved by the town in advance of occupancy. The proposed text change also clarifies when dumpster screening requirements will be triggered.
>
> While reviewing the existing Table of Permitted Uses, staff noticed that ambulance services are still allowed as a use-by-right. This was originally permitted because of a pre-existing EMS station that has since moved. A new ambulance service downtown may cause health and safety issues, depending on its location and site layout; as a result, the amendment removes this use from the B-1 zoning district.
>
> Finally, a provision requiring fire marshal approval of accessory structures in the Central Fire District is also included to clarify for applicants and town staff that such approval is necessary.
>
> **Planning Board Recommendation**
>
> At their November 20, 2014 meeting, the Planning Board found that the proposed amendment was consistent with the Land Use Plan and was reasonable and in the public interest. They voted to recommend approval of the proposed amendment.

Commissioner Rooks asked if there are any other B1 districts other than downtown. Ms. Roth advised "no". Commissioner Rooks commented that it seems strange to declare ambulances as health and safety issues in the B1 district although odds are slim that there will ever be another rescue squad service downtown. Ms. Roth advised when she took the issue to the Planning Board for consideration they decided that there really is not a place for rescue service in the B1 and it would probably never happen again.

Mayor Mulligan closed the public hearing at 5:55PM.

There being no further discussion, Commissioner Dawson made a motion to approve Statement of Consistency Option A (listed below). The motion was seconded by Commissioner Rooks and carried by unanimous vote.

Statement Regarding the Consistency of the Proposed Amendment to the Unified Development Ordinance with the Burgaw 2030 Comprehensive Land Use Plan

Option A: Finding the proposed amendment consistent with the land use plan, reasonable, and in the public interest

The board finds that the proposed text change amendment is consistent with the Burgaw 2030 Comprehensive Land Use Plan's recommendations to promote the downtown as a place for community gatherings and the focal point of the tourism industry. The proposed amendment also conforms to the Town Center land use recommendations of the Future Land Use Map. The board finds that the proposed changes are reasonable and in the public interest because they remove barriers to new businesses already encouraged by other town programs and desired by the town. In addition, the primary health and safety concerns are met by proposed standards and existing building and health department regulations.

Mayor Mulligan requested approval of Ordinance 2014-37.

Commissioner Dawson made a motion to approve Ordinance 2014-37 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2014-37
APPROVING AN AMENDMENT TO SECTION 4-9 AND 4-10 OF THE UNIFIED DEVELOPMENT ORDINANCE UPDATING THE USES ALLOWED IN THE B-1 ZONING DISTRICT AND REQUIRING SOLID WASTE PLANS

WHEREAS, the Town of Burgaw is a municipal corporation organized under the laws of North Carolina, invested with the powers enumerated in Chapter 160A of the North Carolina General Statutes; and
WHEREAS, the Town of Burgaw Board of Commissioners adopted the Unified Development Ordinance (UDO) and official zoning map on December 12, 2000; and
WHEREAS, the Town of Burgaw desires to encourage more restaurant uses in the B-1, Downtown Business, zoning district; and
WHEREAS, emergency medical services located downtown may negatively affect the public health, safety, and general welfare; and
WHEREAS, the current ordinances allow emergency medical services downtown but require restaurants obtain a conditional use permit; and
WHEREAS, the Town of Burgaw Planning and Zoning Board voted at their November 20, 2014 regular meeting to recommend the proposed text change amendment; and
WHEREAS, the Town of Burgaw Board of Commissioners finds that the proposed amendment is consistent with the Burgaw 2030 Comprehensive Land Use Plan's recommendations to promote the downtown as a place for community gatherings and the focal point of the tourism industry; and
WHEREAS, the Town of Burgaw Board of Commissioners also finds that the proposed amendment is reasonable and in the public interest because it will remove barriers to new businesses already encouraged by other town programs and desired by the town;
NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:
SECTION 1: The Town of Burgaw Unified Development Ordinance be amended to read:
Section 4-9: Table of Permitted Uses

USES	**B-1**
AMBULANCE SERVICES/RESCUE SQUAD	X
RESTAURANT, FULL SERVICE	C *X*[30]
RESTAURANT, LIMITED SERVICE	C *X*[30]

Section 4-10: Notes to the Table of Permitted Uses
[4]**Accessory Structure/Building.** No residential occupancy shall be allowed in any accessory structure. Accessory structures are limited to a maximum of fifty percent (50%) of the total gross floor area of the primary structure, if applicable, or a conditional use permit must be issued by the Board of Commissioners in accordance with the standards and regulations of Section 14-20 of this ordinance. No more than two (2) accessory structures shall be allowed on property being used for residential purposes. *Plans for all accessory structures to be located in the Central Fire District must be approved by the fire marshal prior to issuance of a zoning permit.* See *Section 14-9: Notes to the Table of Area, Yard, and Height Requirements* for additional requirements.
[24]~~**Dumpster Screening**~~ ***Solid Waste Receptacles.*** *Approval of a solid waste plan outlining type, number, location, and screening (if applicable) is required for all new uses and primary structures prior to occupancy.* All dumpster and/or refuse receptacles must be screened with a wooden fence made with pressure treated lumber or other material approved by the Land Use Administrator around the entire dumpster area. The fence must be of a height that will prevent the dumpster from being seen from any existing street. In the event that a fence over six (6) feet is necessary to satisfy these requirements, the height limitations in Section 14-9 Note 2(4) may be waived by the Land Use Administrator. The owners/lessees of the dumpster shall take all reasonable actions to prevent unauthorized use and/or rummaging of the dumpster. All commercial dumpsters and/or refuse receptacles must be secured at all times unless being used or serviced in an authorized manner. These requirements may be extended to include all other commercial trash or waste disposal receptacles. Additional requirements may be added at the discretion of the Land Use Administrator in order to prevent or reduce the aesthetic and/or environmental impacts of the commercial dumpsters and refuse receptacles. *All existing dumpsters and refuse containers must come into compliance with these requirements, if applicable, at the time of issuance of any new zoning permit.*
[30]***Restaurants in the B-1 District.*** *New drive-through or walk-up windows on pre-existing buildings are not allowed.*

SECTION 2: This amendment to the Unified Development Ordinance becomes effective immediately upon adoption of this ordinance on this, the 9th day of December, 2014.

PUBLIC FORUM

(Mayor Mulligan delayed the public forum until after the public hearings in order to allow Mr. Ramsey time to prepare his presentation.)

Russell Ramsey, N Cowan Street, requested the Board to consider action to remove a tree on the right-of-way beside his house that is growing around the utility pole that services his house with electricity. He advised during inclement weather the electrical service is sometimes pulled away from his house because of the tree which is being held up by the pole. Mr. Ramsey made a lengthy presentation with pictures along with his request.

After much discussion, Commissioner Rooks made a motion to take from non-departmental reserve funds an amount not to exceed $700.00 to take down the tree and grind the stump at Mr. Ramsey's house. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ITEMS FROM ATTORNEY

None.

ITEMS FROM MANAGER

PowerPoint Presentation regarding proposed State Revolving Fund Loan and Grant for Water Meter Conversion Project

Mr. McEwen introduced Mr. Roy Lowder with Carolina Meter Supply who is present to answer any technical questions regarding the meters. He commented that Mr. Lowder has worked with many meter conversions and has been very helpful with the development of this process.

Mr. McEwen presented a very lengthy power point presentation. There was much discussion throughout the presentation. (*The power point presentation is attached to these minutes.)*

Upon completion of the presentation, Mr. McEwen advised the Board doesn't need to make a decision tonight but he must let the Department of Environment and Natural Resources (DENR) know in January about the funding with a letter of intent.

After a lengthy discussion, Commissioner Rooks made a motion to instruct the Town Manager to proceed with completing the paperwork for committing the Town to the loan grant package provided by the State Revolving Fund grant. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

Resolution 2014-50 Considering an Addendum to the Service Agreement with Waste Industries Acknowledging Waste Industries as the Exclusive Solid Waste and Recycling Provider for Residential and Commercial Customers within the Corporate Limits of the Town of Burgaw

Mr. McEwen advised in the past the Town's solid waste contract with OCS and Waste Management included language that stated the companies were the exclusive solid waste and recycling provider for all residential and commercial customers within the Town of Burgaw. However, when the last Onslow Container Services (OCS) contract was signed this language was deleted by OCS. The Town and Waste Industries, who bought OCS and accepted the assignability clause in our existing OCS contract, were under the assumption that Burgaw was a franchised or closed market for all residential and commercial customers.

Mr. McEwen advised per the discussion at the last Board meeting he requested proposals from other vendors regarding commercial dumpster services. He said the only other response he received was from Pink Trash in Wilmington. The proposals are shown below:

Schedule B:
PINK TRASH
Commercial Dumpster Rate Sheet

The Contractor will provide commercial service for businesses located within the Town limits. The prices to be noted in the table are to include charges for providing designated collection services, container rental and disposal fees.

Garbage Collection Service:

Container Size	1x per week	2x per week	3x per week
2 cubic yard	$60	$95	$130
4 cubic yard	$95	$140	$185
6 cubic yard	$135	$195	$250
8 cubic yard	$175	$250	$325

Schedule B:
WASTE INDUSTRIES
Commercial Dumpster Rate Sheet

The Contractor will provide commercial service for businesses located within the Town limits. The prices to be noted in the table are to include charges for providing designated collection services, container rental and disposal fees.

Garbage Collection Service:

Container Size	1x per week	2x per week	3x per week
2 cubic yard	$49.20	$95.43	$135.47
4 cubic yard	$77.45	$149.32	$221.56
6 cubic yard	$98.54	$188.65	$279.43
8 cubic yard	$119.49	$217.95	$316.41

Mr. McEwen advised after much discussion with the two vendors above, he feels that Waste Industries is the best option. Mr. McEwen advised the recommendation is the approval of the requested addendum to Waste Industries contract contingent upon the Board agreeing to the attached fee schedule for commercial and residential rates as well as the exclusive nature of the proposed addendum.

Commissioner Robbins made a motion to approve Resolution 2014-50 as presented. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

RESOLUTION 2014-50
Resolution Considering an Addendum to the Service Agreement with Waste Industries Acknowledging Waste Industries as the Exclusive Solid Waste and Recycling Provider for Residential and Commercial Customers within the Corporate Limits of the Town of Burgaw (FIRST ADDENDUM TO SOLID WASTE AND RECYCLING AGREEMENT)

THIS FIRST ADDENDUM TO SOLID WASTE AND RECYCLING AGREEMENT (this "Addendum") is entered into by and between Waste Industries, LLC ("Waste Industries") and the Town of Burgaw ("Town"), effective as of December 09, 2014. Capitalized terms used and not otherwise defined herein will have the meaning set forth in the Agreement (as defined below).
WHEREAS, Town and Waste Industries (as assignee of Onslow Container Service, Inc.) are parties to that certain Solid Waste and Recycling Agreement dated September 12, 2013 (the "Agreement"); and
WHEREAS, Town and Waste Industries desire to supplement the terms and conditions of the Agreement as set forth herein.
NOW THEREFORE BE IT RESOLVED, in consideration of the recitals, the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The parties acknowledge and agree that during the Initial Term and any extensions thereof, Waste Industries is the exclusive provider for residential and commercial solid waste and recycling services within the corporate limits of Town. No other contractor or provider will be permitted to provide residential and commercial solid waste and recycling services within the corporate limits of Town. With respect to commercial services, Waste Industries will enter into individual service agreements with such businesses based upon rates previously provided by Waste Industries and approved by the Town.
2. Except as specifically amended or modified by this Addendum, the terms and conditions of the Agreement will remain unimpaired, unaffected, and unchanged in every particular as set forth in the Agreement.

Witness my hand and the corporate seal of said Town of Burgaw this the ninth day of December, 2014.

New Benefits Deductions for Employees

Mr. McEwen informed the Board that staff has expressed interest in the addition of a 457(b) Plan as a payroll deduction for employees. He advised the Board there is no cost to the town for this addition; this is an optional plan that employees may participate in if they desire. He advised this addition will require approval of a resolution by the Board at the January meeting.

Roundabout Project Update

Mr. McEwen advised he has received notice that NCDOT has included the roundabout project in the Transportation Improvement Plan (TIP).

Update on Buildings and Grounds Board meeting

Mr. McEwen advised the following items were discussed at the December 4th Buildings and Grounds Board meeting:

- Holly trees: will leave hollies that are living with the exception of one that is in the middle of the block which will be relocated to another area.
- Planters: planting boxes will be put back out and will be planted with liriope.
- Community sign: decision was made to move forward with a proposal for that sign and to get final costs for the sign. The sight location recommended for the sign is the corner lot between the building inspections/planning office and the arts council building. He advised he has requested a quote from Stewart Sign Company and is waiting for a reply.
- Crosswalks: decision was made to get quotes for the encroachment agreement at Wright Street to address the bulb outs and crosswalks that have been previously discussed.

ITEMS FROM MAYOR

None.

ITEMS FROM BOARD OF COMMISSIONERS

Commissioner Rooks asked Allen Wilson, Fire Administrator to update the Board regarding the firefighters that saved a life during a structure fire recently. Mr. Wilson advised two of our firefighters brought an unconscious victim out of the structure and EMS attended to the victim. Commissioner Rooks said he would like for this heroic action to be noted in the press and asked Mr. Wilson if this could be done. Mr. Wilson advised the fire department has established an awards program and this is currently in the works. He advised the award will be made at a Board of Commissioners meeting in near future.

CLOSED SESSION – Pursuant to GS 143-318.11 (a) (6) Personnel (7:55PM)

Commissioner Robbins made a motion to go into closed session pursuant to GS 143-318.11 (a) (6) personnel. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

OPEN SESSION RECONVENED (8:36PM)

Upon reconvening to regular session, Commissioner Dawson made a motion to increase Chad McEwen's salary by 6% based on an excellent evaluation. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

ADJOURNMENT

There being no further business, Commissioner Rooks made a motion to adjourn. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

The meeting adjourned at 8:38PM.

____
Eugene Mulligan, Mayor

Attest: ________________________________
Sylvia W. Raynor, Town Clerk

Proposed Meter Conversion Project

December 9, 2014

Background

- Part of a larger Water System Rehabilitation Project
- $1.36 M Loan/Grant Funding Package from NC State Revolving Fund (SRF)program
  - 0% loan with 20 year term
  - Project Includes:
    - Permanent Generator w/ ATS at N. Smith St. Well ($60,000)
    - Water Line Replacement on N. Dickerson, W. Satchwell, E. Fremont, and N. Timberly ($400,000)
    - AMI Water Meter Conversion ($350k-$400k)

Background

- CDBG Grant (Pending) for 2nd Part of Water Rehabilitation Project
  - Census Tract 5 (Southwest Portion of Town)
  - Water line upsizing and system improvements
  - Cost Estimate is $280,000
  - 100% grant funding eligible
  - January 2015 announcement on recipients

Important Points

- SRF eligible funded components and CDBG eligible funded components are independent
- Any component can be deleted
- E. Fremont St. water line relocation only includes 50% of paving costs
  - 50% of paving cost-noneligible SRF expense (GFFB or Powell Bill)
- SRF will only pay for "Smart Meter" conversion

Water Meter Conversion (AMI)

- "Smart Meters"
  - AMI= Advanced Metering Infrastructure (fixed network) (or)
  - AMR= Automatic Meter Reading (drive-by)
- Utilizes an Internet based platform which operates of radio frequency (RF) technology to transmit user data
- Replace the current touch read water meters

Benefits of AMI (fixed network) vs. AMR (drive-by) Conversion

AMR	Benefits and Limitations	AMI
One Way Communication	Communication	2 Way Communication
Monthly	Data Collection Interval	Up to 30 Times an Hour
Walk or Drive by Collection	Means of Data Collection	Fixed Network
Limited	Analytics	Advanced
Reactive	Customer Service	Proactive

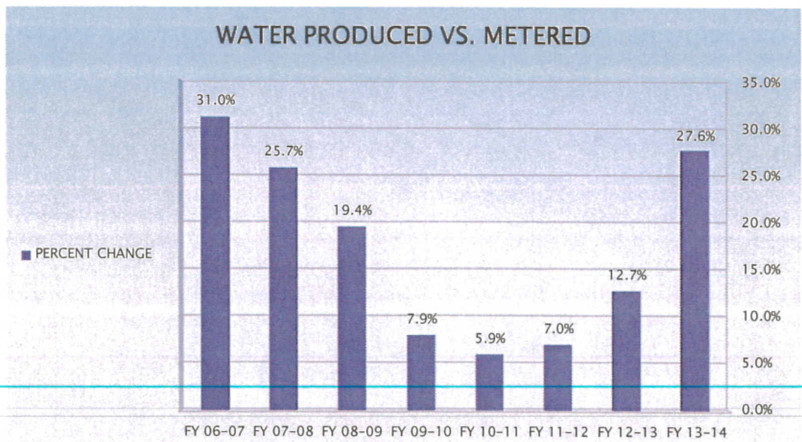
Benefits of Smart Meters vs Our Current Touch Read Meters

1. Meter Accuracy

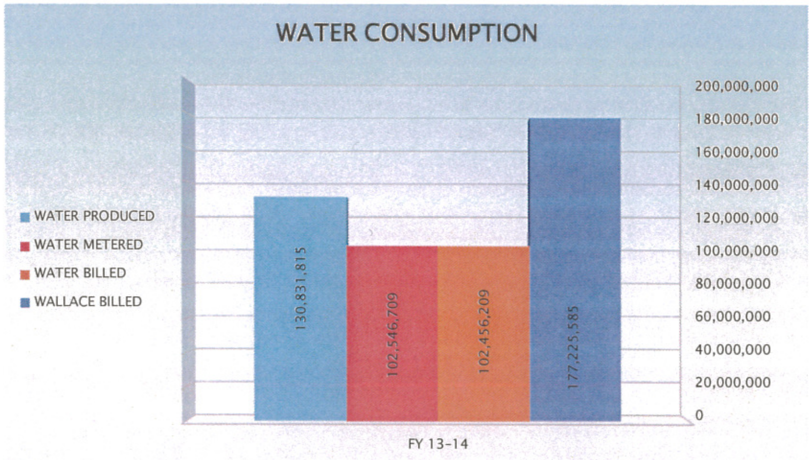
IMPORTANT

- Non-Revenue Water Equals Water Produced Minus Water Sold (see charts)
- Non-Revenue Water Equals Non-Revenue Sewer
- Touch Read meters slow down gradually for years even during their useful life
- Contracted with UWS, Inc. from Georgia to calibrate;
  - 23 largest water customers (see list)
  - 18 "random" low volume users sample

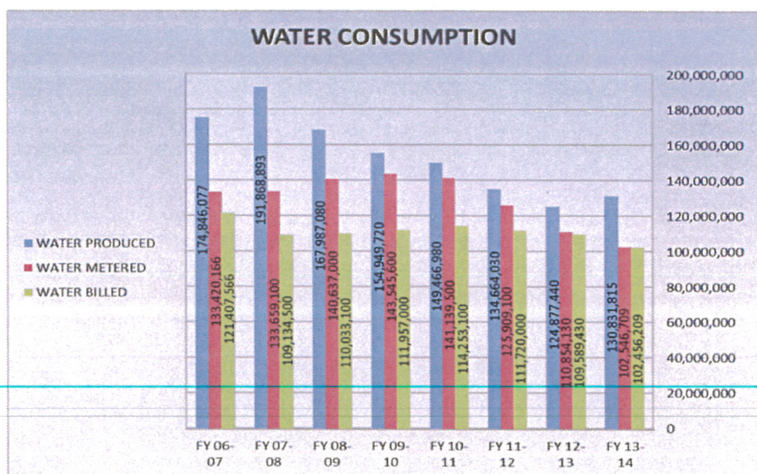
Non-Revenue Water



Water Produced vs Sewer Billed



Trend of Water Consumption



Benefits of Smart Meters vs Our Current Touch Read Meters

IMPORTANT

- Non-Revenue Water Equals Water Produced Minus Water Sold (see charts)
  - Water rate- 0.00522 cent gal
- Non-Revenue Water Equals Non-Revenue Sewer
  - Sewer rate- 0.00839 cent gal

Largest Water Customers with Calibration Results

Name	Address	Water Usage (12-month period) (gal)	Accuracy (%)	Non-Revenue Water (gals)	Non-Revenue Water (Lost Revenue)	Non-Revenue Sewer (Lost Revenue)
[redacted]	[redacted]	22,177,800	97.7%	1,173,205	$6,124	$9,843
[redacted]	[redacted]	4,077,500	100.4%			
[redacted]	[redacted]	2,856,750	96.5%	99,986	$522	$839
[redacted]	[redacted]	2,336,000	83.5%	385,440	$2,012	$3,234
[redacted]	[redacted]	1,695,900		Meter to old to test		
[redacted]	[redacted]	1,633,900	91.5%	138,882	$725	$1,165
[redacted]	[redacted]	1,438,400	98.9%	15,822	$83	$133
[redacted]	[redacted]	1,420,700	96.9%	44,042	$230	$370
[redacted]	[redacted]	1,276,500	99.2%	10,212	$53	$86
[redacted]	[redacted]	1,042,700	92.7%	76,117	$397	$639
[redacted]	[redacted]	880,400	51.5%	426,994	$2,229	$3,582
[redacted]	[redacted]	876,500	99.9%	876	$5	$7
[redacted]	[redacted]	850,500	95.1%	41,675	$218	$350
[redacted]	[redacted]	751,000	96%	30,040	$157	$252
[redacted]	[redacted]	733,400	84.2%	115,877	$605	$972
[redacted]	[redacted]	729,400		Meter to old to test		
[redacted]	[redacted]	664,400		Meter to old to test		
[redacted]	[redacted]	664,100	95.9%	27,228	$142	$228
[redacted]	[redacted]	625,200	99.7%	1,876	$10	$16
[redacted]	[redacted]	582,100		Meter to old to test		
[redacted]	[redacted]	519,700	98%	10,394	$54	$87
[redacted]	[redacted]	342,600	91.3%	29,806	$156	$250
[redacted]	[redacted]	261,300	64.8%	91,978	$480	$772
TOTAL*		48,436,750	91.2%	2,720,450	$14,201	$22,825
*NOTE: 23 high volume users above constitute 47% of all water metered/sold by Burgaw in FY 13-14			Non-Revenue Water and Sewer		$37,025	

Low Volume Users Calibration Results

Low Volume Users Sample

Address	Accuracy (%)
[redacted]	62.3%
[redacted]	95.7%
[redacted]	91.8%
[redacted]	97.9%
[redacted]	97.5%
[redacted]	98.9%
[redacted]	99.9%
[redacted]	98.4%
[redacted]	99.2%
[redacted]	99.5%
[redacted]	99.0%
[redacted]	99.8%
[redacted]	99.3%
[redacted]	100%
[redacted]	99.8%
[redacted]	99.7%
[redacted]	100%
[redacted]	99.7%
Average (Omit outlyers (62.3% and 100%)	98.5%
102,456,209 gal a year @ 53%	54,301,790 @ 1.5 % loss 814,526 gal (non-revenue water)
Non-Revenue Water (.00463 gal)	$3,771
Non-Revenue Sewer (.00839 gal)	$6,833
Total	$10,604
1394 Water Customers	.63 cent month

Benefits of Smart Meters vs Our Current Touch Read Meters

2. Operational Cost Savings
   - Meter Reading — Annual Cost
     - Initial Reading-2 P.W. Employees @1.5 days (24 hrs.) @ $25/hr. (salary, benefits, equipment cost, etc.) @12 mths. — $7,200
     - Re-Reading- 2 P.W. Employees @ ¼ day (4 hrs.) @ $25/hr. @ 12 mths. — $1,200
     - M&R Sensus Equip. and Software License — $3,300
     - Reduced Water Write-offs — $1,000
     - M&R Vehicle — TBD
     - W.C. Premium (employees to be reclassified) — TBD
       - W.C. Exposure — Significant

         15% MOD Impact last Yr. ($8K)

Benefits of Smart Meters vs Our Current Touch Read Meters

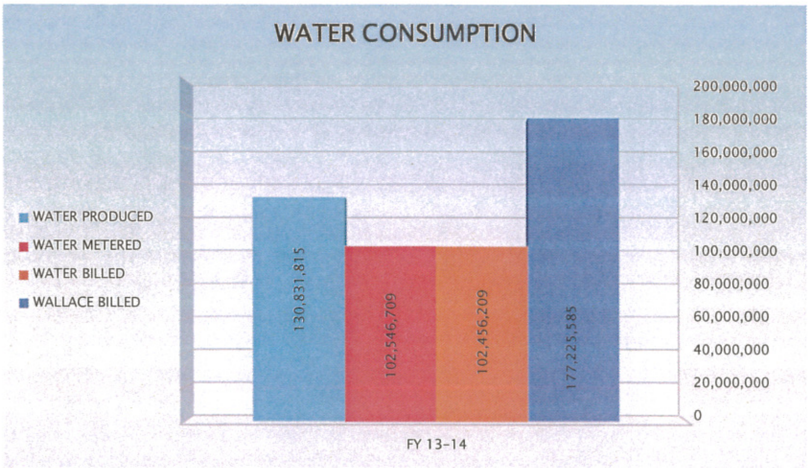
3. Improved Customer Service
   - Leak and Continuous flow Detection (instantly)
4. Greater Optimization of the Distribution System (see chart)
   - Back-flow detection
   - Tamper detection
5. Better Asset Management
   - Complimented w/ Utility Cloud software we can;
     - Know what we have (size, model, age, features, etc.)
     - Know its location (g.p.s. located upon install)
     - Know how its operating
     - Know when it needs replacing (budget tool)
6. Reutilization of P.W. Employees
   - They could be doing something else more productive

Replace Existing Vs. AMI Upgrade

Meter Size	# of Meters	Mechanical Replacement Cost (Touch-read)		Mechanical Replacement Cost (AMI)	
5/8 and 3/4 (residential)	1,394	1, 394 @ $200 each	$278,800	1394 @ $220 each	$306,680
2"	30	30 @ $1,000 each	$30,000	30 @ $1,500 each	$45,000**
3"	1	1 @ $1,300 each	$1,300	1 @ $2,200 each	$2,200**
6"	1	1 @ $3,000 each	$3,000	1 @ $4,800 each	$4,800**
8"	1	1 @ $5,000 each	$5,000	1 @ $6,840 each	$6,840**
TOTALS	**1,427**	**Replace with Touch-Read**	**$318,100**	**Replace with AMI**	**$365,520***

Price is Meters only- Does not include approximately $25,000 for laptop, software, and communication sites
**Compound Meters quoted- Turbo meters possible depending on nature of use at about 50% of cost

Water Produced vs Sewer Billed By Wallace



Water Produced vs Sewer Billed By Wallace

- 2013
  - Water Produced- 130,831,815 gallons
  - Water Billed- 102,456,209 gallons
  - Difference- 28,375,606 (Non-Revenue Water)
- Non-Revenue Water due to several factors
  - Active Flushing Program
  - Distribution Leaks
  - Meter Inaccuracy

Water Produced vs Sewer Billed By Wallace

- 2013
  - Sewer Billed by Wallace- 177,225,585 gal
  - Water Billed- 102,456,209 gal
  - Difference- 74,769,376 gal
- Assumptions
  - Non-Revenue Sewer
    - Sewer I&I
    - Meter Inaccuracy

Annual Cost-Benefit of Conversion (Benefits)

- Operational Cost Savings- $12,700
- Non-Revenue Water- $17,972
- Non-Revenue Sewer- $29,658

TOTAL $60,330

- Unqualifiable- Improved customer service, leak, tamper, backflow detection, better asset management, lost utilization

Annual Cost-Benefit of Conversion (Cost)

- Debt Service $20,000
  - $400k w/ 20 yr. note w/ 0%
- Software and Hosting Services $18,600

TOTAL $38,600

Annual Cost-Benefit of Conversion

- Conservative Estimates- Benefits (Quantifiable Only) $60,330
- Annual Cost of Conversion ($38,600)

Positive Cost-Benefit $21,730

Conclusions

- Non-Revenue water/sewer additional revenues= 2 times annual debt service
- Largest Impact ($)- Total Water Users
  - Meter inaccuracy
    - due to age/condition
    - Wrong meters in service based on nature of use
- Negligible Residential or Low Volume User Impact (1.5%)
- It's the right move from a asset management, budgeting, customer service, and rate structure standpoint
- Provides greater accountability and equitability for all customers

Questions?