

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

DATE: November 12, 2013
TIME: 4:00 PM
PLACE: Burgaw Municipal Building
BOARD MEMBERS PRESENT: Mayor Kenneth T. Cowan
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
Rebekah Costin, Planning Administrator
Bill Fay, Director of Public Works
Louis Hesse, Building Inspector
Ashley Loftis, Finance Officer
Kim Rivenbark, Permitting Technician
Montrina Sutton, Chief of Police
Allen Wilson, Fire Administrator
MEDIA PRESENT: Andy Pettigrew – The Pender Post
Stephanie Bowens, Star News
INVOCATION: Bryant Crosson, Chaplain
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Kenneth T. Cowan at 4:00PM.

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

In regards to the minutes of the October 8, 2013 meeting, Commissioner Robbins questioned the comment regarding Mayor Cowan's request for Commissioner Robbins and Commissioner Tyson to meet with representatives from the Downtown Burgaw Association. Upon clarification, Commissioner Tyson made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote. The consent agenda and the following item was approved:

- Minutes of the October 08, 2013 regular meeting

SPECIAL PRESENTATION

Alan Thompson with Thompson, Price, Scott, Adams and Company presented the FY 2012-2013 Audit results to the Board. He presented a summary of findings (copy attached to minutes). Mr. Thompson advised there were no negative findings in the audit report. There was a brief question and answer period regarding the audit.

DISCUSSION ITEM

Justin Rojas, 119 E Woodbine Terrace and John Hoy, 212 W Woodbine Terrace spoke on behalf of the residents of Teal Briar regarding the issues they are experiencing with the Home Owners Association (HOA) that had been managed by the developer for thirteen years but has now been handed over to the residents. Mr. Rojas advised that the infrastructure has not been maintained and that Mr. Vincent (the developer) has not responded to their requests for assistance. He also commented that the community cannot afford the maintenance fees. Mr. Rojas said that most

of the homes in the development are occupied and HOA dues are being collected from most residents. He advised Realty World is now managing the HOA but there are several items that have not been settled with the previous management company. Mr. Rojas said he is requesting the Town Board to make contact with John Vincent and ask him to come and sit down with the homeowners and work with them on this issue. At this point a very lengthy discussion was held regarding whether or not the Town should or could get involved in this situation. After much discussion, it was the consensus of the Board to have Mr. McEwen make contact with John Vincent via a certified letter requesting to set up a meeting to discuss the issues that have been presented today.

DEPARTMENTAL ITEMS

Finance

Ordinance 2013-25 Amending FY 2013-2014 Annual Budget - Capital Reserve for John Taylor Fund – Ashley Loftis, Finance Officer

Background

Ashley Loftis, Finance Officer advised the Town was recently informed that the Burgaw Fire Department operated under the Town of Burgaw’s Charter and did not operate as a separate not-for-profit organization. For this reason, the Burgaw Fire Department was required to close out all financial accounts and turn over all money held to the Town. The Town has received a total of \$16,002.75 which included money from a checking account and a CD. By ordinance, the budget will be amended and this money will be placed within the Capital Reserve line of the Fire Department.

There being no discussion, Commissioner Rooks made a motion to approve Ordinance 2013-25 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2013-25
AMENDING FISCAL YEAR 2013-2014 ANNUAL BUDGET
Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2013-2014 on June 11, 2013; and

WHEREAS, the Town of Burgaw has since been notified that all money held by the Burgaw Volunteer Fire Department and the John Taylor Fund are Town funds; and

WHEREAS, the Town of Burgaw is responsible for accounting for this money in accordance with the Governmental Accounting Standard Board and the Local Government Budget and Fiscal Control Act; and

WHEREAS, the Town of Burgaw has received all monies previously held by the BVFD and the John Taylor Fund; and

WHEREAS, the Town of Burgaw wishes to place the money received within the Capital Reserve line of the Fire Department.

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

Section 1: The FY 2013-2014 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-10-3750-500	Contribution from BVFD	\$16,002.75

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-10-5300-760	Capital Reserve	\$16,002.75

Approved: November 12, 2013

Resolution 2013-37 Declaring Surplus Property – Ashley Loftis, Finance Officer

Ashley Loftis, Finance Officer advised that currently, the Town has several obsolete items that need to be included in our surplus items. She said the Town wishes to sell the items listed below by auction through GovDeals and one item through sealed bids.

- One (1) 2005 Chevy Impala, VIN- 2G1WF55K959165681 (GovDeals)
- One (1) 2008 Crown Victoria, VIN- 2FAFP71V48X134506 (GovDeals)
- One (1) Vendo Coca Cola drink machine (Sealed bids), Serial # 109009724, Model # VSA144B

There being no discussion, Commissioner Dawson made a motion to approve Resolution 2013-37 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

**RESOLUTION 2013-37
SURPLUS PROPERTY**

WHEREAS, the Town of Burgaw wishes to surplus obsolete property; and
WHEREAS, the Town has declared the items below as surplus; and
WHEREAS, the Town desires to sell the above-referenced surplus properties by auction through GovDeals; and
WHEREAS, the Town authorizes the proceeds of the sales to be placed in the Vehicle Replacement Fund; and

- One (1) 2005 Chevy Impala, VIN- 2G1WF55K959165681
- One (1) 2008 Crown Victoria, VIN- 2FAFP71V48X134506

WHEREAS, the Town desires to sell the below-referenced surplus property by sealed bid with a minimum bid of \$100.

- One (1) Vendo Coca Cola drink machine, Serial # 109009724, Model # VSA144B

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:
The above referenced items be declared surplus property and that the Town Manager is authorized to dispose of said property by auction.

Adopted this 12th day of November 2013.

Finance/Fire Department

Resolution 2013-38 Authorizing Repair of the Pierce Ladder Truck for Burgaw Fire Department – Allen Wilson, Fire Administrator

Allen Wilson, Fire Administrator advised this resolution authorizes repair to the ladder truck. He advised during a recent service to the truck a significant leak in the steering system was discovered. At that point they decided to do a thorough inspection of the truck to determine if there were any other problems. He advised the estimate for the necessary repairs came in at \$16,000.00.

After a brief discussion, Commissioner Robbins made a motion to approve Resolution 2013-38 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

**RESOLUTION 2013-38
A RESOLUTION AUTHORIZING THE REPAIR OF PIERCE LADDER TRUCK FOR BURGAW FIRE DEPARTMENT**

WHEREAS, the Town of Burgaw Fire Department’s Ladder Truck has been restricted to its response due to major mechanical breakdown; and
WHEREAS, the costs of the needed repairs at \$16,000.00 are more than can be absorbed in the fire department’s budget; and
WHEREAS, these repairs are needed for the apparatus to return back to full service to protect the citizens of Burgaw.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT an appropriation of \$16,000.00 from the General Fund be granted to make the needed repairs to the Burgaw Fire Department’s Ladder Truck.

Adopted this 12th day of November 2013.

Ordinance 2013-26 Amending FY 2013-2014 Annual Budget - Fire Department Ladder Truck Repairs – Ashley Loftis, Finance Officer

Ashley Loftis, Finance Officer advised approval of Ordinance 2013-26 will appropriate the necessary funds to repair the ladder truck per Resolution 2013-38 approved above. There being no discussion, Commissioner Robbins made a motion to approve Ordinance 2013-26 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

ORDINANCE 2013-26
AMENDING FISCAL YEAR 2013-2014 ANNUAL BUDGET

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2013-2014 on June 11, 2013; and

WHEREAS, during a recent review of the Burgaw Fire Department Ladder Truck, a substantial amount of repairs that need to be addressed were found; and

WHEREAS, the Town did not budget for repairs of this caliber, only for routine maintenance and repairs; and

WHEREAS, an appropriation of funds from General Fund fund balance is required to allocate funds in the appropriate line items.

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

Section 1: The FY 2013-2014 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-00-3900-900	Fund Balance Appropriated	\$16,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-10-5300-170	M&R Vehicles	\$16,000

Approved: November 12, 2013

Finance/Town Manager

Resolution 2013-39 Awarding a Contract to Norris Construction Company – Chad McEwen, Town Manager

Chad McEwen, Town Manager advised this summer, several portions of Osgood Canal were damaged due to prolonged rain. The damage involved several sections of bank collapsing due to being saturated for long periods of time. Several of the sections damaged were within the NCDOT right of way and have been repaired. However, several damaged sections remain. These sections are primarily along the greenway from Wilmington Street to NC 53.

Mr. McEwen advised the scope of the work will involve removing the material that has fallen off the banks and into the run of the canal, placing stabilization cloth on the bank, and installing rip rap along the bank for stability. This work is required in order to prevent the continued collapse of the east bank as well as possible damage being sustained to the trail. Mr. McEwen also advised a portion of this project will be paid for with PARTF funds.

Mr. McEwen advised we have solicited bids for the work and received the following responses;

1. Norris Construction - \$16,500
2. Landmark- Unresponsive bidder
3. Roadbuilders- Unresponsive bidder
4. Elite- \$58,160

After a brief discussion, Commissioner Dawson made a motion to approve Resolution 2013-39 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

RESOLUTION 2013-39
Resolution Awarding a Contract to Norris Paving and Construction for Repairs to Osgood Canal

Whereas, the Town of Burgaw wishes to address recent deterioration of the banks along Osgood Canal, and

Whereas, the Town of Burgaw solicited bids to remove material that has been deposited in the watercourse, install stabilization cloth along the damaged portions of the canal, and install rip rap, and

Whereas, the Town of Burgaw has received the following bids in regard to the referenced scope of work;

1. Norris- \$16,500
2. Landmark- Unresponsive bidder
3. Roadbuilders- Unresponsive bidder
4. Elite- \$58,160, and

WHEREAS, based on the review of the bids received it is recommended that a contract with Norris Paving and Construction be approved in regard to the referenced scope of work.

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

Section 1: A contract with Norris Paving and Construction for \$16,500 is hereby authorized for the work described above.

SECTION 2: The Town of Burgaw Board of Commissioners hereby authorizes the Mayor or Town Manager to execute the required contract with Norris Paving and Construction.

ADOPTED this the 12th day of November, 2013.

Ordinance 2013-27 Amending FY 2013-2014 Annual Budget - Norris Construction/Osgood Canal Repairs – Ashley Loftis, Finance Officer

Ashley Loftis, Finance Officer advised approval of Ordinance 2013-27 will appropriate the necessary funding to cover the contract with Norris Construction approved above. There being no discussion, Commissioner Dawson made a motion to approve Ordinance 2013-27 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2013-27
AMENDING FISCAL YEAR 2013-2014 ANNUAL BUDGET

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2013-2014 on June 11, 2013; and

WHEREAS, the Town has noticed that some canal banks along the Osgood Canal need stabilizing; and

WHEREAS, the Town received quotes for this work to be completed with Norris Construction submitting the lowest quote for \$16,500; and

WHEREAS, the Town did not budget for these repairs to be made within the current fiscal year; and

WHEREAS, an appropriation of funds from General Fund fund balance is required to allocate funds in the appropriate line items.

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

Section 1: The FY 2013-2014 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-00-3900-900	Fund Balance Appropriated	\$16,500

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-30-5800-450	Contracted Services	\$16,500

Approved: November 12, 2013

Finance/Planning

Resolution 2013-40 Approving Contract with Kimley Horn for Sewer Mapping Project – *Rebekah Costin, Planning Administrator*

Rebekah Costin, Planning Administrator advised at the annual strategic planning session in February, the Board of Commissioners identified a water/sewer mapping program as a priority for FY 13-14, and funding for the project was included in this fiscal year's budget. She said a few weeks ago, we posted a Request for Qualifications on-line and in the newspaper of record for engineering services for mapping the town's water, sewer, and stormwater systems. Ms. Costin advised we received three qualification statements. After reviewing the statements, Chad McEwen, Bill Fay, and Rebekah Costin selected Kimley Horn, and they have submitted the attached proposal for the work.

Ms. Costin advised one of the most important benefits of GIS mapping of the town's water, wastewater, and stormwater systems is to inventory current conditions. She commented that digital representations of water, wastewater, and stormwater systems result in an as-built picture that provides, the what, where, and when of the utility's history. This will allow town staff to efficiently address citizen questions regarding the location of utilities and can allow the town to readily check the age, size, material, etc. of infrastructure to determine future funding and maintenance needs.

After a brief discussion, Commissioner Dawson made a motion to approve Resolution 2013-40 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

RESOLUTION 2013-40

Resolution Approving a Contract with Kimley Horn and Associates for Engineering Services for Digital Mapping of the Town's Water, Sewer and Stormwater Systems

WHEREAS, the Town of Burgaw has deemed a digital inventory of town water, sewer, and stormwater infrastructure as a priority, and

WHEREAS, this project will provide information on the current conditions of the town's infrastructure, and

WHEREAS, this project will provide the location of water features, including waterlines, fire hydrants, valves, water meters, wells, and elevated tanks, and

WHEREAS, this project will provide information on sewer features including additional manholes not previously mapped by Kimley-Horn and Associates, Inc., force mains, force main valves, force main ARVs, pump stations, and clean outs, and
Whereas, this project will provide information on stormwater features including catch basins, curb inlets, culverts, drainage ditches, and watershed drainage area.

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

The Board of Commissioners hereby approves the attached contract with Kimley-Horn and Associates, Inc. for the maximum fee amount of \$83,000 for the digital inventory of town water, sewer and stormwater infrastructure in regard to the above described project. The funds required for this contract are hereby appropriated from the water and sewer fund balance.

ADOPTED this the 12th day of November 2013.

Ordinance 2013-28 Amending FY 2013-2014 Annual Budget - Fund Balance Appropriation for GIS-Stormwater – *Ashley Loftis, Finance Officer*

Ashley Loftis, Finance Officer advised approval of Ordinance 2013-28 will appropriate the funding for the digital mapping of the water/sewer system as approved in Resolution 2013-40. She advised that \$61,000 was included in the FY 13-14 budget and an additional \$24,000 fund balance appropriation will be made from the General Fund to cover the stormwater portion.

There being no further discussion, Commissioner Robbins made a motion to approve Ordinance 2013-28 as presented. The motion was seconded by Commissioner Tyson and carried by unanimous vote.

**ORDINANCE 2013-28
AMENDING FISCAL YEAR 2013-2014 ANNUAL BUDGET**

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2013-14 on June 11, 2013; and

WHEREAS, the Town of Burgaw has budgeted \$61,000 for the Water & Sewer GIS Mapping; and

WHEREAS, the Town deems it necessary to add the stormwater mapping to the GIS System at a cost of \$24,000; and

WHEREAS, a supplemental appropriation of General Fund fund Balance into the appropriate line item is needed.

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

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-00-3900-900	Fund Balance Appropriated	\$24,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-30-5800-450	Contracted Services	\$24,000

Adopted this the 12th day of November 2013.

Finance/Fire Department/Police Department

Resolution 2013-41 Fire Department Radio Upgrades – Allen Wilson, Fire Administrator

Allen Wilson, Fire Administrator informed the Board that the Burgaw Fire Department along with all other emergency responders in Pender County utilizes the Voice Interoperability Plan for Emergency Responders (VIPER) as its communication network. He also advised the state has moved forward with its strategic plan and has scheduled a system upgrade to the mandated P25 interoperability standard. This upgrade will allow more types of radios on various radio networks to communicate more effectively with each other during small and large scale events. He said some of those radios are requiring upgraded components in order to function with the latest P25 system upgrade scheduled for early 2014. For that reason he is requesting that the Board consider appropriation of funds in the amount of \$4,240.00 for the upgrades to the XTS 1500 radios.

After much discussion, Commissioner Rooks made a motion to approve Resolution 2013-41 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

**RESOLUTION 2013-41
A RESOLUTION AUTHORIZING THE PURCHASE OF P25 STANDARD UPGRADES
FOR RADIOS FOR BURGAW FIRE DEPARTMENT**

WHEREAS, the Town of Burgaw Fire Department is currently using a number of Motorola XTS 1500 800MHz radios for primary communications; and

WHEREAS, the XTS 1500 800 MHz radios are part of the VIPER NETWORK SYSTEM; and

WHEREAS, this state maintained system is continuously being upgraded and optimized for more effective interoperable communications; and

WHEREAS, the XTS 1500 800 MHz radios we are currently using are now due for their mandated P25 Standard Upgrade by December 15, 2013 with a total cost of \$4,240.00 for the upgrades.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the mayor or manager is hereby authorized to enter into an agreement for the purchase of the P25 Standard Upgrades to the Motorola XTS 1500 800 MHz radios. The total cost for the upgrades will be \$4,240.00 dollars.

Adopted this 12th day of November 2013.

Resolution 2013-42 Police Department Radio Upgrades –*Montrina Sutton, Police Chief*

Montrina Sutton, Police Chief advised that the Burgaw Police Department also utilizes the VIPER communications system. She advised that like the Fire Department an upgrade is mandated for their system as well. Chief Sutton said this is the primary source of communications in North Carolina among public safety officials. This system is state maintained, and now due for some upgrades. The state has mandated the upgrades in order to get better service from the XTS 1500 radio. Chief Sutton advised the cost to the Burgaw Police Department will be a total of \$6,000 dollars and she is requesting that the board grant the monies for the upgrades to the XTL 1500 radios.

After a brief discussion, Commissioner Dawson made a motion to approve Resolution 2013-41 as presented. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

**RESOLUTION 2013-41
A RESOLUTION AUTHORIZING THE PURCHASE OF P25 STANDARD UPGRADES
FOR RADIOS FOR BURGAW FIRE DEPARTMENT**

WHEREAS, the Town of Burgaw Fire Department is currently using a number of Motorola XTS 1500 800MHz radios for primary communications; and

WHEREAS, the XTS 1500 800 MHz radios are part of the VIPER NETWORK SYSTEM; and

WHEREAS, this state maintained system is continuously being upgraded and optimized for more effective interoperable communications; and

WHEREAS, the XTS 1500 800 MHz radios we are currently using are now due for their mandated P25 Standard Upgrade by December 15, 2013 with a total cost of \$4,240.00 for the upgrades.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the mayor or manager is hereby authorized to enter into an agreement for the purchase of the P25 Standard Upgrades to the Motorola XTS 1500 800 MHz radios. The total cost for the upgrades will be \$4,240.00 dollars.

Adopted this twelfth day of November, 2013.

Ordinance 2013-29 Amending FY 2013-2014 Budget – Fire and Police Radio Upgrades –*Ashley Loftis, Finance Officer*

Ashley Loftis, Finance Officer advised that in reference to the abovementioned Resolution 2013-41 and Resolution 2013-42 a total of \$10,240 must be appropriated from fund balance to cover the expenses of the required radio upgrades. She advised she is requesting approval of Ordinance 2013-29 which will appropriate \$10,240 from fund balance and increase budgeted expenditures in the Police Department by \$6,000 and in the Fire Department by \$4,240.

There being no discussion, Commissioner Dawson made a motion to approve Ordinance 2013-29 as presented. The motion was seconded by Commissioner Rooks and carried by unanimous vote.

**ORDINANCE 2013-29
AMENDING FISCAL YEAR 2013-2014 ANNUAL BUDGET**

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2013-2014 on June 11, 2013; and

WHEREAS, the North Carolina Highway Patrol has implemented the VIPER radio system for all public safety officials within North Carolina; and

WHEREAS, the Town will need to make mandatory upgrades to our radios for the Police Department and Fire Department in order for the radios to transmit properly; and

WHEREAS, the cost for these upgrades will be \$6,000 and \$4,240 for the Police Department and Fire Department, respectively; and

WHEREAS, an appropriation of funds from General Fund fund balance is required to allocate funds in the appropriate line items.

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

Section 1: The FY 2013-2014 budget be altered to reflect the following changes:

DECREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-00-3900-900	Fund Balance Appropriated	\$10,240

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-10-5100-160	M&R Equipment	\$6,000
10-10-5300-160	M&R Equipment	\$4,240

Adopted this twelfth day of November, 2013.

BREAK

Mayor Cowan called for a break at 4:55PM. The meeting reconvened at 5:07PM.

PUBLIC FORUM

There were no speakers present for public forum.

Police Department

Presentation – Traffic Stop Procedures – *Montrina Sutton, Police Chief*

Montrina Sutton, Police Chief was asked to do a presentation regarding traffic stop procedures by police officers. She reviewed policies, procedures and also discussed the threats to life and safety that officers face each day. Chief Sutton advised there have been fifty two traffic stops since January 1 of this year in which officers have found drugs and/or guns. She also advised there has been an increase of such activity since there has been so much gang activity in Wilmington. She spoke for several minutes regarding the hazards of traffic stops and the reasons for having backup officers for safety purposes.

There was much discussion regarding this issue.

ITEMS FROM ATTORNEY – *Robert Kenan*

None.

ITEMS FROM MANAGER – *Chad McEwen*

Proposal Regarding the Purchase and Installation of Foster Holly Trees along Wright Street

Mr. McEwen advised that last month the Board of Commissioners requested him to secure proposals regarding the planting of trees along Wright Street between Fremont Street and Wilmington Street. The trees are to be planted in the ground in the location of the old planter boxes. In a phone poll of the Board, the consensus was to replace the planters with Foster Holly trees to match the rest of the trees downtown. Also, as requested by the Board of Commissioners, Mr. McEwen advised he has informed the Tree Board, via email, of the Board's decision to plant the hollies.

Mr. McEwen advised he has called several nurseries in our area but was unable to locate large foster hollies. He said the only nursery that has these trees in the 6-8' range is Worthington Farms near Greenville. These trees can be cut to match the existing hollies in the downtown area.

Mr. McEwen said he has spoken to Bill Fay regarding the planting of these trees and has also coordinated for Jackie Barnhill to be available to answer any questions public works might have during the installation.

Mr. McEwen advised the total cost, including delivery, is \$1,550.

After a brief discussion, Commissioner Walker made a motion to grant permission for Mr. McEwen to purchase the foster hollies at a cost of \$1550.00 out of current fiscal year tree board money to be planted in the ground in the location of the old planter boxes. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Mayor's Breakfast

Mr. McEwen advised the staff has decided to have a breakfast (with the Board's blessing) in honor of Mayor Cowan on Friday, December 6th at 8:00 a.m.

Consolidation of Committee Assignments

Mr. McEwen advised there has been discussion regarding consideration of consolidating the current Board committees into a more effective, efficient format. Mr. McEwen advised this will include consolidation of the following committees: water/sewer; sanitation/drainage; finance; streets; cemetery; ethics; Christmas; public safety; tree board and depot board into the following categories: buildings and grounds, infrastructure, and policy and finance. He advised consolidation of boards will create fewer meetings with more issues on these particular agendas. Mr. McEwen advised these committees lend themselves to being consolidated. The proposed categories are as follows: *Infrastructure* would include streets, water, sewer, sanitation, drainage; *Policy & Finance* would include finance, ethics and safety; *Buildings and Grounds* would include depot, community house, all government buildings and grounds, tree board, cemetery and Christmas. Mr. McEwen commented that the meetings will be more productive with less of a load for each individual Commissioner. Mayor Cowan commented that he supports this consolidated plan and it has been talked about for some time. Mayor Cowan feels it will be a good move. Mr. McEwen asked the Board if they have any objections to the consolidation plan. There being no objections, Mr. McEwen advised he will bring back a formal document for approval at next month's meeting.

Wall to be constructed between Board Room and Fire Department Room

Mr. McEwen advised he has received a quote in the amount of \$1,346 from JP&J Construction for the construction of a solid wall between the Board room and Fire Department room. He reminded the Board that this was discussed at a recent meeting in regards to problems with noise issues during board meetings as well as security during closed sessions. Commissioner Rooks expressed concerns about the Fire Department being "cut out" of the use of the room. Allen Wilson, Fire Administrator advised the Fire Department personnel have discussed this issue and they are okay with the wall being constructed. He said the wall will benefit the fire department because they will be able to use their room while the board room is in use without disturbing the board meeting. Mr. McEwen also advised a door will be framed in but left uncut in the event that a door becomes necessary in the future.

After discussion, Commissioner Dawson made a motion to take \$1,346.00 out of non-departmental reserve for the construction of a wall between the fire department day room and the commissioners meeting room by JP&J Construction. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Robbins asked if the Christmas lights will be turned on the day after Thanksgiving. Mr. Fay advised that is the plan.

Commissioner Robbins requested that Chief Sutton update the format of the monthly report to show more detail regarding the types of calls and issues that the police department deals with each month. Chief Sutton advised the current software is outdated but she will attempt to get more detail in another format.

Commissioner Dawson commented that the canal looks good and thanked public works for their hard work on that project.

Commissioner Dawson stated that the Christmas tree lighting will be held on December 7 with Santa on site as well.

Commissioner Rooks said it appears that the county is moving along on purchase of the property for the new jail and law enforcement center and he is concerned that the Town needs to take a stand to meet with the Pender County Board of Commissioners to request that the courts system remain downtown and continues to benefit the downtown businesses. After some discussion, it was the consensus of the Board to submit their concerns in the form of a resolution to be presented to the Pender County Board of Commissioners. Mr. McEwen advised he will draft a resolution for the next meeting.

Commissioner Robbins asked if the plans for the sidewalk to the senior center are still on track as planned. Mr. McEwen advised he met with officials last week and it should be on the Board of Transportation agenda in December. Mayor Cowan said Senator Rabon has called and he is still on board with the project and is ready to see the project started.

Mayor Cowan commented that he considers it an honor and privilege to have worked with everyone and he wishes the best to all.

PUBLIC HEARING

Consideration of voluntary annexation of property located at 1825 NC Hwy 53 West consisting of 3 tracts owned by Middle District Baptist Association – *Rebekah Costin, Planning Administrator*

Mayor Cowan declared the hearing open at 5:51PM.

Rebekah Costin, Planning Administrator advised at the October 8, 2013 regular Board of Commissioners meeting a petition requesting voluntary annexation of three tracts of land owned by Middle District Baptist Association (MDBA) was presented by the Town Clerk for review by the Board. Having determined all items to be in order, the Board of Commissioners voted to hold a public hearing to consider annexation of this property on November 12, 2013 at 5:00 PM. She advised Middle District Baptist Association has representatives present if there are questions.

Rev. William Smith questioned if the three tracts had been combined. Ms. Costin said they are still separate tracts.

There being no further discussion, Mayor Cowan closed the public hearing at 5:52PM.

Commissioner Robbins made a motion to approve Ordinance 2013-30 as presented. The motion was seconded by Commissioner Walker and carried by unanimous vote.

ORDINANCE 2013-30 AN ORDINANCE TO EXTEND THE CORPORATE CITY LIMITS OF THE TOWN OF BURGAW, NC

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31 to voluntarily annex the area described below into the corporate limits of the Town of Burgaw; and

WHEREAS, the Town Clerk has certified to the Board of Commissioners the petition's sufficiency on October 2, 2013; and

WHEREAS, a public hearing on the question of this annexation was held at the Burgaw Municipal Building at 5:00 PM on November 12, 2013, after due notice by publication on October 30, 2013; and

WHEREAS, the Board of Commissioners finds that the petition meets the requirements of G.S. 160A-31; and

WHEREAS, the Board of Commissioners has adopted the Certificate of Sufficiency;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made a part of the Town of Burgaw as of November 12, 2013:

Located in Burgaw Township, Pender County, North Carolina, owned by Middle District Baptist Association and consisting of approximately 7 acres located along Hwy 53 West, including the parcels with the following Parcel Identification Numbers according to the Pender County Register of Deeds:

Parcel #1 (PIN 3219-50-6528-0000) consists of approximately 3.7 acres
Parcel #2 (PIN 3219-50-3794-0000) consists of approximately 0.5 acres
Parcel #3 (PIN 3219-50-3509-0000) consists of approximately 3 acres

SECTION 2. Upon and after November 12, 2013, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Burgaw and shall be entitled to the same privileges and benefits as other parts of the Town of Burgaw. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the Town of Burgaw shall cause to be recorded in the office of the Register of Deeds of Pender County, and in the office of Secretary of State in Raleigh, North Carolina an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Pender County Board of Elections, as required by G.S. 163-288.1.

Adopted this twelfth day of November, 2013.

CLOSED SESSION

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

OPEN SESSION RECONVENED

Commissioner Tyson made a motion to reconvene open session. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Commissioner Rooks made a motion to extend Chad McEwen's employment contract for two (2) years with the following changes:

- a. *Section 2 TERM D. Strike portion pertaining to employment with Village of St. Helena*
- b. *Section 8 HOLIDAY/VACATION/SICK LEAVE B&C Strike reporting absences to Mayor and one Commissioner and change reporting requirement to Mayor or Mayor Pro-tem and Town Clerk*
- c. *Grant a 5% pay increase based on performance effective January 1, 2014*

The motion was seconded by Commissioner Dawson and carried by unanimous vote.

ADJOURNMENT

Commissioner Tyson made a motion to adjourn. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

The meeting adjourned at 6:30PM.

Kenneth T. Cowan, Mayor

Attest: _____
Sylvia W. Raynor, Town Clerk