

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

DATE: June 10, 2014
TIME: 4:00 PM
PLACE: Burgaw Municipal Building
BOARD MEMBERS PRESENT: Mayor Eugene Mulligan
Mayor Pro-tem Howard Walker
Commissioners Jan Dawson, Wilfred Robbins, Charles Rooks and Elaine Tyson
STAFF PRESENT: Chad McEwen, Town Manager
Sylvia W. Raynor, Town Clerk
Robert Kenan, Town Attorney
Bill Fay, Director of Public Works
Louis Hesse, Building Inspector
Ashley Loftis, Finance Officer
Rebekah Roth, Planning Administrator
Montrina Sutton, Chief of Police
Allen Wilson, Fire Administrator
MEDIA PRESENT: Bill Walsh, Star News
INVOCATION: Nick Smith, Chaplain
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Eugene Mulligan at 4:00PM.

Approval of Agenda

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

Approval of Consent Agenda

Mayor Mulligan asked if there were any requests for amendments to the consent agenda. After a brief discussion of the minutes, Commissioner Robbins made motion to approve the consent agenda as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote. The consent agenda and the following items were approved:

- A. Approval of Minutes of the May 13, 2014 regular meeting.

ITEMS FROM ATTORNEY

Attorney Kenan advised the letter regarding the Teal Briar HOA has been mailed to Mr. John Vincent. He also advised the amendments approved at the April meeting regarding the Interlocal Agreement with Wallace have been incorporated into the ILA and the manager has been presented with the amended document.

ITEMS FROM THE MANAGER

Resolution 2014-24 Amending Personnel Policy – Tobacco Use

Chad McEwen, Town Manager advised use of any form of smoking tobacco has been prohibited inside town buildings by Code for several years. He informed the Board that it has come to our attention that a tobacco use policy is necessary to cover smoking and the use of all tobacco products to include smokeless tobacco as well as e-cigarettes by employees. Approval of Resolution 2014-12 provides a tobacco usage policy for the Personnel Policy thereby clarifying the use of tobacco products by employees. Attorney Kenan recommended that the resolution should be amended to state “including but not limited to” regarding types of tobacco use. There was a

very lengthy discussion regarding the prohibition of smokeless tobacco and e-cigarettes. After discussion Commissioner Dawson made a motion to approve Resolution 2014-24 as amended by Attorney Kenan. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

**RESOLUTION 2014-24
AMENDING THE CURRENT PERSONNEL POLICY**

WHEREAS, the Town of Burgaw Board of Commissioners approved the use of the Personnel Policy on September 11, 2012; and

WHEREAS, the Town Manager recommends an addition to the current Personnel Policy of a Tobacco Use Policy located in Article XII Section 8 and to the Personnel Policy Table of Contents.

NOW THEREFORE, BE IT RESOLVED THAT the Town of Burgaw Board of Commissioners hereby amends the Personnel Policy to reflect the following changes:

Article XII, Section 8 Tobacco Use Policy

Smoking and the use of all tobacco products (including but not limited to smokeless tobacco and e-cigarettes) is prohibited in all Town owned buildings and vehicles. Use of such products on Town property, outside of Town buildings and vehicles, must be disposed of properly. Complaints concerning the use of tobacco products shall be submitted to the Department Head or Town Manager. Proper disciplinary actions will take place if any employee violates policy.

Adopted this 10th day of June 2014.

Resolution 2014-25 Amending the Current Burgaw Community House Usage Policy

Mr. McEwen referred the Board to the amended copy of the community house usage policy. He reviewed the changes that have been made based on issues that have come up after the initial policy was written. After much discussion, Attorney Kenan recommended that the contact person listed be changed from “Deputy Town Clerk” to “town manager or his/her designee”. Commissioner Rooks made a motion to approve Resolution 2014-25 to include an amendment by Attorney Kenan stating “town manager or his/her designee” as the contact person in the policy. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

**RESOLUTION 2014-25
AMENDING THE CURRENT BURGAW COMMUNITY HOUSE USAGE POLICY**

WHEREAS, the Town of Burgaw Board of Commissioners approved the use of the Burgaw Community House Usage Policy on March 12, 2013; and

WHEREAS, the Finance Department recommends changes to the existing policy concerning reservation procedures for the use of the building.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the Burgaw Community House Usage Policy is hereby amended to reflect the changes attached.

Adopted this 10th day of June 2014.

*Due to the length of the policy a copy is on file in the clerk’s office.

Consideration of an Agreement with El Puente Regarding Complimentary Use of the Burgaw Community House

Mr. McEwen advised at the April Board meeting the issue of allowing El Puente to use the Community House for nutrition and Zumba classes as well as Yoga classes was discussed. He said there appears to be some confusion as to the nature of the request from El Puente as well as the vote made by the Board of Commissioners regarding the terms of use.

Mr. McEwen advised El Puente requested the ability to offer their nutrition and Zumba classes at the Community House in lieu of offering the classes at the church they are currently using. He said that El Puente also asked for the ability to offer Yoga classes on a trial basis of two months in order to measure the level of community interest. The confusion seems to center around the fact that the use of the Community House for the nutrition and Zumba classes was requested on a permanent basis not the two month trial run requested for the Yoga.

Mr. McEwen said in order to prevent further confusion he agreed to allow El Puente to use the Community House on June 3rd and June 10th until the issue and the attached Complimentary Use Policy can be discussed by the Board. Mr. McEwen reviewed the Complimentary Use Policies that have been developed for El Puente for both the Yoga classes and the nutrition and Zumba classes.

After a brief discussion, Commissioner Robbins made a motion to approve the complimentary policies that have been developed for El Puente for both the yoga classes and the nutrition and Zumba classes. The motion was seconded by Commissioner Dawson and carried by unanimous vote. (Policies on file in the clerk's office.)

Resolution 2014-26 Designating Town Manager and Finance Officer as Applicant Agents for the North Carolina Division of Emergency Management

Mr. McEwen advised since the Town is eligible to receive reimbursement related to the recent ice storm the Board must designate Primary and Secondary Agents to execute and file applications requesting the assistance. The Primary Agent would be the Town Manager and the Secondary Agent would be the Town's Finance Officer. Resolution 2014-26 would make said designations. Commissioner Rooks made a motion to approve Resolution 2014-26 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

**RESOLUTION 2014-26
Resolution Designating Town Manager and Finance Officer as Applicant Agents for the North Carolina Division of
Emergency Management**

WHEREAS, in order to process the town's reimbursement for the expenses incurred as part of the February 11, 2014 ice storm, the North Carolina Division of Emergency Management is requiring the Town designate Primary and Secondary Agents in order to execute the required applications and forms; and

WHEREAS, it is proposed that the Town Manager serve in the capacity of Primary Agent and the Town Finance Officer serve in the capacity of Secondary Agent; and

NOW THEREFORE BE IT RESOLVED by the Town of Burgaw Board of Commissioners that:

SECTION 1. The Town Manager is the Primary Agent and the Town's Finance Officer is the Secondary Agent and is authorized to execute and file applications for federal and/or state assistance on behalf of the Town of Burgaw for the purpose of obtaining certain state financial assistance under Chapter 166A of the North Carolina General Statutes, or as otherwise available

SECTION 2. The above listed agents are authorized to represent and act on behalf of the Town of Burgaw in all dealings with the State of North Carolina for all matters pertaining to such disaster assistance required by the grant agreement as outlined in Chapter 166A.

Section 3. The above listed agents are authorized to execute the attached State Applicant Disaster Assistance Agreement with the North Carolina Division of Emergency Management.

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

Resolution 2014-27 Consideration of the Approval of Change Order Number 4 to the Contract with A. C. Schultes Related to Phase 2 of the Town of Burgaw Sewer Rehabilitation Project

Mr. McEwen advised due to the contractor's inability to complete the project within the defined time of the contract, additional time for engineering and construction observation services were required beyond the quantities allotted in the original contract. He advised the attached change order for \$28,000 covers the additional engineering fees and construction observation fees from the end of May through the end of June. No further change orders should be needed so long as the contractor doesn't extend the project into July. In addition the change order will include time for all project closeout expenses including as built drawings.

Mr. McEwen advised these fees are covered by withheld liquidated damages charged to the contractor. (Copies of the change order are on file in the clerk's office.)

After a brief discussion, Commissioner Rooks made a motion to approve Resolution 2014-27 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

RESOLUTION 2014-27
A RESOLUTION CONSIDERING THE APPROVAL OF CHANGE ORDER NUMBER 4 RELATED TO PHASE 2
OF THE TOWN OF BURGAW SEWER REHABILITATION PROJECT
AND THE CONTRACT WITH KIMLEY HORN AND ASSOCIATES

WHEREAS, due to A.C. Schultes inability to complete the project within the defined time of the contract, additional time for engineering and construction observation services were required beyond the quantities allotted in the original contract , and

WHEREAS, these additional engineering and construction observation services require an amendment to the original contract, and

WHEREAS, these additional engineering and construction observation services are estimated to cost \$28,000 and should be sufficient to complete the project assuming everything is completed by the end of June 2014; and

WHEREAS, the Town of Burgaw has withheld accrued liquidated damages charged to the contractor for the purposes of covering these anticipated additional expenses.

NOW THEREFORE BE IT RESOLVED by the Town of Burgaw Board of Commissioners that:

SECTION 1. Change Order #4, as attached, is hereby approved which will increase the professional services portion of the contract with Kimley Horn and Associates from \$339,700 to \$381,500 (net increase of \$28,000).

SECTION 2. Accrued liquidate damages charged to A.C. Schultes shall be used to cover these additional engineering and construction observation services.

SECTION 3. The Town Manager is hereby authorized to execute all documentation related to Change Order #4 as approved by this resolution.

Witness my hand and the corporate seal of said Town this tenth day of June, 2014.

Discussion Item – Paving the Parking Lot along the Railroad Right of Way between Hayes Street and Satchwell Street

Mr. McEwen advised A.C. Schultes was allowed to use the parking lot along the railroad right of way for a construction yard for their work related to the sewer rehabilitation project. The contractor acknowledged from the start that they would be responsible for repairing all damage to the lot. He said the lot has sustained damage due to the use by A.C. Schultes and they are willing to pave the lot if the Town prefers. The other option that has been discussed is that the contractor pay the Town for the use and damage incurred in lieu of paving the lot.

Mr. McEwen advised A. C. Schultes has proposed payment of \$22,000 in lieu of repairs. He said the subcontractor estimated the repairs at that cost. Mr. McEwen advised he has spoken with Steve Head with DOT rail division. He advised Mr. Head is okay with the arrangement to accept payment in lieu of repairs. Mr. McEwen advised Mr. Head that the town will come back and repair the potholes when we have paving being done thereby preventing us from having to wait for the subcontractor to come back and do the paving.

After discussion, Commissioner Rooks made a motion that the Town accepts payment from A. C. Schultes in the amount of \$22,000 in lieu of repairs to correct the parking lot on the railroad right of way. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Hospital/Law Enforcement Requirements

Mr. McEwen advised he has reached out to Ruth Glazer, PMH Administrator regarding the requirement for use of Town law enforcement at the hospital. He advised he has had no response.

ITEMS FROM THE MAYOR

Mayor Mulligan advised on Monday evening Amos Lanier and Scout Troop 242 raised the flag for the first time outside at the recently renovated old jail. He reminded the Board that Amos Lanier was the Eagle Scout that provided the landscaping around the old jail as his Eagle Scout project.

Mayor Mulligan informed the Board that there will be a Pender Parks and Recreation Summer Camp at the Burgaw Middle School for grades 6-8 and the coach needs volunteers to help if anyone feels so inclined.

ITEMS FROM THE BOARD

Recommendation from Buildings and Grounds Board regarding the old EMS building

Commissioner Robbins advised the Building and Grounds Board met on Friday, May 28 and had a very productive meeting with representatives of the Pender County Arts Council who have requested to use the old EMS building for an arts center. Commissioner Robbins advised that after a very lengthy meeting with much detailed discussion, it is the recommendation of the Building and Grounds Board to allow the Pender County Arts Council to use the old EMS building as an arts center for a period of two years, with the town providing up to \$15,000 per year for utilities and insurance for the Pender County Arts Council. Commissioner Robbins said specific details had not yet been worked out.

Mr. McEwen advised for budgetary purposes for next fiscal year fund balance of \$15,000 will be appropriated and a new department (yet to be named) will be created with two line items which will be utilities and insurance. He advised the electricity will be kept in the town's name and the water/sewer will be metered but not charged. He advised the contribution will not exceed \$15,000. He said the insurance should not exceed \$1500 which would leave \$13,500 toward utilities. Mr. McEwen advised the insurance company strongly urged that the Town does not need to insure the building for the Arts Council because of the nature of the use. He said there was discussion that the premium be secured by the Arts Council with the town listed as a separate insured.

Commissioner Rooks said he has heard what the Town is willing to provide but would like to hear what the Arts Council plans to do. Rochelle Whiteside spoke at length regarding the Arts Council plans to start a community arts center to offer art lessons, workshops and theater for the community and a place for those events to be housed and staged in. She advised they have had several offers for help with getting the arts center started and ready for programs. Sadie Pollock stated the Arts Council would do fund raisers not for insurance and utilities but for programming, HVAC improvements and improvement of the site. Harold Pollock stated that he hopes the Burgaw Rotary Club can help with the cost of the heating /cooling of the building. Mr. & Mrs. Pollock spoke at length regarding the possibilities of the arts center.

Commissioner Tyson asked why the schools have not been approached regarding use of \$7500 of the \$15,000 in grant monies received by the school to pay costs of the use of the building and insurance. Mrs. Pollock advised that money is for programs only. Commissioner Tyson asked if the drama students from the schools will be using the building for practice etc. Ms. Whiteside advised it is possible they will use the building. Commissioner Tyson asked why the schools could not fund part of the expense if school students will be involved. Mrs. Pollock said that may be something they could work on in the future. Commissioner Tyson commented that she has been contacted by Sandra Harris of Pender County Christian Services regarding a request to use the building for storage of overflow donations of food. She advised Ms. Harris asked if she could have a room in that building for storage. Mrs. Pollock advised she has spoken with Ms. Harris and advised her that if there is a need that they could talk about it and try to accommodate Ms. Harris' request. Several Commissioners commented that they too had received a call from Ms. Harris regarding use of a room for storage.

Commissioner Walker asked if plays could be staged in the building. Ms. Whiteside advised the bay probably would not be large enough. She said the building would be used mostly for set building, rehearsal and art classes.

Commissioner Tyson asked if the contract could state that the Town Board would have final approval of any changes made to the building by the Arts Council. Commissioner Dawson advised they had discussed that at the meeting and that the changes would be approved by the Board of Commissioners. Mr. McEwen commented that there was similar language in the agreement between the Town and County regarding the old jail and that certainly we can do the same with the EMS building.

Commissioner Robbins made a motion to have Attorney Kenan draw up a contract to allow the Pender County Arts Council use of the old EMS building for an arts center and to provide them with the necessary funds not to exceed

\$15,000 per year for utilities and insurance for a period of two years from the date of the contract. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

Commissioner Dawson asked if there would be a provision to have the Arts Council secure their own insurance policy. Attorney Kenan advised they would be required to secure their own insurance and name the Town of Burgaw as an additional insured with the payment for said insurance coming from the 15k being contributed by the Town. Commissioner Robbins asked that Attorney Kenan include a clause in the contract to that effect.

BREAK

Mayor Mulligan called for a recess at 5:10PM. The meeting reconvened at 5:20PM.

PUBLIC FORUM

Rochelle Whiteside thanked the Board for allowing the Pender Arts Council the use of the old EMS building.

PUBLIC HEARINGS – *Chad McEwen, Town Manager*

Public Hearing #1

Consideration of the implementation of a Business Improvement District (BID) pursuant to N.C.G.S. 160A-535-537 in downtown Burgaw

Chad McEwen, Town Manager advised that several months ago the issue of a Municipal Service District (MSD) (also known as a Business Improvement District (BID)) was discussed with the Board of Commissioners as part of a plan to assist with the revitalization and redevelopment of downtown Burgaw. He said that although rarely used as tool for economic development, particularly the revitalization of a downtown area, a BID would provide the Town with the ability to incentivize private sector investment in properties located in the downtown area, as defined by the map. Mr. McEwen advised the Board that all requirements of the General Statutes have been met and that the purpose of this hearing is for the Board to take comment from the public and to take action on the associated ordinance. Mr. McEwen reminded the Board if the BID is approved; these grants would be provided from the Town's General Fund Fund Balance and would be available for water and sewer impact fees only. Any water and sewer impact fees would involve the transfer of applicable fees from the Town's General Fund Fund Balance to the Water and Sewer Fund. He also pointed out that there would be no tax increase for this district. Mr. McEwen stated all applications for grants would be evaluated on a case by case basis and would take into consideration many factors related to the individual request as well as the present day circumstances of the Town's financial situation.

Mayor Mulligan opened the public hearing at 5:30PM.

Speakers

Mike Taylor spoke in favor of the BID. He acknowledged the hard work of the staff for the well-presented BID documents. He commented that the Town has done a great job in improving infrastructure, walking trails, sidewalks, depot, community house and the old jail. He said he feels the BID is a public investment that would encourage private investment in the downtown area. He reiterated that he is in favor of the BID and is excited about it.

Jacqueline Newton stated she applauds the Board for making the decision to consider the BID and hopes the vote will be favorable. Ms. Newton said she hopes the BID will help bring more restaurants to the downtown area.

Noah Harrell echoed the previous speakers and commented he would like to open a restaurant in the future and the BID would be an asset.

Rochelle Whiteside stated that she echoes the previous speakers. She said this is a great idea and looks forward to positive growth downtown.

Herb Harrell thanked the Board for their innovative thinking on the BID. He said he is in favor of the BID because it will help with impact fees for new business and will benefit everyone.

John Westbrook thanked the Board for their insight. He presented a conceptual drawing of what he would like to do with his building if the BID is approved. He asked that the Board consider not having a sunset clause for the BID to give him and others more time to make their improvements. Mr. Westbrook spoke at length about his plans for the future.

Chris Walker thanked the Board for approving the request by the Arts Council and for their vision for help for the downtown area. He commented that he may consider building an apartment upstairs in his building and asked the Board to please consider approving the BID.

Ross Harrell expressed his gratitude for the Board's consideration to keep the downtown area of Burgaw a vibrant, vital living place. He advised he also echoes the thoughts of others that have already spoken and again thanked the Board for their consideration.

Karen Harding commented that the BID will help with redevelopment. She said the BID is the best measure to get redevelopment started.

There being no further comments from the public, Mayor Mulligan closed the public hearing at 5:47PM.

Comments from Commissioners

Commissioner Dawson advised she is in favor of keeping the sunset provision in the BID.

Commissioner Robbins said he is very much in favor of the BID and feels it is a good tool to use.

Commissioner Walker said he has no problem with the BID but has concerns about businesses outside the district that will not benefit.

Commissioner Tyson said she has a concern that it is not fair to other businesses that are not eligible for the benefit. She there are so many people that have already paid impact fees and they may want or need help but don't qualify because they are not downtown.

Commissioner Rooks commented that one of the issues he has is that the downtown businesses are getting a benefit that other businesses outside the district are not getting. He said the other businesses and citizens will be subsidizing the downtown businesses. Commissioner Rooks spoke at length regarding impact fees and the intended purpose of the fees. He said if our impact fees are too high as compared to other towns, he doesn't have a problem reviewing the fees and possibly lowering them. He also commented that there are no dollar limits on the amount the town would be spending on the requests by the downtown businesses. He said there needs to be limits so he knows what he is voting on.

Mayor Mulligan stated that he understands the concerns presented, but we need to start somewhere.

After a very lengthy discussion, Mayor Mulligan called for a vote on Ordinance 2014-13 "Adopting a Business Improvement District for Downtown Burgaw".

Attorney Kenan recommended some amendments to the ordinance for clarification. He advised additional sections are needed to address properties that would be exempted from the BID and application requirements necessary in order to receive impact fees. There was also much discussion regarding the amount of funds to be set aside for impact fees for each year that the BID in place.

Commissioner Robbins made a motion to approve Ordinance 2014-13 "Adopting a Business Improvement District for Downtown Burgaw" and to allow expenditure of up to 40k per year for impact fees for a period of five years

beginning on July 1, 2014 and ending on June 30, 2019 with the addition of Sections 8 and 9 (see amended ordinance below). The motion was seconded by Commissioner Dawson and carried by unanimous vote.

ORDINANCE 2014-13

Ordinance Adopting a Business Improvement District for Downtown Burgaw as Provided by Article 23 Chapter 160A of the North Carolina general Statutes

WHEREAS, the North Carolina General Statutes authorizes Municipal Service Districts per Article V, Sec. 2(4) of the constitution of North Carolina effective July 1, 1973, as this may be cited hereafter as “The Municipal Service District Act of 1973”; and

WHEREAS, the city council of any city may define any number of service districts in order to finance, provide or maintain for the districts one or more of the following services, facilities or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city; and

WHEREAS, a city may appropriate funds for use within defined service districts in addition to those appropriated for use throughout the city, in order to finance, provide or maintain for the district services provided therein in addition to or to a greater extent than those financed, provided or maintained for the entire city; and

WHEREAS, the Town of Burgaw Board of Commissioners has considered the creation of a Municipal Service District (MSD) or Business Improvement District (BID) for the purposes of “Downtown Revitalization” as provided by GS 160A-536 (2); and

WHEREAS, the proposed downtown Burgaw BID qualifies and meets the required statutory criteria for forming a Business Improvement District as the area can be considered a *downtown revitalization project* by “furthering the public health, safety, welfare, and convenience by promoting the economic health of the central city or downtown area; and

WHEREAS, as required by GS 160A-537 (b), the Town of Burgaw has prepared a report containing the following;

- 1) A map of the proposed district showing its proposed boundaries;
- 2) A statement showing that the proposed district meets the standards set out in subsection (a); and
- 3) A plan for providing in the district one or more of the services listed in GS 160A-536.

WHEREAS, in regard to the required report, notices and hearings, the Town of Burgaw following the following schedule;

- 1) April 15, 2014: Feedback and direction from Town Board regarding moving forward with forming a Downtown Business Improvement District. Town Board votes to move forward with the public hearing required for the creation of the BID.
- 2) May 8, 2014: Town Manager mails notification to all property owners in the potential BID. Included in the mailing will be this report which includes the background, purpose, and schedule. By state law, this mailing must occur at least four weeks prior to the required public hearing on the establishment of the BID.
- 3) June 10, 2014: Public Hearing on BID at Town Board meeting. Town Board votes on BID with effective date of July 1, 2014 if approved.

WHEREAS, as documented in the report, the Town of Burgaw does not intend to assess an additional tax on the properties included within the footprint of the proposed BID; and

WHEREAS, as documented in the report, all properties owned by governmental bodies, religious entities, non-profit organizations, and/or other tax-exempt organizations or individuals are exempted from inclusion in the proposed downtown Burgaw BID; and

WHEREAS, the BID is being used to help focus and encourage an increased level of property improvements and revitalization over the next three fiscal years through the mitigation of water and sewer impact fee payments associated with new development activities; and

WHEREAS, to help encourage new property redevelopment and investment by the private sector, the Town is proposing that from the time period covering July 1, 2014 through June 30, 2019 (five fiscal years), water and sewer impact fees associated with new development activities, subject to the restrictions listed herein, within the BID boundary will be paid by the Town of Burgaw based on certain criteria listed below;

- 1) Prior to the commencement of any improvements to property within the proposed Burgaw BID, the property owner and/or business owner would enter into a performance agreement with the Town of Burgaw which would outline the nature of the proposed improvements and outline the amount of impact fees that would transfer from the Town’s General Fund Balance to the Water and Sewer Fund Balance on behalf of the property owner or business owner
- 2) Completion of all requirements listed in the performance agreement including the issuance of certificates of occupancy for subject property
- 3) No transfers of fees paid by the Town of Burgaw will be allowed; and

WHEREAS, all other fees associated with development (plan review fees, building permit fees, legal fees related to performance agreement etc.) would still be due and payable at the applicable time in the development process

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

Section 1: The Town Council hereby establishes a Business Improvement District (BID) which consists of the properties included in the attached map and address list.

Section 2: The Town of Burgaw creates this Business Improvement District based upon the finding that there is a need for downtown revitalization services within the defined boundary to a demonstrably greater extent than the remainder of the Town.

Section 3: The Business Improvement District created pursuant to this ordinance shall be called the "Downtown Burgaw Business Improvement District".

SECTION 4: Assistance provided as part of the Downtown Burgaw Business Improvement District shall be limited to payments made by the Town of Burgaw on behalf of business and property owners related to water and sewer impact fees associated with new development activities, subject to the restrictions listed herein.

SECTION 5: The Downtown Burgaw Business Improvement District and associated rights and privileges shall remain in effect from the time period covering July 1, 2014 through June 30, 2019 (five fiscal years).

Section 6: That the boundaries of the downtown municipal service district shall include the properties shown within the boundary of the attached map and included on the attached property list.

Section 7: Consideration of requests made for funding related to the Downtown Burgaw Business Improvement District shall be evaluated by the Town of Burgaw Board of Commissioners on a case by case basis based on the perceived benefit to the Town of Burgaw and the downtown area as well as availability of funds.

SECTION 8: All properties owned by governmental bodies, religious entities, non-profit organizations, and/or other tax-exempt organizations or individuals are exempted from inclusion in the proposed downtown Burgaw BID

SECTION 9: An application shall be deemed submitted to the Town for consideration by the Board of Commissioners when an applicant has completed and signed a performance agreement with the Town that outlines the nature of the proposed improvements, sets forth the amount of impact fees that would have to be assessed and paid from the Town's General Fund Balance account to the Town's Water and Sewer Fund Balance account regarding the impact of such proposed improvements.

If an applicant's application is approved by the Town's Board of Commissioners, the payment of the applicant's impact fees shall be paid upon the issuance of a certificate of occupancy for such improvements from the Town's General Fund to the Town's Water and Sewer Fund Balance Account.

Section 10: That this ordinance shall take effect beginning on July 1, 2014.

(All BID documents are on file in the clerk's office.)

Commissioner Dawson stated that she agrees with a comment made by Commissioner Rooks during discussion regarding the revisiting of impact fees as compared to other surrounding areas. This item was referred to the Policy and Finance Board for further review.

Public Hearing #2

Consideration of Adoption of the FY 2014-2015 Budget for the Town of Burgaw

Mr. McEwen presented the FY 2014-2015 budget to the Board. He briefly reviewed the highlights as presented in the budget message. There being no discussion, Commissioner Walker made a motion to approve the FY 2014-2015 Budget to include an amendment of \$95,000 (\$40,000 BID impact fees; \$15,000 Pender Arts Council; \$40,000 for two cent fire tax not included in Pender County budget) to balance the budget. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

Date: June 2, 2014
To: Mayor Eugene Mulligan and Members of the Board of Commissioners
From: Chad McEwen, Town Manager
Re: Fiscal Year 2014-2015 Budget Message

INTRODUCTION

In accordance with Chapter 159-11 of the North Carolina General Statutes, I am pleased to submit the proposed Fiscal Year 2014-2015 Annual Budget Ordinance for the Town of Burgaw. The proposed budget establishes a tax rate of \$0.48 cents per \$100 of valuation and based on current valuations, .01 cent generates approximately \$25,137.

Highlights of the FY 14-15 budget include the following:

- No tax increase proposed
- No proposed increase in water, sewer, or solid waste fees
- A 2% cost of living allowance (COLA) increase for town employee
- A 1% merit pool for all full time permanent employees
- Net increase of one full time employee
- General fund fund balance appropriation of \$55,010 is included in the FY 14-15 budget
- No water and sewer fund balance appropriation is included in the FY 14-15 budget
- 4.6% increase in health insurance cost over FY 13-14
- 5% increase in property and casualty insurance over FY 13-14
- 20% increase in workers compensation insurance over FY13-14 due to recent claims

REVENUES AND EXPENDITURES

Estimated revenues for FY 14-15 increased approximately \$61,759 over last fiscal year. From a line item perspective, most revenues sources are anticipated to remain relatively flat as compared to FY 13-14. However, ad valorem and sales tax distribution increased \$9,424 and \$29,390 respectively over FY 13-14 revenues. The Town of Burgaw experienced a significant financial boost in FY 13-14 related to the filming industry with anticipated revenues by years end reaching nearly \$120,000. However, due to the uncertainty regarding the future of the film incentives offered by the State of North Carolina only \$40,000 in film revenues is budgeted for FY14-15.

Health insurance renewals continue to experience below market increases. This year our renewal is only 4.6% higher than the current year’s premium. The efforts we have made of the last several years to improve our employee’s utilization of their coverage has reflected positively in our renewal rate. However, the implementation of certain requirements of the Affordable Care Act has caused changes in the benefit package offered to employees. These changes include higher deductibles, discontinuance of the wellness program administered by the provider, and increases in the tier pricing on the prescription drug plan. These benefit changes were needed in order to reduce the renewal rate.

CAPITAL IMPROVEMENT PLAN

In February, the Board of Commissioners held a Strategic Planning Session to discuss the capital priorities for the next five years. During this Strategic Planning Session all requested expenditures over \$5,000 were ranked in terms of priority and anticipated funding year. The Capital Improvement Plan (CIP), which was developed as a result of this meeting, will serve as a guidepost during the budget process for the next five years. For FY 14-15 the following capital purchases were prioritized and budgeted for:

<u>Capital Item</u>	<u>Estimated Cost</u>
• Upstairs Conditioning of Old Jail	\$5,000
• Security Upgrades to Town Hall	\$13,500
• Garage Upgrades	\$25,000
• Sewer Rehab (Phase 2)	\$2.1M
• Public Drainage Improvements	ONGOING
• Street Paving	\$86,000
• Infrastructure Inventory	\$83,000
• Water System Rehab (grant dependent)	\$1M
• Jetter	\$70,000
• Protective Equipment for FD (4 sets)	\$10,000
• One Equipped Police Cars	\$33,000
• Computer Replacements (all depts.)	\$3,500
• 3000 Gal Tanker (financed)	\$240,000
• PW Service Truck	\$40,000
• Sidewalk from to Senior Center	\$300,000
• 1 FT Fireman	\$30,000
• COLA (2%)	

Please be advised that many of these capital expenditures scheduled for funding in FY 14-15 involve grants, designated revenue sources (i.e. Powell Bill), unencumbered funds through the Wallace sewer project, bond proceeds, and/or fund balance appropriations.

FUND BALANCE

In FY 09-10 the Board of Commissioners established a goal of retaining a fund balance goal of 25% of the town’s annual operating expenses. At this time it is estimated that the fund balance for the general and water and sewer fund are 48.15% and 67.68%, respectively.

SUMMARY

In summary, the proposed FY 14-15 budget insures the personnel and resources are retained to sustain the high level of services the residents have come to expect of the Town of Burgaw. Although the current economic environment presents several challenges in meeting these expectations, it also provides us with an opportunity to refocus our priorities to those services that are truly essential of

a local government entity. This budget includes several proactive cost-cutting measures that will provide the Town with greater responsiveness, efficiency, and utilization of its taxing authority.

Respectfully submitted,

Chadwick W. McEwen
Town Manager

**ORDINANCE 2014-14
BUDGET ORDINANCE
FISCAL YEAR 2014-2015**

BE IT ORDAINED by the Board of Commissioners of the Town of Burgaw, North Carolina:

SECTION 1: The following amounts are hereby appropriated in the General Fund for the operation of the town government and its activities for the fiscal year beginning July 1, 2014 and ending June 30, 2015 in accordance with the chart of accounts established for this town:

GENERAL FUND EXPENDITURES

Governing Body	\$ 68,629
Administration	\$ 335,880
Boards and Commissions	\$ 29,917
Depot	\$ 22,768
Incubator Kitchen	\$ 14,688
Police	\$ 874,175
Fire	\$ 423,026
Planning	\$ 100,027
Inspections	\$ 117,495
Powell Bill	\$ 101,907
Streets	\$ 255,489
Sanitation	\$ 269,698
Non Departmental	\$ 279,854
City Parks	\$ 44,114
Cemetery	\$ 42,248
Garage	\$ 82,105
Special Appropriations	\$ 108,700
Community House	\$ 12,350
Old Jailhouse	\$ 6,000
EMS Building	<u>\$ 15,000</u>
TOTAL	\$ 3,204,070

SECTION 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2014 and ending June 30, 2015 at a tax rate of \$0.48 per \$100 valuation:

GENERAL FUND REVENUES

Ad Valorem Taxes	\$1,232,000
Other Taxes and Licenses	\$ 829,890
Unrestricted Intergovernmental	\$ 251,700
Restricted Intergovernmental	\$ 109,050
Permits and Fees	\$ 25,000
Sales and Services	\$ 525,520
Investment Earnings	\$ 3,450
Miscellaneous	\$ 132,450
Fund Balance Appropriated	<u>\$ 95,010</u>
TOTAL	\$3,204,070

SECTION 3: The following amount is hereby appropriated in the Water and Sewer Fund for expenditures consistent for the proper operation of the water and sewer utility for the fiscal year beginning July 1, 2014 and ending June 30, 2015 in accordance with the chart of accounts established for this fund:

WATER & SEWER FUND EXPENDITURES

Water Distribution	\$ 635,709
Sewer Collection and Treatment	\$ 446,500
Transmission Line	<u>\$ 460,681</u>
TOTAL	\$1,542,890

SECTION 4: It is estimated that the following revenue will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2014 and ending June 30, 2015 based upon a flat water rate of \$9.26 and a per 1,000 gallons rate per Attachment I and a sewer rate of \$8.39 per 1,000 gallons:

WATER & SEWER FUND REVENUES

Water Distribution	\$ 605,170
Sewer Collection and Treatment	\$ 922,720
Impact Fees	\$ 15,000
TOTAL	\$1,542,890

SECTION 5: There is hereby levied a tax rate of \$.48 per one hundred dollars valuation of property as listed for taxes as of January 1, 2014 for the purpose of raising revenue as listed by category of General Fund Revenues in Section 2 of this Ordinance. This rate is based upon an estimated rate of collection of 95%.

SECTION 6: The Finance Officer with the approval of the Town Manager is hereby authorized to transfer appropriations within a fund contained herein as follows:

- a) Transfer amounts between objects of expenditure within a department without limitation and without a report being required.
- b) Transfer amounts between departments of the same fund with an official report on such at the next regular meeting of the Board of Commissioners must be approved by the Town Manager. No transfers shall be made of any amount between funds appropriation within any fund without Board authorization.
- c) In an emergency situation the Town Manager in consultation with the Mayor or Mayor Pro Tem may expend funds from any source. The Board will be notified as soon as possible of the expenditure.

SECTION 7: The Finance Officer with the approval of the Town Manager is hereby authorized to carry-over in the appropriations for the fiscal year any previously approved purchase orders and accompanying budget authority.

SECTION 8: This ordinance includes Attachment I - Schedule of Fees, Attachment II - Pay and Classification Schedule.

Adopted this, the 10th day of June, 2014 by the Board of Commissioners of the Town of Burgaw.

**TOWN OF BURGAW
SCHEDULE OF FEES
FISCAL YEAR 2014-2015
(ATTACHMENT I)**

GENERAL

Copies – black and white	\$.05 each
Copies – color	\$.15 each
CD	\$ 1.00 each

UTILITIES

Utility Deposit (water, sewer)	\$0 - \$150.00 Based on Credit History \$250 without verifiable identification		
Residential Credit Check	\$5.00		
Commercial Deposit			
<u>Gal. Mth. Usage</u>	<u>Water Rate</u>	<u>Sewer Rate</u>	<u>Deposit</u>
0-3000 gals.	\$0.00463	\$0.00839	\$125.00
3001-9000 gals.	.00493	.00839	\$250.00
9001-25000 gals.	.00507	.00839	\$700.00
25001-50000 gals.	.00522	.00839	\$1250.00
50001-100000 gals.	.00522	.00839	\$2500.00
100000-**	.00522	.00839	\$2500.00 min
Master Meter Deposit	\$150.00 Per Unit in Multi-Family Complexes		
Irrigation Deposit	\$25.00		
Water Rate (inside city limits, incl. bulk)			
0-2000 gals.	\$ 9.26		
2001-3000 gals.	.00463 per gal		
3001-9000 gals.	.00493 per gal		
9001-20000 gals.	.00507 per gal		
20001- gals.	.00522 per gal		
(outside city limits, incl. bulk)			
0-2000 gals.	\$18.54 per gal		

2001-3000 gals.		.00927 per gal		
3001-9000 gals.		.00987 per gal		
9001-20000 gals.		.01015 per gal		
20001- gals.		.01044 per gal		
Sewer Rate (inside city limits)		\$ 16.78	.00839 per gal	
(outside city limits)		\$ 33.58	.001678 per gal	
Solid Waste		\$17.75 (residential: 1 roll cart & recycling roll cart)		
		\$34.75 (residential: 2 roll carts & recycling roll cart)		
		\$34.00 (commercial roll cart & recycling bin)*		
*Commercial customers may request recycling roll cart service in addition to their trash roll cart, for a total solid waste fee of \$34.75.				
Vegetative/Construction/Demolition Debris pickup generated by services of a contractor	Labor	\$30.00 per hour		
	Backhoe		\$40.00 per hour	
	Dump truck		\$25.00 per hour	
Low Flow Device Credit		\$25.00 toilet		
		\$20.00 shower, faucet		
Connection Fees		(Inside city limits)	(Outside city limits)	
		Water	Sewer	Water
				Sewer
	3/4"	\$ 950	N/A	\$1,900
	1"	\$1,100	N/A	\$2,200
	Turbo 2"	\$1,500	N/A	\$3,000
	Compound 2"	\$1,500	N/A	\$4,000
	4"		\$650	\$1,300
Additional tap fee		\$250 if bore is involved		
Meter Purchase (installed)	3/4"	\$250.00		
	1"	\$400.00		
	2"	\$1,300.00		
Irrigation Meter Connection		\$300.00	Connection from existing service 3/4"	
		\$400.00	Connection from main line 3/4"	
Administrative Fee (amended 9/12/06)		\$35.00	Charge for non-payment or disconnect	
Temporary Connect/Disconnect Fee		\$10.00	Clean up water - 3 day limit	
Inactive Account Fee		\$25.00	(3 months or less)	
		\$50.00	(greater than 3 months)	
Returned Check Fee		\$25.00		
Impact Fee (Per gallon per day)		\$4.89	water	\$10.00 Sewer
<u>CEMETERY</u>				
Cost of land		\$6.82 per square foot (standard lot is 4' x 11')		
Perpetual Care per space		\$300.00 (in town)		
		\$600.00 (out of town)		
<u>FILMING</u>				
Low Impact		\$300.00		
Medium Impact		\$600.00		
High Impact		\$1,200.00		
Additional daily fee associated with filming at public property or building such as town park, Old Jail or Depot		\$1000.00		
<u>FACILITIES</u>				
Depot Rental				
Banquet Room:				
Private/Commercial				
Monday-Thursday		\$75/hour	(2 hour minimum)	
Friday-Sunday		\$600	per event	
Security Deposit (Refundable)		\$250		
Public/Non-Profit*				
Monday-Thursday		\$50/hour	(2 hour minimum)	

Friday-Saturday	\$250 per event
Security Deposit (Refundable)	\$240
Conference Room:	
Private/Commercial	\$50/hour (2 hour minimum)
Public/Non-Profit*	\$25/hour (2 hour minimum)
Dock Area:	
Private/Commercial	\$100 per event
Public/Non-Profit*	\$50 per event
Cleaning Deposit (Non-refundable)	\$25
Open Area	\$25
Reserving the day before an event for decorating:	
Monday-Friday (if available)	\$15 per hour
Saturday or Sunday (if available)	\$25 per hour

*Non-profits must show proof of 501c (3) tax exempt status. All discounted events must contribute to the purpose and/or mission of the organization.

Burgaw Incubator Kitchen Rental	
Kitchen Application Fee	\$25
Kitchen Orientation Fee	\$30
Cleaning & Security Deposit (Refundable)	\$150
Kitchen Rental Fees*	

	Prime Time (7am to 10 pm)	Off-Hours (10pm to 7 am)
Limited Use (fewer than 50 hours/month)	Burgaw Rate— \$16/hour	Burgaw Rate-- \$12/hour
	Out-of-Town Rate— \$20/hour	Out-of-Town Rate— \$16/hour
Heavy Use (50+ hours/month)	Burgaw Rate--\$14/hour	Burgaw Rate-- \$10/hour
	Out-of-Town Rate— \$16/hour	Out-of-Town Rate— \$12/hour

*The Burgaw rate is available for Burgaw residents, property owners, and business owners.

Overnight Freezer Storage	\$10
Overnight Dry Storage	\$10/night or \$100/month
Culinary Classes	see Kitchen Rental Fees

Community Building Rental Fee	
Full Weekday (Monday-Thursday)	\$100 per day
Full Weekend day (Friday-Sunday)	\$150 per day
Half Weekday (Monday-Thursday)	\$50
Half Weekend day (Friday-Sunday)	\$75
Security Deposit (Refundable)	\$100
Cleaning Fee (Non-Refundable)	\$50

Hankins Park Reservation Fee	\$25.00 Town Residents
	\$40.00 Non-resident

Application filed with Chief of Police no less than three (3) days prior to scheduled event. Payment must be made to Town of Burgaw by 5:00 P.M. on the last business day prior to event. Fee is non-refundable, unless cancellation is due to inclement weather. Applicant's driver's license will be required as proof of residency.

LAW ENFORCEMENT

Report copy- black & white	\$ 0.05 each
Impound Storage Fee	\$ 10.00 per day
Vehicle Unlocks (exceptions for emergency)	\$ 10.00 per unlock
Officer Vehicle for Movie/Film	\$ 20.00 per hour
Officer Vehicle for Escort of Oversized Equipment	\$ 30.00 per hour (2 hour minimum)
Administration Fee- Escort	\$ 20.00 per escort
Bow Hunting Permit Fee	\$ 25.00

ANNEXATION

Voluntary Annexation(up to 100 acres)*	\$500.00
Voluntary Annexation (greater than 100 acres)*	\$1000.00

ZONING

Zoning Compliance Permit Fees	
New Construction, Additions, and Changes of Use	\$30.00

Home Occupations	\$10.00
Application for Conditional Use Permit	
General	
Not requiring technical review	\$250.00*
Requiring technical review	\$325.00*
Planned Unit Developments	
Fewer than 100 lots or dwelling units	\$500.00*
100-500 lots or dwelling units	\$750.00*
Over 500 lots or dwelling units	\$1,000.00*
Appeal to Board of Adjustment	\$250.00*
Application for Variance	\$250.00*
Application for Rezoning	\$250.00*
Application for Conditional Zoning	\$325.00*
Petition for Text Change Amendment	\$100.00
Subdivision Review	
Plat Review	\$30.00
Minor Subdivision	\$75.00
Major Subdivision	\$350.00*
Plat Review Deposit	\$20.00 (hold for 15 days)
Flood Determination Letter	\$30.00
Zoning Determination or Compliance Letter	\$50.00
Petition for Street/Alley Closing	\$125.00**
Petition for Street/Alley Name Change	\$125.00**
Tree Removal Permit	\$10.00 per regulated or protected tree
Sign Permit	\$30.00
Ordinance and Map Copies (printed, unbound)	
Unified Development Ordinance	\$25.00
Zoning or Other Map (17" x 22" or larger)	\$25.00
Land Use Plan	\$25.00

*Plus an additional fee of \$6.50 per property owner that is legally required to be notified of public hearing. All fees shall be collected at the time of filing the request.

**Plus an additional fee of \$6.50 per property owner abutting subject road or alley. All fees shall be collected at the time of filing the request.

BUILDING INSPECTIONS

Permits are required on all construction when costs exceed \$500.00, unless the construction is exempt under NC General Statute 160A-417.

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to a penalty of up to 100 percent of the usual permit fee and/or a fine of \$100.00.

Building fees shall be calculated on the basis of a realistic estimate of the construction cost of a building using the latest building valuation data compiled by the International Building Code for commercial and residential construction.

http://www.georgetown.org/pdfs/upload_pdfs/BuildingCodeValuationTable.1Feb06.pdf

BUILDING PERMIT

\$500.00-\$1000	\$ 40.00
\$1,001-\$3,000	\$ 50.00
\$3,001-\$6000	\$ 75.00
\$6,001-\$10,000	\$ 80.00
\$10,001-\$15,000	\$ 100.00
\$15,001-\$25,000	\$ 130.00
\$25,001-\$50,000	\$ 150.00
\$50,001 and over	\$ 150.00 plus \$5.00 per thousand dollars in cost

MANUFACTURED HOUSING PERMITS

SET-UP AND FOUNDATIONS

Singlewide home	\$ 125.00
Doublewide home	\$ 175.00
Triple wide home	\$ 250.00
Modular Home	\$ 45.00 per sq. ft.
Relocation of home	\$ 150.00
Electrical	\$ 60.00
Plumbing	\$ 60.00
Mechanical	\$ 60.00

*Marriage wall inspection required

BOC MINUTES

JUNE 10, 2014

15

MECHANICAL PERMIT	
New Electric, gas or oil – 1st unit	\$ 80.00
Additional units	\$ 50.00
Change-outs no duct work	\$ 60.00
Change-out with duct work	\$ 75.00
Gas line pressure test	\$ 30.00 First + 5 each additional
Electrical to unit (same contractor)	\$ 20.00
Hood canopies – cooking areas	\$ 75.00
Walk-in coolers	\$ 50.00
Electrical to unit (same contractor)	\$ 20.00
PLUMBING PERMIT	
RESIDENTIAL AND COMMERCIAL	
0-12 fixtures	\$ 80.00
Each fixture over 12	\$ 5.00
Full Bathroom addition	\$ 50.00
Kitchen sink/washer hook-up	\$ 50.00
Water service connection	\$ 30.00
Sewer service connection	\$ 30.00
Hose bib	\$ 5.00
Laundry room	
Floor drain	\$ 5.00
Laundry tub	\$ 5.00
ELECTRICAL PERMIT	
RESIDENTIAL (new construction)	
200 amp service	\$ 80.00
201-400 amp service	\$120.00
401 amp and over	\$130.00 plus \$.30/A
Temporary pole	\$ 30.00
COMMERCIAL (new construction)	
200 amp service	\$100.00
201-400 amp service	\$140.00
401 amp and over	\$150.00 plus \$.40 per amp
Temporary pole	\$ 30.00
Verification	\$ 30.00
COMMERCIAL (service upgrade)	
200 amp service	\$ 75.00
201-400 amp service	\$100.00
401 amp and over	\$100.00 plus \$.40 per amp
Inspection for existing service	\$ 30.00
WIRING (no service change)	
1-12 outlets	\$ 30.00
more than 12 outlets	\$ 50.00
SWIMMING POOL PERMIT	
RESIDENTIAL AND COMMERCIAL	
Pool inspection barriers	\$ 40.00
Electrical (grounding, pump, GFI)	\$ 30.00
INSULATION PERMIT	
Inspection Fee	\$ 30.00
Multi-unit dwellings	\$ 30.00 each
MISCELLANEOUS FEES	
Demolition	\$ 70.00
Re-inspection fee	\$ 30.00 for second failed inspection \$ 50.00 for third and subsequent failed inspection.
NOT READY	\$ 30.00 if three major descriptions found (Inspection will be stopped)
FAILURE TO OBTAIN FINAL INSPECTION (A final inspection must be requested upon completion of work)	\$100.00

FAILURE TO CORRECT DISCREPANCIES IN A TIMELY MANNER

Discrepancies for occupied buildings shall be corrected and inspected in 10 days or processing fee will be charged and the 10 days will start again.

	\$50.00
Minimum building permit	\$ 30.00
Minimum electrical permit	\$ 30.00
Minimum plumbing permit	\$ 30.00

EXPIRATION OF PERMITS

After obtaining the appropriate permits, the person in possession of the permits has 6 months to begin work as it is listed on the permit. If the person has not commenced construction in that period of time, the permit shall expire. The person will then need to purchase another permit and pay the corresponding fees. The permit will also expire if construction is suspended or abandoned for a period of 12 months or more after commencement of the initial construction.

FIRE MARSHAL

Fire Prevention Inspections and Permits

In order to preserve and protect public health and safety and to satisfy the requirements of North Carolina General Statute 160A-424, the Town of Burgaw will be conducting Fire Prevention Inspections and construction plan review on all commercial buildings within the town limits and it's ETJ on an annual basis. The purpose of these periodic inspections is to identify activities and conditions in buildings, structures and premises that pose dangers of fire, explosion or related hazards.

NEW BUSINESS AND MULTI-FAMILY PERMIT AND INSPECTION (Plan Review)

All commercial and multi-family properties will be permitted and inspected during the plan review and construction phases to verify compliance with the North Carolina Fire Code.

Up to 5,000 square feet	\$25.00
5,001 to 10,000 square feet	\$50.00
10,001 to 25,000 square feet	\$75.00
25,001 and over	\$100.00

FIRE SUPPRESSION AND NOTIFICATION SYSTEM PERMIT AND INSPECTION

A permit and inspection is required before any fire suppression and/or notification system is installed, removed, or altered.

Sprinkler System	\$100.00
Fire Alarm / Notification System	\$100.00
Other Suppression System	\$100.00

SPECIAL/HAZARDOUS USE PERMIT

Temporary kiosk or display	\$10.00
All tents meeting the permit requirements under Chapter 24 of the North Carolina Fire Code	\$25.00
Special Assembly	\$30.00
Cooking Event	\$30.00
Any Other Required Use Permit Defined in the NC Fire Code	\$30.00

FLAMMABLE / COMMBUSTIBLE LIQUID STORAGE TANKS (ABOVE AND BELOW GROUND)

Removal (per tank)	\$50.00
Installation (per tank)	\$50.00

INSPECTIONS

Annual Inspection	No-charge
Foster Home Inspections	\$30.00
Day Care Inspection	\$30.00

RE-INSPECTION FOR NON-COMPLIANCE

1 st Re-inspection	\$30.00
2 nd Re-Inspection	\$75.00
3 rd Re-inspection	\$150.00 and referral to Town Attorney

LIFE SAFETY CODE VIOLATIONS (definitions attached)

Any violation of the following requires an immediate citation

Overcrowding	\$500.00
Blocked Exit	\$200.00
Spraying Operation Not Compliant to Code	\$100.00

Any violation of the following upon re-inspection requires an immediate citation

Fire Alarm System Inspection/Maintenance	\$100.00
Fire Suppression System Inspection/Maintenance	\$100.00
Unauthorized Storage	\$100.00
Emergency Lighting Inspection/Maintenance	\$50.00
Fire Extinguisher Inspection/Maintenance	\$50.00
Use of Non-approved Heating Appliances	\$50.00

OTHER FIRE CHARGES

Unauthorized Burning	\$100.00
Key holder's Failure to Respond on Fire Alarm	\$100.00
Hazardous Event Standby i.e. Pyrotechnics, Open Burning, etc.	\$200.00

Definitions of Life Safety Violations

(Violation of any of the following code requirements renders a citation action)

1. Overcrowding - \$500.00 – Occupancy of a building in excess of the posted occupant load as defined in Section 1004 of the NC Fire Code.
2. Block Exit - \$200.00 – Any obstruction in the required width of a means of egress. (A means of egress is the continuous and unobstructed path of vertical and horizontal egress travel from any point in a building or structure to a public way, consisting of three separate and distinct parts: the exit access, the exit, and the exit discharge.)
3. Spraying Operation Not Complying to Code - \$100.00 – Spraying flammable or combustible finishes without a properly installed spray booth or approved spraying area.
4. Fire Alarm System Inspection/Maintenance - \$100.00 – Failure to have the required annual maintenance test conducted of the fire alarm system(s), all deficiencies corrected, and to have required documentation of test(s) available to the fire code official on site.
5. Fire Suppression System Inspection/Maintenance - \$100.00 – Failure to have the required annual maintenance test conducted of all the fire suppression system(s), all deficiencies corrected, and to have required documentation of test(s) available to the fire code official on site.
6. Unauthorized Storage - \$100.00 – The storage of flammable, combustible or hazardous liquids or materials improperly stored and/or without a permit.
7. Emergency Lighting Inspection/Maintenance - \$50.00 – Failure to provide documentation and/or to conduct the required emergency lighting tests set forth in Section 604.6 of the NC Fire Code.
8. Fire Extinguisher Inspection/Maintenance - \$50.00 – Failure to properly maintain and service required portable fire extinguishers.
9. Use of Non-Approved Heating Appliances - \$50.00 – The use of non-listed heating appliances and/or use in an unapproved manner or location.

TOWN OF BURGAW
BUDGET YEAR 2014-2015
ATTACHMENT II
PAY CLASSIFICATION PLAN

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
TOWN MANAGER	65,000.00	91,000.00
TOWN CLERK	39,892.00	57,726.00
FINANCE OFFICER	55,864.00	78,210.00
PERSONNEL TECH./DEPUTY TOWN CLERK	28,075.00	39,305.00
CUSTOMER SERVICE REPRESENTATIVE	23,961.00	33,545.00
ACCOUNTING TECHNICIAN	32,000.00	45,010.00
BUILDING CODE ADMINISTRATOR	46,429.00	65,000.00
PERMITTING TECHNICIAN	20,800.00	29,120.00
PLANNING ADMINISTRATOR	43,256.00	60,558.00
POLICE CHIEF	46,664.00	65,330.00
CAPTAIN	32,990.00	46,186.00
MAJOR	36,426.00	50,996.00

SERGEANT	31,403.00	43,964.00
CORPORAL	32,000.00	44,800.00
PATROL OFFICER	30,400.00	41,600.00
POLICE ADMINISTRATIVE ASSISTANT	20,800.00	29,120.00
PUBLIC WORKS DIRECTOR	44,700.00	62,580.00
ASSIST. DIRECTOR OF PUBLIC WORKS	40,170.00	57,987.00
PUBLIC WORKS ADMINISTRATIVE ASSISTANT	20,800.00	29,120.00
FOREMAN/EQUIPMENT OPERATOR	25,697.00	35,976.00
UTILITY & COMPLIANCE SUPERVISOR/ORC	34,691.00	50,553.00
UTILITY TECHNICIAN	24,582.00	34,415.00
MECHANIC	28,198.00	41,200.00
MAINTENANCE WORKER I	20,800.00	29,120.00
MAINTENANCE WORKER II	23,564.00	36,792.00
FIRE ADMINISTRATOR	53,346.00	60,684.00
FIRE FIGHTER(FULL-TIME)	26,291.00	39,352.00
FIRE FIGHTER(PART-TIME)	20,800.00	20,800.00

Discussion

Mr. McEwen said that assuming that the Pender County Commissioners approves the two cent fire tax requested by the town, he would like permission to put that money back in the town's general fund. Mr. McEwen advised this would require bringing an appropriation at the next meeting to recognize those revenues. The Board was agreement by consensus with Mr. McEwen's request.

ADJOURNMENT

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

The meeting adjourned at 6:50PM.

Eugene Mulligan, Mayor

Attest: _____
Sylvia W. Raynor, Town Clerk