

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

**DATE:** February 12, 2019  
**TIME:** 4:00 PM  
**PLACE:** Burgaw Municipal Building  
**BOARD MEMBERS PRESENT:** Mayor Kenneth Cowan  
Mayor Pro-tem Wilfred Robbins  
Commissioners Jan Dawson, Bill George, Vernon Harrell and James Murphy  
**STAFF PRESENT:** James Gantt, Town Manager  
Kim Rivenbark, Deputy Clerk  
Zachary Rivenbark, Town Attorney  
Alan Moore, Public Works Director  
Louis Hesse, Building Code Administrator  
Jim Hock, Police Chief  
Clay Jasper, Deputy Fire Chief  
Wendy Pope, Finance Officer  
Tiffany Byrd, Accounting Tech II  
Todd Rademacher, Planning Administrator  
Chad Staradumsky, Community Development Coordinator  
**MEDIA PRESENT:** None  
**INVOCATION:** Reverend Nick Smith  
**PLEDGE OF ALLEGIANCE:** All

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

**Approval of Agenda**

Commissioner George made a motion to approve the agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

**Approval of Consent Agenda**

Commissioner George made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

A. Approval of the January 8, 2019 regular meeting minutes

**SPECIAL PRESENTATION**

**S. Preston Douglas and Associates, LLP will present the FY 2017-2018 Audit**

Lee Grissom from S. Preston Douglas and Associates presented the Fiscal Year 2017-2018 Audit. Mr. Grissom stated that the Town received a clean audit opinion with no financial statement findings. Mr. Grissom expects the next fiscal year audit to go even smoother. Commissioner Robbins questioned the Special Revenue Fund – Home Programs Fund. Ms. Pope explained this fund is an old CDBG grant that was loaned to individuals in the community for housing but has been around for long while. Ms. Pope believes this fund can be closed out due to the age and transfer the funds into the General Fund. Ms. Pope had also handed out a snap shot sheet that listed out all of the appropriations that have been made throughout this fiscal year. This sheet gives an idea of what the fund balance would look like at the end of this fiscal year. *This item is on file in the Clerk's office.*

**DEPARTMENTAL ITEMS**

**FINANCE – WENDY POPE, FINANCE OFFICER –  
Resolution 2019-01 Amending the Town of Burgaw Utility Policy**

Ms. Pope stated the Utility Policy was last revised on October 13, 2015. Ms. Pope explained several of the suggested changes, additions, or clarifications. Commissioner Harrell requested that instead of using a time frame that is considered excessive, that excessive be defined since it creates a judgement call. After further discussion, it was agreed to remove the below paragraph from Account Information Changes (b):

“However, if the account has multiple delinquent tenants in a time frame that is considered excessive to the Town of Burgaw, the property account name will be required to stay in the property owner/landlord’s name until further notice.”

Ms. Pope further explained the changes to the policy including the addition of a tamper fee if evidence is found that the water meter has been tampered with. Commissioner Robbins questioned how individuals would be informed of this fee. Ms. Pope stated that door hangers could be used in the event that water was turned off. Commissioner Harrell stressed that the potential fines be listed on the door hanger.

After further review and discussion of the proposed policy, Commissioner Harrell made a motion to adopt Resolution 2019-01 Amending the Town of Burgaw Utility Policy with the above stated change. Commissioner George seconded the motion. Motion carried unanimously.

**RESOLUTION 2019-01  
AMENDING THE TOWN OF BURGAW UTILITY POLICY**

**WHEREAS**, the Town wishes to update and amend its adopted policy regarding the utilization of the Town’s water and sewer system and associated services, and

**WHEREAS**, these new and amended policies will help improve efficiency as it relates to delivery of these services, and

**WHEREAS**, these new and amended policies will provide the public with clear conditions and guidelines regarding these services, and

**NOW THEREFORE BE IT RESOLVED** by the Town of Burgaw Board of Commissioners that the attached amendments to the Town of Burgaw Utility Policy are hereby approved.

**Adopted** this 12<sup>th</sup> day of February 2019.

**Public Works – Alan Moore, Public Works Director  
Resolution 2019-02 Approving Water Shortage Response Plan**

Mr. Moore explained that the Water Shortage Response Plan is updated every five years and has been approved by the State of North Carolina. Commissioner Harrell requested the addition of telephone calls and/or pagers under Section 2 – Notifications. Commissioner Harrell further stated that Section 6 – Public Comment, states that this document is required to be available to the public before it is passed. Commissioner Harrell noted it was not on the past water bills nor did he see it in any notices in the newspaper.

After brief further discussion, Commissioner Robbins made a motion to table until the next meeting until the public is notified as Commissioner Harrell recommended with the sticker on the water bill and the recommended notification changes. Mr. Gantt advised the board that the water bills will not go out until the end of the month and with the 30-day notification requirement, it would be the April meeting before this would come back to the board. Commissioner Harrell also requested it be posted in the newspaper. Commissioner Dawson seconded the motion. Motion carried unanimously.

**ITEMS FROM THE MANAGER – James Gantt, Town Manager**

**Resolution 2019-03 Supporting the Display of the National Motto “In God We Trust” in the Town of Burgaw Board Room, Town Owned Buildings, Vehicles and Equipment**

Mr. Gantt stated that there have been several requests asking if the Town can display this motto. It is currently displayed in the Pender County Board of Commissioners Room as well as on other municipal buildings and vehicles. Mr. Gantt has spoken with the Town's attorney and Mr. Rivenbark had some comments.

Commissioner George made a motion to accept Resolution 2019-03 Supporting the Display of the National Motto "In God We Trust" in the Town of Burgaw Boardroom, Town Owned Buildings, Vehicles and Equipment. Mr. Rivenbark stated that the display is not illegal, but could be opened up to potential litigation saying that the Town is imposing religion on people, but the argument could be made that the Pledge of Allegiance imposes religion on people as well. As well as the prayer at the beginning of the meeting, but if the Town would be challenged on that, it would be opened up to other religions or denominations to give an invocation. Mr. Rivenbark further stated that it is not illegal and it is the motto of the United States and has been since 1956 and is on our money. Commissioner Dawson seconded the motion. Motion carried unanimously.

### **RESOLUTION 2019-03**

#### **TOWN OF BURGAW COMMISSIONERS SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE TOWN OF BURGAW BOARDROOM, TOWN OWNED BUILDINGS, VEHICLES, AND EQUIPMENT**

**WHEREAS**, "In God We Trust" became the national motto of the United States on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

**WHEREAS**, the words have been used on U.S. currency since 1864; and

**WHEREAS**, the same inspiring slogan is engraved above the entrance to the Senate chamber, as well as above the Speaker's dais in the House of Representatives; and

**WHEREAS**, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans;

**WHEREAS**, the Town of Burgaw desires to display this patriotic motto in the Town of Burgaw Boardroom, as a way to solemnize public occasions and express confidence in our society.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town of Burgaw Commissioners, does hereby determine that the historic and patriotic words of the national motto, "In God We Trust", shall be permanently and prominently displayed in the Town of Burgaw Boardroom and Town owned buildings, vehicles, and equipment.

**Adopted** this 12<sup>th</sup> day of February 2019.

#### **Other Items from the Manager**

Mr. Gantt gave an update on the recently filled positions with the Town. Cody Suggs, who is currently the Parks and Recreation Coordinator for the Scotland County Parks and Recreation Department, has been hired for the Parks and Recreation Director position. Mr. Suggs will begin with the Town on March 11, 2019. Ms. Pope advised the board of the new Customer Service Representative, Adela Fernandez. She will start February 25, 2019. Chief Hock advised the board that Dewey Starling has filled the full time Patrol Officer position and the department is fully staffed. Mr. Gantt stated that the only position open is the Maintenance Worker II position with Public Works.

Mr. Gantt stated that he is in the process of working with Erik to migrate to a new email system. The Town now has the new domain name of burgawnc.gov. The townofburgaw.com email addresses will forward to the new burgawnc.gov. He further stated that that .gov domain names are verified and safe. Commissioner Harrell asked how much it would be to register townofburgaw.net. Mr. Gantt believed that it would be \$15.00 a year. Commissioner Harrell requested Mr. Gantt look into this.

Mr. Gantt stated that staff is in full swing with the budget. CIP items are due Friday February 15, 2019, as well as staff is currently working on the departmental workbooks.

Mr. Gantt gave an update on the old jail building. He stated that we are currently waiting on the insurance adjuster for the county to look at the building. The majority of the contents in the building are county owned, and the items in the building need to be remediated due to the slight elevation of mold in the building. This cost is estimated to be around \$20,000. The county stated that their insurance will cover the county's property in that building. Commissioner Harrell asked about rain water leaking through the brick. Mr. Hesse explained where the water infiltration came from.

Mr. Gantt stated that Alan has been working with a contractor regarding the curb and gutter work at the old bank and it will be lined up.

Mr. Gantt stated that the Town adopted in 2014 an Ordinance to create a Business Improvement District in the downtown area. It has a sunset date of June 30, 2019. Mr. Gantt requested an extension. After a brief discussion, Commissioner Robbins made a motion to extend the Business Improvement District another five years. Commissioner Harrell seconded the motion. Motion carried unanimously.

Mr. Gantt advised the board that the Easter Egg Scramble has been scheduled for April 7, 2019 at 3pm with the hunt starting at 4pm. Commissioner Harrell requested the town partner with area churches for this event. Mr. Gantt further stated that the Blueberry Drop meeting is scheduled for Friday, February 15, 2019 at 10AM. The town is also working with the county scheduling the summer concert series and movies.

Mr. Gantt advised the board that he has a meeting with an engineer scheduled to look at the Courthouse Avenue Project and should have an update next month.

Mr. Hesse stated he has prices for the demolition of the laundromat. He has received a price of \$8,475.00 for asbestos removal and a demolition price of \$9,450.00, but will seek more bids. Mr. Hesse requested approval of funds not to exceed \$20,000. Commissioner Robbins made a motion to approve funds not to exceed \$20,000 for the demolition of the laundromat. Commissioner Harrell seconded the motion. Motion carried unanimously.

## **OTHER ITEMS**

### **ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS**

#### **Paving Discussion**

Mr. Moore presented the paving list. The list was presented in the order of priority with a total of \$440,962.00. Commissioner Robbins questioned the fund available in the perpetual care account for the cemetery. Ms. Pope stated that there is approximately \$154,000 that is restricted for perpetual care. Ms. Pope further explained that with perpetual care, the town would be allowed to spend the interest that this account has generated. Since 2005, there is approximately \$25,000 in interest that could be spent. She will further review the account to make sure these figures are correct and made the suggestion that with the budget, any money we receive going forward to be captured at cemetery revenues or funds that could brought in and spent at the same time. Commissioner Harrell questioned where the funds are held. Ms. Pope stated the funds are held at the North Carolina Cash Management. Commissioner Robbins asked what the projected Powel Bill amount is. Ms. Pope stated that \$111,000 is projected for next fiscal year. Mr. Gantt suggested prioritizing, stating he felt Giles Marshburn is one of the worst roads that should be completed this coming year and the next year to do some of the smaller cost roads, breaking this list up into about three to four years. Commissioner Harrell questioned if the cemetery would be completed in this current year and stated he felt that is should be completed this year. Mr. Gantt stated that Public Works has been working on issues at the cemetery and trying to improve the looks. Mr. Gantt also advised the board that NCDOT has agreed to pay the town for ditches that are along state maintained roads that the town cleans out.

#### **Other Items from Mayor and Board of Commissioners**

**Commissioner Murphy** stated that the Masons would like to put a sign up in Burgaw and asked who they needed to speak with. Mr. Gantt asked Commissioner Murphy to supply him with the contact information and he will contact them.

**Commissioner Robbins** commented that the Town should offer support in the form of a resolution stating how valuable the courthouse is to Burgaw. Mr. Rivenbark stated he will draft the resolution. Commissioner Robbins also requested an update on the status of the blueberry sculpture. Mr. Hesse stated that he is waiting on the brick mason to build the pedestal.

**Commissioner Dawson** thanked Mr. Moore for the stripping on Bennett and Fremont Streets. Commissioner Dawson also requested an update of any new development coming to the area. Mr. Rademacher stated that his office has received a site plan for the building on the corner of Walker and Hwy 117 for an ice cream shop. Mr. Rademacher also stated that he has a zoning text amendment moving forward to the Planning Board to help expedite the review process. Dunkin Doughnuts will be researching for possible collocation for the corner of Walker St and Hwy 117. The Osgood Canal project is moving forward. Mr. Rademacher also stated that he is working on a grant application with TD Bank to bring in funds to do a Little Free Library, benches, landscaping and additional improvements between the canal and the school.

**BREAK 5:35 PM-5:45 PM**

#### **PUBLIC FORUM**

None

#### **Other items from Mayor and Board of Commissioners continued**

**Commissioner Harrell** commented there is a pot hole on Vann Street between Fremont and Satchwell. He also stated that the storm drain located at the north exit of Town Hall property needs some work. Commissioner Harrell questioned the status of rubble from a house that has been torn down on Vann Street between Satchwell and Hayes Streets. Mr. Hesse stated that the property owner improperly tore down the house without permits. Mr. Hesse has been in contact with the property owner and the owner has someone slowly removing the rubble. Mr. Hesse also gave an update as to the status of dilapidated houses. Commissioner Dawson questioned if the fire department can burn houses. Deputy Chief Jasper stated that they can but certain criteria must be met. Commissioner Harrell stated there are potholes on Dickerson Street between Satchwell and Hayes and questioned if the Town fills potholes on state streets. Mr. Moore stated that NCDOT is responsible for those and he will inform them.

**Commissioner George** questioned the status of the pothole at the post office. Mr. Moore stated that has been taken care of.

#### **Other Comments**

Chief Hock commented that the burgundy car is back and runs good but new tires are needed. Daisy has started BLEET and looks forward to becoming an officer.

Deputy Chief Jasper commented that he will be going to Minnesota for an inspection on the new truck.

Mr. Moore stated that he has received several complaints as well as compliments regarding the trimming of the crape myrtles. Mr. Moore questioned if the crape myrtles should be trimmed as a bush or as a tree. Commissioner Robbins stated that crape myrtles bloom on new growth and feels that they should be pruned by cutting the top until the ladder will no longer reach and let it grow into a tree.

Mayor Cowan requested a status update on the debris site. Mr. Rademacher stated that the site is wrapping up and he has been contacted regarding the environmental study. Mayor Cowan also questioned the status of Ridgewood Ave extension. Mr. Rademacher stated that the project did not score enough points. Mayor Cowan reminded the board of the Pancake Breakfast on February 23, 2019 as well as the Fire Department's banquet.

Mr. Staradumsky updated the board on the dilapidated houses project. Letters are ready to be mailed and it will be approximately a 120-day process before it comes back before the board.

Ms. Pope stated that she is still working on the FEMA reimbursement and has the invoices from the debris monitor.

Commissioner Harrell questioned about the new Dodge dealership in St. Helena and if they would be hooking up to sewer. Mr. Hesse stated that they are not approved yet but they would hook into Safeway's lift station.

## **ADJOURNMENT**

Commissioner George made a motion to adjourn. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

The meeting adjourned at 6:02PM.

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Kenneth T. Cowan, Mayor

Attest: \_\_\_\_\_  
Kimberly Rivenbark, Deputy Town Clerk