

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

DATE: March 12, 2019
TIME: 4:00 PM
PLACE: Burgaw Municipal Building
BOARD MEMBERS PRESENT: Mayor Kenneth Cowan
Mayor Pro-tem Wilfred Robbins
Commissioners Jan Dawson, Bill George, Vernon Harrell and James Murphy
STAFF PRESENT: James Gantt, Town Manager
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
Todd Rademacher, Planning Administrator
Kim Rivenbark, Deputy Clerk
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. Mayor Cowan thanked everyone who assisted in making the NC Blueberry Festival Pancake Breakfast a huge success.

Approval of 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.

Mr. Gantt introduced Adela Fernandez as the new Customer Service Representative and Cody Suggs as the new Parks and Recreation Director.

Approval of Consent Agenda

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

- A. Approval of the February 12, 2019 regular meeting minutes

SPECIAL PRESENTATIONS/REQUESTS

Arbor Day Proclamation

Mr. Staradumsky shared this year's plan for participating in Arbor Day 2019. He advised town staff will be going to the Burgaw Middle School on Friday, March 22, 2019, to hold an Arbor Day ceremony and to plant a tree on the school property. Tree seedlings will also be given to the students. Mr. Staradumsky read the following Arbor Day Proclamation.

Arbor Day Proclamation

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, Kenneth Cowan, Mayor of the Town of Burgaw, do hereby proclaim March 22, 2019 as

Arbor Day

In the Town of Burgaw, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this twelfth day of March in the year 2019.

Spring Festival Request by Ross Harrell

Mr. Harrell presented information regarding the 42nd Annual Spring Festival and his requests on behalf of the Spring Festival committee. The festival will be held on Saturday, May 4, 2019, with the annual street dance the evening of Friday, May 3, 2019. The committee requested assistance from public safety, portable toilets (one regular and one handicap accessible), roll carts and recycling bins for trash collection and removal, venue, electricity, and set up of stage and picnic tables, reservation of the depot dock for the street dance on Friday, May 3rd in the event of rain, as well as \$1,500 monetary donation. Commissioner Robbins asked Mr. Harrell if all \$1,500 is depleted each year. Mr. Harrell advised that it was. Commissioner Dawson requested invoices to be submitted for record keeping purposes. Commissioner Robbins made a motion to approve the requests as presented and for the town to appropriate \$1,000 and request the TDA to contribute \$500. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

DEPARTMENTAL ITEMS

**Public Works Department – Alan Moore, Public Works Director
Resolution 2019-04 Authorizing disposal of a motor grader as surplus property**

Mr. Moore explained the need to surplus a 1953 motor grader that is no longer being used by staff as described in the resolution below. Commissioner George made a motion to approve Resolution 2019-04 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**RESOLUTION 2019-04
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, the Town of Burgaw, North Carolina is the legal owner of (1) 1953 Motor Grader; and

WHEREAS, said equipment has been in service for several years but, due to wear and tear, it has been deemed obsolete; and

WHEREAS, North Carolina General Statutes 160A-268 allows municipalities to surplus and dispose of property by adopting a resolution authorizing the sale; and

WHEREAS, it has been determined that each these items retains value; and

WHEREAS, the following regulations are designed to secure for the Town of Burgaw the fair market value for the property and to accomplish the disposal efficiently and economically; and

WHEREAS, pursuant to Article V Section 231 of the Town of Burgaw Code of Ordinances, the Town Manager may dispose of personal property when the item(s) has a value of less than \$5,000, is no longer required for the conduct of public business, and the interest of the Town is best served by the proposed disposal;

NOW, THEREFORE, BE IT RESOLVED by the Town of Burgaw Board of Commissioners that:

1. *The Board of Commissioners does hereby decommission one (1) 1953 Motor Grader and does hereby declare this equipment to be surplus property.*
2. *The Town of Burgaw will submit specifications of the equipment to GovDeals.com for sale at on-line auction.*

ADOPTED this the 12th day of March, 2019.

ITEMS FROM THE ATTORNEY – Zachary Rivenbark, Town Attorney

Resolution 2019-05 Requesting Pender County to maintain all court facilities and operations within the central business district of downtown Burgaw

Attorney Rivenbark presented Resolution 2019-05 that included a minor change requested by the commissioners prior to the meeting. Attorney Rivenbark advised he added the verbiage “for court use” in Section 1 as described below. Attorney Rivenbark also gave the commissioners a copy of the Pender County Bar Association Resolution that was approved in November 2018 regarding the Pender County Courthouse. Commissioner Robbins made a motion to approve Resolution 2019-05 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

RESOLUTION 2019-05

RESOLUTION REQUESTING PENDER COUNTY TO MAINTAIN ALL COURT FACILITIES AND OPERATIONS WITHIN THE CENTRAL BUSINESS DISTRICT OF DOWNTOWN BURGAW

WHEREAS, the Pender County Courthouse is the physical and architectural centerpiece of the Town of Burgaw’s National Historic District, and

WHEREAS, the utilization of the Pender County Courthouse by the court system helps insure that the building will continue to contribute to the National Historic District as well as the sense of place that is distinct to downtown Burgaw, and

WHEREAS, furthermore, the presence of the Pender County Courthouse and Frances Basden Judicial Annex generates a significant amount of commerce for the downtown businesses, restaurants, shops and offices, and

WHEREAS, Hurricane Florence significantly damaged the historic Pender County Courthouse, and

WHEREAS, recent discussions by the County to move the Pender County Court System out of the Central Business District of Downtown Burgaw has raised concerns among downtown merchants, business owners, residents, and the Town of Burgaw Board of Commissioners regarding the future possibility that the court system may eventually relocate out of the Central Business District of Downtown Burgaw, and

WHEREAS, the Town of Burgaw Board of Commissioners feels the relocation of the court system from downtown Burgaw would result in a significant negative impact on the existing businesses and offices in the downtown area, and

WHEREAS, furthermore, this relocation would significantly impact the abilities of property owners to recruit tenants for available commercial space, and

WHEREAS, these impacts would result in reductions in both sales tax revenues and property taxes collected by both the Town of Burgaw and Pender County associated with the businesses and properties within the downtown area.

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

SECTION 1: The Town of Burgaw Board of Commissioners hereby respectfully requests the Pender County Board of Commissioners express, through resolution, their commitment to the continued use and/or expansion of the Pender County Courthouse and Frances Basden Judicial Annex for court use in the Central Business District of Downtown Burgaw.

SECTION 2: The Town of Burgaw Board of Commissioners hereby respectfully requests the Pender County Board of Commissioners express, through resolution, their commitment to exhaust all possible future expansion opportunities in the Central Business District of Downtown Burgaw prior to exploring any future expansion plans which would result in any court facilities being constructed and/or remodeled.

SECTION 3: The Town of Burgaw Board of Commissioners respectfully requests the Pender County Board of Commissioners allow the Town of Burgaw to have a representative present at all meetings concerning the remodeling or reconstruction of Pender County Courthouse and Frances Basden Judicial Annex and further that said representative be given equal opportunity for input as has been and will be given to other interested parties.

ADOPTED this the 12th day of March, 2019.

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

Resolution 2019-06 Amending the Personnel Policy

Mr. Gantt described the proposed amendments to Article VII, Section 3, Transfer of Sick/Vacation Leave; Article VII, Section 5, Reinstatement and Transfer of Sick Leave; and Annex 6, the Shared Leave Policy of the Personnel Policy.

Mr. Gantt stated currently our policy only allows for the transfer of 240 hours from another organization that is also a member of the North Carolina Retirement System and the transfer of such hours can only be used towards the calculation of state retirement benefits. This is inconstant with the General Statutes. Local government employers may not restrict the use of transferred sick leave to credit upon retirement. The General Statutes require that for sick leave to be creditable for retirement purposes, the employee must have been able to use it for paid time-off for illness (GS 128-26(e)).

Commissioner Robbins asked what the time frame is for leaving public sector, going to private sector and then returns to public sector in regards to transferring sick hours. Ms. Rivenbark stated the town does not have a time frame for going out, but it would depend on the policy of the organization that the person is going to. Mr. Gantt added as long as the organization can verify that the hours were not used, most organizations allow the transfer. Mayor Cowan asked Attorney Rivenbark if the policy needs to be more specific. After some discussion, it was the consensus of the board for Attorney Rivenbark and Mr. Gantt to revise the policy together with specific information regarding this matter and bring the resolution back at the April meeting.

Mr. Gantt also stated he and staff are planning to work on updating the entire Personnel Policy in the coming months, but in the meantime staff is recommending the removal of Number 9 of the Shared Leave Policy: the transfer of sick leave from one employee to another employee who has exhausted all sick and vacation time due to illness. Currently, the policy allows for this type of transfer, however, it is calculated based on the salary of the employee donating the time compared to the salary of the employee receiving the time. It is standard policy among most local governments to allow for transfer of sick leave from one employee to another in the case of an emergency where the effected employee has exhausted all accrued leave time. It is also a standard practice to allow the transfer

on an hour-for-hour basis and not based on the calculation of the current salaries of the employees. This makes the process less complicated and easier for staff to understand and process. Attorney Rivenbark stated hour-for-hour simplifies things and prevents potential legal issues in the future.

After discussion, it was the consensus of the board to table Resolution 2019-06 until the portion regarding the transfer of sick leave has been revised by both Attorney Rivenbark and Mr. Gantt.

Courthouse Avenue Project Update

Mr. Gantt advised he has spoken with the engineering firm regarding the upgrades to Courthouse Avenue. He received an updated quote of just below \$50k for the cost of the design plan with construction drawings. Mr. Gantt commented this is a substantial amount of money for a plan without doing any work. He stated because the quote came in just below \$50k, that we didn't have to go through the formal bid process to move forward with design plans. However, since it is right at \$50k, he would expect other engineering firms to be close to this amount. Mr. Gantt asked the board for their thoughts on how to proceed with the project. Attorney Rivenbark recommended the board to formally bid it out in case the cost of materials go out within the next couple of months and the costs could be at \$50k. Commissioner Harrell asked which engineering firm was approached. Mr. Gantt stated W.K. Dickson was the engineering firm he received the quote from. Mayor Cowan commented in regards to the future development of downtown with new businesses and asked Mr. Gantt of his opinion with moving forward with this project. Mr. Gantt advised he would wait since there is interest in some of the downtown buildings before spending \$50k on a plan. He commented he would rather spend \$60k-\$70k on actual work. Commissioner Harrell asked how we plan to proceed if we don't have a plan first. Mr. Gantt explained that it depends on how the board wants to proceed, meaning only paving the road, stamp asphalt or brick pavers, installing lamp posts, etc. Mr. Gantt advised we could probably do a lot of the work without having it engineered. If there is a desire for underground utilities, Mr. Gantt advised we would need to meet with Duke Energy to get an estimate. He also stated we can seek grant funding. Having the project engineered is going to depend on how far the board wants to go with the project. Mayor Cowan commented if new businesses come in and restoration of the buildings and digging are required, the project will have to be engineered again.

Commissioner Robbins commented he cannot see the board waiting on the private sector to redo buildings when we are talking about redeveloping town property. He commented the board has talked about this project long enough and would like to form a committee of two board members and town staff for this project so we can move forward. He advised he would be glad to serve on the committee.

Commissioner Harrell agreed with Commissioner Robbins that this matter has been sticking around too long. Commissioner Harrell also volunteered to be on the committee along with Commissioner Robbins. Commissioner Harrell made a motion to form an ad hoc committee to move this plan along for the renovation of Courthouse Avenue. The motion was seconded by Commissioner Robbins and carried by unanimous vote. Commissioner George made a motion to accept Commissioner Harrell and Commissioner Robbins as the two members of said committee. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Discussion – Infrastructure on Highway 117

Mr. Gantt spoke about a discussion that occurred prior to him starting with the town in regards to having preliminary studies done in the Highway 117 by-pass area to determine future infrastructure needs. Mr. Gantt stated he has met with an engineering firm and it would be \$20k for the plan and \$20k for the environmental assessment. The environmental assessment is required if we use USDA funding for the project. He commented we need to know what infrastructure needs are out there. Mr. Gantt advised Mr. Moore has done research and some of the town's lift stations are close to capacity in the area. Mr. Gantt also stated we have a developer currently looking in the area and we need to know what is needed. He recommended to move forward with a plan, but does not think the environmental assessment needs to be done at this time. If USDA funds will be used, the assessment can be done at a later time. Mr. Moore and Mr. Gantt advised the study would be done in the areas between Fremont Street and Walker Street on Highway 117.

Commissioner Robbins asked what types of developments are looking in the area and why we seem to be in a rush. Mr. Hesse advised Hardison has been tied up with the Creekside project but hopes to move forward with the

Hardison development behind White Tractor Company soon. Mr. Rademacher commented there is also interest in townhomes going in behind State Employees Credit Union. Commissioner Robbins asked for clarification in that we do not have infrastructure in place currently to take care of the two developments. Mr. Moore advised we do for phase one of the Hardison Subdivision, but not for the development behind State Employees Credit Union. The lift station at the end of Fremont Street is at capacity.

There was much discussion regarding the process of developers coming in to inquire about sites. Commissioner Harrell commented he is in favor with moving forward with the engineering. He also stated he is interested in offering an incentive to encourage infill.

Mr. Gantt advised the study would take approximately 75 days to complete. Commissioner Harrell made a motion to appropriate \$20k from fund balance for engineering the extension of utility infrastructure down Highway 117 South. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Other items from the Manager

Mr. Gantt advised he has received several requests from Pender County to use town facilities due to the county's limited space following issues from Hurricane Florence in some of their facilities. Mr. Gantt commented we currently do not have anything in our policy offering a discounted rate for governmental agencies. He requested the board to consider allowing governmental agencies to use the facility with only paying the cleaning fee. His recommendation is to allow this type of use Monday through Thursdays only. Commissioner Robbins expressed his concerns with the types of government use (i.e. Parks and Recreation departments, etc.). Mr. Gantt said he believes this will be a short term issue. Mayor Cowan suggested we limit it to a year and revisit the issue at that time. Attorney Rivenbark suggested for the manager to poll the board on a case by case basis. After some discussion, Commissioner Harrell made a motion to allow local governments use of the depot Monday through Thursday with a clause stating they must pay cleaning fee and the non-profit rate will apply for reservations on the weekends. Use of the facility should be made to the manager and the manager will poll the board for approval. The motion was seconded by Commissioner George and carried by unanimous vote.

Mr. Gantt advised he has recently spoken with DOT regarding the project at Walker and Wilmington Streets. He advised they want to have a meeting in April to discuss the project. Right-of-way acquisitions should begin in July 2019 with a project let date of June 2020.

Mr. Gantt advised he has registered the requested website domains that were mentioned at the February board meeting: townofburgaw.org and townofburgaw.net. The costs are \$26 per year.

Mr. Gantt advised he and Ms. Pope are working on the FY 2019-2020 budget by reviewing departmental requests.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Dawson commented the floors and paint at the Community House need to be repaired. Mr. Hesse advised he is currently working on this matter.

Commissioner Dawson asked the status on the repairs at the Old Jail. Mr. Hesse advised the county is working on getting their contents removed so the remediation can be done. He commented the Arts Council has agreed to allow storage of the cleaned contents in the back of their facility until the remediation is complete. Mr. Hesse suggested we get an estimate on proxy flooring while the contents are out of the building. He also advised the roof has been fixed and patching of stucco is in progress. Mr. Hesse stated he hopes the county can move back in within three to four weeks.

Commissioner Dawson asked Ms. Pope regarding the request made at the February meeting for types of use of the cemetery perpetual care funds. Ms. Pope advised she will get this information. She also advised currently when the town collects cemetery money, it goes into the cemetery revenue line item and it can be used. She stated she would need to look back to when perpetual care dollars started to see what amount is interest.

Commissioner Robbins commented he received a call regarding a pull behind work trailer being parked along North Wright Street. He asked staff if there is an ordinance regarding this issue. Chief Hock stated he does not believe the ordinance addresses a time period, but will look into this matter. Mr. Rademacher and Attorney Rivenbark advised they will also do research.

Commissioner Robbins spoke about an article he read in the paper regarding vehicles driving around barricades and traveling through flooding waters, creating wakes, in Carolina Beach. He asked staff if this is something we should address since we had a similar situation during Hurricane Florence. Attorney Rivenbark advised traffic citations can be issued for this and if it is part of our ordinance, it could be a class three misdemeanor. Chief Hock advised he will research this issue.

Commissioner Robbins commented the erosion issue on the canal near the waste water treatment plant needs to be a priority. Mr. Gantt advised USDA is currently looking at the areas between Highway 117 back to Burgaw Creek because of a lot of obstructions in the canal. He said a lot of issues there need to be address to get the canal open. Mr. Gantt advised we have sent our documents and plans regarding the issues to the state for review to determine the needs on state roads (Highway 53 and Highway 117 Business). He stated we are staying in contact to get the issues resolved. Commissioner Robbins asked that staff stay on top of this issue because it is a high priority.

Commissioner Robbins commended Mr. Suggs on the Parks and Recreation survey he received via email.

Attorney Rivenbark spoke in regards to the expansion of culverts throughout town. He advised there has been a recent case regarding the involvement of the Army Corp of Engineers and the expansion of a culvert. He commented if the town is looking at expanding any culverts, we need to get the Army Corp of Engineers involved. There was discussion regarding what we could do as a town to move forward with the canal erosion issue. Mr. Gantt advised we need to wait until USDA reviews the project and then we can submit plans to the Army Corp of Engineers.

Commissioner Dawson asked the status of the old Dees Tourist Home and the use of it as a bed and breakfast. She commented there is a lot of activity occurring at the residence. Commissioner Dawson requested for Mr. Rademacher and Mr. Staradumsky to make sure the owners are not doing anything they aren't supposed to be doing. Mr. Hesse advised the owners are on hold right now due to other homes they own being flooded in Texas.

Commissioner George thanked everyone who made the annual Blueberry Pancake Breakfast a success.

Mayor Cowan commented there are a lot of trees being cut around town and suggested staff to look at the town's tree ordinance. Commissioner Harrell asked about the trees being replaced on the courthouse square. Commissioner Dawson advised she has called the county to ask the status and she was told the reason they have not replanted any trees yet is because they are waiting to see what the plans are for the repairs to the courthouse.

BREAK 5:30 PM-5:45 PM

PUBLIC FORUM

Michael Peterson, 111 W. Bridgers Street, spoke about the on-going drainage issue in front of his residence. He commented he has been before the board several times in the past but nothing is getting done to resolve the issue. After much discussion, the board directed Mr. Gantt to meet with Mr. Moore at this location to look at the problem and bring back a plan and estimates at the next month's meeting.

Rochelle Whiteside, 315 W. Bridgers Street, also spoke in regards to the street flooding by her residence as like Mr. Peterson's issue mentioned above. She then proceeded with an update to the board on the use of the Arts Council building. She advised several members of the council were displaced during the hurricane and the building was used for housing of a rescue team during the storm recovery, as well as workshops held for the children that were staying in the shelters. She commented there are several activities in the facility, including quilting classes on Thursdays, community band practice on Monday evenings, Extension Community Association meetings, candle making, stilting, etc. Ms. Whiteside also commented the building is being used for storage of theater props, ghost walk props, costumes, theater wagon, etc. She also advised there will be an open house during Spring Festival at the facility. She said they are about to launch an Art of Makeup event for the students attending upcoming proms with the high

schools. This event will allow students to come in to have their hair and makeup done by a makeup artist. Ms. Whiteside also commented about a Friday night jam session that will be starting the first Friday night each month.

Attorney Rivenbark reminded the board the lease for the the old EMS building ends in July 2019.

Other items from Mayor and Board of Commissioners continued

Mayor Cowan asked about the request that was made by Mr. Gantt at the last board meeting in regards to the extension of the Business Improvement District as to why it was extended another five years. Mayor Cowan commented he believes an extension of two years would have been sufficient. Mr. Gantt and Attorney Rivenbark advised it was extended an additional five years as like the original one was set for.

Mayor Cowan stated we have received three applications for consideration to fill the vacant seat on the Planning & Zoning Board. Olivia Dawson, Daniel Bowden, and Frederick Lewis applied to fill the vacant seat. Commissioner Dawson made a motion to nominate Olivia Dawson. The motion was seconded by Commissioner Robbins. Commissioner Harrell commented he is in favor of Frederick Lewis. Commissioners George and Murphy voted “aye”. Commissioner Harrell abstained. Motion carried.

There was a brief discussion about the possibility of establishing districts for Planning & Zoning Board members.

Mayor Cowan commented in regards to a land use study for the entire town that was done several years ago. There was discussion on drainage issues throughout town. Mayor Cowan commented we need to look at this study since we will be working with USDA in the future.

Mayor Cowan commented Coopers Point is looking at developing the second phase.

Mayor Cowan advised there are some movie companies moving around and will possibly be looking at Burgaw.

PUBLIC HEARING – *Todd Rademacher, Planning Administrator*

Consideration of text amendments of the Town of Burgaw Unified Development Ordinance to amend Section 2-4: Land Use Administrator, Section 3-1: Common Requirements, Section 3-2: Reserved, Section 3-6: Conditional Zoning Amendments, Section 6-2: Definitions of Basic Terms, Section 8-2: Table of Permitted Uses, and Section 8-5: Supplemental Regulations for Conditional Uses.

Mayor Cowan opened the public hearing at 6:22 PM.

Commissioner Dawson spoke prior to Mr. Rademacher giving the overview of the hearing. Since there are a lot of changes in the proposal, she requested to have a workshop to go through the changes thoroughly and ask questions. Commissioner Robbins agreed with Commissioner Dawson.

Commissioner Harrell made a motion to continue the public hearing until the next regularly scheduled Board of Commissioners meeting to be held on April 9, 2019, and during the interim, hold a workshop. The motion was seconded by Commissioner Dawson. Commissioners Robbins, Murphy, and Harrell voted “aye”. Commissioner George voted “nay”. Motion carried.

After some discussion, the workshop was scheduled for Tuesday, March 26, 2019 at 5:30 PM, which will be a continuation of this meeting.

Other items

Mr. Rademacher advised the board the county had trees left over from their recent tree giveaway in Hampstead and would like to give the trees to the town to do a tree giveaway on this side of the county and available to town and county residents. The giveaway is scheduled for Thursday, March 21, 2019 from 10 AM to 2 PM at town hall.

Mayor Cowan asked Mr. Rademacher about Ridgewood Avenue being on the TIP plan with DOT. Mr. Rademacher advised this project didn't score high enough for consideration. There was brief discussion about this matter.

Mayor Cowan commented there is a fitness gym looking at the old CVS building at the Pender Landing shopping center. There was also brief discussion regarding the parking lot of that area of shopping center. Mayor Cowan asked if there was anything to help push the owner to fix the parking lot. Mr. Rademacher stated according to our ordinance, there is no obligation to require the owner to repave the parking lot. There was also comments regarding the stop sign missing at the exit of the shopping center in front of the motel.

Meeting continued

Commissioner Harrell made a motion to continue the meeting until Tuesday, March 26, 2019 at 5:30 PM for the purpose of discussing the amendments to the UDO. The motion was seconded by Commissioner George and carried by unanimous vote. Motion made at 6:39 PM.

Meeting reconvened

Mayor Cowan reconvened the meeting at 5:30 PM on March 26, 2019.

Mr. Gantt advised the meeting was continued to discuss the amendments to the UDO as presented in the public hearing which was opened on March 12, 2019 and will continue until the April 9, 2019 board meeting.

Prior to discussion regarding the public hearing, Mr. Gantt recommended the board pull the UDO project in light of the circumstances regarding the Planning Administrator no longer being employed with the town. He recommended staff and the board to revisit the amendments to the UDO once we have a new Planning Administrator. He advised the public hearing will continue at the next board meeting and at that time it will be closed with no further discussion. Commissioner Dawson asked if the Planning Board is aware of the situation. Ms. Rivenbark, Interim Planning Administrator, advised the Planning Board is aware Mr. Rademacher is no longer with the town, but was not advised of any specifics related to the public hearing.

Commissioner Harrell arrived at the meeting after the discussion regarding the public hearing.

Other items

Mr. Suggs advised the Pender County school system has contacted him regarding use of the depot for a special event. He advised he recently met with the principals of Burgaw Middle School and Burgaw Elementary School to allow the town to market events through the schools and the principals were very receptive to this idea. Mr. Suggs commented the board approved local governments to use the depot and only pay the cleaning fee, and felt we should do the same for the school systems since they are going to allow town staff to market events and use the gym at the Burgaw Middle School for recreation purposes. There was discussion regarding lots of requests lately to use the depot at no charge (except for the cleaning fee). It was discussed to review and update our rental policies. Commissioner Dawson made a motion to allow Pender County school system to use the depot as requested. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Since Commissioner Harrell arrived after the discussion regarding the public hearing, Mr. Gantt informed him of the recommendation as stated above. Commissioner Harrell commented the Planning Board has already reviewed the amendments to the UDO and believe they are appropriate. Mr. Gantt stated he believes the board and staff need to discuss the changes with a new Planning Administrator once the position is filled.

Commissioner Dawson asked Mr. Hesse for the current status on the repairs at the old jail. Mr. Hesse stated he is waiting for the county to proceed with having their materials cleaned. He advised once the contents are removed, the town can proceed with cleaning of the mold inside the building. Mr. Hesse advised the humidity is going well, windows have been sealed, the roof has been completed, but still have down spouts, etc. to be put back on the exterior. Commissioner Dawson asked if we knew if the county is moving forward on their part. Mr. Hesse advised they are in the progress of getting an estimate on cleaning and removing the contents. Commissioner Dawson also asked if the county plans to move back in the building. Mr. Hesse advised the county has indicated they plan to use

the facility, but it may not be for the tourism department. Commissioner Dawson requested to check the contract between the town and county regarding use of the building. She believes the contract was specific that the tourism department would occupy the county portion of the building. There was brief discussion regarding testing for spores, etc. Ms. Wells researched the contract during the meeting and Mr. Gantt advised the contract does not list a specific department; it only says use by county personnel.

Rev. James Malloy was present and Mayor Cowan asked him the status on Whitestocking Road regarding the recovery from the flooding during Hurricane Florence. Rev. Malloy gave a brief update.

ADJOURNMENT

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

The meeting was adjourned at 5:50 PM.

Kenneth T. Cowan, Mayor

Attest: _____
Kristin J. Wells, Town Clerk