

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

DATE: June 13, 2017
TIME: 4:00 PM
PLACE: Burgaw Municipal Building
BOARD MEMBERS PRESENT: Mayor Eugene Mulligan
Mayor Pro-tem Wilfred Robbins
Commissioners Jan Dawson, Bill George, Vernon Harrell and James Murphy
STAFF PRESENT: Chad McEwen, Town Manager
Sylvia W. Raynor, Town Clerk
Robert Kenan, Town Attorney
Alan Moore, Director of Public Works
Jim Hock, Chief of Police
Wendy Pope, Finance Officer
Karen Dunn, Planning Administrator
Kristin Wells, Deputy Clerk
MEDIA PRESENT: None
INVOCATION: Wilfred Robbins, Mayor Pro-tem
PLEDGE OF ALLEGIANCE: All

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

Approval of Agenda

Mayor Mulligan requested a motion to approve the agenda with a request to remove item 10 regarding the social media proposal for the marketing of the depot. Commissioner Harrell made a motion to approve the agenda as amended. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Approval of Consent Agenda

Mayor Mulligan requested a verbatim transcript of the segment of minutes pertaining to the discussion regarding Creekside on page 19 of the minutes from the May 9, 2017 meeting. There being no further discussion, Commissioner Robbins made a motion to approve the consent agenda and the following items with the requested amendment of the May 9, 2017 minutes. The motion was seconded by Commissioner Harrell and carried by unanimous vote. (*Amendment attached below.*)

A. Approval of Minutes of the May 9, 2017 Regular Meeting

BOC MEETING – 06-13-17 Mayor Mulligan requested that the clerk create a verbatim transcription of the following portion of the May 9, 2017 BOC minutes regarding Creekside.

Mayor Mulligan: Did we find out if we have any legal recourse if Creekside does not build the sidewalks?

Attorney Kenan: I wasn't made aware of that, I would need to research that.

Mayor Mulligan: I thought we asked you last month to check that out. I will have to check the minutes.

Attorney Kenan: If you had asked I would have made a notation of it, I don't have any notation on that.

Mayor Mulligan: Okay.

Commissioner Harrell: Inaudible comment.

Mayor Mulligan: Yes, yes, let me ask; please make a note of that Robert.

Attorney Kenan: You want to know, tell me what you want to know.

Mayor Mulligan: Whether we have any legal recourse if Creekside does not build the sidewalk, maybe we already cover that in we can stop them from getting any additional permits. That's pretty much the only legal recourse if they decide that they do not want to build the sidewalks on our timeline, like agreed.

Attorney Kenan: Okay.

Chad McEwen: They don't want to build the sidewalk on our timeline; I can answer, I don't know if that was the question or not.

Mayor Mulligan: Yeah, yeah, right. Do we have any legal recourse, can we make them?

Chad McEwen: So basically you're asking can we the next time they come in for a permit, can we hold the permit until they build the sidewalk?

Mayor Mulligan: Yes and I'm not saying, I'm saying can we, I'm not saying we should; that's another discussion altogether but we need to know when we do, when it's time to have that discussion. We had the discussion in last month's meeting about when they would build this sidewalk, whether it would coincide with, or follow or before or and we already have agreement with them that it should have already been finished and so at some stage it may come to where we have to do something about it and I would like to know what we will be able to do about it at that time.

Chad McEwen: I talked to Jay and his comment to me was he never agreed to the timeline; his understanding was based on a conversation that I had with him years ago that they would build once we build it and I pointed out to him that that subdivision plat was approved well before the sidewalk to the senior center was proposed and it's independent from the sidewalk to the senior center. It has to be built whether the sidewalk to the senior center ever happens. His point would be that yeah, you passed a resolution but I haven't agreed to it and I don't know that he has to agree to it. It was on the plat; it was a condition of building that neighborhood and that plat's been recorded ten years ago.

Mayor Mulligan: So what is our recourse?

Attorney Kenan: You may have none but I will let you know by the next meeting.

Mayor Mulligan: But surely as a conditional use of having that development if that was a conditional use

Attorney Kenan: What Chad said was that the subdivision was approved before that condition was imposed; that subdivision was approved well in advance of that sidewalk ever being discussed and being constructed by the developer. In fact the original developers sold it to the group that Jay owns and Jay came in here approximately three to four years ago and that is when constructing that sidewalk came up and that is when the Board adopted a resolution. So really the subdivision is not conditioned, there's no condition on the subdivision that I am aware of until I check it about there having to be a sidewalk constructed out there in the right of way in front of the subdivision.

Commissioner Dawson: Would it have been in our UDO at the time?

Chad McEwen: The original plat from Creekside from BJP included that sidewalk. They granted us an easement, they were to build the sidewalk and they conveyed to us an easement. What Robert's referencing is the resolution four years (ago) when they asked us to take over the water, the sewer, the roads. The last condition, next to the last condition was we will take over the water and sewer, not the roads, we'll have an easement for the right of ways for the water and sewer and you will build those sidewalks within 24 months of the date of this resolution. I don't, I'm assuming that Creekside or Jay or none of them were here when that was approved. I would have thought they would have been but he had no recollection of it.

Mayor Mulligan: It doesn't matter, you said it yourself, original plat, one of the conditions was that they build that sidewalk, correct?

Chad McEwen: It was on the original plat.

Mayor Mulligan: So that's the original, so.

Attorney Kenan: If it was on there and if it was a condition, then yes they can be held accountable regardless of who the developer was at the time it was adopted.

Commissioner Robbins: So you are going to check on that Robert?

Mayor Mulligan: So you will check on that for us? Thank you, Robert.

END OF DISCUSSION

B. Ordinance 2017-12 Amending the FY 16-17 budget to provide funding for professional services invoices from Ward & Smith, P.A.

**ORDINANCE 2017-12
AMENDING FISCAL YEAR 2016-2017 ANNUAL BUDGET
Increasing Revenues and Expenditures**

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2016-2017 on June 14, 2016; and

WHEREAS, the Town of Burgaw has received invoices for legal and administrative fees rendered July 2016 through April 2017 by Ward & Smith in the total amount of \$76,391.00; and

WHEREAS, a Water/Sewer Fund fund balance appropriation is necessary to cover the professional services expense in fiscal year 2016-2017.

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

Section 1: The FY 2016-2017 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
32-3900-91-900	Fund Balance Appropriated	\$8,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
32-8210-91-456	Professional Services-Attorney	\$8,000

Approved: June 13, 2017

C. Resolution 2017-19 Amending Organizational Chart to Reflect Change from Fire Administrator to Fire Chief

**RESOLUTION 2017-19
AMENDING THE ORGANIZATIONAL CHART TO REFLECT THE AMENDMENT OF THE FIRE
ADMINISTRATOR POSITION TO THE FIRE CHIEF POSITION**

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

WHEREAS, the Town of Burgaw Board of Commissioners approved combining the Fire Administrator position with the Fire Chief position to create a 'Fire Chief' position at the May 9, 2017 Board of Commissioners Meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT they hereby amend the Organizational Chart by changing the Fire Administrator position to the Fire Chief position.

Adopted this 13th day of June, 2017.

D. Resolution 2017-20 Amending Utility Technician Job Description

**RESOLUTION 2017-20
AMENDING THE UTILITY TECHNICIAN JOB DESCRIPTION
TO REFLECT THE AMENDED REPORTING POSITION**

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

WHEREAS, the Town of Burgaw Board of Commissioners approved the removal of the Utility & Compliance Supervisor/ORC Position within said policy; and

WHEREAS, the abovementioned change requires an amendment to the job description for the Utility Technician in regards to the reporting authority.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the Utility Technician job description shall be amended to reflect that the Utility Technician shall report directly to the Assistant Director of Public Works effective upon approval of this resolution.

Adopted this thirteenth day of June, 2017.

DEPARTMENTAL ITEMS

Fire Department - *Allen Wilson, Fire Fighter*

Discussion – Truck Replacement Plan

Mr. Wilson advised this is a request to continue with the process of purchasing a new fire engine. He said we have discussed in the past couple of years in the CIP meeting that we have one engine that is beyond its useful life; it is twenty seven years old at this time. He said we also have another engine that is aging. Instead of replacing two engines we have come up with a plan to replace the two with one that has a larger capacity to meet the ISO requirements for our area. He advised we talked about this issue last year during the budget process to go ahead and start getting specifications together for a bid as well as investigating any grant funding. The board approved starting that process last year. We have worked throughout the year on trying to develop specifications and look at different trucks and apparatus to see what would benefit us. He said we have not finalized that process yet but we are getting close.

Mr. Wilson said we need the Board's direction as to whether we need to continue moving forward. The estimated cost will be around \$600,000 to replace both engines which will save a little money in the long run by having only one engine instead of two. He advised that it will take some time to finalize the bid and secure financing/funding to purchase the apparatus and then order the apparatus. He said even if the Board says move forward, more than likely there will not be any requirement for funding in the 2017/2018 budget year; it will be afterward. Mr. Wilson advised that at this time we just need the Board's direction on how to move forward.

Commissioner Harrell asked if this is an interim approval to move forward. Mr. Wilson advised that is correct. He said we are at the point to go ahead and finalize specifications and start working on a bid and then we will need to do an RFP and get that to prospective manufacturers in order to get the process to continue. He said it will take a year for the truck to be constructed.

Commissioner George made a motion to go ahead and continue the process to purchase a new fire engine. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Planning Department – Karen Dunn, Planning Administrator

Discussion: Sidewalk improvements at Wilmington St. and Wright St., Wilmington St. and Dickerson St., and sidewalk extension along Wilmington St. to Dudley St. at Piggly Wiggly

Ms. Dunn advised she will be giving the Board an update on the Wilmington Street Sidewalk project. She advised she met with Mark Walton, Engineer and he brought to her attention some issues with some of the infrastructure on Wilmington Street. She advised she will be proposing some revisions to those four projects that the Board originally reviewed.

Project A: Sidewalk that connects Dickerson Street to Dudley Street - Ms. Dunn said the Board originally approved the north side of Wilmington Street but we are recommending to revise it by moving the sidewalk to the south side of Wilmington Street because that is really where all the traffic is coming from the courthouse and the downtown area to the Piggly Wiggly. She also commented that she has met with Commissioner Robbins and Commissioner Harrell regarding the possibility of running the sidewalk by the Piggly Wiggly that would continue to the next street which is McRae Street. She advised this would involve moving some wheel stops and shortening up the aisle within the Piggly Wiggly parking lot. She advised the store will not lose any parking spaces.

Project B: Bulb-outs at Wilmington and Dickerson Streets – Ms. Dunn advised the bulb-outs can still occur there but they will be shorter than what was proposed because of the catch basins. She advised Mr. Walton is still working on revisions around the catch basins.

Project C: Proposed bulb-outs at Wilmington Street and Wright on the west side – Ms. Dunn advised there are catch basins in the middle and they are recommending that these bulb-outs be moved to the east side with a cross walk so it will not interfere with the catch basins. She also said there is an idea regarding about extending the curb from the loading zone with either a planter or something that will slow traffic down when making the right turn onto Wright Street along with a bike corral.

Project D: Library – Ms. Dunn advised they are not recommending any changes on that portion of the project.

Ms. Dunn presented slides showing examples of different kinds of bulb-outs per NCDOT specifications.

She said at this point she needs for the Board to give directions for her to instruct Mr. Walton in order to move forward with the design. After discussion, it was the consensus of the Board to move forward with the revisions as presented by Ms. Dunn. Mayor Mulligan also requested that they speak with someone at the Piggly Wiggly regarding the addition of the sidewalk on the Wilmington Street side of their parking and to include that as a part of this. Ms. Dunn advised that Mr. Walton will have to do a conditions survey due to moving the sidewalk to the south side of Wilmington Street. Mr. McEwen said that will be a change order and Mr. Walton is working on those numbers now.

Public Works Department – Alan Moore, Assistant Director of Public Works

Resolution 2017-21 Approval of Wellhead Protection Plan

Alan Moore advised this item is an updated version of the Wellhead Protection Plan. He said the names have been changed but the information is the same as the draft included in the packet.

Commissioner George commented that it speaks well for the town to have this plan to protect the water supply and to be looking out for the future of our well sites. Commissioner Harrell said he agrees and that this is a very thorough plan. He asked if this is being distributed to the public at the front window and asked for it to be placed on the website for review by the public.

Commissioner George made a motion to approve Resolution 2017-21 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**RESOLUTION 2017-21
APPROVING TOWN OF BURGAW
WELLHEAD PROTECTION PLAN**

WHEREAS, the Safe Water Drinking Act added amendments in 1986 requiring State Programs to Establish Wellhead Protection Areas; and

WHEREAS, said programs are designed to protect wellhead areas within their jurisdiction from contaminants which may have any adverse effects on the health of persons; and

WHEREAS, the Town of Burgaw has not updated the Wellhead Protection Plan since 1999 and it is deemed necessary to come into compliance with current requirements; and

WHEREAS, the notice of plans to approve the Wellhead Protection Plan has been duly advertised in the local paper of record as required.

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the Wellhead Protection Plan dated April 10, 2017 is hereby approved and said Board has granted authority for the Director of Public Works to implement the plan.

Approved this thirteenth day of June, 2017.

ITEMS FROM ATTORNEY – Robert Kenan, Attorney

Due to the nature of this discussion and the requested amendment from last month's meeting (above) the following discussion is transcribed in verbatim form.

Attorney Kenan: You asked me to report back to you about the Creekside development. In looking at the minutes and the town's ordinance and talking to the planning administrator; going back to the minutes in 2011 the successor developers of Creekside subdivision came in and asked the town to basically amend their subdivision approve to withdraw some trails and in place of that put in the sidewalk along the front. That was in the spring of 2011. Then in the fall and in December of 2011 there was a formal acceptance of the water/sewer infrastructure that was located within the subdivision; the streets were not accepted. As part of that resolution that was adopted, in adopting and taking over the sewer and water construction within that subdivision there was a provision that the developer would complete the sidewalks within two calendar years beginning on January 1, 2012 and have it done by December 31, 2014. Clearly and at the time of those minutes of December 2011 the then planning administrator was to contact Mr. Milam and Mr. Milam agreed that he would complete those improvements within two years as well as he was present at the meeting and he did not raise any objections to doing that at that point in time. The revised subdivision plat was revised and had the actual sidewalk that would be constructed out there put on the plat and since that particular improvement has not been completed. Based on Article 5.3 of the UDO the planning administrator has the right to suspend that subdivision plat approval until there is compliance and if they do not comply then certainly the town can bring an injunction if it needed to. But basically there is a mechanism in the ordinance that will first give notice to the developer to come in and sit down with the planning administrator and discuss about when to put those final improvements in. If those were not done then what would happen is basically there will be no more building permits issued for that subdivision until it comes into compliance. If the developer did not want to come in and immediately put in those improvements then what we would request or what I would suggest that the Board consider is getting a cash bond for one and one quarter times the amount of the actual improvements and then once that cash bond is posted then the town if the developer did not want to put that in the town would have the money so at that point in time to hire a contractor and put in those improvements in whatever timeframe they want to do it. That is the mechanism.

Mayor Mulligan: Okay, very good. Thank you. Chad, have you spoken with the owners of Creekside since our last meeting?

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Chad McEwen: No, not since the last meeting, I spoke with him via email before the last meeting. I spoke to him April 11, 2017 and their position was that they didn't know about the twenty four months.

Reading from his notes: Chad has spoken with Ray and Bert, all of us agree this is the first we have heard about twenty four months requirement and we have a copy of the resolution that makes no mention of that requirement. What we do recall was agreeing to install the sidewalk in front of Creekside when the town installs the sidewalk along Walker Street and we still plan to honor that commitment.

Chad McEwen: I responded back on the seventeenth; the resolution we sent you is the one approved by the Board drafted by Robert Kenan. I will pass this on, this response below to the Board. I would clarify that the sidewalk in front of Creekside is not related or dependent on the sidewalk to the senior center. The sidewalk in front of Creekside was approved and required as part of the plat and subdivision approval process, well before the senior center sidewalk project was proposed. So he keeps wanting to tie it to I'll build it when the senior center is built but they are not tied at all. The senior center sidewalk came in years after the Board felt like that sidewalk in front of Creekside was important.

Commissioner Robbins: What year did that take place?

Chad McEwen: That email correspondence?

Commissioner Robbins: No, the original plat approval.

Attorney Kenan: In 2007 the original subdivision was approved and then Creekside that LLC that Jay is affiliated with bought it in either late 2010 or early 2011. Then he approached the Board in either April 2011 about amending that and the Board took action to amend the subdivision in May of 2011 which concluded the sidewalk as an improvement as an exchange for the town doing away with the trails that were originally approved on the original plat. Then the town came back in December of 2011 and agreed to take over the water and sewer infrastructure.

Mayor Mulligan: If you read the minutes of the December 13, 2011 meeting there were seven things requested in that resolution, six of which transpired and the seventh being the time line for the sidewalk outside of Creekside and one of the owners of Creekside was obviously in the room because he took part in the conversation.

Commissioner Dawson: And the resolution does have the twenty four months (inaudible comment)

Chad McEwen: That meeting the Mayor is referring to, the minutes say that in discussion about the sidewalk recommend the two year time frame to construct the sidewalk. "Ms. Costin commented that Mr. Milam agrees that a twenty four month construction time for the sidewalk is acceptable." So she makes that comment, he is sitting in the room and doesn't appear to be any handwringing or dispute of that twenty four month time line being (inaudible comment).

Commissioner Dawson: And had that information been forwarded to him? It appears that he doesn't remember that conversation.

Chad McEwen: No, I didn't, I have not spoken to Jay since April because I wanted, I didn't want to start a process that the Board was not interested in pursuing.

Commissioner Robbins: When the project was originally platted it was a requirement, is that correct, the sidewalk?

Attorney Kenan: No it was not; it was a trail system within the subdivision and that trail system was going to connect to the senior center by a bridge. So when he, meaning Milam, bought the subdivision and came back he was asking the town to eliminate that trail system and that bridge and in place put the sidewalk out front.

Mayor Mulligan: So, do you, have you any suggestions as how to proceed? Who wants to be the bad guy? And so from my perspective, my perspective the semantics between we will complete our sidewalk when you complete yours don't really work for me because I don't want to spend \$500,000 building a sidewalk down to Creekside and then at a time designated by the owner of Creekside they can commence building their sidewalk and therefore we would have a sidewalk to nowhere for a long time. And, so if we could get some commitment or as our town attorney has suggested a bond that both sidewalks be at least completed at the same time. I'm not going to say get out there and start it next Saturday but the both of the sidewalks should be completed at the same time, don't you think?

Commissioner Robbins: How about if they started at the other end, on the south end.

Mayor Mulligan: Yeah, yeah, I see what you are saying. If they start at the senior center there will be a blank spot. So the question is the only method we have of enforcing this is to number one to require a bond and he may be unwilling to buy a bond, number 2 is restrict his ability to sell permits and that is counter-productive for the town because I would like to see that, it is a good development, I would love to see that development flourish so I guess probably the best thing to do would be Chad if you will approach Mr. Milam and give him all the facts and report back and see can we come to accommodation. Does that sound (inaudible comment).

Chad McEwen: But again, what are the facts? Is it a fact that you are willing to hold permits because I know what he is going to say, he is going to say reference my email of April 6th that's my position. I've got to get him something to get him off center or

Commissioner Dawson: Tell him to either bond it or (inaudible).

Chad McEwen: If you do a bond I would strongly encourage you to require a cash bond not a bond that we have to fight with the bonding company to get released if he refuses to do it. The cash bond and 125% of the estimated cost to construct or install it before or by date certain?

Mayor Mulligan: We have already established date certain and that's passed. Two years ago. Timelines don't seem to be Jay should be pragmatic and that's before, that's why I suggested you bring your minutes and show him that he was in the room. Explain the situation to him and make him understand that we are not really in the business of preventing him from developing his property, that's not what we are here for. But we do want to ensure that we don't build a pig in a poke by building a sidewalk to nowhere.

Chad McEwen: Are you comfortable with me telling him that we will withhold permits?

Mayor Mulligan: That's the question.

Chad McEwen: That's the only thing that's going to get movement out of him.

Commissioner Dawson: What concerns me there is at this point the lots, there's other people that are going to be affected by it because I think there's some permits that have been issued that are not for them but for another builder.

Mayor Mulligan: But those permits have already been issued. We won't pull them. It's just new permits.

Commissioner Dawson: (inaudible) continue to purchase from my understanding.

Mayor Mulligan: You can't buy stolen goods off a guy and say well that's my property.

Commissioner Dawson: But I don't think that they should

Commissioner Harrell: I don't want to go down that road but at the same time if the hand is forced that's the eventual outcome. I would just as soon not have to put that on the table. That is my feeling about it. But if backed against the wall, that's really the final option. I'd rather keep this as an amenable sort of process.

Mayor Mulligan: So . . . (inaudible) bring the minutes bring the resolution with you and in my experience Jay is a reasonable man and pragmatic and we'll cross the next bridge when we come to it or whatever bridge there is.

Chad McEwen: I will just send him the minutes and let him respond.

Mayor Mulligan: I would try to speak with him.

Chad McEwen: I will call him and say we had a meeting, want to send you the minutes and get your thought.

Mayor Mulligan: Okay.

Commissioner Harrell: Let him know we are trying to work this out in an agreeable fashion.

Mayor Mulligan: Thank you, Robert, anything else?

Attorney Kenan: No, I think that's it for this session.

ITEMS FROM MANAGER – *Chad McEwen, Town Manager*

Tree Work

Mr. McEwen advised that a large oak tree in the right of way in front of Burgaw Baptist Church has died and there is a dead limb hanging over North Walker Street and both need to be taken down. He advised he has had two companies look at the trees and it looks like it will range anywhere from \$3500 to \$4000 to remove the tree, the limb and to grind two stumps behind town hall. Mr. McEwen advised he has received quotes from Chris's Clean Cut and Tony's Tree Service and both have done work for us. Commissioner Robbins requested that Mr. McEwen get a bid from Jeff Kennedy Tree Service as well. Commissioner Harrell mentioned using nuisance abatement funds to pay for the service.

At 4:45 PM Mayor Mulligan recommended that the Board go ahead and hold the closed session since there is no other business to be discussed at this time and the Public Forum and Public Hearing will not begin until 5:30PM. The Board was in agreement to go into closed session.

**CLOSED SESSION 4:45PM – Pursuant to NCGS 143-318.11 paragraph (a) item (3) attorney/client privilege
OPEN SESSION RECONVENED: 5:35PM**

Note: no motion was made to enter into or go out of closed session. No action was taken in closed session.

PUBLIC FORUM

Speakers:

Dorothy Marshburn, Giles Marshburn Road, advised she wants to bring to the Board's attention that all those pot holes that are in the road need repair. She said the road is the worst it has ever been. She also said the grass is not being cut and the ditches are overflowing. She asked what can be done about these issues.

Mayor Mulligan stated that Giles Marshburn Road is on the list for improvements for this year. He advised the Board has taken a large piece of money out of reserve to do these repairs. He said part of the problem is that the road is used as a cut through for several entities. He suggested that maybe we should make it a no truck route. Mr. McEwen commented that there is a lot of truck traffic from Nash Equipment on that road as well. He also said that Four County has asked that the town broaden the radius on that road. He advised Four County that they should not be using that road as a cut through because the road is not designed for heavy truck traffic. Ms. Marshburn advised the road is already marked as no through trucks and that has not changed anything. Mr. McEwen advised there will need to be enforcement of the rules.

Mayor Mulligan advised Ms. Marshburn that they are aware of the issues and there will be improvements on Giles Marshburn. There was discussion regarding the possibility of mowing and ditching to help drainage.

Pete Cowan advised he is here for points of information regarding the upcoming Blueberry Festival. He presented a memo from the owner Harvey's Deli and Tavern requesting that the street not be closed in front of his business. Mr. Cowan said he just wanted the Board to know about the request. Mr. Cowan pointed out an area on Wright Street that will be used by Leonard Buildings. He said the conveyance is too wide for after five transport and the building will be brought in about 1:00PM to an area that is coned off just south of the old drug store which worked fine last year. He said there will be a food trailer set up south of the depot and it will not be problem as this was also done last year with no problems. Commissioner Dawson expressed concern about the monogram shop being blocked as it was not there last year. Mr. Cowan advised they will pursue this further and come up with an agreeable solution.

Mr. Cowan thanked the town for their support of the festival.

Michael Peterson, 111 West Bridgers Street advised the flooding on his street is getting worse, the yard is eroding and the culvert pipe is stopped up. He said it takes over an hour for the water to leave the road after a heavy. Mr. Moore advised they have jetted the pipe and they will take another look at it. Mayor Mulligan said we are aware of the problem and we will look into it further.

PUBLIC HEARING

Public Hearing 1 - Chad McEwen, Town Manager

Consideration of Adoption of the FY 2017-2018 Budget for the Town of Burgaw

Mayor Mulligan declared the public open at 5:53PM.

Mr. McEwen presented a PowerPoint presentation that closely follows the information listed in the budget message below.

Date: May 17, 2017

To: Mayor Eugene Mulligan and Members of the Board of Commissioners

From: Chad McEwen, Town Manager

Re: Fiscal Year 2017-2018 Budget Message

INTRODUCTION

In accordance with Chapter 159-11 of the North Carolina General Statutes, I am pleased to submit the proposed Fiscal Year 2017-2018 Annual Budget Ordinance for the Town of Burgaw. The proposed budget establishes a tax rate of \$0.46 cents per \$100 of valuation and based on current valuations, .01 cent generates approximately \$28,968.

Highlights of the FY 17-18 budget include the following:

- A 2 cent ad valorem tax decrease (4.1% decrease in rate)
- No proposed increase in water or sewer fees
- No increase in residential solid waste recycling or trash fees
- A 2% cost of living allowance (COLA) increase for eligible town employees
- A \$20,000 merit pool for eligible full time permanent employees
- No increase in the number of full or part time employees
- General fund fund balance is being appropriated for the following purposes:
 - \$300,000 for paving
 - \$9,011 of the remaining insurance proceeds from Joseph Harrell's insurance policy is being used for painting and dock board replacement at the Depot
 - \$50,000 of Powell Bill restricted funds are being appropriated for maintenance paving of town roads.
- 5.5% increase in property and casualty insurance
- 4.9% increase in health insurance
- No rate increase in dental insurance
- 31% decrease in workers compensation insurance, which will result in a decrease of \$40,000 in annual premium

REVENUES AND EXPENDITURES

Estimated revenues for FY 17-18 were based on conservative estimates despite signs of positive growth in ad valorem, Powell Bill, and sales tax revenues. This expected growth is due to the recent construction of several new commercial businesses. The presence of these new commercial businesses resulted in increases in actuals received during the FY 16-17 fiscal year. It is important to point out that although the ad valorem base is growing modestly, the revenues received from the levy will only be approximately \$11,283 higher in FY 17-18 than budgeted for FY 16-17. This is the result of the decrease in the ad valorem rate from .48 cents per \$100 value to \$.46 cents per \$100 value. From a line item perspective, most revenues sources are anticipated to remain relatively flat. However, the information below outlines revenues that are anticipated to increase or decrease over prior year estimates:

Revenue	Percent Change (FY 16-17 to FY 17-18)	FY 16-17 Budgeted	FY 17-18 Budgeted
Ad Valorem	0.85%	\$1,321,232	\$1,332,515
Local Option Sales Tax	14.3%	\$724,033	\$827,551
Hold Harmless	18.6%	\$229,062	\$271,597
Room Occupancy Tax	28.6%	\$7,000	\$9,000
Utility Franchise Tax	(7.5%)	\$214,965	\$198,900

DOT Railway Reimbursement	60%	\$7,500	\$12,000
ABC Distribution	71%	\$26,843	\$46,000

After experiencing a flat renewal last year, our health insurance renewal quote reflects a 4.9% increase for FY 17-18. In regard to property and casualty insurance our current provider has quoted an increase of 5.5%. No changes to the coverage levels or deductibles are proposed for either the health or property and casualty insurance based on the renewal quotes provided.

In regards to workers compensation insurance our renewal quote reflects a 31% decrease from the premium paid in FY 16-17. In the last two years the town has been successful in reducing worker compensation premiums by over 50%. The renewal decrease is attributed to a significant reduction in the Town's claims experience over the last couple years.

CAPITAL IMPROVEMENT PLAN

In February, the Board of Commissioners held a Capital Improvement Plan Planning Session to discuss the capital priorities for the next five years. During this 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 17-18 the following capital purchases were prioritized and budgeted for:

<u>Capital Item</u>	<u>Estimated Cost</u>
• Depot Dock Boards	\$5,000
• Sidewalk Construction (Powell Bill)	\$30,000
• Sidewalk Construction (Streets)	\$125,000
• Courthouse Lighting	\$60,000
• Bar Screen	\$208,000
• Safety Upgrades at PS 1 and 2	\$25,000
• Sewer Manhole Rehab (I&I)	\$10,000
• Radio Upgrades	\$11,000
• Street Paving	\$350,000
• Cowan/Wallace St Drainage Improvements	\$30,000
• VoIP Phone Sys./IT Improvements	\$12,621
• Protective Equipment for FD (4 sets)	\$12,000
• SCBA Equipment (2 of 3)	\$40,000
• Computer Replacement	\$6,000
• Mower	\$5,200
• Ground Water Well Telemetry	\$31,000
• P&R Position	\$30,000
• Intern/ Fellow	\$10,000
• COLA	2.0%
• Merit Pool	\$20,000
• Nuisance Abatement	\$20,000

The following items were prioritized but were purchased with funds from FY 16-17:

<u>Capital Item</u>	<u>Estimated Cost</u>
• Active Shooter Vests	\$6,000
• Speed Trailer	\$8,000
• Automatic Transfer Switch	\$11,000
• MDT Computers	\$5,000
• Police Pak Server	\$3,000
• Shotgun/Rifle Mounts	\$6,000
• Fence/Dumpster Enclosure	\$4,100

• Security Plus Camera for Town Hall	\$700
• Undercover Camera	\$2,000
• Radar	\$1,600
• Mosquito Sprayer	\$13,000
• Sewer Camera	\$9,000
• Dump Truck	\$60,650
• Police SUV	\$38,500

Please be advised that many of these capital expenditures scheduled for funding in FY 17-18 involve grants, designated/restricted revenue sources (i.e. Powell Bill), current year (FY 16-17) expenditures, 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. Based on numbers provided (as of June 30, 2016) by the Town’s auditing firm, Thompson, Price, Scott, and Adams, it is estimated that the fund balance for the general and water and sewer fund are 85% and 106%, respectively.

SUMMARY

In summary, the proposed FY 17-18 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. This year the Town has continued its concerted effort of exploring innovative ways to reduce operating costs within its various departments. Over the last several years the Town has undertaken several proactive cost-cutting measures that have enhanced the sound financial standing the Town has commonly been known to possess. These cost cutting measures have provided the Town with the ability to cut the rate of ad valorem taxes while maintaining the current level of service.

Respectfully submitted,
 Chadwick W. McEwen
 Town Manager

Discussion:

Commissioner Dawson said in light of our pay study she has noticed that our public works department is about in the same situation that our police department was in that some of our public works employees are significantly underpaid. She said she requested information from the finance officer and suggested giving them an increase comparable to the police department. Commissioner Dawson mentioned a total increase in Public Works salaries of \$26,900 plus 40% for benefits. She said she would like to go ahead and take care of public works employees that are underpaid. She said because this is a recurring cost to consider taking the tax decrease option which is like \$57,000 and utilize that to increase our maintenance workers salaries to where they should be. She said she would like to see the Maintenance Worker I, Utility Tech, Foreman and Administrative Assistant be given increases to bring their salaries to where they should be.

Mayor Mulligan said he thinks we should consider paying off the ladder truck today as well which is \$247,900. He said we are paying 2.4% interest and could save by paying it off early. He this would free up \$51,000 that we currently pay annually and that would help with the public works concerns and maintain the two cents tax cut.

Commissioner Harrell said there will also be a savings by buying the street lights around the courthouse as opposed to renting them from Duke Energy.

Commissioner Robbins asked if there is any money in the budget for the tree board. He said he has not been able to find that line item in the budget. Ms. Pope advised there is \$2,000 in the budget for the tree board. She advised this is in the non-departmental portion of the budget.

Mayor Mulligan also suggested paying off the tanker truck as well which would free up \$10,538. He said expenditures could be reduced in excess of \$60,000 and save interest. He commented that our reserve fund is currently at 80%.

Commissioner Dawson asked Commissioner Harrell why the policy/finance board did not recommend paying off the fire truck during budget discussions. Mr. McEwen answered it was not recommended because of possible consolidation. He advised that anything paid off in the fire department lessens the annual contribution to fire services on paper. He said removal of the debt on the truck would come into play next year when the annual rate must be justified to Pender Central. He said there are downsides to paying off this particular debt.

Mayor Mulligan said by paying off debt over a period of five years we are looking at saving over \$11,000 of taxpayers money. That's what it comes down to.

Mayor Mulligan said he agrees that we need to study the salary situation. Commissioner Dawson said it has been studied. Mayor Mulligan said we just got this information today and he doesn't see how we can make these decisions without a policy finance meeting. He said we haven't even had a chance to study this and he doesn't see how we could possibly make a decision today. Commissioner Dawson said the reason we have to do it today is because we have to approve the budget. She said this is a recurring cost and we need to go ahead and include this today to make sure that those employees are taken care of in this budget year. Mayor Mulligan said he doesn't imagine that taking \$37,000 out after the decision has been contemplated and discussed by the policy/finance board and a contemplated decision is made that the \$37,000 out of the general fund for just next year is going to tilt the balance.

Mayor Mulligan said policy/finance needs to discuss this because not only some public works employees are below average but there is a couple of administrative staff that according to the study are well below average. Commissioner Dawson said she is ready to make a decision today. Mayor Mulligan said he just doesn't think this is the time to have this discussion. Commissioner George said let Policy/Finance discuss this but he thinks that everybody should be brought up to a regional average. Commissioner Dawson said they need to do this quickly because we don't need to drag our feet. She said this was brought up today because this is a recurring cost and it will have an effect on next year's budget because of the loss of the tax revenue due to the tax decrease.

After much debate Commissioners Murphy and Harrell agreed to hold a policy finance board meeting on June 20 at 10:00 AM (*note: the meeting date was later changed to June 27 at 9:30AM). Commissioner Dawson requested that this issue be brought back to the July meeting.

Public hearing ended at 6:35PM.

Commissioner Harrell made a motion to approve the budget as presented (Ordinance 2017-13). The motion was seconded by Commissioner Murphy. Commissioners Harrell, Murphy, Dawson and Robbins voted "aye". Commissioner George voted "nay". Motion carried four to one.

**ORDINANCE 2017-13
BUDGET ORDINANCE
FISCAL YEAR 2017-2018**

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, 2017 and ending June 30, 2018 in accordance with the chart of accounts established for this town:

GENERAL FUND EXPENDITURES

Governing Body	\$ 79,742
Administration	\$ 334,928
Depot	\$ 25,889
Incubator Kitchen	\$ 14,760
Police	\$ 930,297
Fire	\$ 582,265
Planning	\$ 111,633

Inspections	\$ 141,266
Powell Bill	\$ 396,307
Streets	\$ 418,016
Sanitation	\$ 332,331
Non Departmental	\$ 210,570
City Parks	\$ 93,019
Cemetery	\$ 48,991
Garage	\$ 67,742
Special Appropriations	\$ 100,000
Community House	\$ 15,370
Old Jailhouse	\$ 1,000
EMS Building	\$ 4,110
TOTAL	\$ 3,908,236

SECTION 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2017 and ending June 30, 2018 at a tax rate of \$0.46 per \$100 valuation:

GENERAL FUND REVENUES

Ad Valorem Taxes	\$1,332,515
Other Taxes and Licenses	\$1,386,648
Unrestricted Intergovernmental	\$ 385,862
Restricted Intergovernmental	\$ 472,511
Permits and Fees	\$ 25,900
Sales and Services	\$ 300,400
Investment Earnings	\$ 1,900
Miscellaneous	\$ 2,500
Fund Balance Appropriated	\$ 0
TOTAL	\$3,908,236

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, 2017 and ending June 30, 2018 in accordance with the chart of accounts established for this fund:

WATER & SEWER FUND EXPENDITURES

Water Distribution	\$ 561,977
Sewer Collection and Treatment	\$ 642,533
Transmission Line	\$ 621,794
TOTAL	\$1,826,304

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, 2017 and ending June 30, 2018 based upon a flat water rate of \$9.26 and a per 1,000 gallons rate per Attachment I and a sewer rate of \$9.23 per 1,000 gallons:

WATER & SEWER FUND REVENUES

Water Distribution	\$ 580,050
Sewer Collection and Treatment	\$1,231,254
Impact Fees	\$ 15,000
TOTAL	\$1,826,304

SECTION 5: There is hereby levied a tax rate of \$0.46 per one hundred dollars valuation of property as listed for taxes as of January 1, 2017 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 96%.

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 13th day of June, 2017 by the Board of Commissioners of the Town of Burgaw.

**TOWN OF BURGAW
SCHEDULE OF FEES
FISCAL YEAR 2017-2018**

(ATTACHMENT I)

GENERAL

Copies – black and white	\$0.05 each
Copies – color	\$0.15 each
CD	\$1.00 each

UTILITIES

Utility Deposit (water, sewer)	\$0 - \$150.00 Based on Credit History \$300 without verifiable identification
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Residential Credit Check	\$5.00
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Commercial Deposit	
<u>Gal. Mth. Usage</u>	<u>Deposit</u>
0-3000 gals.	\$125.00
3001-9000 gals.	\$250.00
9001-25000 gals.	\$700.00
25001-50000 gals.	\$1,250.00
50001-100000 gals.	\$2,500.00
100000-***	\$2,500.00 min

Master Meter Deposit	\$150.00 Per Unit in Multi-Family Complexes
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Irrigation Deposit	\$25.00
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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)	\$ 18.46	.009229 per gal
(outside city limits)	\$ 36.94	.01846 per gal

Solid Waste	\$18.35 (residential: 1 roll cart & recycling roll cart)
	\$32.86 (residential: 2 roll carts & recycling roll cart)
	\$31.02 (2 commercial roll carts & recycling bin)*

*Commercial customers may request recycling roll cart service, in addition to their trash roll carts, for a total solid waste fee of \$32.86.

Vegetative/Construction/Demolition Debris pickup generated by town trash customers

Labor	\$40.00 per hour
Backhoe	\$50.00 per hour
Dump truck	\$40.00 per hour

All hourly charges shall be pro-rated and a minimum of 1 hour shall be charged for all services provided pursuant to this fee schedule. All associated fees shall be invoiced by the town and must be paid prior to collection.

Bulk Water Purchase:

Hydrant Meter Rental:

Administrative Fee	\$50.00
Daily Hydrant Meter Rental Rate	\$10.00 per day
Monthly Hydrant Meter Rental Rate	\$300.00 per month
Bulk Rate	\$10.40 per 1,000 gal (\$0.0104 per gal)
Violation for misuse of hydrant meter	\$250.00 per day per violation

Replacement Costs:

Hydrant Meter	\$1,000.00
RPZ Backflow	\$900.00
“S” Tube	\$300.00
Gate Valve	\$100.00
Hydrant Wrench	\$50.00

Tank Filling:

Administrative Fee**	\$10.00 per filling
Filling Station Rate***	\$25.00 per 1,000 gal

**Administrative fee must be paid prior to each tank filling. Fee will not be pro-rated based on amount of water purchased.
 ***Town will not pro-rate the rate if less than 1,000 gallons are purchased.

Low Flow Device Credit	\$25.00 toilet
	\$20.00 shower, faucet

Connection Fees

		(Inside city limits)		(Outside city limits)	
		Water	Sewer	Water	Sewer
	¾”	\$ 950	N/A	\$1,900	N/A
	1”	\$1,100	N/A	\$2,200	N/A
	Turbo 2”	\$1,500	N/A	\$3,000	N/A
	Compound 2”	\$1,500	N/A	\$4,000	N/A
	4”		\$650		\$1,300

Additional tap fee \$500 if bore is involved

Meter Purchase (installed)	¾”	\$250 meter only	\$500 meter, setter, box
	1”	\$400 meter only	\$750 meter, setter, box
	2”	\$1,300 meter only	\$2,200 meter, setter, box
	3”	\$2,400 meter only	
	6”	\$4,320 meter only	
	8”	\$5,160 meter only	

Irrigation Meter Connection	\$300.00 Connection from existing service ¾”
	\$500.00 Connection from main line ¾”

Temporary Connect/Disconnect Fee \$30.00 3 day limit

Inactive Account Fee	\$25.00 (3 months or less)
	\$50.00 (greater than 3 months)
Administrative Fee	\$35.00 Charge for non-payment or disconnect
	\$200.00 Charge for meter testing

Returned Check Fee \$25.00

Impact Fee*	\$4.89 water	\$10.00 Sewer
(based on 360 gal/day)	\$1,760.40	\$3,600.00

* See attached water/sewer impact fee schedule (appendix A)

Unauthorized use of water/sewer system up to \$1,000 per day plus \$75 Administrative Fee & applicable water consumption charges

CEMETERY

Cost of land	\$6.82 per square foot (standard lot is 4’ x 11’)
Burial Fee per space	\$300.00 (in town resident)
	\$600.00 (out of town resident)

FILMING

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 \$1,000.00

FACILITIES

Depot Rental

Banquet Room:

Private/Commercial	
Monday-Thursday	\$75/hour (2 hour minimum)
Friday-Sunday (8am – 12am)**	\$600 per day
Security Deposit (Refundable)	\$250
Public/Non-Profit*	
Monday-Thursday	\$50/hour (2 hour minimum)
Friday-Sunday (8am – 12am)**	\$250 per day
Security Deposit (Refundable)	\$240

Conference Room:

Private/Commercial	
In conjunction with Banquet Room Rental	\$100
Public/Non-Profit*	\$15/hour (2 hour minimum)
In conjunction with Banquet Room Rental	\$100

Dock Area:

Private/Commercial (8am – 12am)**	\$100 per day
Public/Non-Profit* (8am – 12am)	** \$50 per day
Cleaning Deposit (Non-refundable)	\$25

Open Area**

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.

**Friday rentals may be pro-rated for a minimum of 4 hours, with the approval of the event center coordinator, to allow for multiple rentals of the facility. A minimum 4 hour charge is required.

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

Community House Rental Fee

Full Weekday (Monday-Thursday)	\$100 per day
3 Hours Weekday (Monday-Thursday)	\$30
6 Hours Weekday (Monday-Thursday)	\$50
Full Weekend day (Friday-Sunday)	\$150 per day
3 Hours Weekend (Friday-Sunday)	\$50
6 Hours Weekend (Friday-Sunday)	\$75

Security Deposit (Refundable)	\$100
Cleaning Fee (Non-Refundable)	\$50

Hankins Park Reservation Fee	\$25.00 Town Residents \$40.00 Non-resident
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Park reservation application must be 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
Violation of ordinance within Chapter 32- Traffic & Vehicles	\$ 50.00 civil penalty

ANNEXATION

Voluntary Annexation(up to 100 acres)*	\$500.00
Voluntary Annexation (greater than 100 acres)*	\$1,000.00

ZONING

Zoning Compliance Permit Fees	
New Construction, Additions, and Changes of Use	\$30.00
Home Occupations	\$10.00
Flood Development Permit	\$30.00
Sign Permit	\$30.00
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 (CZ)	\$325.00*
Application for Administrative Amendment to CZ District	\$30.00
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
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 \$7.00 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 \$7.00 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 - \$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**

Single wide home	\$ 125.00
Double wide 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

MECHANICAL PERMIT

New Electric, gas or oil – 1st unit	\$ 80.00
Additional units	\$ 50.00
Change-out, 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 per amp
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	
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	\$100.00
(A final inspection must be requested upon completion of work)	
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.	
<u>FIRE MARSHAL</u>	
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 on 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 / COMBUSTIBLE 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)	
<ol style="list-style-type: none"> 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. 	

Appendix A

WATER AND SEWER IMPACT FEE SCHEDULE

Use	Unit	ERU	Water Fee	Sewer Fee
Single Family Residential	Dwelling	1	\$1,760.80	\$3,600.00
Multifamily Dwelling (3 bedroom)	Dwelling	1	\$1,760.80	\$3,600.00
Multifamily Dwelling (2 bedroom)	Dwelling	0.85	\$1,496.68	\$3,060.00
Multifamily Dwelling (1 bedroom)	Dwelling	0.7	\$1,232.56	\$2,520.00
Barber & Beauty shops	Chairs	0.12	\$211.30	\$432.00
Churches, theaters & assembly halls	Seats	0.01	\$17.61	\$36.00
Coin operated laundry	Washers	0.8	\$1,408.64	\$2,880.00
Convenience stores	Commodes	0.57	\$1,003.66	\$2,052.00
Correctional institutions	Inmates	0.22	\$387.38	\$792.00
Day Care Center	Persons	0.03	\$52.82	\$108.00
Factories	Employees	0.05	\$88.04	\$180.00
Fast Food	Seats	0.1	\$176.08	\$360.00
Hospitals	Beds	1.25	\$2,201.00	\$4,500.00
Hotel/Motel without kitchen	Rooms	0.35	\$616.28	\$1,260.00
Nursery Home with laundry	Residents	0.4	\$704.32	\$1,440.00
Nursery home no laundry	Residents	0.22	\$387.38	\$792.00
Offices, warehouses	per 1000 sq. ft.	0.05	\$88.04	\$180.00
Restaurants 12 hours or less/day	Seats	0.02	\$35.22	\$72.00

more than 12 hour/day		0.05	\$88.04	\$180.00
Schools	Students	0.03	\$52.82	\$108.00
Shopping centers/stores	per 1000 sq. ft.	0.3	\$528.24	\$1,080.00

TOWN OF BURGAW		
BUDGET YEAR 2017-2018		
ATTACHMENT II		
PAY CLASSIFICATION PLAN		
<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
TOWN MANAGER	65,000.00	93,000.00
TOWN CLERK	40,689.84	62,332.20
FINANCE OFFICER	56,981.28	79,774.20
PERSONNEL TECH/DEPUTY TOWN CLERK	28,636.50	40,494.00
CUSTOMER SERVICE REPRESENTATIVE	24,440.22	34,215.90
ACCOUNTING TECHNICIAN	32,640.00	45,910.20
BUILDING CODE ADMINISTRATOR	47,357.58	68,340.00
PERMITTING TECHNICIAN	21,216.00	29,702.40
PLANNING ADMINISTRATOR	44,121.12	61,769.16
POLICE CHIEF	53,040.00	77,520.00
DETECTIVE SERGEANT	35,700.00	53,040.00
PATROL SERGEANT	32,640.00	40,800.00
CORPORAL	32,031.06	37,740.00
CORPORAL - CRIME DIVERSION OFFICER	32,031.06	37,740.00
PATROL OFFICER	32,130.00	42,432.00
POLICE ADMINISTRATIVE ASSISTANT	21,216.00	29,702.40
PUBLIC WORKS DIRECTOR	45,594.00	65,280.00
ASSIST. DIRECTOR OF PUBLIC WORKS	40,973.40	60,180.00
PUBLIC WORKS ADMINISTRATIVE ASSISTANT	21,216.00	29,702.40
FOREMAN	26,210.94	38,556.00
UTILITY TECHNICIAN	25,073.64	35,103.30
MECHANIC	28,761.96	42,024.00
MAINTENANCE WORKER I	21,216.00	29,702.40
MAINTENANCE WORKER II	24,035.28	37,527.84
FIRE CHIEF	54,412.92	61,897.68
FIRE FIGHTER	25,500.00	40,139.04
PARKS & RECREATION COORDINATOR	30,000.00	30,000.00

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner George reminded everyone to attend the Blueberry Festival.

Commissioner Harrell thanked Mr. Moore and public works for putting up the public parking signs on the bank property as well as taking care of the poison ivy over there. He also thanked Mr. Moore for patching the potholes on McRae Street. Commissioner Harrell said he is concerned about the advertising we are doing for the open positions because we only got two applications for the public works director position. Mr. McEwen advised we received a lot more than two, we only interviewed two. Commissioner Harrell said he just wanted to make sure that we are using all available avenues for advertising. Commissioner Harrell said there is a problem with the water meter lids that don't fit properly. He asked Mr. Moore to look into this.

Note: At the July 11, 2017 meeting Commissioner Harrell requested to amend his comment regarding the water meter lids. He said "there was a statement in the minutes that I would like to correct that had to do with the accident and the covers for the water meters, I had stated there was an accident, at least one that I am aware of, that was a very serious injury involved in the accident because of the water meter lids not fitting properly". Commissioner Harrell further commented when questioned by Mayor Pro-tem Robbins regarding the correction. Commissioner Harrell said "that there was an injury, the purpose of bringing up the fact that the water meter lids don't fit properly is that there was an injury and that's why they need to be seriously corrected. I suggested putting the locks back on the lids."

Commissioner Dawson thanked Mr. Moore and public works for the improvements along the railroad right of way particularly the Burgaw Middle School where there was a lot vegetation growing. She said although there is still some there it looks one hundred percent better than it did.

Commissioner Robbins advised he has been observing the flooding issues on Bridgers Street at Mr. Peterson's house and commented that Mr. Peterson is right because it never used to flood like that. He said it is like a river. He asked Mr. Peterson if he could set up a meeting with Mr. Moore and see if they can come up with a solution. Commissioner Robbins asked about the long range plan for West Satchwell Street near Durham Village. Mr. McEwen advised our Powell Bill obligations stop on this side of Durham Street. He said there have been recent calls requesting pothole repair at Durham Village and Antoinette Drive but those areas are private property and not the responsibility of the town. Mr. McEwen advised he has spoken to the owner of Durham Village and advised him of this. Commissioner Robbins asked Mr. McEwen to contact the owners of Durham Village the next time we do paving to determine if they would like to have their street paved at their expense while we have a contractor in town paving. Commissioner Robbins asked if the Salary and Retention study could be discussed at the Policy/Finance Board and maybe come back to the full board with a recommendation. Commissioner Dawson asked Mr. McEwen to contact Chris May with the Cape Fear Council of Governments to see if he could attend the policy/finance meeting.

Commissioner Murphy advised he had a complaint from Nancy Bradshaw regarding her property being surveyed and she was upset about it. Mr. McEwen advised he is aware of this and the survey was completed several months ago. She was upset that the surveyor crossed her ditch and she contacted Attorney Kenan about it. The surveyor was cautioned to let Ms. Bradshaw know if they have to go on her property. He advised Mr. and Mrs. Bradshaw were in agreement for notification by the surveyor before entering her property.

Mayor Mulligan said they poured concrete at the middle school and wanted to know if they are going to correct the low spot on the sidewalk. Mr. McEwen said they can look into it and try to find a solution. Mayor Mulligan asked what the town does with outstanding debt. Mr. McEwen advised it is turned over to debt setoff. He advised debt setoff is through the state treasurer's office whereby if an individual that owes the town money wins the lottery or gets a tax refund the amount owed to the town is paid before the individual receives theirs. He said for business debt the only means of collection is to go through the court system.

ADJOURNMENT

There being no further discussion, Commissioner Harrell made a motion to adjourn. The motion was seconded Commissioner Robbins and carried by unanimous vote. The meeting adjourned at 6:55PM.

Eugene Mulligan, Mayor

Attest: _____
Sylvia W. Raynor, Town Clerk