

TOWN OF BURGAW BOARD OF COMMISSIONERS REGULAR MEETING

DATE: December 9, 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 (outgoing), Bill George, William Rivenbark, Michael Pearsall and Myra McDuffie (incoming)

Invocation

The invocation was led by Reverend Ben Horrell.

Approval of Old Business Agenda

Mayor Dawson called for a motion to approve the old business agenda.

Motion: Mayor Pro-tem Malloy made a motion to approve the old business agenda. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

Approval of Old Business Consent Agenda

Mayor Dawson called for approval of the old business consent agenda.

Motion: Commissioner Dawson made a motion to approve the old business consent agenda. The motion was seconded by Mayor Pro-tem Malloy and carried by unanimous vote.

Special Presentation

Special presentation for outgoing Board of Commissioner Jan Dawson

Mayor Dawson presented a special recognition to outgoing Commissioner Jan Dawson, who had served since October 2004, representing over 21 years of service to the Town of Burgaw. Mayor Dawson noted that Commissioner Dawson possessed a wealth of knowledge and experience, and while she would be missed as a commissioner, they hoped to recruit her for other boards or as a volunteer in the future.

Commissioner Dawson spoke about her 21 years of service, expressing that she had received great joy from being on the board and hoped she had made positive changes for the town over the years. She thanked the citizens of Burgaw for having faith in her, as well as the mayor, current board, and town staff for their support, stating that the town couldn't run without them.

Mayor Dawson presented Commissioner Dawson with a plaque in recognition of her service and announced plans to install a bench and plaque in her name at a location around town, acknowledging her care for the town's appearance.

Several board members shared personal remarks about Commissioner Dawson's contributions. Commissioner Pearsall recalled how Commissioner Dawson had made him feel welcome as a new member. Mayor Pro-tem Malloy thanked her for her friendship, guidance, and encouragement, especially when facing difficult decisions.

Organizational Meeting

Oath of Office – Mayor Elect Olivia Dawson

Mayor Dawson took the oath of office, administered by Tonya Lacewell Turner, Pender County Magistrate.

Oath of Office – Commissioner Elect James R. Malloy

Commissioner Malloy took the oath of office, administered by the Honorable Judge James Faison.

Oath of Office – Commissioner Elect Myra McDuffie

Commissioner-elect McDuffie took the oath of office, administered by Tonya Lacewell Turner, Pender County Magistrate.

Commissioner McDuffie took official seat as a member of the board.

Election of Mayor Pro-tem

Mayor Dawson called for nominations for the position of Mayor Pro-tem.

Motion: Commissioner George expressed appreciation for Mayor Pro-Tem Malloy's service to the town and made a motion to reappoint him as Mayor Pro-tem. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Mayor Dawson administered the oath of office to Mayor Pro-tem Malloy.

Appointment of Cape Fear Council of Governments (COG) Delegate and Alternate Delegate

Mayor Dawson explained that Commissioner Jan Dawson's departure left a vacancy for the Cape Fear Council of Governments delegate position. She clarified that while Burgaw no longer had a seat on the executive committee (which had rotated to New Hanover County), they still needed to appoint a delegate and alternate who could attend meetings and vote when necessary.

Motion: Commissioner Pearsall made a motion to appoint Commissioner McDuffie to serve as the delegate to the Cape Fear Council of Governments. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Motion: Commissioner Rivenbark made a motion to appoint Commissioner Pearsall to serve as the alternate delegate. The motion was seconded by Commissioner McDuffie and carried by unanimous vote.

Appointment of a member to the Cape Fear Rural Transportation Planning Organization (RPO)

Motion: Mayor Pro-tem Malloy made a motion to appoint Commissioner Rivenbark to continue serving on the Cape Fear Rural Transportation Planning Organization. The motion was seconded by Commissioner McDuffie and carried by unanimous vote.

Appointment of a member of the Board to serve on the Beautification Committee

Mayor Dawson noted that Commissioner Dawson's departure created a vacancy on the Beautification Committee, which requires two board members.

Motion: Commissioner Rivenbark made a motion to appoint Commissioner McDuffie to serve on the Beautification Committee. The motion was seconded by Commissioner George and carried by unanimous vote.

Approval of New Business Agenda

Motion: Commissioner George made a motion to approve the new business agenda. Motion carried by unanimous vote.

Special Requests/Presentations

New Fire Apparatus Presentation

Fire Chief Johnathan Prevatte presented information about a proposed new fire apparatus purchase. He explained that the department had formed a committee that identified specific goals for the new apparatus, including maintaining existing pump capacities and water availability, establishing consistency across their fleet, and improving operational efficiency.

Chief Prevatte described the specifications of the proposed apparatus, which included a 1,000-gallon tank, 2,000 GPM pump, reduced hose bed height (62 inches from ground), cab compartments for EMS equipment and gear storage, and a rear-mounted booster line. The apparatus features a specific body with a lifetime transferrable warranty, which would allow the body to be moved to a new chassis in the future if needed.

The cost of the apparatus was \$1,214,342, which Chief Prevatte noted was on the low end of the expected price range (\$1.2-1.4 million). He explained that the price would increase after January 1, and the build time would be 620 days from contract signing, which was significantly shorter than the 3-4 year lead times other vendors were quoting.

Chief Prevatte addressed questions about the department's current apparatus, confirming they had several units that exceeded the 15-year recommended frontline service life according to NFPA standards. Commissioners discussed the urgency of the purchase, potential liability concerns of operating outdated equipment, and funding options.

Town Manager James Gantt explained that if approved, the town would not need to make any payments until the apparatus was completed (around 620 days from now), with the final payment due upon delivery. He clarified that debt service payments would typically begin a year after that, and the town could work to time this with other debt service rolling off.

Motion: Commissioner McDuffie made a motion to proceed with signing the agreement to purchase the fire apparatus with nothing due at signing. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

Employee Recognitions

Human Resources Director Kimberly Rivenbark recognized several employees:

- Welcomed new hire Brianna Willman to the Planning Department

- Announced David Poloway's selection to serve on the NC Recreation and Parks Association Special Events Advisory Group
- Recognized Michael Carlisle's promotion to Assistant Fire Chief
- Acknowledged Jonathon Paluck's promotion to Captain in the Fire Department
- Recognized Ivey English for completing his firefighter task book
- Recognized Nicole Carlisle, Joey Williams, and Johnny Ryan for completing live burn training
- Highlighted Chief Prevatte's completion of extensive continuing education courses
- Recognized Assistant Police Chief Lee Williams for completing the North Carolina Justice Academy's Leadership Certificate Program, a rigorous 400-hour leadership development track

Public Forum

Sarah Smith addressed the board regarding trespassing issues with her property that runs along the Osgood Canal. She explained that while her property extends to the edge of the canal, many citizens mistakenly believe it is part of the Osgood Trail and use it for walking dogs or recreation. She had installed no trespassing signs on her property, but they had been mowed down, possibly by a contractor mowing the canal area.

Ms. Smith expressed concerns about safety, noting they had found tents, alcohol bottles, and drug paraphernalia in the wooded area of their property, and were particularly concerned about children accessing these potentially dangerous areas.

Commissioner Michael Pearsall suggested the town consider placing official signage to help protect the property owner, noting that this might reduce the need for police calls. Town Manager James Gantt committed to visiting the site with Public Services Director Chris Medlin and Police Chief James Rowell to assess the situation, mentioning the possibility of installing a gate at Wallace Street.

Public Hearing

Consideration of a text amendment to the Unified Development Ordinance requested by Planning Staff to amend Section 3.5 Tree Board

Mayor Dawson declared the public hearing open at 6:03 PM.

Planning Director Ron Meredith presented a text amendment to the Unified Development Ordinance to transfer the responsibilities of the Tree Board from the Planning Board to key town staff, including Parks, Recreation & Tourism, Planning, Finance, and Facilities & Grounds. He noted that this amendment aligned with a previous town ordinance text amendment, and that the new arrangement was already proving successful, with productive discussions about dead trees in town and their removal.

There being no public comments, Mayor Dawson declared the public hearing closed at 6:05 PM.

Motion: Mayor Pro-tem Malloy made a motion to approve Resolution 2025-27 as presented, adopting a Statement of Consistency regarding text amendments to the Town

of Burgaw Unified Development Ordinance. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

Motion: Mayor Pro-tem Malloy made a motion to approve Ordinance 2025-24 as presented, amending UDO Section 3.5 Tree Board. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

Departmental Items

Building Inspections Department

Louis Hesse, Building Code Administrator, reported on progress with several projects, including:

- Health and Human Services nearing completion
- Law Enforcement Center progressing with above-ceiling work
- Patty's Place and Tunnels of Tower approaching final inspections
- Commercial renovation submittal for a downtown building
- Carolina Quick Care and a dentist office making progress
- Positive developments on minimum housing cases

Mayor Pro-tem Malloy asked a status on the minimum housing cases involving a house on US Highway 117 and one on Dickerson Street. Mr. Hesse said he has spoken to property owners and family members and confirmed there is progress.

Commissioner Pearsall asked about the house located at the corner of Satchwell Street and Highsmith Road and Mr. Hesse indicated this property is next on the list.

Finance Department

Tiffany Byrd, Finance Officer, reported that the town's food drive had collected 721 pounds of food donated to Pender Christian Services. She also noted that a toy drive was underway with a December 17 deadline.

Commissioner McDuffie thanked Ms. Byrd for her recent assistance and clarification in preparation of the board meeting.

Human Resources Department

Kimberly Rivenbark, Human Resources Director, described the town's participation in Pender County's eighth-grade career fair, where representatives from all town departments showcased potential career paths in local government.

Ms. Rivenbark also commented on the recent Thanksgiving lunch for the employees and advised longevity checks were issued.

Information Technology Department

Dustin McCullen, IT Director, reported that IT support tickets remained consistent at 35-40 per month. He mentioned the addition of a new display for digital signage at the Burgaw Visitor Center and an on-going computer replacement project.

Parks, Recreation & Tourism Department

Cody Suggs, Parks & Recreation Director, reported that the annual tree lighting event was successful despite one small issue and commended his staff for a job well done. He noted that Christmas on the Square had been rescheduled to December 20th due to weather and the annual New Year's Eve Blueberry Drop event is approaching.

Mr. Suggs said he will look into possible locations for the bench dedication in honor of former Commissioner Jan Dawson. Mayor Pro-tem Malloy requested a bench for Johnson Park as well.

He also provided an update on the kitchen renovation project at the Depot, which had encountered issues with rotted subfloor but was successfully completed with new flooring, fresh paint, and a dehumidifier. This project has been completed. Commissioner Pearsall stated the money for this project was well spent.

Mr. Suggs said the tennis grant has been closed out and complete.

Regarding the Westside Trail project, Mr. Suggs reported that they had submitted reimbursement requests and were addressing drainage concerns that had emerged after recent rainfall. He emphasized they were working with engineers to ensure proper water management along the trail. Also related to the project, Town Manager James Gantt said staff received financing information back for the remaining amount of the project after grant funding. Mr. Gantt presented the information and there was discussion held by the board.

Motion: Commissioner Rivenbark made a motion to approve a proposal from First National Bank for financing the remainder cost of the Westside Trail project at a rate of 3.87%. The motion was seconded by Commissioner George and carried by unanimous vote.

Mr. Suggs advised there was recent discussion about the upcoming Christmas Parade and requested the board consider blocking parking spaces along the four sides of the Courthouse Square, as well as blocking off the parallel parking along Wilmington Street in the area of the Burgaw Town Center/Community House, and the parking on the west side of Wright Street between Courthouse Avenue and Fremont Street. There were no concerns voiced by the board and comments were made to make the event as safe as possible.

Planning Department

Ron Meredith, Planning Director, reported ongoing work with consultants on the RCCP rain garden grant and the multimodal plan update. He mentioned a rezoning application for two parcels north of the Walmart tract to B-2 zoning, which would go to the Planning Board in January and likely come before the Commissioners in February.

There was brief discussion about logging in town. Mr. Meredith stated logging within the cooperate limits is not illegal but a zoning permit is needed. He will investigate the matter.

Police Department

James Rowell, Police Chief, reported on preparations for holiday festivities, including the annual Christmas parade. He mentioned the department had begun meetings for next year's Blueberry Festival. He also noted upcoming events, including the "R U Okay" luncheon for senior citizens and the Shop with a Cop program that would assist eight local families.

Public Services Department

Chris Medlin reported that his department had completed all monthly sampling and reports on time, repaired five water leaks, continued collecting leaves and yard debris, continued

swapping meter end points, completed restoration of the old jail interior, assisted Parks, Recreation & Tourism staff on several projects, and substantially completed the South Smith Street sewer main pipe replacement. He also mentioned they were updating street signs and stop signs.

Commissioner Pearsall said he had spoken to Mr. Gantt about staff adding white stop bar lines on the streets where there are stop signs in the middle of town streets, such as the three-way stops. The board also voiced interest in removal of stop signs at the three-way stops in town. After discussion, it was determined that staff will research and bring further information back for board consideration.

Commissioner Pearsall spoke about an oak tree growing in the ditch near the property of Nixon Lewis Funeral Home, at the corner of Highsmith Road and Satchwell Street, as he previously mentioned before during a meeting. He would like this addressed before it grows larger, causing additional drainage issues.

Commissioner Malloy asked about a water leak repair on Wilmington Street, which Mr. Medlin confirmed was scheduled for asphalt the following day.

Mayor Dawson thanked Mr. Medlin for following up with replacing faded signs, etc. She also commented on the dip in the pavement along Wilmington Street in front of the Burgaw Town Center. Staff will follow up with NC DOT.

Commissioner Pearsall commented on a low hanging power line issue around MJ Woods Drive and Alonza James Road on North Wright Street, as previously spoken about at a board meeting. He said he spoke with Duke Energy months ago about removing some old low hanging lines, but would like town staff to follow up on this matter. Mr. Medlin will reach out to Duke Energy regarding this matter.

Items from Manager

Town Manager James Gantt provided updates on downtown projects, noting that MasTec and Duke Energy would begin boring work the following week for underground utilities in the area of Courthouse Avenue, which would minimize disruption to sidewalks. He reported that the downtown sidewalk project was progressing and they would be working with a restaurant owner to improve handicap accessibility. Mayor Dawson requested a timeline for the project and noted businesses in the area need to be made aware of the project.

Gantt presented the proposed FY 2026-2027 budget calendar for approval. After discussion, the board agreed to schedule the Strategic Planning Retreat for March 2-3, 2026, and the Budget Work Session for April 27-28, 2026 (with the 28th tentative if needed).

Motion: Commissioner Pearsall made a motion to approve the budget calendar as presented with the dates filled in. The motion was seconded by Commissioner George and carried by unanimous vote.

Items from Attorney

Town Attorney Norwood Blanchard was in attendance virtually and stated in open session that the Town of Burgaw was served a lawsuit from DR Horton on November 26, 2025.

Items from Mayor and Board of Commissioners

Resolution Supporting the Cape Fear Transportation Planning Organization and its Legislative Agenda

Motion: A motion was made by Commissioner Rivenbark to approve Resolution 2025-28 as presented. Motion carried by unanimous vote.

Resolution Adopting the regular meeting schedule of the Town of Burgaw Board of Commissioners for year 2026

Motion: A motion was made by Mayor Pro-tem Malloy to approve Resolution 2025-29 as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

Board of Commissioners Work Session Schedule for 2026

The board discussed scheduling regular work sessions throughout the year, with the first session scheduled for February 2, 2026. The board will discuss future dates for work sessions at a later time.

Other Items from Mayor and Board of Commissioners

Commissioner Pearsall stated he met with Mr. Gantt and discussed the “Suggested Rules of Procedure for the Town of Burgaw Board of Commissioners” and brought the following amendment before the board for consideration:

- **Agenda Packets Delivery Timeline:** Commissioner Pearsall noted the rules and procedures indicate packets should be delivered 72 hours prior to the meeting, but that falls on a Saturday. He said he understands Ms. Wells gets the packets out ahead of that schedule, but would like the document to reference such. He proposed the board consider amending the procedures to say 118 hours instead of 72. There were no objections voiced by the board.

Commissioner Pearsall also commented on meeting minutes accuracy and emphasized the importance of including discussions or actions regarding the spending of money. He stated the minutes should be as accurate as possible.

Commissioner Pearsall voiced his concerns about the spending of money by the Mayor and Manager, and referenced the recent expenses related to the Old Jail/Burgaw Visitor Center. He said a \$20k-25k limit should be in place when the Mayor and Manager spend money. Mayor Pro-tem Malloy commented on the budget being approved by the board prior to each fiscal year and if the amount of money does not go outside of the approved budget, then there should be no issue. Mayor Dawson attempted to clarify the specific situation regarding the visitor center renovations, explaining that emergency repairs were needed and funds were moved within the approved budget rather than requiring additional appropriation. Commissioner Pearsall stated he was not complaining about the money spent for the project, but would like to see a “guardrail” for the amount of money being spent for unexpected projects.

After extensive discussion, Commissioner Rivenbark made a motion to cap the spending limit to \$25k by the Mayor and Manager. The motion was seconded by Commissioner

George and carried by unanimous vote. Amounts greater than the \$25k threshold would be brought before the board.

Mayor Dawson requested the board and staff review the “Suggested Rules and Procedures for the Town of Burgaw Board of Commissioners” and bring back the requested changes, along with anything else within the document that needs updating.

Mayor Dawson initiated a discussion about changing the board's title from “Board of Commissioners” to “Town Council” She explained that county elected board members are typically referred to as “County Board of Commissioners” and municipalities are typically referred to as the “Town Council.” After discussion and agreement amongst the board, Mayor Pro-tem Malloy made a motion to change the town’s board to “Town Council”. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote. Staff will proceed with the process of having this changed in the town charter.

Mayor Dawson also addressed email communications regarding town business and requested the board to use their town issued email for town communication. No one voiced concerns; Ms. Wells will see this change starts immediately.

Closed Session

Motion: Mayor Pro-tem Malloy made a motion pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege to enter closed session at 8:16 PM. Motion carried by unanimous vote.

Motion: Mayor Pro-tem Malloy made a motion to return to open session at 8:55 PM. Motion carried by unanimous vote.

Adjournment

Commissioner McDuffie made a motion to adjourn the meeting at 8:55 PM. Motion carried by unanimous vote.