

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

DATE: May 14, 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
Kristin J. Wells, Town 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 Technician II
Kim Rivenbark, Deputy Clerk/Interim Planning Administrator
Chad Staradumsky, Community Development Coordinator
Cody Suggs, Parks & Recreation Director
MEDIA PRESENT: None
INVOCATION: Reverend Nick Smith
PLEDGE OF ALLEGIANCE: All

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

Approval of Agenda

Mayor Cowan requested Item #18, Public Hearing #1, “*Consideration of a Conditional Use Permit Application for an “Automobile Repair and/or Body Work” Use to be located at 102 Hwy 117 North*” be removed from the agenda as the request was pulled from the applicant prior to the meeting. Commissioner Dawson made a motion to approve the agenda as amended. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Approval of Consent Agenda

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

- A. Approval of the April 9, 2019 regular meeting minutes
 - B. Approval of Ordinance 2019-07 Amending the FY 18-19 budget to appropriate funds for paving of cemetery streets
 - C. Approval of Ordinance 2019-08 Amending the FY 18-19 budget to appropriate funds for a mural at the Pender County Library
 - D. Approval of Ordinance 2019-09 Amending the FY 18-19 budget to recognize funds received from the Tourism Development Authority given to the Town of Burgaw
 - E. Approval of Ordinance 2019-10 Amending the FY 18-19 budget to recognize funds received from the NC Blueberry Festival Association given to the Burgaw Fire Department
- A. Approval of Ordinance 2019-07 Amending the FY 18-19 budget to appropriate funds for paving of cemetery streets**

ORDINANCE 2019-07

**AMENDING FISCAL YEAR 2018-2019 ANNUAL BUDGET
Increasing Revenues and Expenditures**

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2018-2019 on June 12, 2018; and

WHEREAS, the Town of Burgaw desires to pave all roads within the cemetery; and

WHEREAS, the Perpetual Care account has accumulated interest over the years on the principal balance in the amount of \$35,277.12; and

WHEREAS, the Board of Commissioners would like to appropriate \$35,000 of Cemetery Trust fund balance and \$46,000 of General Fund fund balance for the paving; and

WHEREAS, an appropriation from General Fund fund balance is required to complete the request, therefore, additional revenue and expenditure will be recognized for the appropriation.

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

Section 1: The FY 2018-2019 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-3900-00-900	Fund Balance Appropriated	\$81,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-6400-30-740	Capital Outlay	\$81,000

Adopted this 14th day of May, 2019.

B. Approval of Ordinance 2019-08 Amending the FY 18-19 budget to appropriate funds for a mural at the Pender County Library

ORDINANCE 2019-08

***AMENDING FISCAL YEAR 2018-2019 ANNUAL BUDGET
Increasing Revenues and Expenditures***

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2018-2019 on June 12, 2018; and

WHEREAS, the Town of Burgaw desires to make a donation to the Pender County Library for the purchase of a mural at the entrance of the children's area; and

WHEREAS, an appropriation from General Fund fund balance is required to complete the request, therefore, additional revenue and expenditure will be recognized for the appropriation.

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

Section 1: The FY 2018-2019 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-3900-00-900	Fund Balance Appropriated	\$2,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-4100-10-570	Governing Body Misc	\$2,000

Adopted this 14th day of May, 2019.

C. Approval of Ordinance 2019-09 Amending the FY 18-19 budget to recognize funds received from the Tourism Development Authority given to the Town of Burgaw

ORDINANCE 2019-09

***AMENDING FISCAL YEAR 2018-2019 ANNUAL BUDGET
Increasing Revenues and Expenditures***

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2018-2019 on July 12, 2018; and

WHEREAS, the Town of Burgaw has received a donation from the Burgaw Tourism Development Authority in the amount of \$2,000; and

WHEREAS, the donation is to be applied toward the cost of the 2019 Summer on the Square concert series; and

WHEREAS, the Town of Burgaw would like to recognize \$2,000 from the Burgaw Tourism Development Authority into the FY 18-19 budget, therefore, additional revenue and expenditure must be recognized.

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

Section 1: The FY 2018-2019 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-3745-00-800	P&R SPONSORSHIPS	\$2,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-6200-80-450	P&R COORDINATOR PROGRAM	\$2,000

Adopted this 14th day of May, 2019.

D. Approval of Ordinance 2019-10 Amending the FY 18-19 budget to recognize funds received from the NC Blueberry Festival Association given to the Burgaw Fire Department

ORDINANCE 2019-10

***AMENDING FISCAL YEAR 2018-2019 ANNUAL BUDGET
Increasing Revenues and Expenditures***

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2018-2019 on June 12, 2018; and

WHEREAS, the Town of Burgaw Fire Department has received a donation from the NC Blueberry Festival in the amount of \$500; and

WHEREAS, the donation is presented as appreciation to the Department for their assistance with the Blueberry pancake breakfast; and

WHEREAS, the Town of Burgaw would like to recognize \$500 from the NC Blueberry Festival into the FY 18-19 budget, therefore, additional revenue and expenditure must be recognized.

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

Section 1: The FY 2018-2019 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-3750-10-500	CONTRIBUTION TO BFD	\$500

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-5300-10-160	M&R EQUIPMENT	\$500

Adopted this 14th day of May, 2019.

SPECIAL PRESENTATIONS/REQUESTS

Request for use of depot for the 2019 Veterans Day Ceremony – *Paula Williams-James*

Paula Williams-James, chairperson of the 2019 Veterans Day Ceremony, presented the request on behalf of the Daughters of the American Revolution for use of the depot dock and paved area between the flags and the dock on November 11, 2019 for the annual Veterans Day Ceremony. Commissioner Robbins made a motion to approve the request as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Ms. Williams-James requested the board to consider making this request an on-going permanent request and to make sure the depot is available each year on November 11th so that this request does not have to be brought up year after year. After some discussion, Attorney Rivenbark advised he will bring a resolution back to the board at the next month's meeting regarding on-going use of the depot dock by the Daughters of the American Revolution for the annual Veterans Day Ceremony.

Request for street closures for the 2019 NC Blueberry Festival – *Sarah Daniels*

Sarah Daniels, Interim Blueberry Festival Director, requested street closures for the 2019 NC Blueberry Festival to be held on June 14-15, 2019. Mayor Cowan and Ms. Daniels advised the request is the exact same as last year's request. After a brief discussion, Commissioner George made a motion to approve the following street closures. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

- Fremont Street between Walker Street and Cowan Street is closed from 12:00 am on June 15, 2019 through 11:00 pm on June 15, 2019
- Fremont Street between Wright Street and Walker Street is closed from 11 am on June 14, 2019 through 11:00 pm on June 15, 2019
- Fremont Street between Wright Street and Dickerson to be closed to incoming traffic at 5 pm on June 14, 2019 through 11:00 pm on June 15, 2019.
- Fremont Street between Wright Street and Dudley Street is closed from 12:00 am on June 15, 2019 through 11:00 pm on June 15, 2019
- Wright Street between Fremont Intersection and Wilmington Street is closed to incoming traffic at 3pm and closed to all traffic at 5pm on June 14, 2019 through 11:00 pm on June 15, 2019
- Wright Street between Satchwell Street and Wilmington Street closed from 6 pm on June 14, 2019 through 11:00 pm on June 15, 2019
- Walker Street between Fremont Street and Wilmington Street is closed from 5 pm on June 14, 2019 through 12:00 am on June 15, 2019
- Dickerson Street between Satchwell and Wilmington Street is closed from 6 pm on June 14, 2019 through 11:00 pm on June 15, 2019
- Courthouse Avenue between Wright Street and Dickerson Street is closed from 6 pm on June 14, 2019 through 11:00 pm on June 15, 2019

DEPARTMENTAL ITEMS

Finance – Wendy Pope, Finance Officer

Resolution 2019-08 Approving a contract with S. Preston Douglas & Associates, LLP for annual audit

Ms. Pope gave an overview of the request presented in the resolution. Commissioner Harrell asked why the cost of the TDA audit is what it is. Ms. Pope advised the TDA board also has concern with this and is looking into the possibility of hiring another audit firm for the TDA, but we are currently in the three-year contract with S. Preston Douglas & Associates, LLP. She advised this is definitely something we will look into when time to renew, but is not certain we can have two different audit firms since the TDA audit is a component of the town's audit. Commissioner Dawson made a motion to approve Resolution 2019-08 as presented. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

RESOLUTION 2019-08

RESOLUTION APPROVING A CONTRACT WITH S. PRESTON DOUGLAS & ASSOCIATES, LLP FOR ANNUAL AUDIT

WHEREAS, the Town is required by the Local Government Commission (LGC) to conduct an annual financial audit; and

WHEREAS, an audit for fiscal year 2018-2019 will be due by October 31, 2019; and

WHEREAS, on April 11, 2017, the audit contract for the 2016-2019 audit and preparation of financial statements was awarded to S. Preston Douglas & Associates, LLP in the amount of \$11,000 for each Fiscal Year; and

WHEREAS, S. Preston Douglas & Associates, LLP has submitted an audit contract for the Fiscal Year 2018-2019, in the amount of \$11,000, to perform the Town's audit, and an audit contract for Fiscal Year 2018-2019, in the amount of \$2,150, to perform the Tourism Development Authority's audit.

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

The audit contracts for the Town of Burgaw and Tourism Development Authority's 2018-2019 audit and preparation of financial statements is awarded to S. Preston Douglas & Associates, LLP for Fiscal Year 2018/2019.

Adopted this 14th day of May, 2019.

Fire Department – *Clay Jasper, Deputy Fire Chief*

Resolution 2019-09 Authorizing disposal of surplus property: (1) 1990 Gruman Fire Apparatus and (1) 1998 Freightliner/E One Fire Apparatus

Deputy Fire Chief Jasper gave an overview of the request presented in the resolution for the disposal of the two surplus apparatus. Commissioner Harrell asked if one of the trucks would be suitable to be used as a barrier truck for a road side barrier. Mr. Jasper advised there are departments that use barrier trucks, but for the amount of calls and the number of personnel the fire department has, he commented he does not see this type of truck being used. Commissioner Harrell expressed his concern with the department using the most expensive vehicle on I-40 and it was run into. He commented he would hate for this to happen again. Mr. Jasper advised not only is it the most expensive truck, but it is also the heaviest. He advised if the accident was involved with any other truck in the department, there would have been a lot more damage. Commissioner Harrell commented he understands it is the heaviest truck we have, and that is why he would like to know if one of the recommended surplus trucks could be used as a barrier. Commissioner Harrell made a motion to table this resolution until Mr. Jasper can research the request. Commissioner Robbins asked how this type of truck would be classified as a barrier. Mr. Jasper advised he would have to do research, but this truck would not serve any other purpose other than a barrier. Commissioner George commented this is not a good idea. The motion was seconded by Commissioner Dawson. Commissioners Harrell, Dawson and Murphy voted "aye." Commissioners Robbins and George voted "nay."

ITEMS FROM THE ATTORNEY – *Zachary Rivenbark, Town Attorney*

Attorney Rivenbark requested the board to consider having a Board of Adjustment separate from the Planning & Zoning Board. He commented it is an issue if there ever was an appeal and he strongly advised the board to consider.

Attorney Rivenbark spoke about the issue of losing ground at the canal next to the walking trail on Timberly Lane. He requested the board to consider putting some type of barrier or fence next to the trail for liability purposes. Commissioner Dawson asked Mr. Gantt the status of NC DOT in regards to repairs. He advised they have fixed the sink hole next to the street but that was as far as they were going to go. Mr. Gantt advised we are still waiting on the state and the USDA grant funding for the project to stabilize the banks of the canal. Attorney Rivenbark suggested to put some sort of fencing along any type of water feature, such as the trail near the canal, and the sidewalk that runs along the pond at the county complex. Mayor Cowan asked Mr. Gantt to look into fencing options. Mr. Gantt advised we would have to reach out to the state since this area is within the flood way. Commissioner Robbins requested that Mr. Gantt bring fencing options back to the board before purchasing.

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

Resolution 2019-10 Amending the Town of Burgaw Disaster Preparedness Plan

Mr. Gantt gave an overview of the request in the following resolution. He advised staff has met and reviewed the prior disaster plan and made updates and changes to the plan. Mayor Cowan commented it is a good plan and commended the manager and staff for the work put into revising it. Commissioner George made a motion to approve Resolution 2019-10. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**RESOLUTION 2019-10
AMENDING THE TOWN OF BURGAW DISASTER PREPAREDNESS PLAN**

WHEREAS, on July 12, 2005 the Town of Burgaw Board of Commissioners adopted the “Town of Burgaw Disaster Preparedness Plan”; and

WHEREAS, said plan is a guideline for emergency officials and town staff to follow during the event of a hurricane or similar event; and

WHEREAS, from time to time amendments may be necessary to keep the plan up to date.

NOW THEREFORE BE IT RESOLVED THAT THE TOWN OF BURGAW BOARD OF COMMISSIONERS does hereby adopt by this resolution the revisions and updates to the “Town of Burgaw Disaster Preparedness Plan” (attached) and that said plan shall be effective immediately upon approval of this resolution.

Adopted this 14th day of May 2019.

Appointment of Deputy Finance Officer

Mr. Gantt advised he has reviewed the procedures of all departments since he started with the town in December 2018 and evaluated what he could do to improve various processes. During the review, he determined there was a need for a back up to the Finance Officer when this person is out of the office. Mr. Gantt requested the board to appoint Tiffany Byrd, Accounting Technician II, as the Deputy Finance Officer. Commissioner George made a motion to appoint Tiffany Byrd as the Deputy Finance Officer. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Old EMS Building Lease - Discussion

Mr. Gantt advised the lease is going to expire in July for the use of the Old EMS Building by the Pender Arts Council. He commented he has reviewed the needs of the town and it is his opinion to look at utilizing the building as a community center. He commented it is a sturdy building, but does need some upgrades. He advised he has proposed \$50k in the upcoming budget for the renovation of the building, such as improvements to the interior of the building. His objective is to have a flex room for various types of events, such as the town’s Parks and Recreation events, move the exercise classes out of the Community House and into this building, etc. Mr. Gantt advised this would also allow use by Pender Arts Council to use the building but not in a lease standpoint, but rather on a joint standpoint in conjunction with the town’s Parks & Recreation department. He advised this building would also be used during disasters, such as sleeping quarters, use of the kitchen and shower facilities.

Commissioner George asked if a line could be run from the town hall generator to the Old EMS Building. Mr. Hesse advised this is a possibility and would have to check with power company. Mr. Hesse said he believed it would be around \$8k-\$10k to do this. There was brief discussion regarding generator use at the building. Mr. Gantt advised we do have a portable generator.

Commissioner Robbins asked Mr. Gantt how he sees the working relationship with the Pender Arts Council. He commented he is not in favor of “booting them out.” Mr. Gantt advised our Parks and Recreation Director would manage the use of the facility just like the other town facilities, but would not necessarily be treated as a rental. He advised it would be a joint effort in scheduling events. Mr. Gantt commented he believes this is a great opportunity for the town to promote the Arts Council’s programs and they help promote the town’s. Commissioner Harrell asked the needs regarding square footage for the Parks and Recreation department. Mr. Gantt said the building has plenty of space and would be used as a flex area. Mr. Gantt advised he has requested \$50k in the FY 19-20 budget to do interior remodeling such as painting, carpeting, updating the restrooms and shower area, installation of walls and heating and air in the bay area. Commissioner Dawson asked how long it would take to do the renovations. Mr. Gantt advised it would depend on the scope of the remodel and that we can do the upgrades in stages rather than all at once.

There was discussion regarding the types of flooring needed in the building for exercise classes. Mayor Cowan asked Mr. Gantt if there have been any prior discussions regarding plans for the building. Mr. Gantt advised he and department heads have met and determined more space is definitely needed. He advised there is a need for expanding town hall and a need for recreation space for various activities. Mr. Gantt stated the building needs

money put towards upgrading and if we don't start now, more money will be needed in the future if the building continues to deteriorate.

There was concern expressed regarding the Arts Council and use of the building. Commissioner Harrell commented he believes there should be a contractual agreement between the town and the Arts Council with revisions to the current contract that is set to expire in July of this year. Commissioner Harrell suggested a rewriting of the current Arts Council contract to designate the amount of space, detailed terms and a contract end date.

Rochelle Whiteside spoke in regards to joint use of the building and requested both the Arts Council and the town Parks and Recreation Department have offices in the building. Ms. Whiteside also requested the Arts Council have input regarding the upgrades to the building such as designated performance space in the bay area, set building space, etc. She believes the joint effort in utilizing the space will be a beautiful thing. Ms. Whiteside also commented a sprung floor is needed for exercise classes and that cement would not work.

Mayor Cowan asked Ms. Whiteside about the prior discussion between the county and the Arts Council on possible use of the old Burgaw high school agricultural building. Ms. Whiteside advised the building is "just sitting there" and would be a great venue for community theater. She said there had been prior discussion about using the building since they were no longer able to perform in the courthouse, but since the hurricane, there has not been any more discussion about this matter.

Commissioner Robbins commented the partnership between the Parks and Recreation Department and the Arts Council is a good idea and would like to move forward. He asked how the board should handle the contract to ensure the Arts Council will always be a part of the building. Attorney Rivenbark advised there is certainly a need for a new contract. Based on his understanding, he said the Arts Council would schedule use of the building with the Parks and Recreation Director, just like the exercise classes do for use of the Community House. Ms. Whiteside reiterated again to make sure the Arts Council would have office space and storage space available. She commented she does not see an issue with dual scheduling of events, but would need someone present in the building. Commissioner Dawson asked about the possibility of having IT look into something for scheduling of events. Mr. Gantt advised staff is currently looking at a new system for maintaining the scheduling for the town facilities.

Members of the Arts Council spoke in regards to dual scheduling, statistics on class attendance, and current projects such as installing internet at the building, setting up cameras for live streaming, launching of the www.artbeatofburgaw.com website, etc.

Mayor Cowan requested for Mr. Gantt to have a meeting with the Arts Council in regards to the future plans of the partnership and bring back the results to the board. Commissioner Dawson requested the class statistics be given to the Town Manager. Commissioner Robbins commented he would like Attorney Rivenbark to draft a new contract. Attorney Rivenbark stated the board needs to decide what they want to do first. Commissioner Harrell requested a meeting to occur with the Town Manager, Parks and Recreation Director, and the Arts Council so that plans can be determined to best benefit everyone. Mayor Cowan asked for clarification on other entities utilizing the building. Mr. Gantt advised if the town had control of the facility, the building can be used for other purposes if needed, such as space during disasters, etc.

After a lengthy discussion regarding this matter, it was the consensus of the board to move forward with the idea and requested the Town Manager, Parks and Recreation Director and the Arts Council to have a meeting to discuss the future plans of the partnership.

Commissioner George asked Mr. Gantt if there is plans to make this building sleeping quarters during a hurricane. Mr. Gantt advised as long as it is suitable for sleeping and approved by the inspections department, the space can be used for such. Commissioner George commented we need space for sleeping during disasters. Mr. Gantt advised having generator hook up to the building will assist in this as well. A member of the Arts Council asked what the capacity is of the building. Mr. Gantt advised we will look into this because it is based on number of tables and chairs set up, etc. Another member of the Arts Council asked if there is part of the budget earmarked for disasters in the event portable showers and restrooms are needed. Mr. Gantt advised there is currently not any funds set aside for such expenses related to disasters.

Other items from the Manager

Mr. Gantt and Mr. Hesse gave an update on the status of the remediation of the Old Jail. Mr. Hesse said he is waiting to get the final air quality test done and hopes to get tourism back in soon. Mr. Gantt advised he has spoken with Assistant County Manager Chad McEwen and tourism is interested in moving back into the building, but will need extra office space as the department now has an additional employee. Mr. Gantt commented we will relocate our records in the town's storage room if need be so the tourism department can move back into the facility. Commissioner Harrell commented if we move the town's records elsewhere, then the town will not be using the facility at all, and would expect the county to pay all of the utility bills for the building. Mr. Gantt advised they already pay for the bills at the building. Commissioner Robbins asked about the office for the Blueberry Festival. Mr. Gantt advised the Blueberry office will be able to return as well.

Mr. Gantt advised the paving in the cemetery is planned to begin after Memorial Day. Commissioner Robbins commented he and Mr. Moore have met at the cemetery to discuss a tree that is next to a street going into the cemetery. Mr. Moore advised there will be an elevated speed hump to help cover the roots so that the tree does not have to be cut down.

Mr. Gantt advised he is on the hiring committee for the Burgaw Area Chamber of Commerce Director position and will be assisting with interviews soon for the replacement of Emily Baker.

Mr. Gantt advised the board he has conducted an interview for the town's current opening for the Planning Administrator position and is currently waiting on final references.

Mr. Gantt requested the board to consider the possibility of the closure of half of the street on Wright Street between Fremont Street and Courthouse Avenue for the 2019 Summer on the Square concert series. He commented this would be for the safety of the public and once the food vendors are set up, they may not need to close the street, but wanted to get prior approval in case the closure is needed. Commissioner Dawson made a motion to approve the requested street closure if needed. The motion was seconded by Commissioner George and carried by unanimous vote.

Other items

Mayor Cowan asked Chief Hock about the upcoming Laurels of Pender parade through downtown. Chief Hock gave an overview of the brief event. There will be no street closures, but possibly a brief delay for the traveling public.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Appointments of TDA Members

Mayor Cowan advised there are currently two vacant seats on the Tourism Development Authority (TDA). He also commented a representative from the Burgaw Motel must hold a seat on the TDA, which is currently held by Mukesh Shah. Mayor Cowan advised himself and John Westbrook are the two expiring seats. Ms. Wells advised there have been two applications received, as well as expressed interest from Mayor Cowan and Mr. Westbrook on reappointment. Attorney Rivenbark advised the board if the Mayor or commissioner wish to serve on the TDA, it needs to be done by resolution and approved by the board. He advised if an elected official is appointed to serve on the TDA, then legally the board must adopt a resolution to approve such appointment as a duty of the office of the Mayor of the Town of Burgaw to be a voting member of the TDA or as a duty of a commissioner of the Town of Burgaw to be a voting member of the TDA. Attorney Rivenbark stated an elected official does not have to serve on the TDA, but if the board wishes to do so, then a resolution is needed.

Commissioner Harrell stated he would like more input from the community. He feels like the board has drawn back the influence of members of the community over a period of years and would personally like to see more members of the community involved. He commented he does not want someone from the town government part of the TDA. Mayor Cowan commented the TDA was created by legislative act requested by the town and he feels like anybody from the town should have the opportunity to have a seat on the TDA.

It was the consensus of the board to allow the applicants to speak in regards to their interest in serving on the TDA. Applicants John Westbrook, Karen Harding, Jennifer Hansen and Mayor Cowan spoke.

Commissioner George asked if the TDA can be increased to five members. Mayor Cowan advised the current legislative act only allows three members. Commissioner George asked if we can increase the number so that the two additional applicants be appointed. Commissioner Robbins commented this would be an act of the legislator, but would be in favor of increasing to five members. Commissioner Dawson requested this matter be tabled until the June meeting so the manager could research increasing the number of members. Mr. Gantt advised the local act states that at least one third of the members of the TDA shall be affiliated with a business that collects occupancy tax. He stated we only have one motel in town that collects occupancy tax.

Ms. Harding asked Mayor Cowan why he is not considering stepping down from the TDA. Mayor Cowan commented he does not feel the need to answer the question and it is up to the board who they wish to appoint.

After much discussion, Commissioner George made a motion to investigate increasing the number of members on the TDA. Ms. Pope commented there needs to be a TDA board available prior to June 30, 2019 so the fiscal year 2019-2020 TDA budget can be approved. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

BREAK 5:38 PM-5:48 PM

PUBLIC FORUM

Mayor Cowan asked Attorney Rivenbark to track time by limiting each speaker to three (3) minutes each.

Rick Butler, 215 North Smith Street, spoke in support of Artbeat. He advised he is a quilter and currently uses the building on Thursdays for teaching how to quilt. He expressed his interest in the community and would like to see activities continue.

Les Papp, 207 North Dudley Street, spoke in support of Artbeat. He advised he does IT work for the Arts Council and has recently launched their website. He commented he is donating laptops and cameras to the Arts Council for live streaming of events, etc. He believes the relationship with the town's Parks and Recreation Department will be a wonderful idea.

John Westbrook, 410 East Fremont Street, commented he believes the old Burgaw high school agricultural building would be the perfect center of the arts. He also spoke in regards to the parking issue on Wright Street once the Clerk of Court temporarily uses the old Dees Drug building. He suggested to have a parking study done in the downtown area. He advised he was previously asked by former Clerk of Court, Robert Kilroy, to do a drawing of ideas for additional parking and the establishment for additional courtrooms in the downtown area. He commented he would like Burgaw to look into providing additional parking downtown, not only for the courts, but for the downtown retail establishments as well. He also said he would like the town to go ahead and move forward with the project on Courthouse Avenue.

Jo Anne Casey-Summers, 309 East Bridgers Street, spoke in support of Artbeat and thanked the town and the Arts Council for allowing the Pender County Community Band to use space in the building to rehearse. She advised there are about twenty members of the band with all ages involved and hopes the band can continue to have space for rehearsing.

Roxy Moore, 2171 Malpass Corner Road, expressed her excitement in the future partnering with the town's Parks and Recreation Department and use of the building. She gave an overview of the activities in the building, such as children's programs, art classes, seasonal activities, musical concerts, quilting, and partnering with the Spring Festival and Blueberry Festival.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS – Continued

Other items

Commissioner Robbins commented in regards to the Osgood Canal Drainage Improvement Project and asked if we could have the whole block of Cowan Street between Fremont Street and South Walker Street paved instead of the one area from the work being done for the project. Mr. Gantt will check on prices.

Commissioner Robbins said there are several evergreens that have died at the park at Timberly Lane and asked for them to be removed, clean up the area and place mulch around the live ones.

Commissioner Robbins said he has spoken with Arthur Williams regarding a tree at Hankins Park that needs to be cut down because it is going to die.

Commissioner Robbins thanked all the town departments for their hard work and keeping the town clean.

Commissioner Dawson asked Mr. Moore to have someone take care of the little trees in front of the town sign at Johnson Park.

Commissioner Dawson commented the grass needs to be cut in the island at Timberly Lane and Highway 117.

Commissioner Harrell asked Mr. Moore to check on a dogwood tree at Harrell Park that needs attention.

Commissioner Harrell commented about the generator at the waste water treatment plant and asked if there is a plan in place if it must be removed in the future due to the eroding of the bank at the canal.

Commissioner George thanked everyone from cleaning up after the storms that came through town the weekend before the meeting.

Mayor Cowan commented there is a water leak at Burnett's veterinary and asked this be addressed.

Mayor Cowan commented about the USDA funding for the repair of the canal. He commented the funding has been approved and is an on-going situation. He also commented about the funding possible for paving Powell Bill streets in town and other USDA funding options.

Attorney Rivenbark advised Commissioner Dawson needs to be excused from the meeting. Commissioner Robbins made a motion to excuse Commissioner Dawson. The motion was seconded by Commissioner Harrell and carried by unanimous vote. Commissioner Dawson departed the meeting at 6:16 PM.

Mayor Cowan commented the Blueberry Festival is coming up and the gazebo on the square is in bad shape. He asked Mr. Moore to do repair to the front of the gazebo before a lot of people are in town for the festival. Mr. Hesse commented he has not looked into the safety of the structure, but will do so.

Mayor Cowan spoke in regards to the streetscape on Wright Street downtown. He asked if Mr. Boney could be contacted about his building with the glass being out of the front window. Mr. Gantt will take care of this.

Mayor Cowan spoke about the parking issue downtown. He said once new businesses come to downtown, parking will be an issue. He advised after speaking with others, he does not see the courthouse going anywhere. He said the town needs to be in support of the court system by trying to remedy the parking situation. Commissioner Robbins commented about the possibility of putting parking on the railroad track. Attorney Rivenbark will look into this matter. There was discussion about the type of rock, etc. that could be used. Commissioner Robbins requested Mr. Gantt to look into moving forward with this. Commissioner Harrell commented this is somewhat of an emergency situation due to the hurricane.

Mayor Cowan asked Mr. Hesse the status of Barbara Dee's building and Mr. Boney's building downtown resulting from the damage of the hurricane. Mr. Hesse said he has spoken with Ms. Dee several times, but has not made any progress and the status is unknown. He does not believe it is in danger of condemnation. Mayor Cowan commented the roof from Ms. Dee's building moved over to Mr. Boney's building and there are issues between the two parties involving a lawsuit. Mr. Gantt advised at some point the board needs to address the issue with the town not having

the power to address issues with commercial buildings. He advised there are minimal housing powers for residential structures, but very limited powers for commercial buildings. Commissioner Robbins agreed and would like to move forward with Mr. Gantt looking into establishing a maintenance policy for commercial buildings.

Commissioner Harrell commented about the parking situation downtown. He believes a parking survey should be done in the downtown area so we can accommodate parking for downtown businesses and the court system. Mayor Cowan suggested we move forward with this issue. Mayor Cowan asked if Attorney Rivenbark has heard anything about an expansion of the court annex. Attorney Rivenbark commented there has been a lot of discussion and money is an issue. Commissioner Robbins commented if we go ahead and move forward with additional parking, that may have an impact on the county moving forward with expansion of the annex, etc. Commissioner Robbins said we need to make this a joint effort to keep the court system in town. Attorney Rivenbark advised he would reach out to Pender County Assistant Manager, Chad McEwen, to advise them of the town's efforts in working to provide parking. Commissioner Harrell asked Mr. Gantt to see if it's possible to do a parking survey.

PUBLIC HEARING #2 (*Public Hearing #1 was removed from the agenda.*)

FY 2019-2020 Budget Presentation – James Gantt, Town Manager

Mayor Cowan opened the public hearing at 6:32 PM.

Mr. Gantt gave a presentation of the overview of the proposed FY 19-20 annual budget. *A copy of the power point presentation is available in the clerk's office.*

Commissioner Robbins commented he really liked the way Mr. Gantt made his presentation. He asked about the county property reevaluation. He has a concern with the town tax rate in regards to the increase of the county tax.

Commissioner Robbins asked about the façade grant that is proposed. Mr. Gantt advised this is only for the municipal service district. Commissioner Robbins asked if the rear of the downtown properties could be included with the program. Mr. Gantt advised the program is for improvement of the exteriors of the buildings, so the rears facing Courthouse Avenue are included.

Commissioner Harrell asked why there is no advertising budget listed for the town facilities and feels this should be included.

Commissioner Harrell questioned the need for a K-9 unit for the Police Department and asked for clarification on the expenses associated with this position. Chief Hock advised it would be a trained European dog (no-bite dog). It would be used for narcotics detection, article searches, suspect searches, etc. He commented once the dog is here, there is a six week program where the K-9 handler goes to the facility to complete the training with the dog. There is also monthly training involved. Commissioner Harrell asked where the dog would be housed and about the vehicle the dog would be transported in. Chief Hock advised the dog would reside with the K-9 handler and an existing vehicle in the fleet would be used. Commissioner Harrell asked about the liability issues and the effects on the town's insurance. Attorney Rivenbark explained this would fall under the police and town liability coverages. Commissioner Harrell asked what the on-going expenses for the K-9 would be. Ms. Pope advised food, veterinary bills, etc. were included in the budget. Chief Hock commented \$2,000 on average is a yearly cost, but with a good K-9 program, the costs could balance out from year to year. Commissioner Harrell commented about the day to day usage of the K-9. Chief Hock advised this is what they hope to go towards. There was discussion regarding the plan for the K-9 program such as schedule, types of use, etc.

Commissioner Harrell asked about leasing four new police cars. Mr. Gantt advised two are being replaced in the current budget year and two in the FY 19-20 budget year.

Commissioner Harrell asked for clarification on the cost of living adjustment (COLA) for the proposed new firefighters. Mr. Gantt advised the COLA would be effective July 1, 2019 for all employees. He advised a merit increase is only eligible for an employee after one year of employment. Ms. Pope clarified the budget includes COLA for the Fire Chief, Deputy Fire Chief and the full-time firefighter; it does not include the two new full-time firefighters that are proposed to begin in January 2020.

Commissioner Harrell asked with the property and liability insurance rates dropped so heavily for the fire department. Ms. Pope advised she was able to look into this and rearrange the budget line items so that the costs in particular departments would be decreased, but the remainder is in non-departmental, based on actual duties within the departments.

Commissioner Harrell commented in regards to a new vehicle being leased for the planning department. Mr. Gantt advised there is currently no vehicle for planning.

Commissioner Harrell asked why there is a 10% increase for Waste Industries' services. Ms. Pope advised this is the \$.65 increase for recycling.

Commissioner Harrell asked if the IT budget included security costs. Mr. Gantt advised there is IT services listed in both the general fund and the water and sewer fund. He advised security is included in the anti-virus services.

Commissioner Harrell commented in regards to the façade grant program. He asked if there are any rules or guidelines set for this yet. Mr. Gantt advised if the program is approved in the budget, he will then present the guidelines.

Commissioner Harrell commented we are also going to be leasing a new vehicle for the Parks and Recreation Department. Mr. Gantt advised this is correct and his plan for the red Dodge Charger will be to use for administration so that employees have a vehicle to take to classes, etc.

Commissioner Harrell asked Mr. Suggs about the number of part-time employees listed under the Parks and Recreation budget. Ms. Pope and Mr. Gantt clarified the budget includes a maximum of 10 hours per week at \$15 per hour.

Commissioner Harrell asked Mr. Suggs if he has any plans for a Halloween event. Mr. Suggs advised he is currently working on a Halloween themed event with ideas from other departments. Commissioner Robbins suggested for Mr. Suggs to contact Pender Early College because they had a great event last year.

Commissioner Harrell also asked Mr. Suggs about the family programs he has planned. Mr. Suggs advised these programs such as a family bingo night, monthly activities, seasonal events, etc.

Commissioner George commented in regards to the number of trucks planning to be leased. He suggested to consider an extra truck for the Fire Department, possibly a take home vehicle for the Deputy Fire Chief. Mr. Gantt advised there has been discussion about this. He advised it is not included in the FY 19-20 budget, but plans to be included in the FY 20-21 budget since the SCBA equipment expenses will come off of the FY 20-21 budget.

Mayor Cowan closed the public hearing at 7:38 PM.

ADJOURNMENT

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

The meeting was adjourned at 7:38 PM.

Kenneth T. Cowan, Mayor

Attest: _____
Kristin J. Wells, Town Clerk