The Burke County Board of Commissioners held a regular meeting on Tuesday, August 18, 2015 at 6:00 p.m. The meeting was held in the Commissioners’ Board Room in the Burke County Services Building located at 110 N. Green Street in Morganton, North Carolina. Those present were:

**COMMISSIONERS:**
- Johnnie W. Carswell, Chairman
- Wayne F. Abele, Sr., Vice Chairman
- Jeffrey C. Brittain
- Jack Carroll
- Maynard M. Taylor

**STAFF:**
- Bryan Steen, County Manager
- Paul Ijames, Deputy County Manager/Finance Director
- Scott Carpenter, Deputy County Manager/Planning Director
- James R. Simpson, II, County & Tax Attorney
- Kay Honeycutt Draughn, Clerk to the Board

**CALL TO ORDER**
Chairman Carswell called the meeting to order at 6:00 p.m.

**INVOCATION**
Pastor Nathan Marlowe, Gospel Baptist Church in Morganton, delivered the invocation.

**PLEDGE OF ALLEGIANCE**
Under the leadership of Clint Beilke, District Executive, Piedmont Council, Boy Scouts of America, Troop 184 - First Baptist Church of Morganton, Troop 188 - North Liberty School PTO and Troop 898 - Mt Hebron Lutheran Church led the Pledge of Allegiance to the American Flag. Afterwards, they had their photograph taken with the Board and staff. As requested by one of the Troop members, Chairman Carswell purchased the first box of popcorn for the Scout’s annual fundraiser.

**APPROVAL OF MEETING MINUTES**
Motion: To approve the meeting minutes of June 2, 2015 (pre-agenda) as written.

With regard to the June 2, 2015 pre-agenda meeting minutes (page 5), “HR – Update to Technology Use Policy”, Commissioner Taylor stated he thought the following language was amended to include an exception for Commissioners, “Employees may not take equipment home or on vacation for personal use.” He said he needs to use the computer to perform his duty and that he would like this noted. Chairman Carswell responded affirmatively.
RESULT: APPROVED (UNANIMOUS)
MOVER: Wayne F. Abele, Sr. Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

APPROVAL OF THE AGENDA AS AMENDED
Motion: To approve the agenda as amended:
RESULT: APPROVED (UNANIMOUS)
MOVER: Wayne F. Abele, Sr. Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

PRESENTATIONS

BOC – PROCLAMATION RECOGNIZING 2015 SOUTHEASTERN REGIONAL BIG LEAGUE WOMEN’S SOFTBALL TEAM
Chairman Carswell read the following proclamation:

Proclamation No. 2015-05

BURKE COUNTY
NORTH CAROLINA

PROCLAMATION
RECOGNIZING THE MORGANTON BIG LEAGUE ALL-STARS
SOUTHEASTERN REGION BIG LEAGUE LITTLE LEAGUE CHAMPIONS
& PARTICIPANTS IN THE BIG LEAGUE LITTLE LEAGUE WORLD SERIES

WHEREAS, the Morganton Big League softball team consists of 15 female high school athletes: Haley Bumgarner; Katlyn Clark, Bethany Cline, Kayli Cook, Kasey Cook, Rebecca Epley, Leah Hasson, Kayla Hunt, Nikki Lewis, Makaley Lovelace, Tabby Pearson, Jordyn Propst, Micaela Queen, Logan Smithers and Brittany Westbrooks; and

WHEREAS, under the leadership of Coaches Mike Hasson, Rodney Bumgarner, Jody Lewis, Lindsey Auton and sponsorship of the Morganton Recreation Department led by Gary Leonhardt, the Morganton All-Stars won the Big League Little League North Carolina state championship hosted by Morganton Recreation at Catawba Meadows. The team then represented North Carolina in the southeast regionals, held in Ft. Myers, Florida. With wins over Tennessee, Virginia and a final win over Florida, the team advanced as the United States Southeast champions to the Big League Little League World Series in Lower Sussex, Delaware where they competed against teams from around the world; and
WHEREAS, throughout the season and during championship play, the team exhibited the tenacity and determination of a championship caliber softball team. Working together, these young women illustrated that drive, skills, and good sportsmanship, both on and off the field, can certainly pay off and they serve as a shining example to all athletes; and

WHEREAS, special commendation is due to all team members, Coach Hasson and his staff, Morganton Recreation Director Gary Leonhardt and the surrounding community of friends and family who have given generously of their time and moral support; and

WHEREAS, it is with great pleasure that the Burke County Board of Commissioners pause to recognize the accomplishments and dedication of these fine athletes and their coaches and to congratulate them on their momentous success.

NOW THEREFORE BE IT PROCLAIMED that the Burke County Board of Commissioners officially acknowledge the talents, skills, teamwork, sportsmanship, and success of the 2015 Southeastern Regional Big League Champion women’s softball team and on behalf of our citizens, we do hereby extend this expression of our pride in this prestigious milestone and wish them well in their future endeavors.

Adopted this the 18th day of August 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Burke County Board of Commissioners

Most of the team was present for the recognition. They received a standing ovation from the audience. Coach Mike Hasson stated participating in the Big League World Series is the greatest event he has participated in and that being recognized by local citizens is a true honor. He further stated the girls on the team are a “class act” and that he is very proud of them. He also acknowledged the following team members that were absent: Coaches Lindsey Auton and Jody Lewis and players: Katlyn Clark, Leah Hasson, Logan Smithers and Brittany Westbrook.

Team member Micaela Queen stated participating in Big League World Series was a once in a lifetime experience and nothing could replace it. She thanked the coaches, City of Morganton, Gary Leonhardt and Burke County for supporting the team. Chairman Carswell also acknowledged the parents and families of the team for their support. The team had their photograph taken with the Board and staff.

Motion: To adopt Proclamation No. 2015-05.

RESULT: APPROVED (UNANIMOUS)
MOVER: Wayne F. Abele, Sr. Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor
SUMMARY OF INFORMATION/BACKGROUND: Applicant is John Hamel. The zoning map amendment request is for three (3) parcels of land totaling approximately 12.47 acres located off Grove Avenue in the Linville Township (PIN No.'s 1764325133, 1764328378 and 1764319858). The Applicant requests that the property be rezoned from Residential (R-2) to Conservation District-Low Density (CD-L). Property is located off St. Paul’s Church Road and North Powerhouse Road.

SITE ANALYSIS: Land uses in the vicinity include a mix of residential and vacant wooded land uses. The parcels are in close proximity to Lake James, the East Shores community and the Mimosa Fishing Club. There are no FEMA designated floodplains on any of the parcels. The property is located with the Catawba River WS-IV P protected water supply watershed. There is public water along N. Powerhouse Road; however, no public sewer is available in this area. The topography of the three (3) parcels vary considerably. There is a 104-foot elevation change on Parcel No. 1 and Parcel No. 2. There are no known watercourses on any of the three (3) parcels. The parcels drain to the south towards an unnamed tributary, which flows into Muddy Creek.

AREA ZONING: The zoning within this area is as follows:
North: Residential 2 (R-2) and Residential 1 (R-1)
South: Conservation District- Low Density (CD-L)
East: Residential 2 (R-2)
West: Residential 2 (R-2) and Residential 1 (R-1)

CONFORMITY WITH THE COMPREHENSIVE PLAN: The 2005 Lake James Phase II Plan recommends the future land use for this area as High Density Residential. This recommendation was made to accommodate the existing development pattern surrounding the East Shores subdivision. This means that high density residential land use in the area is expected for suitable lands as infrastructure is provided. The remaining portion of Subarea 4 is recommended for low-density residential development.

STAFF COMMENTS: Since the adoption of the 2005 Lake James Phase II Plan, there has been one new major subdivision (Cottage Park) developed in this area. Cottage Park borders N. Powerhouse Road where public water is available. The closest of the three (3) subject parcels is located 385 feet from the public water supply line on N. Powerhouse Road.
Based on the existing topography, it is unlikely that Parcels No. 2 and No. 3 would lend themselves to residential development. Development of Parcel No. 1 is limited to a small narrow area running a portion of the length of the parcel without extensive grading taking place. Public water possibly could be extended to parcel No. 1, but the cost may be prohibitive due to the limited number of residential homes which could be located on Parcel No. 1. As mentioned before, there is no public sewer available to this area. On-site wastewater disposal systems (septic) would be required for any type of development of these parcels.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request based on the proximity to existing Conservation District zoning, the amount of land within the proposed rezoning request, and the existing topographical challenges of the parcels. It is the opinion of staff that two of the three parcels will not allow residential development as the Lake James Phase II Plan recommends due to those topographic challenges.

PLANNING BOARD RECOMMENDATION: The Burke County Planning Board held a public meeting on June 25, 2015 and after hearing comments from staff, the applicant, and the members of the public, voted 5/2 to recommend approval of the rezoning.

STATEMENT OF ZONING CONSISTENCY: The proposed amendment to the Official Zoning Map has aspects, which are consistent with the Lake James Phase II Plan in that Conservation District zoning was first proposed under the Lake James II Plan. Two-hundred and twenty-one acres have been rezoned to Conservation District Low Density in this area. The amendment also proposes the construction and establishment of a new commercial facility to benefit the citizens of Burke County. This rezoning has the potential to enhance and revitalize the property despite its topographical challenges.

Mr. Carpenter also stated the applicant, John Hamel, is available to answer questions from the Board.

At 6:24 p.m., Chairman Carswell opened the public hearing. The Public Hearing Notice was published in The News Herald on August 7, 2015 and August 14, 2015. The Notice was also posted to the County’s website (www.burkenc.org). There was no one to address the Board, therefore, Chairman Carswell closed the public hearing.

Motion: To adopt an Ordinance amending the Burke County Zoning Map as it relates to ZMA 2015-03.

Motion: To adopt Zoning Consistency Statement as follows: The proposed amendment to the Official Zoning Map has aspects, which are consistent with the Lake James Phase II Plan in that Conservation District zoning was first proposed under the Lake James II Plan. Two-hundred and twenty-one acres have been rezoned to Conservation District Low Density in
this area. The amendment also proposes the construction and establishment of a new commercial facility to benefit the citizens of Burke County. This rezoning has the potential to enhance and revitalize the property despite its topographical challenges.

<table>
<thead>
<tr>
<th>RESULT:</th>
<th>APPROVED [UNANIMOUS]</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOVER:</td>
<td>Maynard M. Taylor, Commissioner</td>
</tr>
<tr>
<td>AYES:</td>
<td>Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor</td>
</tr>
</tbody>
</table>

The Ordinance is as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map  
ZMA 2015-03

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

Three (3) parcels of land in the Linville Township of Burke County totaling approximately 12.47 acres in size and referenced by (PIN#'s 1764325133, 1764328378, 1764319858) are hereby rezoned from the Residential (R-2) Use District to Conservation District - Low Density (CD-L).

Adopted this the 18th day of August, 2015.

/s/: Johnnie W. Carswell  
Johnnie W. Carswell, Chairman  
Burke Co. Board of Commissioners

Attest:  
/s/: Kay Honeycutt Draughn  
Kay Honeycutt Draughn, Clerk to the Board

PLANNING - ZONING TEXT AMENDMENT ZTA 2015-01 & PUBLIC HEARING - 6:00 P.M.
Scott Carpenter, Deputy County Manager/Planning Director, presented the following information:

SUMMARY OF INFORMATION: For some time staff has addressed requests from citizens wishing to have a small detached accessory dwelling unit on the same parcel as the primary dwelling in order to help care for an elderly or infirmed family member, or to provide a place for family members to stay during visits. Currently, the zoning ordinance requires a minimum lot size for each “dwelling” that is built or placed on a parcel of land. The minimum lot size is based on the zoning district in which the parcel is located and the availability of public water and public sewer versus private well and private septic, or a combination of
those factors. The zoning ordinance does not provide any other allowance.

In last year’s legislative session the General Assembly adopted into law (S.L. 2014-94) a requirement that cities and counties must allow “temporary” dwellings on parcels which already have a primary dwelling in cases of medical hardships. This law resulted in the addition of G.S. 153A-341 and G.S. 160A-383.5 which provide the framework for implementing the new law.

STAFF COMMENTS: Staff originally began working on a text amendment that specifically addressed the temporary medical hardship need using the criteria from the new statute. As staff constructed the amendment, other requests were received for accessory dwelling units on single parcels that were not related to the medical care of a family member. Staff met to discuss this matter and decided that in certain cases, accessory dwellings are a reasonable request and should be allowed. The requests that staff felt are reasonable in this situation are: In-law suites, garage apartments, and guest houses. Staff feels that accessory dwellings should be required to meet certain design, building, and use standards.

Within the same section of ordinance, staff would like to accommodate multiple citizen requests for non-residential accessory structures on vacant land. These requests pertain to putting structures such as barns, closed storage buildings, or open pole sheds on vacant land to store various equipment related to the maintenance of the property. Staff feels that these requests, when legitimate, are reasonable and should be allowed. However, in order to get around the regulation, some citizens have made requests for personal storage buildings for agricultural use and then have turned them into unpermitted businesses or even dwellings. Therefore, there is a need for continued regulation of accessory buildings on vacant land.

In conclusion, staff feels that the accessory buildings ordinance should provide a level of flexibility by addressing other reasonable legitimate requests as well.

STAFF ANALYSIS:
NOTE: Deleted text is represented by a strikethrough. New text is **Bold and Underlined**.

Section 402 Specific Definitions

**Accessory Dwelling Unit**
A small independent residential structure providing kitchen, bathing, and sleeping space on the same property as the existing primary residential dwelling unit. The term shall include garage apartment and guest house.

Garage-Apartment
An independent, subordinate dwelling unit contained within a single-family detached dwelling or its accessory detached garage that are located in the rear yard and meet all setback, area, and other requirements for two-family dwelling units. The term shall include accessory apartment and guest house.

Section 1103 Accessory and Temporary Structures

Section 1103.01 Intent
Special requirements are designed for accessory and temporary structures to insure ample access for emergency vehicles, maintain the effectiveness of rear and side yard requirements and insure secondary structures remain secondary in functions to the main building in the zoned areas of the County.

Section 1103.02 Accessory Structures.
The location of accessory structures must meet the following restrictions:

1. Where an accessory structure is attached to the main building, a substantial part of one wall of the accessory structure shall be an integral part of the main building or such accessory structure shall be attached to the main building in a substantial manner by a roof, and therefore such attached accessory building shall comply in all respects with the requirements applicable to the main building.

2. No portion of an accessory structure on a residential lot less than one acre in size may be located in front of the building envelope of the primary residential structure. Accessory structures may be located in side or rear yards, no closer than ten (10) feet to the property line, however, as the size of the accessory structure increases the required setback increases too. The following table gives the required setbacks:

<table>
<thead>
<tr>
<th>Size in Sq. Feet</th>
<th>Required Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,200 or Less</td>
<td>Ten (10) Feet</td>
</tr>
<tr>
<td>1,201 to 1,500</td>
<td>Twenty (20) Feet</td>
</tr>
<tr>
<td>2,001 to 3,000</td>
<td>Thirty (30) Feet</td>
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<tr>
<td>3,001 to 4,000</td>
<td>Forty (40) Feet</td>
</tr>
<tr>
<td>4,001 or More</td>
<td>Fifty (50) Feet</td>
</tr>
</tbody>
</table>

In no event shall the front yard setback for an accessory structure be less than the required setback for a residential structure.

3. The total maximum square footage of an accessory structure(s) on any residential lot in the R-1, R-2, PRMU, C-D and R-A zoning district that is less than one acre in size shall be 1,200 square feet. On lots greater than one acre in size, the maximum square footage allowed shall be 1,500 square feet. There shall be no maximum prescribed size for accessory
structures in the R-MU district.

3. **The total maximum combined square footage of all accessory structure(s) on any lot in the R-1, R-2, PRMU, C-D, R-3, and R-MU zoning district that is less than one acre in size shall be 1,200 square feet. On lots greater than one acre in size, the maximum square footage allowed shall be 1,500 square feet. Additional square footage must be approved by the Board of Adjustment as a conditional use and additional setbacks and screening requirements may apply.**

4. No residential accessory structure shall be rented or occupied for financial gain nor used for human habitation.

5. **Accessory structures will not be permitted on vacant lots without a primary structure unless the lot is two (2) acres or larger. The maximum combined square footage allowed for all accessory structures in this case is 1,500 square feet. All other applicable regulations will apply. In such cases the accessory structure shall have a minimum setback of eighty (80) feet from the front right-of-way or edge of pavement where no right-of-way exists. Screening shall be required between the structure and adjacent properties where existing vegetation or distance is insufficient to provide adequate screening. Screening shall consist of a 10 foot opaque evergreen hedge row. Accessory structures on vacant residential lots may be used for storage purposes only. Only electric service may be provided to the accessory storage structure. Water and septic shall not be permitted.**

**Section 1103.03 Temporary Structures**
Temporary structures may be permitted in any zoning when used in conjunction with construction work.

**Section 1103.03 Accessory Dwelling Unit**
A detached accessory dwelling unit may be permitted as an accessory use on lots with an existing primary dwelling. Accessory dwellings are not required to meet the same lot size requirements as other second dwelling units.

**Section 1103.03.1 Standards for Accessory Dwellings Units**

(a) The accessory dwelling unit and the primary dwelling must be owned by the same person.
(b) No more than one accessory dwelling unit shall be permitted on a single deeded lot in conjunction with the primary dwelling unit.
(c) Accessory dwellings may be connected to the same electrical, water, and waste water disposal system as the primary dwelling when practical.
(d) Accessory dwelling units utilizing a private septic system must comply with
all requirements of the County division of environmental health, for on-site sewage and well regulations.

(e) Accessory dwellings are limited to 650 square feet of gross floor area.

(f) Accessory dwellings must be constructed to current NC State Residential Building Code standards and must receive a Certificate of Occupancy prior to being habited.

(g) Accessory dwelling units must be located to the side or rear of the primary dwelling and meet all applicable setbacks.

(h) Accessory dwellings are to be constructed of like materials and must resemble the primary structure in appearance to the greatest extent possible.

(i) Unless the accessory dwelling unit is accessed from a different road or street than the primary dwelling, the accessory dwelling unit must share a driveway with the primary dwelling.

(j) No off-street parking is permitted for accessory dwellings.

Section 1103.04 Temporary Structures
Temporary structures may be permitted in any zoning when used in conjunction with construction work or when permitted for a temporary event.

Section 920 Table of Permitted and Permissible Uses by District

<table>
<thead>
<tr>
<th>Use</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>PRMU</th>
<th>C-DL</th>
<th>C-DE</th>
<th>R-MU</th>
<th>O-I</th>
<th>OI-CD</th>
<th>N-B</th>
<th>G-B</th>
<th>GB-CD</th>
<th>L-I</th>
<th>IND</th>
<th>IND-CD</th>
<th>PRMU (CD)</th>
<th>C-DL (CD)</th>
<th>C-DE (CD)</th>
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<tr>
<td>Accessory dwelling unit</td>
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<td>A</td>
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<td>A</td>
<td>1103.03</td>
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<tr>
<td>Garage apartment</td>
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PLANNING BOARD RECOMMENDATION: The Burke County Planning Board heard this request on June 25, 2015 and voted 7-0 to recommend approval of the Zoning Text Amendment (ZTA 2015-01).

CONCLUSION: The proposed zoning text amendment will benefit the citizens of Burke County in three ways: First: The amendment will provide an allowance for accessory storage structures on vacant land if certain conditions are met.

Secondly: The text amendment will bring the zoning ordinance into compliance with the new state legislation requirement for Temporary Health Care Structures for Medical Hardships.

Thirdly: The amendment will provide an allowance for accessory residential dwelling units on the same lot with primary dwellings without meeting the additional lot area requirements of Section 1001.

Chairman Carswell opened the public hearing at 6:37 p.m. The Public Hearing Notice was published in The News Herald on August 7, 2015 and August 14, 2015. The Notice was also
posted to the County’s website (www.burkenc.org). There was no one to address the Board; therefore, Chairman Carswell closed the public hearing.

Mr. Carpenter responded to a variety of questions/comments from Vice Chairman Abele concerning guest homes v. small (tiny) homes. Vice Chairman Abele also commented on the national phenomenon for small (tiny) homes and said this trend will eventually come to Burke County. A lengthy discussion ensued during which County Attorney Simpson also responded to questions on guesthouses and small (tiny) homes. Mr. Carpenter advised that Asheville has received requests to build small (tiny) homes and they are developing criteria on how to address them and permit them. In response to comments from Commissioner Taylor, Mr. Carpenter advised that mobile homes and RV park models cannot be used as accessory homes because they are not built to the State Building Code. Commissioner Taylor also asked if Section 1103.03(j) contains a typographical error. Mr. Carpenter responded in the affirmative and stated it should read, “No on street parking is permitted for accessory dwellings”.

Motion: To adopt an Ordinance (No. 2015-08) amending the Burke County Zoning Ordinance in reference to Zoning Text Amendment ZTA 2015-01; and adopt the following consistency statement: The proposed zoning text amendment proposed by County Community Development Department staff to amend Section 402 - Definitions, Section 920 - Schedule of Permitted and Permissible Uses By District, and Section 1103 - Accessory and Temporary Structures of the Burke County Zoning Ordinance is in conformance with the Comprehensive Plan and is reasonable and in the public interest because:

1. The amendment will provide an allowance for accessory storage structures on vacant land if certain conditions are met.
2. The text amendment will bring the zoning ordinance into compliance with the new state legislation requirement for Temporary Health Care Structures for Medical Hardships.
3. The amendment will provide an allowance for accessory residential dwelling units on the same lot with primary dwellings without meeting the additional lot area requirement of Section 1001.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeffrey C. Brittain, Commissioner
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

The ordinance is as follows:

Burke County
North Carolina

An Ordinance Amending the Burke County Ordinance
ZTA 2015-01
Be it ordained that the Burke County Zoning Ordinance is hereby amended as follows:

(New text is printed in bold font and underlined.)
(Text to be removed contains a strike-through mark.)

Amend Section 402 as follows:

Section 402 Specific Definitions

**Accessory Dwelling Unit**

A small independent residential structure providing kitchen, bathing, and sleeping space on the same property as the existing primary residential dwelling unit. The term shall include garage apartment and guest house.

**Garage Apartment**

An independent, subordinate dwelling unit contained within a single-family detached dwelling or its accessory detached garage that are located in the rear yard and meet all setback, area, and other requirements for two-family dwelling units. The term shall include accessory apartment and guest house.

Amend Section 1103 Accessory and Temporary Structures as follows:

Section 1103 Accessory and Temporary Structures

**Section 1103.01 Intent**

Special requirements are designed for accessory and temporary structures to insure ample access for emergency vehicles, maintain the effectiveness of rear and side yard requirements and insure secondary structures remain secondary in functions to the main building in the zoned areas of the County.

**Section 1103.02 Accessory Structures.**

The location of accessory structures must meet the following restrictions:

1. Where an accessory structure is attached to the main building, a substantial part of one wall of the accessory structure shall be an integral part of the main building or such accessory structure shall be attached to the main building in a substantial manner by a roof, and therefore such attached accessory building shall comply in all respects with the requirements applicable to the main building.

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3,001 to 4,000 Forty (40) Feet
4,001 or More Fifty (50) Feet

In no event shall the front yard setback for an accessory structure be less than the required setback for a residential structure.

3. The total maximum square footage of an accessory structure(s) on any residential lot in the R-1, R-2, PRMU, C-D and R-A zoning district that is less than one acre in size shall be 1,200 square feet. On lots greater than one acre in size, the maximum square footage allowed shall be 1,500 square feet. There shall be no maximum prescribed size for accessory structures in the R-MU district.

3. The total maximum combined square footage of all accessory structure(s) on any lot in the R-1, R-2, PRMU, C-D, R-3, and R-MU zoning district that is less than one acre in size shall be 1,200 square feet. On lots greater than one acre in size, the maximum square footage allowed shall be 1,500 square feet. Additional square footage must be approved by the Board of Adjustment as a conditional use and additional setbacks and screening requirements may apply.

4. No residential accessory structure shall be rented or occupied for financial gain nor used for human habitation.

5. Accessory structures will not be permitted on vacant lots without a primary structure unless the lot is two (2) acres or larger. The maximum combined square footage allowed for all accessory structures in this case is 1,500 square feet. All other applicable regulations will apply. In such cases the accessory structure shall have a minimum setback of eighty (80) feet from the front right-of-way or edge of pavement where no right-of-way exists. Screening shall be required between the structure and adjacent properties where existing vegetation or distance is insufficient to provide adequate screening. Screening shall consist of a 10-foot opaque evergreen hedge row. Accessory structures on vacant residential lots may be used for storage purposes only. Only electric service may be provided to the accessory storage structure. Water and septic shall not be permitted.

Section 1103.03 Temporary Structures

Temporary structures may be permitted in any zoning when used in conjunction with construction work.

Section 1103.03 Accessory Dwelling Unit

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existing primary dwelling. Accessory dwellings are not required to meet the same lot size requirements as other second dwelling units.

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(e) Accessory dwellings are limited to 650 square feet of gross floor area.
(f) Accessory dwellings must be constructed to current NC State Residential Building Code standards and must receive a Certificate of Occupancy prior to being habited.
(g) Accessory dwelling units must be located to the side or rear of the primary dwelling and meet all applicable setbacks.
(h) Accessory dwellings are to be constructed of like materials and must resemble the primary structure in appearance to the greatest extent possible.
(i) Unless the accessory dwelling unit is accessed from a different road or street than the primary dwelling, the accessory dwelling unit must share a driveway with the primary dwelling.
(j) No on-street parking is permitted for accessory dwellings.

Section 1103.04 Temporary Structures

Temporary structures may be permitted in any zoning when used in conjunction with construction work or when permitted for a temporary event.

Amend Section 920 as follows:

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<th>Use</th>
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<th>R-3</th>
<th>PRMU</th>
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<th>R-MU</th>
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<th>OI-CD</th>
<th>N-B</th>
<th>G-B</th>
<th>GB-CD</th>
<th>L-I</th>
<th>IND</th>
<th>IND-CD</th>
<th>PRMU (CD)</th>
<th>C-DL (CD)</th>
<th>C-DE (CD)</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory dwelling unit</td>
<td>A</td>
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<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td></td>
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<td></td>
<td>A</td>
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<td>1103.03</td>
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<td>Garage apartment</td>
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<td></td>
<td></td>
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</tbody>
</table>

Adopted this the 18th day of August, 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Board of Commissioners
INFORMAL PUBLIC COMMENTS

At 6:50 p.m., Chairman Carswell opened the floor for informal public comments.

Ms. Laurie Bradshaw of Morganton made the comments:

“My name is Laurie Bradshaw and I am the mother of an adult son with developmental disabilities along with being deaf. I had an experience, which I would like to bring to light. On February 28, 2015, I was at Ingles on Carbon City road with my son. I slipped, fell and injured myself enough that I had to be taken to the local hospital. Upon the arrival of the EMT’s, they asked for a store employee/stranger to go through my pocketbook for identification, then left my pocketbook with the store employee. I understand that they needed to know who I was. What was more important is that when the EMT’s transferred me to the hospital, they left my disabled, deaf son behind at the store. My son was greatly upset and confused not understanding what was happening to his mother, why his mother was being taken away and why he was being left behind with basically no one to comfort or watch over him. One of the EMT’s knew my son was “special needs” as she rode my school bus for three (3) years, so I did not understand as to why that EMT did not either stay with my son until family or friends could come to get him and calm him. They could have easily have transported my son with me to the hospital where someone or the EMT who knew Christopher could have been with him until family/friends arrived for him. My husband was at work when I woke up enough at the hospital to tell where he worked. Leaving my son behind, a disabled young man with deafness, put my son into danger, not a safe environment for him since he did not understand what had happened to his mother and seeing his mother being taken off to the hospital and Chris was there for over two (2) hours before my husband could get to him. Not that this type of incident happens often, I strongly believe there needs to be a policy put in place so that no person, whether disabled or a young child, is left behind with strangers while their parent is being transported to a medical facility. The result of my son being left behind has put anxiety and fear in him every time we go to the store where the incident occurred. With one of the EMT’s knowing my son, it seems logical that the EMT should’ve stayed with my son to assure him that all would be okay, whether she stayed at the store or transported him to the hospital with me. I am asking that further consideration and review of policies be done and changes to be made so that an incident like this will not result in a child or disabled person be left behind when the parent is being transported to a hospital. This incident has caused great anxiety and
concern. This is a situation that could easily happen again to another family with young children or a disabled family member with developmental disabilities. We need to remember that many persons with developmental disabilities have a mind of a child and should be treated as such, giving comfort, helping to reduce tension/anxiety they may be feeling and reassuring all will be okay until a family member or friend arrive to take care of them. In leaving my disabled son at the store, it put considerable stress on my husband as he had to first go to the store to get Christopher, then come to the hospital where I was being treated for head trauma and bleeding. In addition, knowing that my son was left behind caused even further stress and worry on me, the injured parent. This is why it is most important to have EMT policies and procedures reviewed and revised so that no other parent will have to endure the emotional trauma of their child, whether disabled or not, being left behind with strangers. I ask of you to sit down and have further conversation on incidents such as this and put in place procedures so that this doesn't happen again. I have brought these concerns to you as I have gotten nothing but excuses from the Director of EMS. I have contacted Disability of NC & I may have a case against Burke County. We are checking with the American Disability Rights. Thank you for listening to my concerns, and I pray you will take my concern seriously and take steps to prevent something like this to happen again.”

There was no one else to address the Board; therefore, Chairman Carswell closed this portion of the meeting.

CONSENT AGENDA
County Manager Steen read aloud the list of items on the consent agenda.

BOC - NACO STEPPING UP RESOLUTION
Stepping Up is a national initiative to reduce the number of people with mental illnesses in county jails. NACo is one of several partners in this effort, which also includes the National Sheriffs Association and the National Alliance on Mental Illness (NAMI). At its June 24 meeting, the NCACC Board of Directors unanimously approved a resolution supporting the Stepping Up Initiative being led by the National Association of Counties. The Board asked that the resolution, which was first reviewed and approved by the Human Services Steering Committee, be sent to all 100 counties with encouragement for each county to adopt.

Burke County
North Carolina

Res. No. 2015-14

“Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails”

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jails each year; and
WHEREAS, prevalence rates of serious mental illnesses in confinement facilities are three to six times higher than for the general population, with statistics showing that almost 13% of North Carolina’s prison population requires some type of intervention due to mental health issues; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals, their families, and their communities; and

WHEREAS, county jails are generally an unsafe environment for those with mental health treatment needs; and

WHEREAS, the North Carolina Association of County Commissioners has undertaken a serious effort to address the local service needs of those with mental illnesses through the appointment of a special Task Force; and

WHEREAS, Burke County, like all counties, takes pride in our responsibility to protect and enhance the health, welfare and safety of our residents in efficient, safe, and socially just ways; and

WHEREAS, through the Stepping Up Initiative, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging counties to reduce the number of people with mental illnesses in county jails;

Now therefore, be it resolved by the Board of Commissioners, Burke County,

1. That the Board of Commissioners does hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail and commits to sharing lessons learned with other counties in North Carolina and across the country to support the Stepping Up Initiative; and

2. That the Board of Commissioners will utilize resources available through the Stepping Up Initiative and other resources provided by the Council of State Governments Justice Center to convene a diverse team of leaders and decision makers from multiple agencies who are committed to safely reducing the number of people with mental illnesses in jails, and

3. That this team will utilize the comprehensive resources available through the Stepping Up Initiative to develop a plan to reduce the number of people with mental illness in the county jail for 2016-2020, consistent with the Council of
State Governments Justice Center report and recommendations, to be presented to the Board of Commissioners at its first meeting in December 2015.

Adopted this the 18th day of August, 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board

Motion: To adopt Resolution No. 2015-14.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

CLERK - REMOVAL FROM LIBRARY BOARD OF TRUSTEES
The Board appointed Shalee Forney to the Library Board of Trustees (Seat No. 6) at their June meeting. Unfortunately, Ms. Forney recently moved to Guilford County; therefore, the Board is asked to remove her name from the official roster.

Motion: To remove Shalee Forney from the official roster of the Burke County Library Board of Trustees.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

CLERK - COMMERCE FELLOWS CDBG PROJECT ORDINANCE
The County was recently awarded a $27,476.01 Community Development Block Grant. As such, the County is required to adopt a project ordinance for the grant.

Burke County
North Carolina
Ord. No. 2015-09

BURKE COUNTY'S PROJECT BUDGET ORDINANCE
FOR THE 2015 DEPARTMENT OF COMMERCE
COMMERCE FELLOWS PROGRAM

Be it ordained by the Board of Commissioners of Burke County that pursuant to Section 13.2 of
Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the State CDBG Program Commerce Fellows Program described in the work statement contained in the Grant Agreement (No. 02-D-2679) between this unit and the Department of Commerce. This project is more familiarly known as the 2015 Burke County Commerce Fellows Grant.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project.

<table>
<thead>
<tr>
<th>Revenues</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State Community Development Block Grant</td>
<td>$27,476.01</td>
</tr>
<tr>
<td></td>
<td>27,476.01</td>
</tr>
</tbody>
</table>

Section 4. The following amounts are appropriated for the project:

<table>
<thead>
<tr>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning (Training/Travel-County)</td>
</tr>
<tr>
<td>Administration- (WPCOG/County)</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 18th day of August, 2015.
COUNTY MANAGER - GREATER HICKORY MPO AMENDED MEMORANDUM OF UNDERSTANDING
Changes were made to the MOU (Memorandum of Understanding) by the MPO (Metropolitan Planning Organization) and the related authorizing resolution. (Note: The changes are shown in the August 4, 2015, pre-agenda meeting minutes.)

Res. No. 2015-15

RESOLUTION PASSED BY THE BOARD OF COMMISSIONERS
OF BURKE COUNTY, NORTH CAROLINA
Memorandum of Understanding

The following resolution was offered by Vice Chairman Abele and upon being put to a vote was carried on the 18th day of August, 2015.

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Hickory urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Hickory urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Hickory urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;
WHEREAS, a revised Memorandum of Understanding between the Town of Brookford, Town of Cajah’s Mountain, Town of Catawba, Village of Cedar Rock, City of Claremont, City of Conover, Town of Connelly Springs, Town of Drexel, Town of Gamewell, Town of Glen Alpine, Town of Granite Falls, City of Hickory, Town of Hildebran, Town of Hudson, City of Lenoir, Town of Long View, Town of Maiden, City of Morganton, City of Newton, Town of Rhodhiss, Town of Rutherford College, Town of Sawmills, Town of Taylorsville, Town of Valdese, Alexander County, Burke County, Caldwell County, Catawba County and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BURKE COUNTY, NORTH CAROLINA:

That the Memorandum of Understanding between the Town of Brookford, Town of Cajah’s Mountain, Town of Catawba, Village of Cedar Rock, City of Claremont, City of Conover, Town of Connelly Springs, Town of Drexel, Town of Gamewell, Town of Glen Alpine, Town of Granite Falls, City of Hickory, Town of Hildebran, Town of Hudson, City of Lenoir, Town of Long View, Town of Maiden, City of Morganton, City of Newton, Town of Rhodhiss, Town of Rutherford College, Town of Sawmills, Town of Taylorsville, Town of Valdese, Alexander County, Burke County, Caldwell County, Catawba County and the North Carolina Department of Transportation, be approved and that the Chairman and County Clerk are hereby directed to execute the Memorandum of Understanding.

Adopted this the 18th day of August, 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Board of Commissioners

I, Kay Honeycutt Draughn, Clerk to the Board, Burke County, North Carolina, do hereby certify that the above is true and correct copy of excerpts from the minutes of the BOARD OF COMMISSIONERS of said COUNTY.

WITNESS my hand and the official seal of Burke County this the 18th day of August, 2015.

ATTEST:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board

Motion: To adopt Resolution No. 2015-15.
RESULT:  APPROVED [UNANIMOUS]
MOVER:  Wayne F. Abele, Sr., Vice Chairman
AYES:  Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

EMS - HGACBUY INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING
H-GACBUY - Interlocal Cooperative Purchasing Group is an online purchasing group that was formally organized, is made up of 35 elected officials that award all H-GAC contracts and is endorsed by the NC League of Municipalities. H-GAC contracts have been competitively bid within the previous 12 months per N.C.G.S. 143-129(g). They offer a wide array of items for purchase at discounted prices such as EMS & Fire apparatus, ambulances, ambulance chassis, light & medium EMS/Rescue vehicles, medium/heavy duty trucks, police in-car cameras, cars and communication equipment, just to mention a few. This purchasing group comes highly recommended by both the School of Government and several surrounding counties/towns like Caldwell, Dare, New Hanover, City of Asheville, Apex, and City of Raleigh with many more not listed. A no-cost membership is required to browse available contracts; but Board approval is required. If approved, the term would be August 18, 2015 through June 30, 2016 and automatically renews annually.

Motion:  To approve an interlocal contract for cooperative purchasing with HGACBuy and authorize the Chairman to execute the agreement on behalf of the Board, subject to review and/or revision by the County Attorney.

RESULT:  APPROVED [UNANIMOUS]
MOVER:  Wayne F. Abele, Sr., Vice Chairman
AYES:  Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

GENERAL SERVICES - ANNAS STREET CDBG PROGRESS REPORT
The Western Piedmont Council of Governments submitted the following quarterly status report to the Board of Commissioners as information in accordance with Community Development Block Grant requirements. The period covered is April 1 - June 30, 2015.

This space is intentionally left blank.
Motion: To accept the report as presented.

RESULT: APPROVE [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

JCPC - APPOINTMENT OF POLICE CHIEF / DESIGNEE
Seat No. 2 (Police Chief / Designee) on the JCPC is vacant. An application was received from Ryan Lander with the Morganton Department of Public Safety. The Council requests his appointment to fill this vacancy.

Motion: To appoint Ryan Lander to Seat No. 2 (Police Chief / Designee) to the JCPC for a 2-year term ending June 30, 2017.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

TAX DEPT. - ORDER TO COLLECT 2015 TAXES
General Statute 105-321 requires the Governing Body to order the Tax Collector to collect the taxes charged in the tax records. This includes current taxes and any delinquent taxes and associated charges for the previous 10 years. The amounts charged back from prior years are:

- County Taxes and other charges $2,068,922.73
· All other jurisdictions taxes and other charges $ 274,717.56
· Total amount $2,343,640.29

A breakdown of these amounts are contained in the 2014/2015 Tax Collectors Settlement.

The Tax Administrator requests the Board to adopt this order for the current tax year ending June 30, 2016.

**Order for the Tax Collector to Collect Taxes for 2015**

State of North Carolina
County of Burke

To the Tax Collector:

You are hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the office of the tax collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Burke and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 18th day of August, 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Chairman, Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board

Motion: Order the Tax Administrator to collect the current and prior year’s delinquent taxes on real and personal property. Further, authorize the Chairman to execute the Order on behalf of the Board

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

TAX DEPT. - COLLECTIONS ANNUAL SETTLEMENT REPORT FOR 2014/2015
North Carolina General Statute 105-373 requires the Tax Collector to report to the governing body after July 1 and before September 1st each year, before being charged with current fiscal year taxes, all paid and unpaid taxes for the preceding fiscal year and any other sums collected. These amounts include; taxes paid and unpaid for Real and Personal Property along with Registered Motor Vehicles and any associated charges such as landfill user fees, interest, and penalty. The attached report represents the sums that the tax collector shall be credited with and delinquents the tax collector shall be charged to collect in the current fiscal year. (Note: The reports mentioned below were included in the Board’s agenda packet and are hereby incorporated into the meeting minutes by reference.)

Burke County Board of Commissioners:

I respectfully submit the following Tax Collections Report for 2014/2015:

In compliance with N.C.G.S. 105-373 (a) (1) & (3), included are collection reports for the years 2004 through 2014. These reports document amounts due and amounts paid, by levy type and by year. These are arranged by the following sections:

- Section 1 -Taxes and charges for Burke County only.
- Section 2 – “Tag & Tax” for Burke County only.
- Section 3 –Property Taxes and charges for all other jurisdictions.
- Section 4 - “Tag & Tax” for all other jurisdictions.
- Section 5 - Delinquent taxes and related charges to be charged back.
- Section 6 – Amount not charged back.
- Section 7 – Additional Revenues Collected
- Sections 8 thru 11 – Delinquent Taxpayers

The following represents a summary of these attached reports:

SECTION 1 – Property Tax

Total Tax Collections (County Only)  
(July 1, 2014 – June 30, 2015)  
- Tax (2015) $ 54,925.62 (prepayments)  
- Tax (2014) $38,334,948.09  
- Delinquent Tax (2004-2013) $ 708,519.58  
Total $39,098,393.29

Total of Taxes and Tax Related Collections (County Only)  
(July 1, 2014 – June 30, 2015)  
- Advertisement Fee $ 23,602.67  
- Garnishment $ 22,681.31  
- Interest $ 212,709.79  
- Land Fill User Fee $ 2,081,909.76  
- Land Fill User Fee Sr. $ 53,698.72  
- Late List penalty $ 71,224.16
August 18, 2015 (Regular)

- Migrated LFUF $83,585.20
- Migrated Cost $5,893.02
- NSF penalty $2,641.00
- Tax All Years $39,098,393.29
  Total $41,656,338.92

SECTION 2 – Tag and Tax

- Tag & Tax Interest $25,904.80
- Tag & Tax $3,960,647.94
  Total $3,986,552.74 (from NCVTS Finance Report)

SECTION 3 – Property Taxes and Charges for all Other Jurisdictions

Total of Tax and Tax Related Collections (All years, all other jurisdictions)
(July 1, 2014 – June 30, 2015)
Total Tax Collections $3,751,306.80

SECTION 4 – Tag & Taxes and Charges for all Other Jurisdictions

- Tag & Tax Interest $8,868.39
- Tag & Tax $1,305,375.45
- Vehicle Fee $530.00
  Total $1,314,773.84 (from NCVTS Finance Report)

SECTION 5 – Charge Back of Delinquent Taxes and Related Charges

- County Only $2,068,922.73
- All other Jurisdictions $274,717.56
  Total $2,343,640.29

SECTION 6 – Amount not charged Back to Collector

By statute, the tax office cannot use enforced collection methods on delinquent bills and charges over 10 years old. Therefore the amount of uncollected taxes and other charges for 2004 that are not charged back to the Tax Collector for enforced collection are:

- County $47,807.40
- All Other Jurisdictions $11,629.91
  Total $59,437.31

SECTION 7 – Additional Revenues Collected

- Beer (Off Premises) $500.00
- Beer On/Off Premises $705.00
- Rental Vehicle (County) $36,523.06
• Rental Vehicle (Hickory) $11,142.01
• Rental Vehicle (Penalty) $75.00
• Occupancy Tax $374,593.63
• Occupancy (late Penalty) $3,059.89
• Occupancy (penalty) $695.01
• Wine $1,900.00
Total $429,193.60

SECTIONS 8 thru 11 – 2014 Delinquent Taxpayers

In accordance with N.C.G.S. 105-373 (a)(1), a list of all persons owning real and personal property in 2014, whose 2014 taxes remain unpaid, as of 7/15/2015 is included in this report (see section 5). The list is broken down by property types. The chart below identifies, locates, and totals these different property types.

<table>
<thead>
<tr>
<th>Source type</th>
<th>Property Type</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 8</td>
<td>BUS</td>
<td>$125,179.94</td>
</tr>
<tr>
<td>Section 9</td>
<td>IND</td>
<td>$65,076.19</td>
</tr>
<tr>
<td>Section 10</td>
<td>REI</td>
<td>$779,828.88</td>
</tr>
<tr>
<td>Section 11</td>
<td>RMV</td>
<td>$608.46</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$970,693.47</td>
</tr>
</tbody>
</table>

All reports are unaudited and were compiled using Burke County Tax System, NCPTS Version 4.

I certify that the collections staff has made diligent efforts using the collection remedies available by statute (notices, second notices, wage garnishment, bank attachment, debt set-off, foreclosure, and delinquent collection service) to collect all delinquent debts. These delinquent debts are for tax years 2004 through 2013 including those 2014 taxes that became delinquent after January 6, 2015.

I respectfully request the Burke County Board of Commissioners to accept this report as the Annual Settlement for Fiscal Year Ending June 30, 2015.

Respectfully submitted,
Daniel Isenhour, Tax Administrator

(Note: The reports mentioned above were included in the Board’s agenda packet and are hereby incorporated into the meeting minutes by reference.)

Motion: To accept the Tax Collection Settlement Report for 2014/2015 as presented.
RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

TAX DEPT. - RELEASE REFUND REPORT FOR JULY 2015
Releases in value and/or refunds of taxes typically occur when:
· Taxpayers submit information that creates a reduction in value.
· A tag is surrendered creating a proration.
· Situs is corrected between counties and/or municipalities.
· Valuation appeals reduce the value for real or personal property.
· The postmark reveals a payment was timely sent.

The Board of Commissioners is presented with the following list of releases and refunds for consideration.

Tax System Refunds and Releases
Releases (TR-304): $43,692.97
Refunds (TR-406): $15.71

VTS Refunds over $100.00
Adjustments: $139.05
Proration: $760.04

This space is intentionally left blank.
<table>
<thead>
<tr>
<th>Bill #</th>
<th>Taxpayer Name</th>
<th>Bill Date</th>
<th>Operator ID (Name)</th>
<th>Release Date</th>
<th>Orig Bill Amount($)</th>
<th>Release Amount($)</th>
<th>Bill Amount after Release($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0000019772-2015-2015-0000-00-REG</td>
<td>BAILEY, JAMES C</td>
<td>7/1/2015</td>
<td>BARBARA HARTLEY</td>
<td>7/22/2015</td>
<td>572.27</td>
<td>40.36</td>
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<tr>
<td>0000019845-2015-2015-0000-00-REG</td>
<td>CARSWELL, DONNA A</td>
<td>7/1/2015</td>
<td>CONNIE HOLDER</td>
<td>7/20/2015</td>
<td>58.60</td>
<td>39.60</td>
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<tr>
<td>0000018845-2015-2015-0000-01-REG</td>
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<td>7/1/2015</td>
<td>CONNIE HOLDER</td>
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<td>70.80</td>
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<tr>
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<td>CARSWELL, DONNA A</td>
<td>7/1/2015</td>
<td>CONNIE HOLDER</td>
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<tr>
<td>0000016966-2015-2015-0000-00-REG</td>
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### TR-304 BILL RELEASE REPORT
#### JULY 2015

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**Subtotal** 305.33

**TAX DISTRICT: BURKE COUNTY**

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**TAX DISTRICT: BURKE COUNTY**

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**Subtotal** 3.08

**TAX DISTRICT: BURKE COUNTY**

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**Subtotal** 543
## TR-304 BILL RELEASE REPORT
### JULY 2015

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<th>Operator ID (Name)</th>
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<th>Orig Bill Amount($)</th>
<th>Release Amount($)</th>
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<tr>
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Subtotal: 1,944.31

**TAX DISTRICT: BURKE COUNTY**
**RELEASE REASON: Silts Correction**

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<tr>
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<th>Orig Bill Amount($)</th>
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</thead>
<tbody>
<tr>
<td>0000002586-2015-2015-0003-00-REG</td>
<td>ISRAEL RONALD M</td>
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<td>HARRIS RENNEITHA H</td>
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<td>PHILLIS BAILEY</td>
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Subtotal: 589.00

**TAX DISTRICT: BURKE COUNTY**
**RELEASE REASON: Value Change**

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<th>Operator ID (Name)</th>
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<th>Orig Bill Amount($)</th>
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<tbody>
<tr>
<td>0000002586-2015-2015-0003-00-REG</td>
<td>ISRAEL RONALD M</td>
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<td>PHILLIS BAILEY</td>
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<tr>
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<tr>
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Subtotal: 4,620.97

Total: 49,602.97

## TR-405 Refund Detail Report
### JULY 2015

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<th>Trans #</th>
<th>Refund Recipient Name</th>
<th>Refund Address</th>
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<th>Opid</th>
<th>Refund Change Date</th>
<th>Refund Amount ($)</th>
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<tbody>
<tr>
<td>11186843</td>
<td>SHIRLEY PRICE ROARK</td>
<td>5269 MOUNT OXIDE CHURCH RD MORGANTOWN, W. VA 26505</td>
<td>Due to Release on Bill # 0000020002-2015-0003-00 of $15.71</td>
<td>DIBENHOUR1</td>
<td>7/29/2015 3:00:53 AM</td>
<td>15.71</td>
<td></td>
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TOTAL: 15.71

**BOARD DATE 8/18/15**

**AUTHORIZED BY**

**DATE**

Page 32
Motion: To approve the Tax Releases and Refunds for July 2015 as presented.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

TAX DEPT. - TAX COLLECTION REPORT FOR JULY 2015
The Board of Commissioners is presented with the Tax Collection Report for July 2015. This
report is for period between July 1, 2015 and July 31, 2015. It reflects the status of collections by the Burke County Tax Collection’s Staff. For each category below, the following information is provided: the annual budget amount, the amount collected year-to-date, the balance to collect and the percent of budget collected. This report is a supplement to the Settlement Report submitted annually to keep Commissioners, County Manager and Finance Director informed of the status of tax collections in Burke County.

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Budget</th>
<th>Amount Collected YTD</th>
<th>Balance to Collect</th>
<th>Percent Collected</th>
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<tr>
<td>Current Year Taxes</td>
<td>$42,250,000</td>
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<td>Delinquent Taxes</td>
<td>$665,000</td>
<td>$117,937.54</td>
<td>$547,062.46</td>
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<td>Late List Penalty</td>
<td>$280,000</td>
<td>$12,257.61</td>
<td>$267,742.39</td>
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Motion: To accept the Tax Collection Report for July 2015 as presented.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

TAX DEPT. - EMS COLLECTION REPORT FOR JUNE 2015
Each month an EMS Collection Report is submitted to keep the Commissioners, County Manager and Finance Director informed of the collection status for fees received in connection with EMS services provided by Burke County. The report includes the annual budget amount, amount collected year-to-date and the percentage of the annual budget collected. This is the final report for 2014-2015. This report reflects a budget shortfall of $214,229.53, which is partly attributable to the reduced amounts available to process NC State Income Tax returns through the Debt Setoff Program.

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tr>
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<td>Balance to Collect</td>
<td>$214,229.53</td>
<td>Percent of Budget Collected</td>
<td>93.31%</td>
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Motion: To accept the EMS Collection Report for June 2015 as presented.

RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Vice Chairman
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

ITEMS FOR DECISION
COUNTY MANAGER - RESOLUTION IN SUPPORT OF AN INDOOR FIRING RANGE IN BURKE COUNTY
County Manager Steen reported the NC Wildlife Commission considered constructing a firing range in Burke County. However, residents opposed both locations proposed by Wildlife. A resolution in support of an indoor firing range has been prepared for the Board’s consideration. A general discussion ensued. Vice Chairman Abele pointed out that this is a State decision and they will do whatever they want. However, an indoor range is probably the best choice for citizens. Commissioner Carroll said an indoor range is probably the best choice; however, he does not want to close the door on an outdoor range if Wildlife can find a suitable location. Commissioner Taylor expressed support for an indoor shooting range at the county industrial park. He also expressed concern with the resolution’s wording in that he does not want it to appear the County will provide funding. Further, he suggested language be added to resolution stating the Board would support an outdoor range if Wildlife finds a suitable location. County Manager Steen advised that the resolution does not mention financial participation and that the resolution can be revised as needed. Commissioner Carroll suggested the Board send a letter to the Wildlife Commission requesting additional information and stating the Board would support any range if it were agreeable to the neighborhood. Commissioner Brittain pointed out the resolution states, “...the firing range is project is solely funded and managed by the State of North Carolina.” Vice Chairman Abele questioned whether the State would provide staff to manage the facility. If not, he was opposed to it. Further, he recommended the item be removed from the agenda.

Motion: To adopt Resolution No. 2015-16.

RESULT: ADOPTED [4 TO 1]

MOVER: Maynard M. Taylor

AYES: Johnnie W. Carswell, Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

NAYS: Wayne F. Abele, Sr.

The Resolution is as follows:

Burke County  
North Carolina  

Res. No. 2015-16

Resolution in Support of an Indoor Firing Range in Burke County

Whereas, over the past year, the N.C. Department of Wildlife initiated a public process to construct an outdoor shooting range in Burke County; and

Whereas, the first site Wildlife selected was on Wolf Pitt Road in the Lake James community; and

Whereas, Wildlife eventually abandoned this site due to public opposition expressed from area residents citing noise pollution, safety concerns, etc.; and

Whereas, Wildlife then considered a second site located at the end of Duckworth Drive (John’s River Game Lands) near an existing firing range heavily used for training by law enforcement
August 18, 2015 (Regular)

and other agencies; and

Whereas, this site also received public criticism; and

Whereas, the Burke County Board of Commissioners have not officially expressed a public position on the firing range because the firing range is a project that is solely funded and managed by the State of North Carolina; and

Whereas, Burke County is limited in public shooting ranges for the conduct of classes such as concealed carry and gun hunter safety; and

Whereas, Burke County does not have an indoor firing range; and

Whereas, the Burke County Board of Commissioners believe that an indoor range would address many concerns previously raised by county residents, would be a benefit to citizens as well as an economic driver; and

Whereas, having an indoor range in the County may encourage citizens to stop target practicing on private property thereby improving relationships with neighbors and possibly preventing an accidental shooting; and

Whereas, an indoor range would not impact the County’s ecotourism activities which often require peace and tranquility; and

Whereas, an indoor firing range would not have a negative impact on area wildlife.

NOW, THEREFORE BE IT RESOLVED that the Burke County Board of Commissioners strongly supports the concept of having an indoor firing range in Burke County and encourages the North Carolina Department of Wildlife and the Wildlife Commission to consider constructing an indoor firing range; and

BE IT FURTHER RESOLVED that the Burke County Board of Commissioners will work diligently and collaboratively with the North Carolina Department of Wildlife to make an indoor firing range a reality in Burke County.

Adopted this the 18th day of August, 2015.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Board of Commissioners

Attest:

/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board
COUNTY MANAGER - REIMBURSEMENT OF EXPENSES FOR BIG LEAGUE ALL-STAR WORLD SERIES

Fifteen Burke County students represented the county and state in the 2015 World Series for Fast Pitch Softball. The City of Morganton provided funding to cover certain expenses associated with the player’s parents traveling to Florida and Delaware for tournament play. Foundations like the Morganton Recreation Department ($15,000) and private citizens also contributed funding to cover parents' expenses. This is a request to appropriate up to $10,000 of General Fund, Fund Balance to reimburse the City of Morganton for half of all un-reimbursed expenses. Little League paid for everything for the 15 players and 4 coaches.

Chairman Carswell recused himself from the matter because his granddaughter, which he has custody of, is a member of the team.

Vice Chairman Abele took over the meeting. He stated although the team is a City of Morganton team, they are still from and represent Burke County. When he read in the newspaper that Morganton was going to contribute $15,000 towards the Team’s expenses, he said he thought Burke County should be at the table too. The team, comprised of great quality young ladies, represented Burke County wonderfully and he is proud of them. He also stated any investment of money in youth is money well spent. There were parents that could not afford to go, had to take time off from work and incurred travel expenses. He said contributing up to $10,000 will not affect the County negatively and the County at times spends money like drunken sailors.

Vice Chairman Abele opened the floor for discussion.

Commissioner Taylor stated there are several things really wrong with this item. First of all, you have to realize that Morganton’s Recreation budget is $4,986,906 and Burke County’s budget for Parks and Recreation is $545,550. In other words, Morganton’s Recreation budget is almost ten (10) times the budget of the County’s. In talking with Trey Allen, with the School of Government, (he tried several times to get in touch with Norma Houston who taught this stuff to Kay (Draughn), Johnnie (Carswell), himself and Bryan (Steen)), Commissioner Taylor stated there is a conflict of interest with this item let alone the huge difference in the money. Commissioner Taylor further stated in talking with Trey Allen he was informed this could not be done and to contact the County Attorney. Commissioner Taylor apologized for not getting this information to County Attorney Simpson earlier, but stated he did not receive it until late. He said there is a statutory rule that says a County cannot give tax dollars to another tax entity such as a city. If they need money, they can tax and get their money. Commissioner Taylor reported Trey Allen also stated if you have a member on the Commission whose child/grandchild resides with the board member and plays on the team, the Commissioner should be excused from voting because that is crossing ethical rules in doing so. He also stated it is a bad precedence. He mentioned an email he provided to some of the Board members not all, there have been high school bands go to New York to perform, bands going to Hawaii to perform with literally hundreds of people going and they were not recognized. He also mentioned the conflict wherein this is a Morganton entity not a Burke County entity, their rules are different from that of Burke County. He stated it is kind of hideous that in Burke County,
the rules are one can only play in the school zone in which one resides. Anyone can get the top players in an area and have a greater chance of winning. It is a very bad omen for not only this Board, but also the taxpayers and it is a very bad omen for the Parks and Recreation and their rules.

Commissioner Brittain stated his only concern is the Board does not have a policy to make it very clear how this type of matter would be handled in the future and showing what the Board has done in the past. He stated the need for a clear-cut policy stating what the County can do if there is a Burke County team, band, extracurricular activity, etc. He said he is concerned that the Board is picking one group, making a decision and he can see many others coming down the road wanting the same done for them. If the Board goes down this road, he said it needs to have something in place that is very clear stating what can be done and what the Board believes it can do financially.

Vice Chairman Abele agreed with Commissioner Brittain. However, he said these things come up occasionally; this one came up fast, and he does not believe the Board has a policy. He further commented the team represented both Morganton and Burke County well and that contributing up to $10,000 is not going to kill them either way. Commissioner Brittain asked what happens next week. Vice Chairman Abele stated that maybe this would force the Board to put a policy in place.

Commissioner Carroll stated perhaps the Board should start a dialogue with all the municipalities that have Parks and Recreation departments to see if they would interested in consolidating all those facilities into one in the County. If this were done, there would not be an issue like this. He said Morganton, in the past has led him to believe they would like to have such a policy. He further stated he agrees with Commissioner Brittain. He also questioned how many people would look at this and say the County contributed towards this particular team, said he does not believe others should be turned down and there will be others asking for money in the future, bad precedent.

Commissioner Taylor commented we are asking each other to do something, which has all kinds of ethical questions and fairness questions. He stated he does not think there is a person sitting at the table knows that Morganton can find $10,000 out of $4,986,906 a lot sooner than Burke County could find it in our budget. He stated it is hideous that the Board is even considering doing this and it is asinine for the Board to take taxpayer dollars and pay where they should not have to.

Vice Chairman Abele asked County Attorney Simpson if he had any comments as to the ethics issues.

County Attorney Simpson stated the statute provides if a members’ own financial interest or official conduct is a subject of voting then the Board may excuse that member from voting. Vice Chairman Abele asked about the County putting taxpayer money into something such as this matter. County Attorney Simpson stated he had not been asked to look at that issue but would be glad to. Off the top of his head, he said if it is a non-profit entity doing something for
the County, which the County could do for itself but has chosen not to or has otherwise not entered that field, he thinks they have that ability. He said he would be glad to hear what Commissioner Taylor’s fellow at the SOG (School of Government) had to say about that and give a further opinion. Vice Chairman Abele asked Commissioner Taylor if he had that information. Commissioner Taylor responded he was advised the County Attorney would know that statute number and further advised he could get it for him. County Attorney Simpson advised the statute he is aware of is 153A.44. Commissioner Taylor responded the statute Attorney Simpson is referring to is regarding ethics and not on the statutory rule wherein a county cannot give a city taxpayer money. Commissioner Taylor further said he was advised that the other stuff was irrelevant because of breaking that rule. Attorney Simpson commented it was his understanding money was not going to the City instead money would be going to a Recreation Foundation. Commissioner Taylor stated it is still taxpayer money going to an entity that collects taxes and the argument is that the City of Morganton has the power to raise taxes if they need more taxes. Attorney Simpson stated if they have a separately organized Recreation Foundation with private membership, then it is a different situation. Commissioner Taylor asked if the Foundation is an entity of the City of Morganton. Attorney Simpson responded he did not know. After Vice Chairman Abele commented that the Foundation has been in existence for years, he called for a vote.

Motion: To deny an appropriation of up to $10,000 in General Fund, Fund Balance to reimburse the City of Morganton for un-reimbursed expenses associated with the All-Star Team’s participation in the 2015 World Series.

RESULT: APPROVED [3 TO 1]
MOVER: Maynard M. Taylor, Commissioner
AYES: Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor
NAYS: Wayne F. Abele, Sr.
ABSTAIN: Johnnie W. Carswell

Chairman Carswell presided over the remainder of the meeting.

COMM. DEV. - RESOLUTION IN SUPPORT OF APPLICATION TO THE 2016 RECREATIONAL TRAILS PROGRAM
Scott Carpenter, Deputy County Manager/Planning Director, presented information related to the following request:

The Community Development Department has been invited by the NC Trails Committee to submit an application for the 2016 Recreational Trails Program for funds to construct the Fonta Flora State Trail/Mountains to Sea Trail Connector. Staff is requesting $70,000.00 for construction of this section of the trail. The grant requirements state the county must commit to a 25 percent match to these funds. A resolution showing this commitment is required to apply.

He also reported last year, they were working on the Lake James Loop Trail Masterplan and
when it was finished, they had planned to build a 2.66 mile section of trail from Fish Hatchery Road (where the County Park land is located) to the existing terminus of the Mountains to Sea Trail connector. The Department wanted to move forward using the Bridge Crew, volunteers, county staff and other groups in order to keep the momentum going. However, some momentum was lost because the Bridge Crew are firefighters and they have been firefighting all over the country. He also discovered that the Bridge Crews do not have the best trail building skills. When they volunteer, he said they actually clear a fire line; therefore, the trail was not built to sustainable design standards. He said Tim Johnson, State Trails, has been helping Burke County through process of getting a trail around Lake James as well as connecting other trails. Mr. Johnson suggested the County apply for the 2016 Recreational Trails Program. The program has a process, which requires the submission of a pre-application and then wait to hear back before the actual grant application can be submitted. Mr. Carpenter advised he did not hear back until August 1st and the actual $70,000 grant application is due September 1st. The local grant match is $17,500. However, he said in-kind contributions (volunteer labor, planning staff time, etc.) are acceptable and over $4,500 of planning time has been documented. He further reported the Bridge Crew’s contribution is approximately $150 per hour (7-member team @ $21.50/hour), which also counts. With regard to bridges, he planned to have Boy Scouts build them for their Eagle Scout projects. He further reported he does not anticipate this grant application/resolution requiring any money from the County. Mr. Carpenter then read the proposed resolution.

Motion: To adopt Resolution No. 2015-17.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Maynard M. Taylor, Commissioner

AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

The resolution is as follows:

Burke County
North Carolina

Resolution in Support of Application to the 2016 Recreational Trails Program

WHEREAS the North Carolina state Trails Program administered by the North Carolina Division of Parks and Recreation is tasked with distributing funds from the 2016 Recreational Trails Program; and

WHEREAS the North Carolina Trails Committee invited Burke County to apply for funds for the Fonta Flora State Trail and more specifically the Fonta Flora State Trail/Mountains to Sea Trail Connector; and
WHEREAS in order to receive funds Burke County is required to provide a 25 percent match, or $17,500.00 to the requested amount of $70,000.00 and this match may be met through monies, in kind contributions, volunteer labor, and staff planning hours.

NOW THEREFORE the Burke County Board of Commissioners resolve to support the application to the 2016 Recreational Trails Program and provide the 25 percent match through either monies, in kind contribution, volunteer labor, staff planning hours, or any other acceptable method in accordance with the program.

Adopted this the 18th day of August 2015.
/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board

REPORTS AND COMMENTS

GENERAL SERVICES - REQUEST FOR WATER EXTENSION ALONG NC 18 S

Chris Hollifield, General Services Director, presented information related to the following request:

Several months ago General Services was approached by Ms. Edna Whisnant about the possibility of providing County water service to her residence at 6041 NC 18 S. Burke County does provide water service on Hwy 18 S, however, there is a portion of the highway which is unserved. Burke County’s water service extends south along NC 18 to approximately ½ mile past Shoupe’s Way. Water service picks back up roughly 4 miles to the south near River Road.

Ms. Whisnant lives in the area between the two (2) service areas and is currently being served by a well. However, her well is contaminated with minerals and has a very strong odor. She has tried to use filter systems, to improve the quality and odor, with no results. Ms. Whisnant has purchased water by the gallon to use for cooking and drinking for several years.

In order for water service to be provided to this area, the County would need to install 21,000 feet of 8” water line with appurtenances. This extension would connect the two (2) ends of the County’s service area along NC 18 South, provide fire protection and potable water service for roughly 30 properties.

If the Board chooses to move forward with the project the following process will take place:
Funding source identified.
Engineering firm selected to design, permit, bid, and build the extension.
NCDENR - Division of Water Resources will permit.
The project will be bid out to contractors, bids will be received, and a contract awarded.
Construction will begin.
The engineer will certify the construction.
NCDENR will approve the use of the line.
Customers can then be connected to the new water line.

The initial estimate for this work is in the neighborhood of $1.3 million. Several years ago, the Western Piedmont Council of Government explored the possibility of funding this extension by using a Community Development Block Grant. However, that effort was not successful due to not being able to show financial need. There is no funding available in the Department’s budget for this initiative.

Mr. Hollifield stated he was asked by the Board at the pre agenda meeting to provide answers to the following questions:

1. Why was this area not included several years ago as part of the CDBG grant? According to David Poore, Project Engineer, Mr. Hollifield reported the area was omitted from the grant because of exorbitant expense, rocky terrain and sparse population conditions.

2. What would the cost be to install 4,000 linear feet of waterline on River Road headed north to the Mace/Whisnant property? Mr. Hollifield provided the Board with an estimate of approximately $316,000.

Mr. Hollifield further reported WPCOG staff, Leah Martin, has contacted the DENHR (Dept. of Environment and Natural Resources) to determine if a grant application could be submitted for two (2) noncontiguous areas (Parker Industries/Rhoney Road and the Hwy 18 S. project), which would be within the grant’s $2 million threshold. He hoped to have an answer from the WPCOG by tomorrow.

![Highway 18 S
4000 LF Water Line Extension](image-url)
Mr. Hollifield also responded to questions from the Board and a general discussion ensued. Vice Chairman Abele expressed support for waiting on the grant. Chairman Carswell directed Mr. Hollifield to come back before the Board after he hears from the WPCOG about the grant.

Commissioner Taylor reported his brother and nephew had to dig three (3) wells for their chicken houses. He inquired about providing a commercial heavy-user water rate and asked Mr. Hollifield to research it. Mr. Hollifield responded the Board sets the rate, but he will research the matter and report back to the Board.

**RESULT: NO ACTION TAKEN**

**BOC - RECEIVE COMMENTS FROM BOC AND STAFF** – None.

**VACANCY ANNOUNCEMENTS**

**CLERK - BOARDS AND COMMITTEES VACANCY REPORT**

The following opportunities were announced:

- Hickory Regional Planning Commission
- Adult Care Home Community Advisory Committee
- Council on Aging
- Juvenile Crime Prevention Council
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Voluntary Agriculture Board
- Burke Co. Parks and Recreation Commission

Chairman Carswell encouraged citizens to get involved.

**RESULT: NO ACTION TAKEN**

**CLOSED SESSION**

**BOC - CLOSED SESSION**

A closed session is needed to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters and to discuss personnel matters as authorized by NCGS 143-318.11(a)(3),(4) and (6).

**Motion:** To go into closed session to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters and to discuss personnel matters as authorized by NCGS 143-318.11(a)(3),(4) and (6) at 7:41 p.m..
RESULT: APPROVED [UNANIMOUS]
MOVER: Maynard M. Taylor
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

Motion: To come out of closed session at 8:23 p.m.
RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr.
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

RETURN TO OPEN SESSION

CORRECTION OF SALARY ERRORS
Motion: To authorize the County Manager to correct salary errors in the FY 15-16 budget for two (2) county employees.
RESULT: APPROVED [UNANIMOUS]
MOVER: Maynard M. Taylor
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

ADJOURN
Motion: To adjourn at 8:24 p.m.
RESULT: APPROVED [UNANIMOUS]
MOVER: Maynard M. Taylor
AYES: Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll and Maynard M. Taylor

Approved this the 17th day of November, 2015.

Johnnie W. Carswell, Chairman
Burke County Board of Commissioners

Attest:

Kay Honeycutt Draughn, CMC, NCCCC
Clerk to the Board