



AGENDA | BOARD OF COMMISSIONERS REGULAR MEETING

November 18, 2025 at 4:30 PM

Burgaw Town Center
108 E Wilmington St

1. Call to Order

2. Invocation

3. Pledge of Allegiance

4. Approval of Agenda

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.

A. Approval of the October 14, 2025 Regular Meeting Minutes

B. Approval of the October 14, 2025 Closed Session Minutes

C. Master List of Street Closures for Public Events

6. Special Requests/Presentations

A. Employee Recognitions

B. Mayor's Proclamation - National Hospice and Palliative Care Month

C. Angela Blake - Request closure of parking spaces for event

D. Burgaw Rotary Club - Request usage of Burgaw Community House

E. FY 2024-2025 Audit Presentation - Lee Grissom, S. Preston Douglas & Associates

F. Water Main Replacements Project (Areas 1, 2, & 3)

7. Departmental Items

A. Building Inspections Department

Louis Hesse, Building Code Administrator

B. Finance Department

Tiffany Byrd, Finance Officer

C. Fire Department

Johnathan Prevatte, Fire Chief

D. Human Resources Department

Kimberly Rivenbark, Human Resources Director/Deputy Town Clerk

E. Information Technology Department

Dustin McCullen, IT Director

F. Parks, Recreation & Tourism Department

Cody Suggs, Parks & Recreation Director

G. Planning Department

Ron Meredith, Planning Director

- I. Ordinance 2025-22 Amending the Town of Burgaw Code of Ordinances Chapter 34, Trees and Shrubs, Article II, Tree Board

H. Police Department

James Rowell, Police Chief

I. Public Services Department

Chris Medlin, Public Services Director

- I. Public Works Division Manager Update - Alan Moore

- II. Facilities & Grounds Division Manager Update - Damon Stanley

8. Public Forum

9. Items from Manager

- A. License Agreement with Cape Fear Council Boy Scouts of America (Pack 247 / Troop 242)

- B. Resolution 2025-24 Supporting Project R-5701 for Traffic Signal Installation

- C. Resolution 2025-25 Supporting Traffic Signal Installation US Hwy 117 Bypass & Wilmington St
- D. Updates on current projects

10. Items from Attorney

11. Items from Mayor and Board of Commissioners

- A. Resolution 2025-23 In support to retain and use the full six percent occupancy tax revenue collected within the Town of Burgaw
- B. Other items to be announced

12. Closed Session

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

13. Adjournment

TOWN OF BURGAW BOARD OF COMMISSIONERS REGULAR MEETING

DATE: October 14, 2025
TIME: 4:30 PM
PLACE: Burgaw Town Center, 108 E. Wilmington Street
BOARD MEMBERS PRESENT: Mayor Olivia Dawson, Mayor Pro-tem James Malloy, Commissioners Jan Dawson, Bill George, William Rivenbark and Michael Pearsall

Call to Order

Mayor Dawson called the meeting order at 4:30 PM.

Invocation

Commissioner Malloy led the invocation.

Pledge of Allegiance

The Pledge of Allegiance was recited, followed by a moment of silence for the country requested by Mayor Dawson.

Approval of Agenda

Commissioner Dawson moved to approve the agenda. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

Mayor Dawson noted that the Board had previously adopted a procedure where only a motion was needed without a second, though this would be implemented moving forward.

Approval of Consent Agenda

Commissioner Malloy moved to approve the agenda. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

Mayor Dawson mentioned that there had been changes made to the layout of the staff and board seating arrangement, and asked everyone to bear with them as they make adjustments over the next couple of months.

Special Requests/Presentations

Employee Recognitions

Kimberly Rivenbark, HR Director/Deputy Town Clerk, introduced new hires:

- Tiffany Byrd, Finance Officer, introduced Madison Bachelor as the new Customer Service Representative.

- Alan Moore, Public Works Director, introduced Michael Krebs, who has been with the town for over a month and has 20 years of township experience in Pennsylvania.
- Johnathan Prevatte, Fire Chief, introduced Ellen Williams, as the newest volunteer firefighter who is a recent high school graduate from Onslow County Schools with state certification as a firefighter and currently working on EMT certification.

Kimberly Rivenbark, Human Resources Director, recognized the following employee achievements:

- Andrew Vann with the Police Department was recently promoted to Detective.
- Lieutenant Johnathan Paluck with the Fire Department received his North Carolina EMT Basic certification.
- Several Fire Department staff (Lieutenant Paluck, Firefighter Carlisle, Engineer Moniak, and Firefighter Williams) will be attending engine crew clinic.
- Public Works Director Alan Moore is taking distribution certification classes.
- Finance Officer Tiffany Byrd is enrolled in the new finance officers course offered by the UNC School of Government.
- Finance and Development Coordinator Adela Matthews will attend the North Carolina debt set off 2025 workshop.
- Both Tiffany Byrd and Kelly Fox will attend the School for New Finance Officers offered by North Carolina League of Municipalities.
- James Gantt noted that Kimberly Rivenbark had received a scholarship through Civic Federal Credit Union to attend the School of Government's Municipal and County Administration course, an 8-month program examining all aspects of municipal and county government.

Departmental Items

Information Technology Department

Dustin McCullen, IT Director, reported:

- There was an uptick in IT support tickets for September, with approximately 45+ tickets handled and completed.
- The cloud migration project for police department body-worn cameras has been completed with vendor sign-off, and is now in the monitoring phase with no issues reported.
- The laptop refresh project is progressing, with a laptop for the new police detective being completed and deployed.
- Four additional laptops still need to be rolled out to patrol and one for the planning department.

Public Works Department

Alan Moore, Public Works Director, reported:

- His department has been installing new street signs and stop signs.
- They have been addressing water leaks.

- Staff is participating in BUMP training.
- Tested generators.
- Cleaned line of sight issues.
- Conducted meter rereads.
- Demoed a street sweeper that was well received.

Commissioner Pearsall inquired about the snow plow that was discussed at the last meeting. Town Manager Gantt confirmed it has been purchased from DOT and they are waiting for DOT to finalize the paperwork.

Fire Department

Johnathan Prevatte, Fire Chief, reported:

- There was a slight uptick in in-district structure fires over the last month with two incidents, though damage was minimized through quick response.
- The department logged 628 training hours in September.
- Lieutenant Paluck received his state EMT certification, with two other personnel scheduled to take their certification tests.
- One additional staff member will soon take the EMT course.
- The engine crew clinic training will be held for four department members, focusing on hose line deployment and fire attack techniques.
- For fire prevention month, the department has scheduled 48 community engagement visits.
- By year's end, the department is projected to complete 108 community engagement events (up from 78 last year) with approximately 30,000 interactions with community members.

Facilities & Grounds Department

Damon Stanley, Facilities & Grounds Director, reported:

- His department completed several projects including installing hand dryers in the depot, as well as electrical work.
- Recently completed a sod project.
- The old jail project is moving smoothly and should be finished by the end of the following week. Interior work is being done to address water infiltration issues.

Commissioner Pearsall asked about the overgrown Pender Memorial Park that was discussed in the previous meeting. Mr. Stanley confirmed they have reached out to the responsible party at the county, as it is not the town's responsibility.

Commissioner Dawson asked if the Parks, Recreation and Tourism Department could move into their new offices by November 1st. Mr. Stanley explained that while they couldn't meet that exact deadline due to furniture assembly requirements and ongoing water infiltration repair work, they would work toward that goal as soon as possible.

Commissioner Pearsall brought up the issue of staff uniforms, noting that some employees were not wearing their town uniforms. Mr. Stanley explained there had been quality issues

with one employee's uniforms where the patches were coming off, and stated that one employee no longer works for the town. He assured the board that he has addressed the uniform issue.

Parks, Recreation & Tourism Department

Cody Suggs, Parks, Recreation & Tourism Director, reported:

- The Parks Foundation hosted its first annual golf tournament the previous week, raising approximately \$14,000 for the splash pad project.
- Upcoming events include Friday night's Movie in the Park and Saturday's Autumn Fest with associated street closures and a 5K run.
- The tennis court project is nearing completion with all lights installed and the second coating of lacquer applied that day, with line painting scheduled for the next day.
- Courts will remain closed until the next to allow proper curing.
- Mr. Suggs suggested a photo opportunity for the board to showcase the tennis court improvements, suggesting Friday of the following week.
- He noted the area outside the tennis courts could accommodate at least one pickleball court.
- The west side trail project is progressing with materials being staged and a surveyor coming to mark property lines.
- Silt fencing is scheduled to be installed the following week.
- The water line for the dog park has been installed, with the hydrant installation pending.

Mr. Suggs presented Ordinance 2025-21 for the Board's consideration, which would amend the Town of Burgaw Code of Ordinances to include dog park rules. The rules address vaccinations, reporting dog bites to the police department (a state law requirement), and other basic regulations concerning dog owner responsibility. Commissioner Rivenbark stated he wants to make sure the rules cover that the town is not liable.

Commissioner Malloy made a motion to approve Ordinance 2025-21 as presented. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Commissioner Pearsall commended Mr. Suggs on the success of the golf tournament and the fundraising efforts that didn't require taxpayer money. He also acknowledged that Mr. Suggs added maintenance of Blueberry Row to the town's landscaping contract as discussed in the previous meeting, along with on-going flea and tick treatment for the dog park.

Planning Department

Ron Meredith, Planning Director, reported:

- His department has been working on UDO updates.
- Successfully completed grant closure for RCP phase 3, including design of the rain garden element. Phase 4 of the process is now underway, with a contract included in the consent agenda.
- Sea Breeze Dental site plan was approved and work has begun.

- QuickMed is pending approval after going through the TRC process (this is a by-right development that won't require Board approval).
- Zoning enforcement is ongoing.
- Regarding the track adjacent to the ball fields that Commissioner Rivenbark mentioned at the previous meeting, the responsible party began cutting it on Monday.

Commissioner Pearsall inquired about vehicles on Satchwell Street and in a Burgaw alleyway that are encroaching on town property and preventing proper ditch cleaning. Mr. Meredith acknowledged these ongoing issues and explained that attempts to serve violation notices had been challenging. Commissioner Rivenbark expressed concern about the three-month delay in resolving these issues, while Commissioner Pearsall noted that the sheriff's department had made multiple attempts to serve papers.

Building Inspections Department

Louis Hesse, Building Code Administrator, reported:

- His department remains very busy with large projects including the law enforcement center and the health and human services building.
- The dentist office (Sea Breeze Dental) is in the final stages of plan review.
- QuickMed has submitted plans for review.
- Easter Seals is completing their projects, though they've had to add sprinkler heads after a required backflow preventer reduced water pressure.
- Progress has been made on several minimum housing issues.
- The department issued 23 new permits and conducted over 200 inspections for the month.
- Donna Sayer, Community Development Coordinator, has resigned from her position after receiving a job advancement opportunity.
- Adela Matthews is performing excellently in her new role assisting the Building Inspections Department.

Commissioner Dawson requested that the department's report include physical addresses for properties to make the information more user-friendly. Mr. Hesse agreed to make this change.

Commissioner Malloy inquired about houses on Wright Street and West Drain/Dickerson Street with ongoing minimum housing issues. Mr. Hesse provided updates on each property, noting that one property owner on Wright Street had received zoning and demo permits that day, and explained the challenges with properties where they were attempting to serve notices to absent owners.

Finance Department

Tiffany Byrd, Finance Officer, reported:

- The audit is underway. The auditors believe the audit should be completed by the end of the month. Commissioner Rivenbark emphasized the importance of not missing the audit deadline, and Ms. Byrd assured him they were on track.
- Kelly and Adela are still training in their new roles and becoming more comfortable with their responsibilities.

- Once training is complete, they plan to create better dashboards for the board and improve transparency.
- Maddie is doing an excellent job as Customer Service Representative.
- All finance staff have training scheduled in the coming weeks.

Human Resources Department

Kimberly Rivenbark, HR Director/Deputy Town Clerk, reported:

- The town hosted a shred and electronics recycling event the previous Friday.
- Currently recruiting for a Maintenance Worker, Patrol Officer, and soon will post for the opening in the Planning Department.

Police Department

Chief Rowell presented Resolution 2025-22 authorizing the retirement of police K-9 Kane and approval of adoption by handler Sergeant Thomas Padgett. A retirement ceremony is scheduled for Thursday, October 30 at 10:00 AM at the Burgaw Town Center.

Commissioner Dawson made a motion to approve Resolution 2025-22 as presented. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Chief Rowell also reported:

- Two new AEDs have been placed in service, replacing end-of-life units.
- Detective Corporal Farren is attending a 40-hour negotiator training class.
- On Thursday evening, there will be a domestic violence vigil and walk in cooperation with Safe Haven, starting at Brown Dog Coffee at 5:00 PM.
- The department will be assisting with Autumn Fest at Topsail and with a Governor's Highway Safety Program event in Holly Ridge on Saturday.
- Two new police vehicles have been acquired and are waiting to be outfitted with equipment.
- Two older vehicles will be surplused once the new vehicles are in service.

Public Forum

Clint North, representing Boy Scout Troop 242, presented a packet containing a list of 72 scouts who have obtained the rank of Eagle Scout with Troop 242, along with 19 letters from former Eagle Scouts expressing their concern about the Scout Hut. He noted the importance of both Boy Scouts to the Town of Burgaw and the Scout Hut to the scouts of Troop 242.

Hugh Frazer stated he has been a member of Troop 242 since 1986 when he moved to Burgaw. He shared historical information about the troop's service to the community, including:

- During Hurricane Katrina, the troop collected and repaired bicycles for the town of Gaucher, Mississippi, which was Burgaw's sister town.
- During Hurricane Floyd, the troop adopted a family whose home had been damaged by flooding, helping to completely rebuild their house over nine months.

- The troop helped an elderly resident named Bill Bannon who was living in poor conditions.
- He explained that the troop had maintained and improved the Scout Hut building for many years, including installing roofing, HVAC systems, and making other repairs.

Mr. Fraser noted that historically, the Lions Club had sponsored the Boy Scout troop until approximately 2017, but that the Lions Club had not regularly used the building during his time with the troop. He described a recent situation where the Lions Club had changed the locks on the building and removed the troop's equipment without providing an inventory.

William Pearsall stated he has been involved with the troop for 45 years. He noted the importance of having a dedicated space for the scouts to meet and spread out their materials. He asked the board to approve the agreement to allow the scouts to continue using the building, noting that the Lions Club has never used the building since he's been involved in scouting.

Justin Milam shared that he achieved the rank of Eagle Scout in 2004 and his Eagle project was at Christian Services. He has now returned to Burgaw and is serving as an assistant Cub Scout master, with his son in his second year of scouting.

Robby Frazer explained that three years ago, his eldest son became old enough to be a Tiger Cub. He, his wife, and Justin started Pack 247 back up and have received a positive response from the community. They now have several boys ready to register for Boy Scouts. The pack has been using the Scout Hut for the past two years for older group meetings. He requested the renewal of the contract between the scouts and the Town of Burgaw.

After hearing comments from the public, the board discussed the history of the Scout Hut, including information provided by Attorney Blanchard related to the contracts on file from years ago.

Commissioner Rivenbark noted that his son was in Boy Scouts and that the Scouts have performed much of the maintenance over the years. To his knowledge, from the 1980s to present, the Lions Club has not used the building. The Town Attorney stated that under the original agreement, it was the Lions Club's obligation to maintain the building, which has not been occurring.

Commissioner Rivenbark asked for confirmation that the 1961 contract remains a legal document. The Attorney confirmed it does, with an amendment in the 1970s. Commissioner Rivenbark further noted that the 1970s amendment does not appear to be signed.

Mr. Hugh Frazer spoke, including comments regarding a crushed sewer line at the building.

In conclusion, the board expressed support for the Boy Scouts' continued use of the building but wanted to ensure proper legal steps were taken. Mayor Dawson indicated the town would investigate the situation and contact the scouts by Friday with a resolution.

Items from Manager

Town Manager James Gantt reported on several ongoing projects:

- The sewer expansion project and water/sewer master plan with McKim and Creed is progressing.
- Duke Energy is working downtown with coordinated efforts to minimize disruption.

- The Fire Department received an AFG grant for \$100,000 for a plumb event system (95-5 grant requiring 5% town match).
- The Fire Department also received a SAFER grant for additional staffing.
- The street sweeper will cost approximately \$350,000, with financing recommended over leasing. Mr. Gantt noted the final payment for the grapple truck will be made this year, with the first payment for the street sweeper next year, resulting in no net budget impact. He also noted the sweeper would be purchased under state contract, therefore no bids were necessary. Commissioner Pearsall agreed with Mr. Gantt's plan and stated he thinks it is a great investment. He also suggested setting a sweeping schedule once the new street sweeper is in service.
- The stormwater master plan is progressing well and will be discussed at the late October work session.

Items from Attorney

No items were presented by the attorney.

Items from Mayor and Board of Commissioners

Consideration of approval of the Scouting America Facilities Use & Indemnity Agreement

This item was discussed during the Public Forum and the board agreed to investigate the situation and contact the scouts with a resolution.

Commissioner Rivenbark stated for the record that he wants the Boy Scouts to remain in the building. The Attorney and staff will contact the Lions Club to work toward a resolution.

Mayor Dawson reiterated that the board wishes for the Boy Scouts to remain in the building and is in favor of continuing their use of the facility. Commissioner Rivenbark requested it be made official that the board supports Pack 247 and Troop 242 staying in the building, and no board members voiced opposition.

Other items

Mayor Dawson requested the street closures for the annual Chamber of Commerce's Christmas parade was included in the list of pre-approved road closures for town events. Chief Rowell said staff is looking at a slightly different route towards the end of the parade that would carry the parade down Hayes Street to South Walker Street. It was noted this is the way it was years ago. The Board approved returning to the previous parade route that included Hayes Street and Walker Street.

Commissioner Rivenbark made a motion to approve the new parade route that would be included in pre-approved street closures for town events. Motion carried by unanimous vote.

Mayor Dawson mentioned that a Mayor's page is being added to the town website to improve transparency and provide information to the public.

Closed Session

The board voted to move into closed session pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege and NC GS 143-318.11(a)(6) Personnel.

Commissioner Dawson made a motion to go into closed session at 6:33 PM. The motion carried by unanimous vote.

Adjournment

Commissioner George made a motion to adjourn the meeting at 7:43 PM. The motion carried by unanimous vote.

DRAFT

Parks, Recreation, & Tourism Master List of Street Closures

Updated 10/30/2025

2nd Friday of Each Month—Classic Car Cruise In (Pender Arts Council)

- No streets will be closed but drivers are encouraged to fill in downtown parking spaces

1st Saturday in May—Springfest

- Wright Street from Courthouse Avenue to Fremont Street. 5:30 pm Friday to Saturday at 4:00 pm
- Wright Street from Wilmington Street to Fremont Street. 5:00 am-4:00 pm
- Fremont Street from Wright Street to Walker Street. 5:00 am-4:00 pm

4 Thursdays in Summer—Summer on the Square Concerts

Dates chosen each year by the Burgaw Parks, Recreation and Tourism Department.

2026 dates are as follows May 21, June 4, June 18, and July 2

- Closure of parking spaces on Wright Street (courthouse side) from Fremont Street to Courthouse Ave. 5:00 am – 9:00 pm.

3rd Saturday in June and Friday Before—NC Blueberry Festival

- One lane of Dudley Street from Piggly Wiggly Parking Lot to Fremont Street. Friday at 3:00 pm to Saturday at 10:00 am.
- Wright Street Parking Spaces on from Courthouse Avenue to Fremont Street. Friday at 5:00 am to Saturday at 11:00 pm
- Wright Street from Wilmington Street to Fremont Street. Friday at 12:00 pm to Saturday at 11:00 pm.
- Courthouse Avenue and Alley from Wright Street to Dickerson Street. Friday at 12:00 pm to Saturday at 11:00 pm.
- Fremont Street from Walker Street to Wright Street. Friday at 6:00 am to Sunday at 12:00 pm.
- Walker Street from Wilmington Street to Fremont Street. Friday at 5:30 pm to Saturday at 11:00 pm.
- Walker Street from Fremont Street to Satchwell Street. Friday at 10:30 pm to Saturday at 11:00 pm.
- Fremont Street from Walker Street to Cowan Street. Friday at 10:30 pm to Saturday at 11:00 pm.

- Fremont Street from Wright Street to Dudley Street. Friday at 10:30 pm to Saturday at 11:00 pm.
- Wright Street from Fremont Street to Satchwell Street. Friday at 10:30 pm to Saturday at 11:00 pm.
- Dickerson Street from Wilmington Street to Fremont Street. Friday at 10:30 pm to Saturday at 11:00 pm.
- Dickerson Street from Fremont Street to Satchwell Street. Friday at 10:30 pm to Saturday at 11:00 pm.
- Satchwell Street from Dickerson Street to Dudley Street. Friday at 6:00 pm to Saturday at 6:00 pm.

4th Saturday in June—Juneteenth Celebration

- Parking spaces on both sides of Wright Street from Fremont Street to Courthouse Avenue from 5:00 am – 9:00 pm.
- Wright Street from Fremont Street to Courthouse Avenue from 4:00 pm – 9:00 pm
- Fremont Street from Wright Street to Walker Street from 5:00 am – 9:00 p m
- Dickerson Street from Industrial Drive to Williams Street from 7:00 pm – 7:30 pm
- Clark Street from Dudley Street to Dickerson Street from 7:00 pm-7:30 pm

July 4—Golf Cart Parade

- Dickerson Street from Wilmington Street to Courthouse Avenue. 9:30-11:30 am
- Dickerson Street from Courthouse Avenue to Satchwell Street. 10:00-10:30 am
- Fremont Street from Dickerson Street to Wright Street. 10:00-10:30 am
- Wright Street from Courthouse Avenue to Satchwell Street. 10:00-10:30 am
- Satchwell Street from Dickerson Street to Wright Street. 10:00-10:30 am
- Courthouse Avenue from Dickerson Street to Wright Street. 10:00-10:30 am

September—Pender United Annual Community Day, Unknown Saturday

- Fremont Street from Wright Street to Walker Street. 3:00-7:00 pm

September—Homecoming Parade (Pender High School), Unknown Friday

- Wright Street from Williams Street to Fremont Street. 4:20-5:30 pm or end of event
- Fremont Street from Dickerson Street to Wright Street. 4:20-5:30 pm or end of event
- Dickerson Street from Williams Street to Fremont Street. 4:20-5:30 pm or end of event
- Williams Street from Dickerson Street to Wright Street. 4:20-5:30 pm or end of event
- Hayes Street from Dickerson Street to Wright Street. 4:20-5:30 pm or end of event
- Satchwell Street from Dickerson Street to Wright Street. 4:20-5:30 pm or end of event

Fall Concerts

Dates chosen each year by the Burgaw Parks, Recreation and Tourism Department.

- Closure of parking spaces on Courthouse Avenue from Wright Street to Alley way. 5:00 am-9:00 pm
- Closure of Courthouse Ave from Wright Street to alleyway. 3:00 pm – 9:00 pm

3rd Saturday in October – Autumn Fest

- Closure of Fremont Street from Wright Street to Walker Street. 12:00 am – 7:00 pm
- Closure of Wright Street from Fremont Street to Highway 53. 12:00 am -7:00 pm

October 31st--Trunk or Treat (Burgaw Baptist Church)

- Bridgers Street from Wright Street to Walker Street. 4:30-8:00 pm

3rd Saturday in November –Chili Cookoff (NC Blueberry Festival)

- Courthouse Avenue from Wright Street to Dickerson Street. 5:00 am -6:00 pm

4th Saturday in November – Christmas Tree Lighting

- Closure of parking spaces on both sides of Wright Street from Fremont Street to Courthouse Avenue. 5:00 am – 9:00 pm
- Closure of Wright Street from Courthouse Avenue to Fremont Street. 3:00 pm – 9:00

1st Saturday in December - Christmas on the Square

- Closure of Wright Street from Courthouse Avenue to Fremont Street. 6:00 am – 5:00 pm

2nd Saturday in December – Christmas Parade (Chamber of Commerce)

- Industrial Drive from Dickerson Street to Progress Drive—4:30 pm-end of event
- Dickerson Street from Enterprise Drive to Bridgers Street—5:00 pm-end of event
- Fremont Street from Dudley Street to Walker Street—5:00 pm-end of event
- Wright Street from Bridgers Street to Williams Street—5:00 pm-end of event
- Wilmington Street from Dudley Street to Cowan Street—5:00 pm-end of event
- Walker Street from East Hayes Street to Bridgers Street—5:00 pm-end of event

- Walker Street from East Hayes Street to Bicket Street—5:30 pm-end of event

December 31st - New Years Eve Blueberry Drop

- Closure of parking spaces on both sides of Wright Street from Fremont Street to Courthouse Avenue. 5:00 am – 9:00 pm.
- Closure of Wright Street from Fremont Street to Courthouse Avenue. 4:00 pm – 9:00 pm
- Closure of Fremont Street from Wright Street to Walker Street. 5:00 am – 9:00 pm
- Dickerson Street from Industrial Drive to Williams Street. 7:00 pm – 7:30 pm
- Clark Street from Dudley Street to Dickerson Street. 7:00 pm-7:30 pm

MAYOR'S PROCLAMATION

National Hospice and Palliative Care Month November 2025

WHEREAS, Lower Cape Fear LifeCare was rated as five stars by families and caregivers in the most recent Centers for Medicare and Medicaid Services hospice survey results, the highest rating possible; and

WHEREAS, Lower Cape Fear LifeCare ranks among the top 92% of hospices nationwide in the quality of their person-centered, compassionate care for patients, their families, and the communities they serve; and

WHEREAS, Lower Cape Fear LifeCare utilizes an interdisciplinary team of professionals and volunteers to serve patients and families in hospice care, palliative care, and dementia support; and

WHEREAS, Lower Cape Fear LifeCare attends to patients' emotional and spiritual needs, providing support services such as respite care, caregiver support, and grief counseling; and

WHEREAS, Lower Cape Fear LifeCare, a local nonprofit agency, engages community members through educational events, volunteer activities, and giving opportunities; and

WHEREAS, Lower Cape Fear LifeCare serves more than 8,000 patients and families each year, including residents of Pender County dealing with serious illness;

NOW, THEREFORE, BE IT RESOLVED that the Town of Burgaw does hereby proclaim November 2025 as National Hospice and Palliative Care Month and encourages members of the public to increase their understanding and awareness of access to care for life limiting illnesses at the end of life, and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Burgaw to be affixed this 18th day of November, 2025.

G. Olivia Dawson, Mayor



**Town of Burgaw
ITEM REPORT**

Item: 6F

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: James Gantt, Town Manager
AGENDA ITEM DESCRIPTION: Water Main Replacements Project (Areas 1, 2, & 3)	
SUMMARY STATEMENT: Background: The Water Main Replacement Project is a Board-led initiative funded through the Town's \$10.6 million state appropriation. The project aims to replace aging water mains in key areas of Town to improve system reliability, reduce maintenance costs, and enhance service capacity for residents and businesses. McKim & Creed is providing engineering and design-build services for the project. A draft Design-Build Agreement (Amendment No. 1) for the Water Main Replacements—covering Areas 1 (West Fremont Street), 2 (South Dickerson Street), and 3 (South Bennett Street)—is included in the agenda packet for Board review. The document outlines the scope of work, contract structure, timeline, and proposed contract price. The draft agreement is provided for discussion and feedback prior to final consideration. The purpose of this agenda item is to update the Board on the project status and provide an opportunity to ask questions about the draft agreement, project scope, schedule, and next steps.	
STAFF RECOMMENDATION AND REQUESTED ACTION:	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	
ATTACHMENTS (IF ANY): Burgaw WM Replacements_Amend1 DB, Map Overview	

October 13, 2025

252554

James Gantt, Town Manager
Town of Burgaw
109 N. Walker Street
Burgaw, NC 28425

Re: **Proposal for Professional Consulting Engineering Services
Town of Burgaw Water Main Replacements Project (Areas 1, 2, & 3)
Amendment No. 1 – Design-Build Agreement**

Dear Mr. Gantt:

McKim & Creed is pleased to present Amendment No. 1 for Design-Build of the Water Main Replacements Project for the following Areas:

- Area 1 – West Freemont Street
- Area 2 – South Dickerson Street
- Area 3 – South Bennett Street

In consideration of the mutual covenants and obligations contained herein, The Town of Burgaw (Owner) and the Design-Builder (McKim & Creed, Inc.) agree as set forth herein:

Article 1

Scope of Work

1.1 Design-Builder shall perform all design and construction services, and provide all material, equipment, tools, and labor, necessary to complete the Work described in and reasonably inferable from the Contract Documents. The Contract Documents are described as follows:

- Design plans titled "TOWN OF BURGAW WATER MAIN REPLACEMENTS" dated _____, 2025.
- Technical specifications titled "TOWN OF BURGAW WATER MAIN REPLACEMENTS" dated _____, 2025.

243 North Front Street

Wilmington, NC 28401

910.343.1048

Fax 910.251.8282

www.mckimcreed.com

Article 2

Contract Documents

2.1 The Contract Documents are comprised of the following:

- 2.1.1** All written modifications, amendments, minor changes, and Change Orders to this Agreement issued in accordance with DBIA Document No. 535, *Standard Form of General Conditions of Contract Between Owner and Design-Builder* (2022 Edition) (“General Conditions of Contract”).
- 2.1.2** The Basis of Design Documents, including the Owner’s Project Criteria, Design-Builder’s Proposal and the Deviation List, if any, contained in the Design-Builder’s Proposal, which shall specifically identify any and all deviations from Owner’s Project Criteria.
- 2.1.3** This Agreement, including all exhibits and attachments, executed by Owner and Design-Builder (List for example, performance standard requirements, performance incentive requirements, markup exhibits, allowances, or unit prices).
- 2.1.4** The General Conditions of Contract; and
- 2.1.5** Construction Documents prepared and approved in accordance with Section 2.4 of the General Conditions of Contract.

Article 3

Interpretation and Intent

- 3.1** Design-Builder and Owner, prior to execution of the Agreement, shall carefully review all the Contract Documents, including the various documents comprising the Basis of Design Documents, for any conflicts or ambiguities. Design-Builder and Owner will discuss and resolve any identified conflicts or ambiguities prior to execution of the Agreement.
- 3.2** The Contract Documents are intended to permit the parties to complete the Work and all obligations required by the Contract Documents within the Contract Time(s) for the Contract Price. The Contract Documents are intended to be complementary and interpreted in harmony so as to avoid conflict, with words and phrases interpreted in a manner consistent with construction and design industry standards. In the event inconsistencies, conflicts, or ambiguities between or among the Contract Documents are discovered after execution of the Agreement, Design-Builder and Owner shall attempt to resolve any ambiguity, conflict or inconsistency informally, recognizing that the Contract Documents shall take precedence in the order in which they are listed in Section 2.1 hereof. Conflicts existing within Section 2.1.2 shall be resolved by giving precedence first to the Deviation List, if any, then the Owner’s Project Criteria, and then the Design-Builder’s Proposal.

- 3.3** Terms, words and phrases used in the Contract Documents, including this Agreement, shall have the meanings given them in the General Conditions of Contract.
- 3.4** If Owner's Project Criteria contain design specifications: (a) Design-Builder shall be entitled to reasonably rely on the accuracy of the information represented in such design specifications and their compatibility with other information set forth in Owner's Project Criteria, including any performance specifications; and (b) Design-Builder shall be entitled to an adjustment in the Contract Price and/or Contract Time(s) to the extent Design-Builder's cost and/or time of performance have been adversely impacted by such inaccurate design specification.
- 3.5** The Contract Documents form the entire agreement between Owner and Design-Builder and by incorporation herein are as fully binding on the parties as if repeated herein. No oral representations or other agreements have been made by the parties except as specifically stated in the Contract Documents.

Article 4

Ownership of Work Product

- 4.1 Work Product.** All drawings, specifications and other documents and electronic data, including such documents identified in the General Conditions of Contract, furnished by Design-Builder to Owner under this Agreement ("Work Product") are deemed to be instruments of service and Design-Builder shall retain the ownership and property interests therein, including but not limited to any intellectual property rights, copyrights and/or patents, subject to the provisions set forth in Sections 4.2 through 4.5 below.
- 4.2 Owner's Limited License Upon Project Completion and Payment in Full to Design-Builder.** Upon Owner's payment in full for all Work performed under the Contract Documents, Design-Builder shall grant Owner a limited license to use the Work Product in connection with Owner's occupancy of the Project, conditioned on Owner's express understanding that its alteration of the Work Product without the involvement of Design-Builder is at Owner's sole risk and without liability or legal exposure to Design-Builder or anyone working by or through Design-Builder, including Design Consultants of any tier (collectively the "Indemnified Parties"), and on the Owner's obligation to provide the indemnity set forth in Section 4.5 below.
- 4.3 Deleted**
- 4.4 Owner's Limited License upon Design-Builder's Default.** If this Agreement is terminated due to Design-Builder's default pursuant to Section 11.2 of the General Conditions of Contract, then Design-Builder grants Owner a limited license to use the Work Product to complete the Project and subsequently occupy the Project, and Owner shall thereafter have the same rights and obligations as set forth in Section 4.2 above. Notwithstanding the preceding sentence, if it is ultimately determined that Design-Builder was not in default, Owner shall be deemed to have terminated the Agreement for convenience, and Design-Builder shall be entitled to the rights and remedies set forth in Section 4.3 above.

- 4.5 Owner's Indemnification for Use of Work Product.** If Owner is required to indemnify any Indemnified Parties based on the use or alteration of the Work Product under any of the circumstances identified in this Article 4, Owner shall defend, indemnify and hold harmless such Indemnified Parties from and against any and all claims, damages, liabilities, losses and expenses, including attorneys' fees, arising out of or resulting from the use or alteration of the Work Product.

Article 5

Contract Time

- 5.1 Date of Commencement.** The Work shall commence within five (5) days of Design-Builder's receipt of Owner's Notice to Proceed ("Date of Commencement") unless the parties mutually agree otherwise in writing.
- 5.2 Substantial Completion and Final Completion.**
- 5.2.1** Substantial Completion of the entire Work shall be achieved no later than Two Hundred Forty (240) calendar days after the Date of Commencement ("Scheduled Substantial Completion Date").
- 5.2.2** Interim milestones and/or Substantial Completion of identified portions of the Work ("Scheduled Interim Milestone Dates") shall be achieved as follows: None.
- 5.2.3** Final Completion of the Work or identified portions of the Work shall be achieved as expeditiously as reasonably practicable. Final Completion is the date when all Work is complete pursuant to the definition of Final Completion set forth in Section 1.2.8 of the General Conditions of Contract. Final Completion of the entire Work shall be achieved no later than Forty-Five (45) calendar days after the date of Substantial Completion.
- 5.2.4** All of the dates set forth in this Article 5 (collectively the "Contract Time(s)") shall be subject to adjustment in accordance with the General Conditions of Contract.
- 5.3 Time is of the Essence.** Owner and Design-Builder mutually agree that time is of the essence with respect to the dates and times set forth in the Contract Documents.

Article 6

Contract Price

- 6.1 Contract Price.** Owner shall pay Design-Builder in accordance with Article 6 of the General Conditions of Contract the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000) ("Contract Price"), subject to adjustments made in accordance with the General Conditions of Contract. Unless otherwise provided in the Contract Documents, the Contract Price is deemed to include all sales, use, consumer and other taxes mandated by applicable Legal Requirements.

Article 7

Procedure for Payment

7.1 Progress Payments.

7.1.1 Design-Builder shall submit to Owner on a monthly basis, beginning with the first month after the Date of Commencement, Design-Builder's Application for Payment in accordance with Article 6 of the General Conditions of Contract.

7.1.2 Owner shall make payment within twenty (20) days after Owner's receipt of each properly submitted and accurate Application for Payment in accordance with Article 6 of the General Conditions of Contract, but in each case less the total of payments previously made, and less amounts properly withheld under Section 6.3 of the General Conditions of Contract.

7.3 Final Payment. Design-Builder shall submit its Final Application for Payment to Owner in accordance with Section 6.7 of the General Conditions of Contract. Owner shall make payment on Design-Builder's properly submitted and accurate Final Application for Payment within thirty (30) days after Owner's receipt of the Final Application for Payment, provided that Design-Builder has satisfied the requirements for final payment set forth in Section 6.7.2 of the General Conditions of Contract.

7.4 Interest. Payments due and unpaid by Owner to Design-Builder, whether progress payments or final payment, shall bear interest commencing five (5) days after payment is due at the rate of ten percent (10%) per month until paid.

Article 8

Termination for Convenience

8.1 Upon thirty (30) days' written notice to Design-Builder, Owner may, for its convenience and without cause, elect to terminate this Agreement. In such event, Owner shall pay Design-Builder for the following:

8.1.1 All Work executed and for proven loss, cost or expense in connection with the Work;

8.1.2 The reasonable costs and expenses attributable to such termination, including demobilization costs and amounts due in settlement of terminated contracts with Subcontractors and Design Consultants; and

Article 9

Representatives of the Parties

9.1 Owner's Representatives.

- 9.1.1** Owner designates the individual listed below as its Senior Representative ("Owner's Senior Representative"), which individual has the authority and responsibility for avoiding and resolving disputes under Section 10.2.3 of the General Conditions of Contract:

**James Gantt, Manager
Town of Burgaw
109 North Walker Street
Burgaw, North Carolina 28425**

- 9.1.2** Owner designates the individual listed below as its Owner's Representative, which individual has the authority and responsibility set forth in Section 3.4 of the General Conditions of Contract:

**James Gantt, Manager
Town of Burgaw
109 North Walker Street
Burgaw, North Carolina 28425**

9.2 Design-Builder's Representatives.

- 9.2.1** Design-Builder designates the individual listed below as its Senior Representative ("Design-Builder's Senior Representative"), which individual has the authority and responsibility for avoiding and resolving disputes under Section 10.2.3 of the General Conditions of Contract:

**Anthony W. Boahn, PE, Vice President
McKim & Creed, Inc.
243 North Front Street
Wilmington, North Carolina 28401**

- 9.2.2** Design-Builder designates the individual listed below as its Design-Builder's Representative, which individual has the authority and responsibility set forth in Section 2.1.1 of the General Conditions of Contract:

**Anthony W. Boahn, PE, Vice President
McKim & Creed, Inc.
243 North Front Street
Wilmington, North Carolina 28401**

Article 10

Bonds and Insurance

- 10.1 Insurance.** Design-Builder's insurance is attached to this Agreement as Exhibit A.

Article 11

Other Provisions

11.1 Other provisions, if any, are as follows:

Any claims, disputes, or controversies between the parties arising out of or related to the Agreement, or the breach thereof, which have not been resolved in accordance with the procedures set forth in Section 10.2 of the General Conditions of Contract shall be resolved in a court of competent jurisdiction in the state in which the Project is located.

Authorization and Acceptance

In executing this Agreement, Owner, and Design-BUILDER each individually represents that it has the necessary financial resources to fulfill its obligations under this Agreement, and each has the necessary corporate approvals to execute this Agreement, and perform the services described herein.

OWNER:

Town of Burgaw

(Name of Owner)

(Signature)

James H. Gantt

(Printed Name)

Town Manager

(Title)

Date: _____

DESIGN-BUILDER:

McKim & Creed, Inc.

(Name of Design-BUILDER)

(Signature)

Anthony W. Boahn

(Printed Name)

Vice-President

(Title)

Date: _____ October 13, 2025

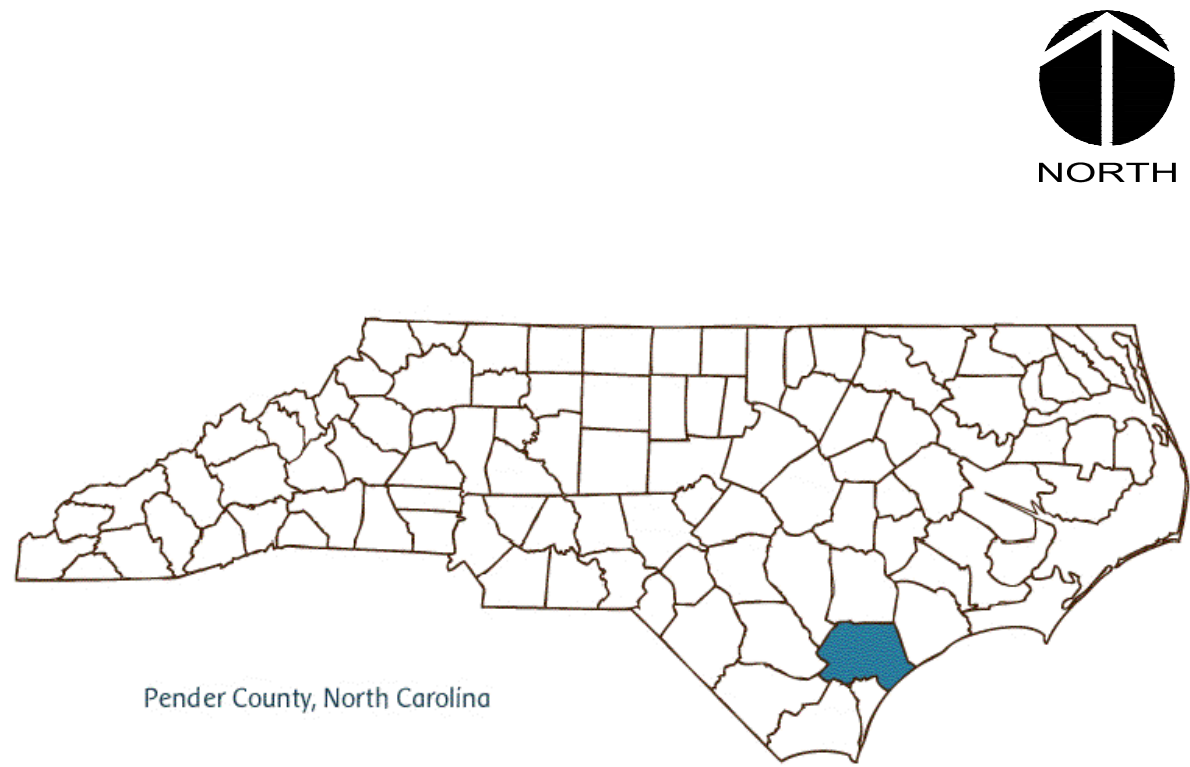
This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act, this the _____ day of _____, 2025.

Finance Officer, Town of Burgaw

TOWN OF BURGAW WATER MAIN REPLACEMENTS

PROJECT NO. 04576-0028
SEPTEMBER 2025

FINAL DESIGN - ISSUED FOR CONSTRUCTION



VICINITY MAP NOT TO SCALE

PROJECT NAME: TOWN OF BURGAW WATER MAIN REPLACEMENTS

OWNER/DEVELOPER: TOWN OF BURGAW
109 N WALKER ST
BURGAW, NC 28425
OFFICE: (910) 663-3440
TOWN HALL: (910) 259-2151

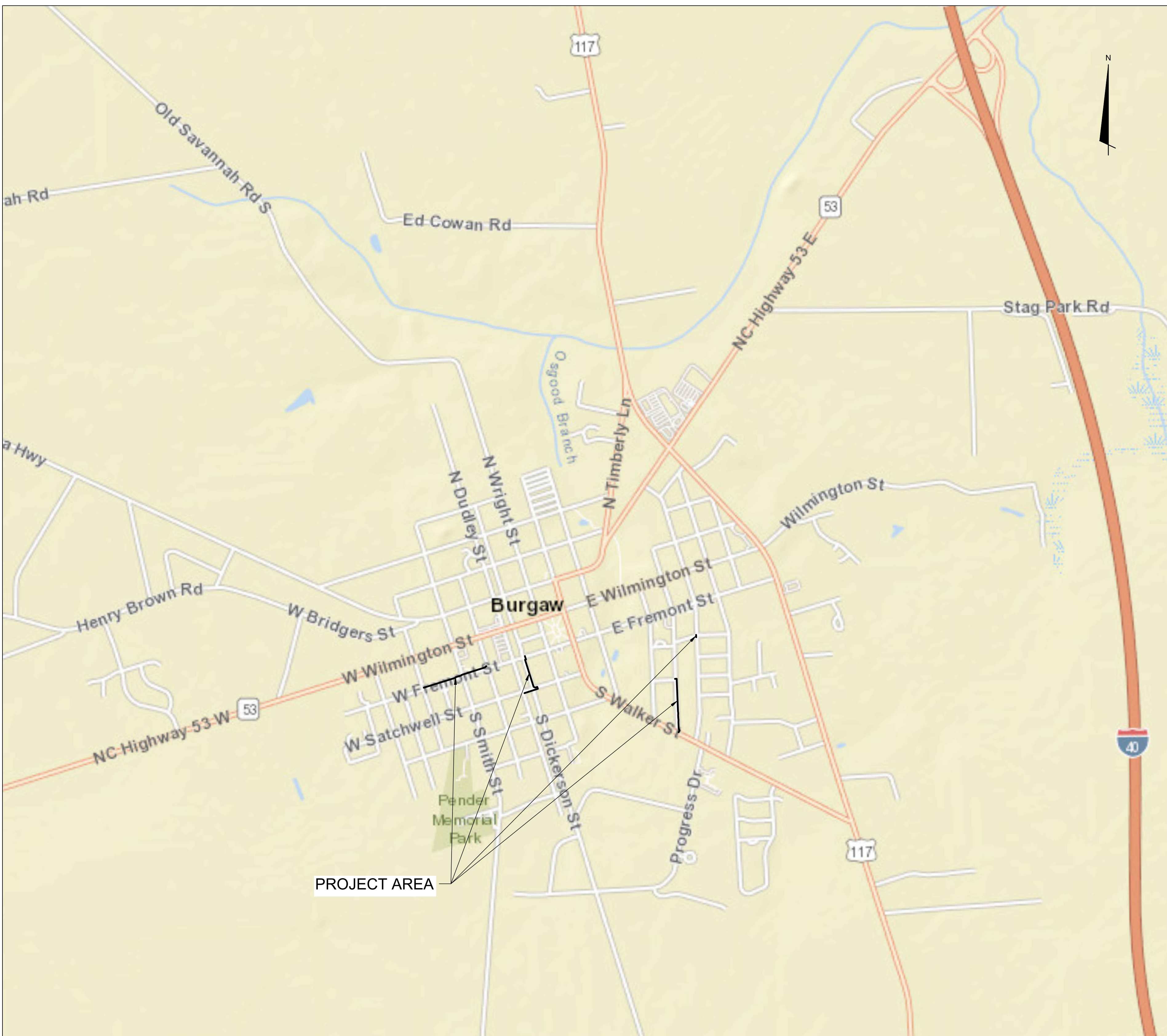




McKIM & CREED
243 N. Front Street
Wilmington, North Carolina 28401
Phone: (910) 343-1048, Fax: (910) 251-8282

NC License# F-1222
www.mckimcreed.com

PROJECT INFORMATION



SITE MAP

SCALE: 1" = 1000'

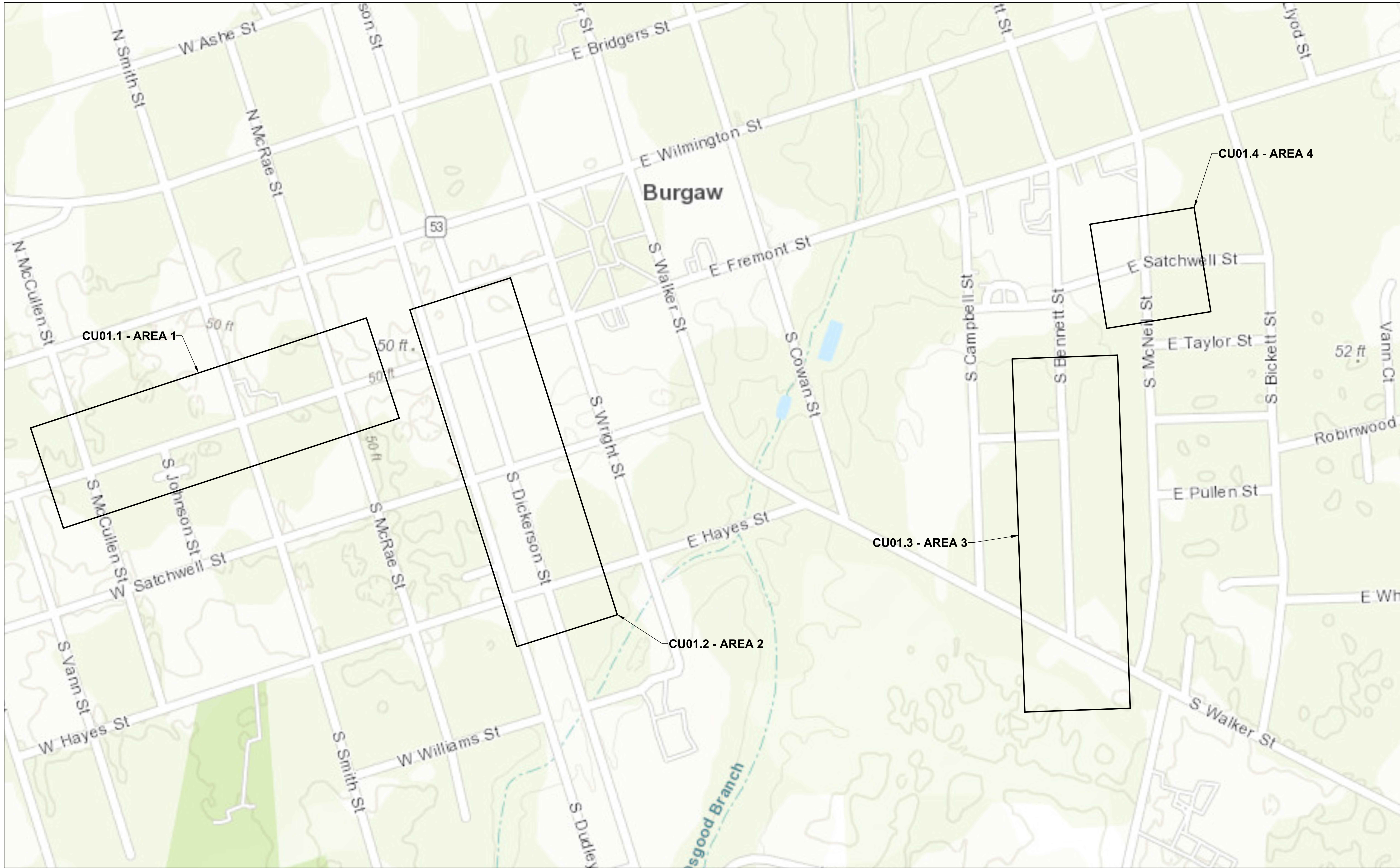
SHEET INDEX

SHEET NO.	SHEET TITLE
GENERAL	
G00.0	COVER
G01.0	LEGEND AND GENERAL NOTES
G02.0	SHEET INDEX
CIVIL	
CU01.1	AREA 1 STA. 0+00 - STA. 12+30
CU01.2	AREA 2 STA. 0+00 - STA. 9+97
CU01.3	AREA 3 STA. 0+00 - STA. 10+67
CU01.4	AREA 4 STA. 0+00 - STA. 1+40
CU02.1	INSETS A AND B
DETAILS	
D01.1	TOWN OF BURGAW STANDARD DETAILS
D01.2	TOWN OF BURGAW STANDARD DETAILS
D01.3	GENERAL DETAILS
D01.4	NCDOT STANDARD ROADWAY DETAILS
DETAILS: EROSION AND SEDIMENTATION CONTROL	
D02.1	GENERAL NOTES AND SCHEDULES
D02.2	NCG01 DETAILS
D02.3	STANDARD DETAILS

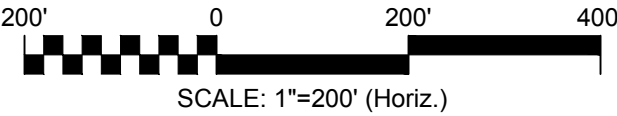


Know what's below.
Call before you dig.

SHEET INDEX



SHEET INDEX MAP
HORIZ. SCALE: 1"=200'



REV. NO.	DESCRIPTION	DATE
F	FINAL DESIGN - ISSUED FOR CONSTRUCTION	2025.09
E	FINAL DESIGN SUBMITTAL - NOT FOR CONSTRUCTION	2025.09
D	FINAL DESIGN SUBMITTAL - NOT FOR CONSTRUCTION	2025.04
C	80% DESIGN SUBMITTAL - NOT FOR CONSTRUCTION	2024.12
B	80% DESIGN SUBMITTAL - NOT FOR CONSTRUCTION	2024.11
A	30% DESIGN SUBMITTAL - NOT FOR CONSTRUCTION	2024.10
REVISIONS		



**MCKIM & CREED**

243 N. Front Street
Wilmington, North Carolina 28401
Phone: (910) 343-1048, Fax: (910) 251-8282

NC License# F-1222
www.mckimcreed.com



**TOWN OF BURGAW WATER
MAIN REPLACEMENTS**

**GENERAL
SHEET INDEX**

PROJ. START DATE:	2024.08
MC PROJ. #	04576-0028
DRAWN	MTN
DESIGNED	KME
CHECKED	AWB
PROJ. MGR.	AWB

SCALE
HORIZONTAL: 1"=200'
VERTICAL: N/A

G02.0
DRAWING NUMBER
F
REVISION

STATUS: **FINAL DESIGN
ISSUED FOR CONSTRUCTION**



**Town of Burgaw
ITEM REPORT**

Item: 7GI

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: Kristin Wells, Town Clerk
AGENDA ITEM DESCRIPTION: Ordinance 2025-22 Amending the Town of Burgaw Code of Ordinances Chapter 34, Trees and Shrubs, Article II, Tree Board	
SUMMARY STATEMENT: This proposed amendment is intended to improve coordination and efficiency in managing urban forestry initiatives, tree maintenance, and compliance with the Town's Tree Ordinance. Staff from key departments are directly involved in the day-to-day implementation, planning, and funding of projects that impact the Town's tree resources. <u>Rationale:</u> • Operational Efficiency: Consolidating Tree Board responsibilities within staff ensures more direct communication and faster implementation of projects. • Technical Expertise: The proposed departments collectively provide expertise in urban planning, maintenance, budgeting, and recreation key components of effective tree management. • Continuity: Staff-led oversight will maintain consistent attention to tree-related matters without adding to the workload of appointed boards. <u>Background</u> The Town of Burgaw's Tree Board responsibilities have evolved over time through several ordinances: • Ordinance 2014-16 (Adopted August 12, 2014): Designated the <i>Town of Burgaw Buildings and Grounds Board</i> to also serve as the <i>Town of Burgaw Tree Commission</i> in coordination with designated Town staff and/or consultants serving as ex officio members. • Ordinance 2018-17 (Amending Ordinance 2018-07, Adopted September 16, 2020): Reassigned the duties of the Tree Commission to the <i>Town of Burgaw</i>	

<i>Planning and Zoning Board</i> in coordination with designated Town staff and/or consultants serving as ex officio members.
STAFF RECOMMENDATION AND REQUESTED ACTION: Staff respectfully request that the Town of Burgaw Board of Commissioners consider approving the proposed transition, formally designating a <i>Town Staff Tree Board</i> to assume the duties of the Tree Board.
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:
FINANCE DIRECTOR COMMENTS:
ATTACHMENTS (IF ANY): Ord Tree Board amendments

ORDINANCE 2025-22

**AMENDING THE TOWN OF BURGAW CODE OF ORDINANCES CHAPTER 34, TREES
AND SHRUBS, ARTICLE II, TREE BOARD**

WHEREAS, the Town of Burgaw (hereinafter “the Town”) 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 Code of Ordinances Chapter 34, Article II outlines the composition and responsibilities of the town’s Tree Board; and

WHEREAS, the Town of Burgaw Board of Commissioners desires that the Town of Burgaw’s Staff including key departments: Planning, Facilities & Grounds, Finance, and Parks, Recreation & Tourism Departments act as the Tree Board; and

WHEREAS, the Planning, Facilities & Grounds, Finance, and Parks, Recreation & Tourism Departments’ role as the Tree Board is not outlined in the current code of ordinances;

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

SECTION 1. The Town of Burgaw Code of Ordinances Chapter 34, Trees and Shrubs, Article II, Tree Board now reads:

Section 34-31. Creation; composition.

~~The Town of Burgaw Planning and Zoning Board will also serve as the Town of Burgaw Tree Commission~~ **Representatives from the Town of Burgaw’s Staff including key departments: Planning, Facilities & Grounds, Finance, and Parks, Recreation & Tourism Departments collectively serve as the Town of Burgaw Tree Board**, in coordination with designated town staff and/or consultants who will serve as ex officio members.

Section 34-32. Duties and responsibilities.

- (a) It shall be the responsibility of the Tree ~~commission~~ **Board** to study, investigate, counsel, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented annually to the Board of Commissioners and upon its acceptance and approval shall constitute the official comprehensive town tree plan.
- (b) The Tree ~~commission~~ **Board**, when requested by the Board of Commissioners, shall consider, investigate, make findings, report and recommend upon any special matter or questions coming within the scope of its work.
- (c) The Tree ~~commission~~ **Board** shall meet no less than two times per year to prepare and administer the official comprehensive town tree plan.

SECTION 2. This amendment to the Town of Burgaw Code of Ordinances becomes effective immediately upon adoption of this ordinance on the 18th day of November, 2025.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor



**Town of Burgaw
ITEM REPORT**

Item: 9A

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: James Gantt, Town Manager
AGENDA ITEM DESCRIPTION: License Agreement with Cape Fear Council Boy Scouts of America (Pack 247 / Troop 242)	
SUMMARY STATEMENT: The Town of Burgaw owns a cinder block building located at 208 S. Smith Street that has historically been used for the Boy Scouts and youth-related activities. Representatives of Cape Fear Council, Boy Scouts of America , on behalf of Pack 247 and Troop 242 , have requested long-term use of the building for meetings, storage of equipment, and general Scout activities. A draft five-year License Agreement has been prepared for review. The agreement grants the Scouts exclusive interior use of the building and requires them to assume all costs associated with renovation, maintenance, utilities, and improvements. The Scouts would also be responsible for keeping the building in good repair and maintaining appropriate liability insurance naming the Town as an additional insured. The Town retains inspection rights and may terminate the agreement with proper notice. This draft is presented for discussion and may be modified based on Board direction prior to final consideration or adoption.	
STAFF RECOMMENDATION AND REQUESTED ACTION:	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	
ATTACHMENTS (IF ANY): Burgaw_Boy_Scouts_License_Agreement_DRAFT	

LICENSE AGREEMENT

TOWN OF BURGAW & BOY SCOUTS OF AMERICA (CAPE FEAR COUNCIL)

COUNTY OF PENDER

This License Agreement ("Agreement") is made and entered into as of the ___ day of _____, 2025, by and between TOWN OF BURGAW, a North Carolina municipal corporation ("BURGAW"), and Cape Fear Council, Boy Scouts of America, on behalf of Pack 247 and/or Troop 242 ("SCOUTING UNIT").

RECITALS

Whereas, BURGAW owns the land and cinder block building at 208 S Smith Street, Burgaw, NC 28425; and

Whereas, the SCOUTING UNIT desires use of the building for meetings, storage, and Scouting activities; and

Whereas, BURGAW agrees to grant such use under the terms below.

ARTICLE 1 – PREMISES, USE, AND IMPROVEMENTS

SECTION 1.01 – PREMISES

The licensed premises consist solely of the cinder block building at 208 S Smith St, including reasonable ingress and egress.

SECTION 1.02 – SCOPE OF LICENSE

The SCOUTING UNIT is granted exclusive interior use for meetings, Scouting activities, and storage. The Premises may be used during regular meeting times and for additional activities as reasonably needed. The building's storage rooms shall be used exclusively by the SCOUTING UNIT for materials and equipment.

SECTION 1.03 – IMPROVEMENTS & MAINTENANCE

All renovations, modifications, maintenance, and repairs shall be performed at the sole expense of the SCOUTING UNIT. Written approval from BURGAW is required before any modifications. The unit accepts the building “as-is.”

The SCOUTING UNIT is responsible for maintaining the building in clean, safe, and orderly condition and for returning the building to original condition at the end of use, excluding reasonable wear and tear.

ARTICLE 2 – TERM, TERMINATION, AND FEES

SECTION 2.01 – TERM

This Agreement is for five (5) years beginning _____, 2025 and ending _____, 2030.

SECTION 2.02 – TERMINATION

Either party may terminate with 60 days’ written notice. Upon termination, the SCOUTING UNIT must remove property, repair any damage it caused, and restore the premises to clean condition.

SECTION 2.03 – LICENSE FEE

No fee shall be charged.

ARTICLE 3 – COMPLIANCE, INSURANCE, AND LIABILITIES

SECTION 3.01 – COMPLIANCE

The SCOUTING UNIT shall comply with all applicable federal, state, and local laws and codes.

SECTION 3.02 – INSURANCE

The SCOUTING UNIT shall maintain Commercial General Liability (CGL) insurance covering losses or claims caused by any member, visitor, volunteer, or other party associated with Scouting activities. Insurance must include:

- Minimum \$1,000,000 per occurrence
- Minimum \$2,000,000 annual aggregate
- Excess liability/umbrella coverage of at least \$1,000,000
- Coverage for bodily injury, sickness, disease, or death of any person
- Coverage for personal and advertising injury
- Property damage liability
- Contractual liability covering obligations in this agreement
- Sexual misconduct/molestation coverage
- A waiver of subrogation in favor of BURGAW

A Certificate of Insurance naming the Town of Burgaw as Additional Insured must be supplied annually and upon renewal.

SECTION 3.03 – INDEMNIFICATION

The SCOUTING UNIT shall indemnify and hold harmless BURGAW and its officers, employees, and agents from all claims arising from use of the premises, except where caused solely by BURGAW's negligence.

SECTION 3.04 – UTILITIES AND TAXES

The SCOUTING UNIT shall pay all utility costs and taxes on its personal property.

ARTICLE 4 – ENTRY & PROPERTY

SECTION 4.01 – RIGHT OF ENTRY

BURGAW retains the right to enter for inspection, maintenance of surrounding land, or emergency purposes.

SECTION 4.02 – PERSONAL PROPERTY

All property stored is at the SCOUTING UNIT's sole risk. BURGAW is not responsible for theft, loss, or damage.

SECTION 4.03 – NON-TRANSFERABILITY

The license may not be assigned or transferred.

ARTICLE 5 – DESTRUCTION

If the whole of the Premises, or such portion thereof as in BURGAW'S reasonable opinion will make the Premises substantially unusable for over sixty (60) days for the purposes provided for in the License, are damaged or destroyed by storm, fire, lightning, earthquake, or other casualty, then, at the option of BURGAW or the SCOUTING UNIT, the term of this License shall cease from the date of such casualty.

ARTICLE 6 – GOVERNING LAW

This License shall be construed in accordance with and governed by the laws of the state of North Carolina.

SIGNATURES

TOWN OF BURGAW

Name:

Title:

Date:

SCOUTING UNIT (Pack 247 and/or Troop 242)

Name:

Title:

Date:

CAPE FEAR COUNCIL

Name:

Title:

Date:

DRAFT



**Town of Burgaw
ITEM REPORT**

Item: 9B

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: James Gantt, Town Manager
AGENDA ITEM DESCRIPTION: Resolution 2025-24 Supporting Project R-5701 for Traffic Signal Installation	
SUMMARY STATEMENT: Background: The Town of Burgaw has worked with NCDOT for nearly two decades to improve traffic safety and efficiency along the NC Highway 53 and US Highway 117 Business corridor. Project R-5701, which includes intersection improvements and new signal installations, has experienced multiple delays—now scheduled for right-of-way acquisition in 2025 and construction in 2027. Meanwhile, traffic volumes and safety concerns have continued to increase, particularly at the Wilmington Street and Wright Street intersection. Purpose: This resolution reiterates the Town's full support for Project R-5701 while placing heightened emphasis on the urgent need to move forward with the installation of a traffic signal at Wilmington Street and Wright Street. The intersection serves school traffic, residential areas, and commercial routes and has experienced rising congestion and incidents.	
STAFF RECOMMENDATION AND REQUESTED ACTION: Approval of the resolution urging NCDOT to expedite the signal installation at Wilmington Street and Wright Street—either as part of Project R-5701 or as a standalone early-action project—and reaffirming support for the broader corridor improvements.	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	

ATTACHMENTS (IF ANY): Res 2025-24 support ncdot project traffic light Wilm and Wright

RESOLUTION 2025-24

RESOLUTION TO SUPPORT PROJECT R-5701 FOR TRAFFIC SIGNAL INSTALLATION & INTERSECTION IMPROVEMENTS ALONG NC HIGHWAY 53 AND US HIGHWAY 117 BUSINESS IN THE TOWN OF BURGAW

WHEREAS, the Town of Burgaw Board of Commissioners support the safe and efficient movement of traffic for residents, visitors, and commerce; and

WHEREAS, the Town of Burgaw has been working with the North Carolina Department of Transportation to improve the safety and efficiency of the NC Highway 53 and US Hwy 117 Business corridor since 2006; and

WHEREAS, the North Carolina Department of Transportation has previously approved project R-5701 for signal installation and intersection improvements on NC Highway 53 and US Highway 117 Business; and

WHEREAS, construction on project R-5701 was scheduled for June 2020; and

WHEREAS, the Town of Burgaw was notified in October of 2019 that project R-5701 was delayed one (1) year with the new construction date in June of 2021; and

WHEREAS, in March of 2021, the Town of Burgaw was notified that, due to reprogramming of projects, project R-5701 was postponed to 2025 for right-of-way acquisition and to 2027 for construction; and

WHEREAS, project R-5701 involves the widening of turning lanes allowing for the safe movement of truck traffic through the only east and west truck route through town; and

WHEREAS, project R-5701 involves the installation of a traffic signal at the intersection of NC Highway 53 and Wright Street, a congested intersection with increasing traffic incidents. Wright St is the direct path between C. F. Pope Elementary School and Burgaw Middle School and a highly traveled bus path for both schools; and

WHEREAS, the intersection of Wilmington Street and Wright Street, which is included within the scope and necessity of signalization efforts, continues to experience escalating congestion, safety concerns, and conflict points for pedestrians, school traffic, and commercial vehicles; and

WHEREAS, due to increasing traffic volumes, school-related travel, and continued collisions, the Town of Burgaw Board of Commissioners finds it essential that signal installation at Wilmington Street and Wright Street be advanced as a priority safety improvement, even if completed ahead of the full R-5701 project timeline; and

WHEREAS, as traffic and incidents continue to increase, project R-5701 and the immediate need for a signal at Wilmington Street and Wright Street become necessities that will

significantly improve the safety along a major North Carolina highway and truck route through our community.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Burgaw Board of Commissioners hereby urgently and unequivocally request that the North Carolina Department of Transportation expedite the installation of a traffic light at the intersection of Wilmington Street and Wright Street as a standalone or early-action project, and further reaffirm the Board's full support for Project R-5701, NC Highway 53 & US Highway 117 Business Intersection Improvements, in order to promote the safety of our community.

Adopted this 18th day of November 2025.

G. Olivia Dawson, Mayor

ATTEST:

Kristin J. Wells, Town Clerk



**Town of Burgaw
ITEM REPORT**

Item: 9C

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: James Gantt, Town Manager
AGENDA ITEM DESCRIPTION: Resolution 2025-25 Supporting Traffic Signal Installation US Hwy 117 Bypass & Wilmington St	
SUMMARY STATEMENT: Background: The intersection of US Highway 117 Bypass and Wilmington Street has experienced increasing traffic volumes and repeated safety concerns, including collisions and near-miss incidents. The location serves residential neighborhoods, local businesses, and emergency service routes, making safe access critically important. Community feedback and public safety input continue to underscore the need for improved traffic control at this intersection. Purpose: The proposed resolution urges the North Carolina Department of Transportation (NCDOT) to prioritize and expedite installation of a traffic signal at this location to address ongoing safety hazards and improve overall traffic flow.	
STAFF RECOMMENDATION AND REQUESTED ACTION: Approve the resolution requesting that NCDOT expedite the installation of a traffic signal at US 117 Bypass and Wilmington Street.	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	
ATTACHMENTS (IF ANY): Res 2025-25 support traffic light at bypass and wilmington st	

RESOLUTION 2025-25

RESOLUTION URGING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO INSTALL A TRAFFIC LIGHT AT THE INTERSECTION OF US HIGHWAY 117 BYPASS AND WILMINGTON STREET IN THE TOWN OF BURGAW

WHEREAS, the Town of Burgaw is committed to protecting the safety, mobility, and overall well-being of its residents, visitors, and the traveling public; and

WHEREAS, the intersection of US Highway 117 Bypass and Wilmington Street has experienced steadily increasing traffic volumes due to regional growth, school-related travel, commercial activity, and local development; and

WHEREAS, this increase in traffic has resulted in a well-documented pattern of safety concerns, including collisions, near-miss incidents, and significant difficulty for motorists attempting to safely turn or cross at this uncontrolled intersection; and

WHEREAS, the Wilmington Street connection serves as a major access route for neighborhoods, local businesses, and emergency services, and inadequate traffic control at this location places an undue risk on families, school traffic, and first responders; and

WHEREAS, the Town of Burgaw has received consistent feedback from residents, business owners, and public safety officials urging that immediate action be taken to address the ongoing safety hazards at this location; and

WHEREAS, the installation of a traffic signal at the intersection of US Highway 117 Bypass and Wilmington Street is supported by traffic engineering principles, aligns with the Town's long-term safety priorities, and represents the most effective and efficient measure to reduce crashes, improve traffic flow, and protect all roadway users; and

WHEREAS, delaying improvements at this intersection further increases the likelihood of preventable accidents and undermines the safety and operational performance of a major transportation corridor through the Town of Burgaw; and

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

The North Carolina Department of Transportation (NCDOT) is formally and urgently requested to prioritize and expedite the installation of a traffic signal at the intersection of US Highway 117 Bypass and Wilmington Street in the Town of Burgaw. The Board affirms that this improvement is essential to public safety and calls upon NCDOT to advance this project without delay.

BE IT FURTHER RESOLVED that the Town of Burgaw Board of Commissioners expresses its sincere appreciation to the North Carolina Department of Transportation for its continued partnership and thoughtful consideration of this critical safety request.

Adopted this 18th day of November 2025.

G. Olivia Dawson, Mayor

ATTEST:

Kristin J. Wells, Town Clerk

DRAFT



**Town of Burgaw
ITEM REPORT**

Item: 11A

DATE OF MEETING: November 18, 2025 DEPARTMENT OF ORIGIN: Administration	DATE SUBMITTED: 11/13/2025 SUBMITTED BY: Kristin Wells, Town Clerk
AGENDA ITEM DESCRIPTION: Resolution 2025-23 In support to retain and use the full six percent occupancy tax revenue collected within the Town of Burgaw	
SUMMARY STATEMENT: Attached is a resolution for the Board of Commissioners to consider approving as additional support to the request recently submitted by Mayor Dawson to local representatives to consider revising the existing occupancy tax legislation for the Town of Burgaw. Below is a summary of the requested revisions: Retention of Proceeds - Currently, Burgaw retains 3% of its 6% occupancy tax proceeds, with the other 3% distributed to Pender County. This bill allows Burgaw to retain and administer the entire 6%. Use of Funds - The Burgaw Tourism Development Authority (BTDA) will continue to administer the funds, using at least two-thirds of the proceeds to promote travel and tourism and the remainder for tourism-related expenditures, consistent with G.S. 160A-215.1. Repeal of Conflicting Acts - The bill repeals any prior statutory requirement that directs a portion of Burgaw's occupancy tax proceeds to Pender County.	
STAFF RECOMMENDATION AND REQUESTED ACTION:	
FINANCIAL IMPACT INCLUDING FUNDING SOURCE:	
FINANCE DIRECTOR COMMENTS:	
ATTACHMENTS (IF ANY): Res Support of the TDA occupancy tax	

RESOLUTION 2025-23

**RESOLUTION IN SUPPORT TO RETAIN AND USE THE FULL SIX PERCENT
OCCUPANCY TAX REVENUE COLLECTED WITHIN THE TOWN OF BURGAW**

WHEREAS, under current law, revenue from the Town of Burgaw's occupancy tax is divided between the Burgaw Tourism Development Authority (TDA) and the Pender County TDA, resulting in only three percent (3%) of the total six percent (6%) tax being retained for use within the Town of Burgaw; and

WHEREAS, the Town of Burgaw wishes to retain one hundred percent (100%) of the total six percent (6%) occupancy tax, remitting the net proceeds of the tax to the Burgaw Tourism Development Authority, ensuring that all revenue generated within the Town is reinvested locally; and

WHEREAS, retaining the full amount of occupancy tax proceeds would enhance Burgaw's ability to promote travel and tourism, support tourism-related activities, and fund tourism-related capital projects, all under the direct oversight of the Burgaw TDA;

NOW, THEREFORE, BE IT RESOLVED that the Burgaw Board of Commissioners fully supports the request to retain one hundred percent (100%) of the six percent (6%) occupancy tax collected within its jurisdiction and urges the approval of legislation necessary to implement this change.

ADOPTED this the 18th day of November, 2025.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor