

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

**DATE:** March 8, 2016  
**TIME:** 4:00 PM  
**PLACE:** Burgaw Municipal Building  
**BOARD MEMBERS PRESENT:** Mayor Eugene Mulligan  
Mayor Pro-tem Howard Walker  
Commissioners Jan Dawson, Bill George, Vernon Harrell and Wilfred Robbins  
**STAFF PRESENT:** Chad McEwen, Town Manager  
Sylvia W. Raynor, Town Clerk  
Robert Kenan, Town Attorney  
Anthony Colon, Assistant Director of Public Works  
Bill Fay, Director of Public Works  
Louis Hesse, Building Inspector  
Jim Hock, Chief of Police  
Brandon Bailey, Detective  
Wendy Pope, Finance Officer  
Rebekah Roth, Planning Administrator  
Kristin Wells, Deputy Clerk  
Allen Wilson, Fire Administrator  
**MEDIA PRESENT:** Bill Walsh, Star News  
**INVOCATION:** Nick Smith, Chaplain  
**PLEDGE OF ALLEGIANCE:** All

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

**Approval of Agenda**

Mayor Mulligan asked if there were any requests for amendments to the agenda. Mr. McEwen requested the addition of a closed session at the end of the meeting. There being no further requests for amendments to the agenda, Commissioner Robbins made a motion to approve the agenda as amended. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

**Approval of Consent Agenda**

Commissioner Dawson made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote. The consent agenda and the following items were approved:

- Minutes of the Special Meeting of January 26, 2016
- Minutes of the Special Meeting of February 2, 2016
- Minutes of the Regular Meeting and Closed Session of February 9, 2016

**Arbor Day Proclamation – *Mayor Mulligan***

Mayor Mulligan read the Arbor Day Proclamation. Arbor Day will be held on March 18, 2016.

**SPECIAL PRESENTATIONS – SPECIAL REQUESTS**

**Relay for Life – *Wayne Briley***

Wayne Briley appeared on behalf of the American Cancer Society Relay for Life event which will be held on Saturday, April 16, 2016 on the court house square. He advised Courtney Rooks, Volunteer Chairperson for Pender County is also present to answer questions. Mr. Briley presented the Board a map of the court house square showing the layout of the event on the square. He advised the only change from last year is that the parking spaces around the

square will be closed to be used by walkers as well. He advised cones will be put out to keep the walkers within the boundaries. Mr. Briley said the only street closures will be Fremont Street from Walker Street to Wright Street. He said this closing will become effective between 6:00PM and 6:30PM on Friday evening and will remain closed on Saturday throughout the event. After a brief review of the plans for the event, Commissioner Robbins made a motion to approve the request by Relay for Life, to work with them and to close the necessary streets as presented during the specified time. The motion was seconded by Commissioner George and carried by unanimous vote.

### **Spring Festival – *Ross Harrell***

Ross Harrell appeared on behalf of the Spring Festival. He referenced the letter that was included in the agenda packet for review by the Board. He advised this year's Spring Festival is May 7<sup>th</sup>. Mr. Harrell requested support from the Town for the street closing, traffic control, police assistance on Friday evening during the square dance and on Saturday during the 5k walk/run as well as the festival. He also requested 12 roll carts and subsequent dumping of those carts after the festival. He requested that Public Works deliver the stage and picnic tables to the court house square and remove them after the festival. He is requesting use of the electricity at no charge and use of the depot platform in case of rain. Mr. Harrell also requested a grant of \$1500.00 to help defray the cost of printing, mailing, sound equipment and various expenses incurred in producing the festival.

Mr. McEwen advised in regards to the financial request that the town budgeted \$500 for this year, the TDA is donating \$500 therefore a \$500 general fund fund balance appropriation will be required to meet the \$1500 request. After a brief discussion, Commissioner George made a motion to approve the requests from Mr. Harrell for the Spring Festival. The motion was seconded by Commissioner Dawson and carried by unanimous vote. Commissioner Dawson made a motion to approve a \$500 general fund fund balance appropriation to meet the request for funding for the Spring Festival as presented by Mr. Harrell. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

### **Pender Arts Council – *Rochelle Whiteside***

Rochelle Whiteside appeared before the Board to make several requests in regards to the Pender Arts Council's use of the old EMS building on Wilmington Street. She read a lengthy report regarding the numerous activities that have been held in the building as well as a list of repairs/improvements needed for the continued use of the building. She requested an additional five years on the lease of the old EMS building in addition to the town's continued support of paying the utilities and insurance on the building. She advised they are requesting signage for the building to identify the location of the arts council. She also requested the funding that was paid to the town for the use of the building during the filming of a movie in the building last summer be dispersed to the arts council to be used for capital projects. Mayor Mulligan asked Mr. McEwen if we had already allotted that money for capital improvements. Ms. Whiteside said it was allotted but her understanding was that the money would have to be requested. Mr. McEwen advised that money was allotted to be used for the doors that are being installed at the building now. He advised that when the work is done and approved the funding would be used to pay the contractor for the work.

Commissioner Harrell made a motion to continue the existing lease with the Pender Arts Council with the same terms for another five years. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

### **Yoga/Zumba Funding Request – *Alison Boyce***

Alison Boyce advised she is present to discuss the free yoga classes that have been taught at the Burgaw Community House by Beth Lewis, Kat Rahe and herself. She thanked the Board for supporting the classes since the beginning. Ms. Boyce said there was a Zumba class funded by the county that is no longer being taught because Pender County discontinued the funding. She advised funding for both yoga classes was originally shared by the town and the county but the county funding ran out last April leaving the second class unfunded. She said the second class has been continuing without funding with the teacher not being paid. Ms. Boyce said these classes have allowed at least three hundred residents of the county to have access to yoga and Zumba over the past two years and they feel they should continue to offer the classes. She said they would like to offer a beginning class and an intermediate class.

Ms. Boyce said they (the instructors) are requesting that the Town fund the second yoga class as well as the Zumba class for one year beginning April 1, 2016 and ending April 1, 2017. She said these two new classes will cost the town \$30.00 per class costing a total of \$2,880 per year, bringing the total program cost to \$4,320 per year. She also advised the payment has been going to Beth Lewis but Ms. Rahe and she have been teaching the classes. She said the payment needs to be going to both of them or to one to be shared between the two of them.

Commissioner Dawson asked Ms. Boyce if they have been to the county to ask for funding. Ms. Boyce advised the original funding from the county was for six months and requests to be on the county meeting agendas have not been fruitful.

Mayor Mulligan called for a motion but Mr. McEwen advised that since the funding for the two extra classes for the remainder of this fiscal year is not budgeted there must be some discussion about a fund balance appropriation. He advised it will take an additional \$720 plus the instructors will have to complete a complimentary use policy in order to be paid.

Commissioner Robbins commented that this item should have been taken to the Parks and Recreation committee before coming to the Town Board. Commissioner Robbins made a motion to continue the Yoga/Zumba program as requested. The motion was seconded by Commissioner Harrell. All voted in favor with Commissioner George stating that he is voting with reservations.

Commissioner Harrell made a motion to appropriate \$800 from general fund fund balance to cover the two classes until the end of the fiscal year. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

It was the consensus of the Board to discuss the funding for next year during the budget process.

**Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate - *Michael G. Mack, Director, Pender County Utilities***

Michael Mack advised the purpose of this presentation is to reach out to potential water supply partners for the next thirty year planning period. He advised Pender County has retained professional engineering services to obtain an Interbasin Transfer (IBT) certificate which will provide Pender County Utilities permission to supply treated surface water from the Cape Fear River and extend the necessary water main infrastructure across the four river sub-basins that comprise Pender County.

Mr. Mack advised an interbasin transfer is when you are requesting to draw surface water not groundwater (this is not the wells, this is the river water) from one river basin and then discharge that water into another river basin. He advised that in order to transfer more than two million gallons of surface water you must have an Interbasin Transfer certificate from the Environmental Management Committee.

Mr. Mack advised because Pender County desires to serve all unincorporated areas, this IBT certificate is necessary to transport the water across the county. He advised that in the role of a co-applicant which is what Burgaw would be, is that Burgaw will be identified on the petition. He said they would know what Burgaw's possible surface water needs may be for the next thirty year period. He said the goal is that if the town sees that the groundwater situation changes we may find it is cheaper to purchase the surface water than to continue the groundwater draw. He said by Burgaw becoming a co-applicant they can include a predicted number of gallons that may be needed in the future. He said if the groundwater situation changes, Burgaw will have a permit that allows you to seek surface water from Pender County Utilities. He said there is no monetary commitment. Mr. Mack advised this process is simply planning for future in the event of a ground water problem.

Mr. Mack briefly reviewed the two resolutions that are being presented tonight for consideration by the Board. He advised approval of the co-applicant resolution states that the town is interested in being included in the process and will support the county by providing the necessary data and support during the process. Mr. Mack advised that approval of the resolution of support simply means that the Town supports the Pender County Utilities Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate process and the associated effort to work with

the NC Department of Environmental Quality as an efficient means to meet the projected water demands of Pender County.

Commissioner Robbins asked if there is a bonafide water sewer district in the north western part of the county. Mr. Mack advised it a legal entity named Columbia-Union. He advised they have not passed their bond referendum but they are actually a district.

Commissioner George asked if this is county wide with hydrants etc. Mr. Mack replied this isn't for public improvements at this time; this is simply for permission to send surface water across the county.

Commissioner Harrell asked if all the townships in the county have been approached. Mr. Mack advised "yes". He said Surf City and Topsail Beach are co-applicants. He said the Town of Wallace has also expressed interest. Commissioner Harrell also asked if in the very short future we have to come up with a figure of what we might need in the next thirty years. Mr. Mack said we would ask that of the town but if the town does not come up with a number they can make a recommendation based on reports they have received.

Mayor Mulligan asked if by signing up for this, it reserves a certain amount of water for us if Pender County uses their maximum amount. Mr. Mack said they could go back and ask for a change but they are trying to estimate high now to prevent that from happening.

### **Approval of Resolution 2016-06 Co-Applicant with Pender County Utilities Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate**

Prior to approval of Resolution 2016-06, Mr. McEwen requested that the Board add the following lines to the resolution:

*Whereas, the Town of Burgaw is under no financial obligation as part of this co-application process; and  
Whereas, the Town of Burgaw is not obligated or implying a commitment to purchase water from Pender County Utilities in the event that the IBT certificate is granted by the State of North Carolina; and*

Commissioner Harrell made a motion to approve Resolution 2016-06 as amended. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

#### **TOWN OF BURGAW RESOLUTION 2016-06 CO-APPLICANT WITH PENDER COUNTY UTILITIES LONG RANGE WATER SUPPLY PLANNING AND PROPOSED INTERBASIN TRANSFER CERTIFICATE**

**WHEREAS**, the Town of Burgaw is located within the Cape Fear River watershed; and

**WHEREAS**, Pender County has secured a long term, reliable water supply via purchase agreement of surface water from the Lower Cape Fear Water and Sewer Authority, invested in a water treatment plant in 2012; and

**WHEREAS**, the customers of Pender County Utilities have projected reasonable increases in water demand based on expanded service areas, moderate growth projections and continued efforts to replace groundwater supplies; and

**WHEREAS**, Pender County lies within the Cape Fear River watershed but is subject to interbasin transfer rules based on smaller subbasin delineations given conveyance of potable water supply from its water treatment plant to customers across the county; and

**WHEREAS**, Pender County Utilities is making every effort to involve its neighboring utilities and stakeholders in its long range planning; and

**WHEREAS**, the Town of Burgaw also has growing water supply needs for its customers; and

**WHEREAS**, the Town of Burgaw may be able to reliably meet these water supply needs by purchasing surface water from Pender County Utilities in the future:

**WHEREAS**, the Town of Burgaw is under no financial obligation as part of this co-application process; and

**WHEREAS**, the Town of Burgaw is not obligated or implying a commitment to purchase water from Pender County Utilities in the event that the IBT certificate is granted by the State of North Carolina.

**NOW THEREFORE**, the Town of Burgaw Board of Commissioners resolves that:

*The Town of Burgaw Board of Commissioners accepts Pender County Utilities' offer to participate in the Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate process as a co-applicant in the interbasin transfer petition and will support Pender County Utilities in their efforts by providing the necessary data and support throughout the interbasin transfer certificate process.*

**Adopted this eighth day of March, 2016.**

### **Approval of Resolution 2016-07 Support for Pender County Utilities Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate**

Commissioner Robbins made a motion to approve Resolution 2016-07 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

**TOWN OF BURGAW  
RESOLUTION 2016-07  
SUPPORT FOR PENDER COUNTY UTILITIES  
LONG RANGE WATER SUPPLY PLANNING AND PROPOSED INTERBASIN TRANSFER CERTIFICATE**

**WHEREAS**, the Town of Burgaw is located within the Cape Fear River watershed; and

**WHEREAS**, Pender County has secured a long term, reliable water supply via purchase agreement of surface water from the Lower Cape Fear Water and Sewer Authority, invested in a water treatment plant in 2012; and

**WHEREAS**, the customers of Pender County Utilities have projected reasonable increases in water demand based on expanded service areas, moderate growth projections and continued efforts to replace groundwater supplies; and

**WHEREAS**, Pender County Utilities has invested in a forward-thinking, long range water supply planning and investment effort to meet the needs of its growing customer base for decades to come; and

**WHEREAS**, Pender County lies within the Cape Fear River watershed but is subject to interbasin transfer rules based on smaller subbasin delineations and is engaging in the pursuit of an interbasin transfer certificate; and

**WHEREAS**, the Town of Burgaw appreciates Pender County Utilities' efforts to involve its neighboring utilities and stakeholders in its long range planning:

**NOW THEREFORE**, the Town of Burgaw Board of Commissioners resolves that:

*The Town of Burgaw Board of Commissioners supports the Pender County Utilities Long Range Water Supply Planning and Proposed Interbasin Transfer Certificate process and the associated effort to work with the NC Department of Environmental Quality as an efficient means to meet the projected water demands of Pender County.*

**Adopted this eighth day of March, 2016.**

### **DEPARTMENTAL ITEMS**

#### **FINANCE – Wendy Pope, Finance Officer**

#### **Ordinance 2016-02 Amending the FY 15-16 budget to approve donations agreed upon by the Burgaw Tourism Development Authority**

Ms. Pope advised as of February 2016, the TDA Fund Balance is \$20,634. This balance includes a current year-to-date net increase of \$3,720 to the June 30, 2015 fund balance of \$16,914. She advised the Authority receives revenue through a 3% occupancy tax, which as of February 2016, \$5,670.28 of the anticipated budget of \$7,000 has been recognized. Accordingly, various expenditures have been recognized (payment for Audit services, and Civil War Trail expenses). The TDA Board believes expenses for the remainder of this fiscal year will not exceed \$600.

Ms. Pope advised the Pender County Historical Society has requested support for improvements to the museum. The first anticipated need is a HVAC system with an estimated cost of \$5,000, and other needs are to protect the house from mold and mildew. The TDA Board considered the request and proposed a donation to the museum in the amount of \$5,000, contingent upon a matching donation from Pender County.

Ms. Pope advised secondly, the TDA Board proposed a \$5,000 donation to the Splash Pad construction project. The Splash Pad is anticipated to be a significant tourism draw to the Town of Burgaw, and the Board believes a donation would help the project gain support from the community. Wal-Mart foundation has been asked to make a donation to the project, and the finance officer has thus far received donations from the community totaling \$3,750.

Ms. Pope advised the recommendation is the approval of the ordinance to recognize \$10,000 of the Tourism Development Authority Fund Balance into the FY 15-16 TDA budget to cover the expenditures.

Commissioner Robbins made a motion to approve Ordinance 2016-02 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

**ORDINANCE 2016-02**  
**AMENDING FISCAL YEAR 2015-2016 ANNUAL BUDGET**  
*Increasing Revenues and Expenditures*

**WHEREAS**, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2015-2016 on June 9, 2015; and

**WHEREAS**, the Burgaw Tourism Development Authority is a component unit of the Town of Burgaw, however a legally separate public authority; and

**WHEREAS**, the Burgaw Tourism Development Authority Board met and agreed to make donations to both the Splash Pad Construction Project and the Pender County Historical Society & Museum; and

**WHEREAS**, the Burgaw Tourism Development Authority Board decided upon \$5,000 donation to the Splash Pad Construction Project, and \$5,000 donation to the Pender County Historical Society & Museum; however, the museum donation is contingent upon matching donation made by Pender County; and

**WHEREAS**, the Burgaw Tourism Development Authority will require a general fund fund balance appropriation to cover the donation expenditures.

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

Section 1: The FY 2015-2016 budget be altered to reflect the following changes:

**INCREASE BUDGETED REVENUE**

Account Number	Account Description	Amount
10-3905-00-900	TDA Fund Balance Appropriated	\$10,000

**INCREASE BUDGETED EXPENDITURE**

Account Number	Account Description	Amount
10-6900-80-480	TOURISM DEVELOPMENT AUTHORITY	\$10,000

**Approved: March 08, 2016.**

**Ordinance 2016-03 Amending the FY 15-16 budget to approve payment of second quarterly installment of loan from Four County EMC**

Ms. Pope advised on November 2014, the Town Board approved the purchase of a new Rosenbauer Tanker for the Burgaw Fire Department. It was decided that the purchase would be made with financing provided by Rural Economic Development Loan and Grants program administered by Four County EMC. The closing of this loan took place on December 1, 2015 with loan proceeds being presented to the Town at that time. On December 8, 2015, the loan proceeds were recognized into the FY 15-16 budget and covered the purchase of the fire tanker. The financing terms of the loan with Four County are \$240,000 over a 10 year period with a 0% interest rate. Quarterly payments in the amount of \$6,000 are due beginning March 1, 2016. Subsequent payments are due June 1, September 1 and December 1. The first quarterly installment due March 1<sup>st</sup>, 2016 has been paid from Non-departmental revenue. This was done so that the payment was remitted on time.

Ms. Pope advised within the General Fund fund balance, \$40,489 is committed for Fire Department equipment, however a budget ordinance amendment will need to be approved in order to recognize a portion of this reserve fund

into the FY 15-16 budget and to cover the second installment payment. The remaining payments will be included in subsequent years' budgets and will exhaust all reserved funds before any need to appropriate unreserved fund balance. She advised the recommendation is the approval of the ordinance to recognize \$6,000 of the reserved fund balance into the FY 15-16 budget to cover the appropriate expenditures.

Commissioner George made a motion to approve Ordinance 2016-03 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**ORDINANCE 2016-03**  
**AMENDING FISCAL YEAR 2015-2016 ANNUAL BUDGET**  
**Increasing Revenues and Expenditures**

**WHEREAS**, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2015-2016 on June 9, 2015; and

**WHEREAS**, the Town of Burgaw has approved financing of a new Rosenbauer Tanker apparatus through Four County's Rural Economic Development Grant funds; and

**WHEREAS**, the loan proceeds of \$240,000 from Four County EMC were recognized with a budget amendment ordinance on December 8, 2015; and

**WHEREAS**, the terms of this financing are 10 years at 0% interest with quarterly payments of \$6,000; and

**WHEREAS**, the Town of Burgaw will require a general fund reserved fund balance appropriation to cover the expense of the second payment installment.

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

Section 1: The FY 2015-2016 budget be altered to reflect the following changes:

**INCREASE BUDGETED REVENUE**

Account Number	Account Description	Amount
10-3900-00-900	Fund Balance Appropriated	\$6,000

**INCREASE BUDGETED EXPENDITURE**

Account Number	Account Description	Amount
10-5300-10-992	Installment Purchase	\$6,000

**Approved: March 08, 2016.**

**Ordinance 2016-04 Amending the FY 15-16 budget to provide funding for professional services invoices from Ward & Smith, P.A.**

Ms. Pope advised the law firm of Ward and Smith, P.A. has been retained by the Town of Burgaw as counsel for both the lawsuit and appeal of the Notice of Violation from the Town of Wallace. The Town Manager was quoted a range of fees for these professional services. The Town of Burgaw Board of Commissioners agreed to professional services for the lawsuit not to exceed \$50,000 and the appeal of NOV not to exceed \$30,000. She advised the recommendation is the approval of the ordinance authorizing the General Fund fund balance appropriation of \$80,000 to cover these expenditures.

Commissioner Dawson made a motion to approve Ordinance 2016-04 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**ORDINANCE 2016-04**  
**AMENDING FISCAL YEAR 2015-2016 ANNUAL BUDGET**  
**Increasing Revenues and Expenditures**

**WHEREAS**, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2015-2016 on June 9, 2015; and

**WHEREAS**, the Town of Burgaw has received invoices for legal and admin fees rendered in January 2016 by Ward & Smith in the total amount of \$11,529.50; and

**WHEREAS**, the Town Manager has been given a quote that Attorney fees should not exceed \$80,000; and

**WHEREAS**, a General Fund fund balance appropriation is necessary to cover the professional services expense in fiscal year 2015-2016.

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

**Section 1: The FY 2015-2016 budget be altered to reflect the following changes:**

**INCREASE BUDGETED REVENUE**

Account Number	Account Description	Amount
32-3900-91-900	Fund Balance Appropriated	\$80,000

**INCREASE BUDGETED EXPENDITURE**

Account Number	Account Description	Amount
32-8210-91-456	Professional Services-Attorney	\$80,000

**Approved: March 08, 2016.**

**Other Finance Items**

Ms. Pope mentioned that a purchase order for Fairway Ford has been completed for the purchase of two public works service trucks. She advised \$40,000 of the total due will be taken from capital outlay in sanitation and drainage. She advised this amount was budgeted in this fiscal year to purchase a dump truck but the decision was made to purchase two service trucks instead. She said the \$40,000 will be applied as budgeted but it leaves a balance of \$1,577.28 that will be paid out of non-department revenues. She said she just wanted to make the Board aware of this.

**PLANNING – *Rebekah Roth, Planning Administrator***

**Resolution 2016-08 Consideration of an appointment of a Planning Board member to an alternate seat on the Board of Adjustment.**

Ms. Roth advised while the Planning Board members, according to our ordinance, also serve on the Board of Adjustment, they must be appointed for three-year terms in compliance with the General Statutes. Bill George was appointed as an alternate member of the Board of Adjustment while a member of the Planning Board, but he no longer serves the town in that capacity. Existing Planning Board member William Smith has never been appointed to the Board of Adjustment.

The attached resolution would appoint Mr. Smith to the alternate seat vacated by Commissioner George.

Commissioner Harrell made a motion to approve Resolution 2016-08 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

**RESOLUTION 2016-08  
APPOINTING A MEMBER OF THE PLANNING BOARD  
TO AN ALTERNATE SEAT ON THE BOARD OF ADJUSTMENT**

**WHEREAS**, the Town of Burgaw Unified Development Ordinance specifies that the members of the Town of Burgaw Planning and Zoning Board shall also serve as members on the Board of Adjustment; and

**WHEREAS**, the Town of Burgaw Board of Adjustment currently has one vacant alternate seat, as William George is no longer a member of the Planning Board; and

**WHEREAS**, Planning Board member William Smith has never been appointed to the Board of Adjustment;

**THEREFORE, BE IT RESOLVED that**

1. The Town of Burgaw Board of Commissioners appoints William Smith to the Board of Adjustment alternate seat vacated by William George III when he left the Planning Board.
2. The terms for this position shall commence upon his swearing-in by the Town Clerk, Deputy Clerk, or Mayor and shall run for a three-year term unless a new appointment must be made by the Board of Commissioners to reflect new members or positions on the Planning Board.

**ADOPTED BY THE TOWN BOARD OF BURGAW THIS 8<sup>TH</sup> DAY OF MARCH, 2016.**

### **ITEMS FROM ATTORNEY**

Attorney Kenan advised he has no items at this time.

### **ITEMS FROM MANAGER**

Mr. McEwen advised we are preparing to put new flooring throughout the remainder of the building in the police department, in the day room and in the kitchen. He asked if the Board wants us to consider getting a quote for flooring for the board room. He advised there is more traffic in this room than ever before and he wanted to determine whether or not the Board desires to replace the carpet with tile in the Board room. After a brief discussion, Commissioner George made a motion replace the carpet in the board room with tile. The motion failed for lack of a second.

Mr. McEwen referenced a copy of an email that has been presented to the Board from Jennifer Hansen regarding purchase of equipment to live stream the Board of Commissioners meetings in order for the public to view the meetings on line. He advised he has spoken with Erik Harvey and he is working with someone that handles the county's live streaming. Mr. McEwen said until we have some idea of cost of the project there is not much to say. He said he advised Ms. Hansen that this will be mentioned tonight and will be discussed at a later date when we have a quote.

**BREAK: 5:30 – 5:40**

### **PUBLIC FORUM**

**Mandy O'Hara**, 101 E Woodbine Terrace, President of the Teal Briar Homeowners Association (HOA) advised she was unable to attend the infrastructure meeting due to work obligations but Justin Rojas filled her in on the discussion. She advised her understanding is that the homeowners need to do a better job on maintaining the swales and that the Board has agreed to take over the utilities from JTV Management but not the roads. She advised in response to the town's decision they (HOA) have sent out letters to the homeowners; she they will be increasing their scrutiny in regards to fines for those that are not maintaining those areas. She advised several homeowners have begun to do a better job at maintenance. She advised they have organized some volunteer cleanup days in which the community will come together and do some maintenance. She asked the Board if by doing what she has just mentioned will be enough to satisfy the conditions for the town to take over the roads.

Mayor Mulligan responded by asking Mr. McEwen to help him out on this one. Mr. McEwen said he cannot speak for the Board but it is not a one-time swat; it will take long term commitment on the property owners that own to the bottom of those swales to take care of those swales. He advised that outside of the right of way there is nothing the town can do because those are easements for public water to go through private property, therefore private property owners will have to take care of it.

Ms. O'Hara stated that she and the HOA would appreciate any help that the Board can give them in working with JTV and getting them to do their part as well. Mr. McEwen commented that one of the large issues out there is the HOA taking over the stormwater permit. He asked if the HOA has discussed the storm water permit. Ms. O'Hara stated that they didn't even know those permits existed until Adam Nicholas mentioned them at the Policy/Finance meeting.

Commissioner Robbins suggested that a joint meeting of town representatives, the owner of Teal Briar Properties and representatives from the HOA hold a meeting to discuss these issues and try to come to some consensus regarding how to move forward.

Attorney Kenan advised at the last meeting, the Board adopted a resolution to accept the streets in the Teal Briar subdivision. He provided Ms. O'Hara with a copy of the following motion:

*A motion made by Commissioner George to send a letter to Teal Briar Properties LLC and Teal Briar POA, Inc. via certified U. S. mail that:*

- 1) *The Town of Burgaw has voted to accept the water and sewer infrastructure that is currently constructed and located within Teal Briar Subdivision as of February 9, 2016 subject to the subdivision's developer cleaning the swales for the first fifteen feet from the edge of pavement so that stormwater will flow from the street into the swales and continue through the stormwater system located in the subdivision.*
  - 2) *That the Town of Burgaw is willing to accept the paved streets within Teal Briar subject to the following conditions:*
    - a. *Teal Briar Properties, LLC agrees to transfer the NCDENR issued stormwater permit to Teal Briar POA, Inc.*
    - b. *Teal Briar POA, Inc. consents to the transfer of the NCDENR issued storm water permit from Teal Briar Properties, LLC.*
    - c. *Teal Briar POA, Inc. agrees to enter into a written agreement with the Town that it will hire a contractor to maintain the stormwater system located in the subdivision on a quarterly basis and provide to the Town documentation on a quarterly basis that the stormwater system is being maintained by Teal Briar POA, Inc.'s contractor. In the event that Teal Briar POA, Inc. fails to maintain the stormwater system in accordance with the written agreement, then Town shall have the right to withdraw its acceptance and maintenance of the paved streets within the subdivision.*
  - 3) *That Teal Briar Properties, LLC and Teal Briar POA, Inc. shall each have until April, 30, 2016 to notify the Town whether they respectively agree to accept the terms as set forth within this motion.*
- Seconded by Commissioner Dawson.*

After much discussion, Mayor Mulligan advised we will try to arrange a meeting between the HOA and Teal Briar Properties along with the town manager and a couple of board members. Ms. O'Hara was very appreciative of the offer to set up a meeting.

**Donald White**, 409 S Bodenheimer Street advised he has two issues. He said one is a health issue because the water line on his road is a three quarter inch galvanized pipe with the health issue being lead. He said we all know some people get lead poisoning. He said that line needs to come up and be replaced. He also advised that he has no water pressure at his house. He said he only has a dribble of water when he turns on the faucet.

Mr. White advised the second issue is drainage. He advised he has a canal forty yards from his house and no ditch. He said he just built a building on his property and Mr. Hesse advised he needs a certificate of elevation which will cost him \$500. He said in order for it to pass, he will have to drill holes in the building so water can come out. He said if he does that there is nowhere for the water to go. He said it will stand right there because there is nowhere for the water to go. He said there are no ditches anywhere on his property and it is causing problems such as mosquitoes.

Mayor Mulligan said this problem with Mr. White's water has been discussed before. Mr. McEwen said this has been looked at it in conjunction with both water rehab projects one of which has not been funded. After discussion, Anthony Colon, Assistant PW Director advised he would go out there and look at this situation and try to resolve it.

In regards to the drainage issue, Mr. Hesse advised Mr. White is in a flood zone and his building is below base flood elevation which requires an opening in the floor to let water come in and then go back out to keep from destroying the building in a flood event. Mr. Hesse advised the land is very flat and it's not really related to the flood development permit as far as the drainage goes. He advised that entire area does have a severe problem with draining the properties because there is not much ditching there.

After much discussion, Mayor Mulligan recommended that Bill Fay and Anthony Colon meet with Mr. White to look at the situation and try to come up with a solution.

**Robert C. Kenan, Jr.**

Mr. Kenan presented the Board with a map depicting a sanitary pump station that sits on the corner of a lot that he owns on Vann Court in the Robinwood subdivision. Mr. Kenan said he is getting ready to sell that piece of property. He said the town does not have a written easement for the property that the sanitary pump station sits on. Mr. Kenan advised he is proposing to grant the town a deeded easement to that area where the pump station sits in exchange for the town giving him a written acknowledgement as to the value of that area being \$1,000. After a brief discussion, Commissioner Robbins made a motion to agree to the deeded property in exchange for a written acknowledgement of the \$1,000 value of the land. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

## **ITEMS FROM MANAGER (continued)**

### **The Knot**

Mr. McEwen advised the issue of the contract with “The Knot” (wedding venue magazine) was referred back to the Special Events and Promotions Committee. He advised that this has been mentioned to Mr. Fouche, Chair of the Special Events and Promotions Committee and he does not favor us entering into this contract. Mr. McEwen advised he has read the contract and he does not feel it is of any benefit to the town or the depot facility. He said the situation we have now in terms of booking the depot facility is not broken. He advised unless there are some strong opinions from the Board he recommends that we advise those persons involved with “The Knot” that we are not interested in their services. No action was taken on this item.

### **Creekside Streets**

Mr. McEwen advised that in December, the Board of Commissioners requested that he approach Milam and Ballard in regards to consideration of taking over the streets in the Creekside subdivision. He advised Milam and Ballard have been contacted. He also advised that Bill Fay, DPW has prepared an evaluation of the street conditions in Creekside. He advised the information that has been provided in the Board packets has also been provided to Milam and Ballard for review. Mr. McEwen said that Milam and Ballard’s ideas of what they thought were reasonable repairs were entirely different from what we feel is necessary. Mr. Fay gave a brief presentation regarding his findings and thoughts on the condition of the streets in Creekside. Mr. Fay stated that there are only six homes currently built in the development with 104 more homes to be built. He advised with all the traffic from lumber trucks, concrete trucks and contractors to build those homes there will be a lot of wear on the streets. Mr. Fay recommended that the Town not take over the streets at this time.

Mr. McEwen said Milam and Ballard responded that they are not interested in the “laundry list” that has been presented. They asked Mr. McEwen to ask the Board if they would accept these streets with a “compromise” list. He said Milam and Ballard knows there are some issues that need to be taken care of but they don’t feel that the alligator cracking and lateral cracking down the street is of any importance and doesn’t necessarily need to be repaired for the town to take over the streets. Mr. McEwen said that Milam and Ballard would like for the Board to back off some of those items.

After a very lengthy discussion regarding the issues with taking over the streets, Mr. McEwen asked the Board if they are willing to weigh in on the request made by Milam and Ballard to come to a compromise to do some of the repairs but not all in order for the streets to be taken over by the town. Commissioner Robbins said he feels it is too soon with so many houses yet to be built. Commissioner George recommended waiting until a certain percentage of the houses are built and then consider taking over the streets. Commissioner Harrell asked how this request came about. Mr. McEwen said this was a request by the Board in December to contact Milam and Ballard and set up a meeting to discuss the feasibility of taking over the roads and to evaluate the condition of the roads as part of the process. Mr. McEwen advised he followed up on that request and that is where we are today. He said this was not initiated by Milam and Ballard. Commissioner Dawson said she thinks we need to leave this alone for now and let them go on with the development. No action was taken on this item.

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

### **Committee appointments – Promotions and Special Events**

Mayor Mulligan advised per the ordinance, on April 8, 2016 the 2 year terms of the following members of the Promotions and Special Events Committee will expire: *Jim Fouche, Monique Kirby and Paula Williams James*. He said all three members have requested to be reappointed to the committee.

Mayor Mulligan nominated Jim Fouche, Monique Kirby and Paula Williams-James to serve a second 2 year term. Commissioner Harrell made a motion to accept the nomination. The motion was seconded by Commissioner George and carried by unanimous vote. (Terms will expire on April 8, 2018.)

### **Committee appointments – Parks and Recreation**

Mayor Mulligan advised per the ordinance, on April 8, 2016 the 2 year terms of the following members of the Parks and Recreation Committee will expire: *Pete Summers and Bill King*. He advised Mr. Summers has requested to be reappointed and Mr. King has advised he is stepping down thereby leaving a vacancy on the committee.

Mayor Mulligan nominated Pete Summers to serve a second 2 year term on the Parks and Recreation Committee. Commissioner Harrell made a motion to accept the nomination of Pete Summers to the Parks and Recreation Committee. The motion was seconded by Commissioner Robbins and carried by unanimous vote. (Term will expire on April 8, 2018.)

Mayor Mulligan advised advertisements for a new member to fill the vacancy on the Parks/Recreation Committee will be posted.

### **Authority appointments – Tourism Development Authority – Terms end March 12**

Mayor Mulligan advised per Resolution 2006-37, the terms of the following members of the Tourism Development Authority (TDA) will expire on March 12: *Valiben Odedra, Wilfred Robbins and Chad McEwen*. Mayor Mulligan said he would suggest to the Board that we expand this board (TDA) to include two or three members of the public. He advised Ms. Valiben Odedra satisfies the statutory requirement for a member that is affiliated with a business that collects the Town of Burgaw Occupancy Tax.

There was much discussion regarding the interpretation of the rule set forth by the General Assembly in establishing the number of members and their association with promoting tourism within the town. Mayor Mulligan wanted more public on the Board. Commissioner Harrell said he would rather have a member of the public rather than the town manager on the Board. Commissioner Robbins said he feels that Mr. McEwen has served with distinction and honor on the TDA; he has done a good job and has been able to get things done. Commissioner Robbins said if someone that is involved in tourism would like to serve he would be glad to step aside and give up his position. Mayor Mulligan said what he wants to see is for the public to serve on the TDA, not that he wants to exclude Commissioner Robbins but he definitely does not want the town manager on the TDA.

Commissioner George made a motion to accept the nomination of Valiben Odedra and Commissioner Robbins to serve a second three year term on the TDA and to advertise for the third position which is currently held by the Town Manager. The motion was seconded by Commissioner Harrell and carried by unanimous vote. (Terms will end on March 12, 2019.)

The clerk was instructed to advertise the vacant position on the TDA.

### **Discussion Item - Discussion regarding results of Policy Finance meeting on January 26<sup>th</sup>**

Mayor Mulligan advised there will be discussion regarding items that were discussed at the Policy/Finance Board meeting on January 26 and delayed until today's meeting in order for the full Board to have discussion.

### **Proposed revisions to the nuisance ordinance, noise ordinance and penalties**

Commissioner Harrell advised Ms. Roth has recommended a proposed change in the nuisance ordinance which was discussed in detail at the January 26<sup>th</sup> meeting. He advised the Policy/Finance Board recommends moving forward with consideration of the ordinance at a public hearing. Commissioner Harrell made a motion to consider an amendment to the nuisance ordinance at a public hearing. The motion was seconded by Commissioner George and carried by unanimous vote.

#### **Discussion – Request by Andy Pettigrew to reinstate the news box in the Pender Post Voice**

Commissioner Harrell advised that the Policy/Finance board came away from this subject with a split decision. He advised that for that reason it is coming back to the Board for discussion. Commissioner Harrell commented that we are currently purchasing ad space as needed and there has been some savings by doing that. He said he also learned that in order to have the box as in the past that we have to pay in advance for a full year. Commissioner Harrell said he doesn't see this as something we should require ourselves to do for a year. He said his personal recommendation is to not purchase the ad box in the Pender Post Voice. Commissioner Walker advised that at the time of the original discussion, he was in favor of the ad but has since changed his mind and no longer favors purchase of the ad. Commissioner Robbins said he would like for the town manager to find out how much it will cost quarterly. He said he favors having the box for informational purposes. Mayor Mulligan said this item will be tabled until next month and if the Board decides to move forward with this item, Policy/Finance will meet and set some guidelines for what can be put in the ad. Mayor Mulligan said it is very disappointing that Mr. Pettigrew is not here to make this argument for himself and present this information to the Board.

#### **Discussion – Consideration of lowering property taxes**

Commissioner Harrell there was a recommendation that the Board consider lowering the property taxes. Commissioner Harrell said he feels this is something to consider as we go through the budget process; it's not something that we can make a decision on until we see how the figures come out in the budget process. He said this is something that we should keep in mind. Commissioner Robbins said he would like to hear from the people that are in favor of lowering the taxes and find out what services they are willing to cut. He said it would be beneficial to know if we are going to cut back on garbage collection, street sweeping. What do you want to cut back on? Mayor Mulligan said he was the one that introduced the thought of considering lowering of the taxes. He said that consideration was prompted by the fact that over the last years we have collected more than we have spent. He said the consideration of lowering the taxes would under no circumstance mean cutting services. Commissioner Robbins asked Mayor Mulligan to let him know what services he wants to cut so he can relay it to the people out in the town. Mayor Mulligan said he only wants to cut back on surplus money being collected. Commissioner Robbins said we give back to the citizens all the time with the services we provide and he still wants to know what will be cut. Mayor Mulligan insisted there will be no cuts except taxes and that is the answer.

Commissioner Harrell said basically we are moving forward with considering cutting taxes because there seems to be a difference of opinion but it is not going anywhere until we get to the consideration of the budget process. Mr. McEwen commented that from what he has seen so far with all the CIP priorities the budget that will be presented to the finance committee will be based on the current tax rate and it will be the challenge of the committee find where the money is going to come from to cut taxes either by eliminating some of those CIP items or by strengthening revenues so we can provide that extra money to offset that tax decrease. He advised there are more CIP priorities this year than ever. Commissioner Dawson said we have been fortunate to save some surplus money that she feels should be utilized to benefit the citizens by paving streets and giving back in other areas as needed. Mayor Mulligan said he agrees one hundred percent that we should start spending that money on infrastructure. He said we are collecting more than we need. He said he suggested this so we could start thinking about what to do.

There was a lengthy discussion initiated in the audience regarding possibility of future growth to create tax base, extension of Ridgewood Avenue to NC Hwy 53 to encourage growth, elimination of the roundabout with the funding going for other projects and what happens if we have a natural disaster and we don't have a large fund balance to pay the expenses incurred.

Mayor Mulligan commented that there is an ordinance that states that we must keep 25% in fund balance and we are currently running at 80% in fund balance. Wendy Pope, FO advised it is actually at about 70% now. Mr. McEwen stated that the 25% rule is actually not an ordinance it is a policy that was established by the Board years ago. He advised that number can be changed at any time to whatever the Board desires so long as it stays within state guidelines.

There was no further discussion on this issue.

## **Discussion – Proposed revisions to the personnel policy regarding salaries and pay scales**

### ***Salaries/pay scales***

Commissioner Harrell said this item is in regards to salaries and pay scales. Commissioner Harrell advised in his opinion the only means we have to control the largest budgetary item we have which is the salaries is to control the brackets because the brackets are pushed every time a staff member receives a COLA or a merit pay increase. Commissioner Harrell said that is why he requested the information on which members of the staff are approaching the top of their brackets. He said Mr. McEwen agreed that he would give the Board a warning when any staff member is 2% below the top of the bracket. Commissioner Harrell said he doesn't know if there is any particular necessity to address that issue as long as the other members of the board feel that is sufficient warning to allow us to take some action. He said he is assuming that all the board members go along with that at this time. Commissioner George commented that if a man does a good job he needs to be paid for it whether he is at the top of the list or not; that is why he is at the top because he is good. Commissioner Harrell said he feels that the Board needs to know that we are breaking the bracket. Commissioner George said if we put a cap on it and he knows he is at the top then if he can go no further because he is at the top he will seek employment elsewhere. Commissioner Harrell said he would like to be notified when a staff member is approaching the top. Commissioner George said Burgaw has some of the best employees anywhere and they all do above and beyond what is necessary. Commissioner Robbins said he agrees with both Commissioner Harrell and Commissioner George but if an employee is at the top of their bracket that bracket can be changed by the Board in the budget ordinance. Commissioner George asked if an employee is at the top of the bracket is it going to be raised or will he be looking for another job. Commissioner Harrell said the Board should be aware that someone one is approaching the top and it should be a conscious decision by the board if any changes are made. Commissioner George said he would agree with the concept only if it means that when a good employee gets at the top of his bracket that he won't be told that is all you will get and if you don't like it go elsewhere. Commissioner Harrell said as long as we are making a conscious decision, that's all I'm concerned about. Commissioner George replied "okay".

### ***Contracts for training***

Commissioner Harrell stated the Policy/Finance Board also discussed the potential to get a commitment from employees that are getting training to stay with the town for a certain period of time in order to make that training worthwhile to the town. He advised there was much discussion related to the training of a police officer and if it would be appropriate to require an officer in training to sign a contract in order to extend his employment and see that he stays a certain amount of time in order for the town to get its worth out of that training. Mayor Mulligan asked Mr. McEwen if he inquired about the contracts for training with other municipalities. Mr. McEwen advised the general consensus was that it is incredibly difficult to enforce and possibly illegal. He said we have looked at this in the past. He said if you require a manager to have a master's degree, that's reasonable in that he can get that on his own and pay for it, but if you require a police officer to have radar training that is specialized training that they must have after they get a job as an officer. He said we tell that officer that he must have all this specialized training to do the job. Mr. McEwen said he feels it is a huge discouragement to say if we hire a person and that person leaves within the first two years he/she will have to pay the town back for that specialized training that is required. He said there will always be circumstances in which good people will come, we spend money to get them trained and they leave but that is part of the cost of doing business and trying to attract good people because good people are eventually going to go somewhere else if they have a better opportunity. He advised it will be even more difficult to retain those people if they are going to be penalized for training that the town is requiring them to get. Mr. McEwen advised he strongly suggests that the Board stay away from any kind of contract agreements on the front end for an employee. He said it will be very discouraging to sit down to sign an offer of employment and the next sheet of

paper is a contract stating that if that person leaves within two years that he must pay back the money spent on getting trained to do the job. Chief Hock said he has done some research on this subject as well. He advised Mr. McEwen has summed it up pretty well. He said he has contacted other police chiefs and many of them are saying that more and more they are getting away from the contracts because of the legal aspects. He said his concern as a department head is if you have someone that doesn't want to be there to begin with either forcing them to stay or forcing them to pay money that would cause them to stay they may not be giving 100% to the citizens. He said if those individuals are going to be happier somewhere else we are better off to find someone else that will be happy in Burgaw. He said most police departments don't have contracts and the ones that do are getting away from them.

### ***Merit Pay***

Commissioner Harrell said there was discussion as to whether merit pay should be given as a salary increase or as a one-time bonus. He said he is of the opinion that a one-time bonus should be sufficient. Commissioner George asked for an explanation of what is meant by "one-time bonus". Commissioner Harrell advised it means that a one-time payment can be given in a single payment instead of adding the bonus to the salary that increases the annual salary by a percentage. Commissioner George said we have to consider the cost of gas to drive to work when talking about salaries. He said he would rather see a pay raise instead of a merit increase to make it affordable to get to work as well as to retain a good employee. Commissioner Harrell reiterated that we are talking about a merit not a pay raise. Commissioner Robbins asked Mr. McEwen what the correct terminology for the merit bonus would be. Mr. McEwen advised "merit based supplement". Mayor Mulligan asked if we have to make a decision now or do we do this through the budget process. Mr. McEwen asked if merit increases will still be given by the manager per the personnel policy based on recommendation from the department heads or is this something the board wants to do. Mayor Mulligan said it is not a matter of the structure, it is whether it will be a merit pay increase or will it be a merit based supplement. Commissioner Dawson said COLA is based on cost of living and everybody deserves that; merit should not be given to everybody but given to employees that have gone above and beyond the call of duty. Commissioner Dawson stated she believes that Chief Hock has an opinion and asked him to share his thoughts. Chief Hock said his concern as a department head is that we are looking at that first time officer with little experience and what it cost to train him and whether we are going to hold him responsible for it. He advised his concern as a department head and as an employee are those people getting up to the top third and closer to retirement. He said if you start paying out increases where it is not added on to their salaries we will start losing the employees at the top end that have the experience and a whole lot more training than those new officers with little training because the employees want to build their salaries for retirement for our families. He said he feels we will lose ten to fifteen year veterans because they need to plan for the future of their family. He said retirement is based on our highest four years and he feels that is another problem we need to look at as well.

Mayor Mulligan said we have an exemplary staff but we are a small town and we cannot afford high salaries, we don't need Serpico, we need a guy that is going to patrol the streets, one good detective sergeant, one good patrol sergeant and we don't need a patrol officer making \$80,000 per year. Chief Hock said he doesn't believe anyone has said anything about police officers being overpaid. Mayor Mulligan said the questioning of how we pay our staff is not a reflection on them; it is about the fact that we are a small town. There are limits. He said at some time that person is going to top out and either stay or go somewhere else to make more money. He said we have to maintain some sort of control. Mayor Mulligan said changing the merit pay to a supplement and giving a COLA when necessary is the best way to go. He said the employee's pay will increase by COLA. Chief Hock commented "strictly by COLA". Mayor Mulligan said "yes, strictly by COLA". He said that is the discussion and now it is up to the Board to make a decision. Mayor Mulligan asked the Board if they want to do a merit pay increase or if they want to do a one-time supplement.

Commissioner Harrell made a motion to do merit supplements as a one-time pay. The motion died for a lack of a second.

### **Other items from the Commissioners**

Commissioner Robbins commented that the ditch across from Walmart is full of trash and asked if it could be cleaned up. Mr. Fay and Mr. Colon said they are working a solution to get that area cleaned up.

Commissioner Robbins asked about incentives to volunteer firemen. Mr. Wilson said there is a set amount (this year is 10k) that is split into quarters. He said every time someone goes on a call in our system we have payroll function that gives each firefighter a point. At the end of the quarter those points are added together and divided by the number of calls and gives us an amount per point. He advised the average is about \$2.50 per call. He said it has been as high as \$3.20 since he has been here. Commissioner Dawson asked how long it has been since there has been an increase. Mr. Wilson advised it was increased last year. Commissioner Robbins said there has been a proposal for the need of more paid firefighters as well as the hours and times of the week that it is difficult to get volunteers to show up and maybe raising the incentive would help alleviate that situation. After a brief discussion, it was suggested that Commissioner George and Fire Board get together and review the process and come up with an incentive plan.

Commissioner Robbins said we are going into the process of revitalizing Court House Avenue. He said he would like for the Board to allow the Mayor to appoint a five member committee to work towards that goal. He said it would be at the Mayor's discretion to appoint the committee but he believes the planner should be involved as an ad hoc member. Commissioner Harrell said he would like to start spending in phases to revitalize Court House Avenue. It was recommended that the funding of this item be discussed in more detail during the budget process.

Commissioner Walker requested that the police officers patrol areas more frequently where there is a power outage. He advised there was a lengthy outage after dark recently in his neighborhood and by making some phone calls he learned that the officers were not aware of the outage. Chief Hock advised he will get with dispatch and if they are notified of the outage, then he will request that dispatch notify the officers on duty so they will know to patrol the areas more frequently.

Commissioner Dawson asked what is going to be put on US 117 S at Walker Street where the crape myrtles are; will the grass grow up around the trees or what. Mr. Colon said they have recently learned through working with the Agriculture Extension office that the trees have not been properly mulched and they are dying. He said they have removed the old mulch and will let that area dry out. He advised Tim Matthews, Extension Agent will then come out and show public works how to properly mulch the trees.

Commissioner Harrell advised the grape vine along the walking trail needs to be trimmed. Mr. Colon advised they will be getting assistance from Tim Matthews as well in trimming the grapevine.

#### **CLOSED SESSION 7:55 PM**

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

#### **OPEN SESSION RECONVENED 8:03 PM**

Commissioner Harrell made a motion to reconvene to open session. The motion was seconded by Commissioner George and carried by unanimous vote. There was no action taken in closed session.

#### **Resignation of Howard N. Walker, Jr.**

Howard N. Walker, Jr. informed the Board of Commissioners that he is resigning his position as Commissioner and Mayor Pro-tem effective immediately due health issues. He advised that his declining health has become a factor in his ability to continue on as a Commissioner. Commissioner Walker thanked the Board and staff for their support during his time on the Board.

Mayor Mulligan thanked Commissioner Walker for his dedicated service to the Town of Burgaw and its citizens. Commissioner Walker has served on the Town Board since 2001. Remembrances and well wishes were shared by all present.

#### **ADJOURNMENT**

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

The meeting adjourned at 8:10PM.

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Eugene Mulligan, Mayor

Attest: \_\_\_\_\_  
Sylvia W. Raynor, Town Clerk