January 5, 2016 (Pre-Agenda)

MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
PRE-AGENDA MEETING

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, January 5, 2016 at 3:00 p.m. The meeting was held in the Burke Co. Governmental Offices, Human Resource Conference Room, located at 200 Avery Avenue in Morganton, North Carolina due to the lack of heat (HVAC failure) in the Commissioners’ Meeting Room. The public and media were notified of the change in the meeting place. Those present were:

COMMISSIONERS: Wayne F. Abele, Sr., Chairman
               Jeffrey C. Brittain, Vice Chairman
               Jack Carroll
               Johnnie W. Carswell
               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 Abele called the meeting to order at 3:00 p.m. and wished everyone a happy New Year.

APPROVAL OF THE AGENDA
Motion: To approve the agenda as amended.
RESULT: APPROVED [UNANIMOUS]
MOVER: Jack Carroll, Commissioner
AYES: Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll, Johnnie W. Carswell and Maynard M. Taylor

PRESENTATIONS

PBHM - PRESENTATION OF NC COUNCIL AWARD
County Manager Steen reported Partners Behavioral Health Management (PBHM) and Burke Integrated Health received the Programs of Excellence Award in Care Integration for its
successful development of a location where citizens can receive primary healthcare, mental
healthcare and substance abuse treatment. The NC Council of Community Mental Health,
Developmental Disabilities, and Substance Abuse Programs presented the awards on December
3, 2015 at a special reception honoring the winners during the annual Conference & Exhibition
in Pinehurst, NC.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/19/2016 AT 6:00 PM

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2015-07 & PUBLIC HEARING - 6:00 P.M.
Peter Minter, Senior Planner, reported on November 3, 2015, staff received a rezoning
application to rezone 2.4 acres from its current zoning of Residential 3 (R-3) to General Business
(G-B) in order to permit commercial use of the parcel. The property is just off Exit 111 on
Interstate 40.

Applicant: Richard Epley

REQUEST
This zoning map amendment request is to rezone a portion (2.4 acres) of land
(PIN No. 2742084979) located at the corner of Millstone Avenue and Barus St.
in the Lovelady Township of Burke County from the Residential 3 (R-3) Use
District to the General Business District (G-B).

SITE ANALYSIS
As mentioned above, the property is a vacant 2.4-acre tract of land. There are
no existing structures or utilities on the parcel. The parcel has no physical
address assigned to it. The table below indicates the existing land uses in the
area.

<table>
<thead>
<tr>
<th>Existing Zoning and Land Uses within the Surrounding Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Zoning</td>
</tr>
<tr>
<td>North</td>
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<tr>
<td>South</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>

Industrial / Vacant / Wooded
Vacant / Wooded / Cell Tower / Residential
Vacant / Wooded / Residential / Mini Warehouses
Single family home / Vacant / Wooded
The 2014 aerial photo also provides a visual representation of the existing land uses in the area. The current Zoning Map shows where the current zoning districts are located. The Residential 3 (R-3) zoning district is represented by the yellow/green color. The parcel is located within the I-40 Overlay Zoning District as indicated by the vertical lines. The zoning map indicates General Business zoning to the east of the subject parcel. There is one known stream on the property. The most recent FEMA flood maps do not indicate any floodplain on the parcel. The parcel is located within the WS IV-P Water Supply Watershed. Mapping records show that the parcel is served by public water. There is no public sewer in the area; therefore, any development would utilize an on-site wastewater treatment system (private septic). The parcel is located within the Lovelady Fire District.

CONFORMITY WITH THE COMPREHENSIVE PLAN
The 2003 I-40 Corridor Plan is the current land use plan for this area. The Plan is designed to promote safety, traffic efficiency, aesthetics, economic development and compatible residential uses within the study area. The large number of interchanges within the study area have the potential for increased economic development. This makes the I-40 Corridor an invaluable asset to Burke County.

The subject parcel is located just off Exit 111 along Millstone Ave. The Plan ranks this interchange as No. 1 in priority of need for improvements due to safety concerns. None of the ramps at this interchange meets State or Federal design standards. The Future Land Use Plan shows existing General Business zoning in close proximity to the subject parcel. However, the Plan recommends no zoning changes for this area until the interchange can be redesigned. Staff contacted NCDOT to inform them of the rezoning request and asked for an update and guidance on the interchange redesign. NCDOT’s response stated that there is a planned redesign project for this interchange, but it was in the beginning planning stages and no information is available at this time. NCDOT stated that any zoning change would not affect the redesign project. NCDOT would review any actual development of the land to make sure it fit their plans. Staff has the NCDOT response to this report for the Board’s review.

CONFORMITY WITH I-40 CORRIDOR OVERLAY DISTRICT ZONING
The subject parcel is located within the I-40 Corridor Overlay Zoning District. Any
development of the parcel must conform to all requirements of Article XX of the Zoning Ordinance. This ordinance section provides standards of development related to site planning, building design, type of construction, access management, parking, lighting, buffers, landscaping, signage, and utilities.

STAFF COMMENTS
In review of this rezoning request, staff utilized applicable adopted plans and ordinances. These documents draw out valid points that could be used to justify a recommendation to support this rezoning.

PLANNING BOARD RECOMMENDATION
The Burke County Planning Board heard this case on December 3, 2015. Staff presented their report and mentioned two (2) citizens had contacted the Planning Dept. in opposition to the rezoning. The opposition was due to traffic concerns on Barus Street. There was no one present from the public in attendance at the meeting. After hearing the staff's presentation and comments from the applicant, the Board voted 5-0 to recommend approval of the rezoning request.

CONCLUSION
The 2003 I-40 Corridor Plan encourages economic development strategies in areas along the I-40 Corridor, US 70 and other areas where the county expects growth. Though the subject parcel is shown as existing residential development, the current land use study, which is underway, may reflect a different future land use pattern for this area. As there is existing non-residential zoning in close vicinity to the subject property, the proposed rezoning would meet statutory requirements. For the record, it must be noted that the Plan recommended no zoning changes be made to the area surrounding the interchange until it is redesigned. It should also be noted that this recommendation was made in 2003, and to date, NCDOT has no formal preliminary plans to redesign the interchange. NCDOT has recently stated that they still do not have any formal plans for redesign of the Exit 111 Interchange and have no objection to a rezoning of the subject parcel.

Mr. Minter also responded to questions from the Board related to the rezoning request. Commissioner Taylor asked if the Planning Board considered this request. Mr. Minter advised the Planning Board met on December 3, 2015 and recommends the approval of the request with a 5-0 vote. Commissioner Brittain asked about the property being located in the Salem Fire District and stated it did not seem correct. Mr. Minter advised he would confirm the fire district.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/19/2016 AT 6:00 PM
CONSENT AGENDA

BDI - ECONOMIC DEVELOPMENT GRANT - PROJECT GRAY (TABLED FROM DECEMBER)
Alan Wood, President/CEO, BDI (Burke Development, Inc.) presented the following request. He stated the Town of Valdese met the night before and approved their portion of the incentive.

The Company intends to expand its manufacturing facility in Valdese by constructing new facilities and installing furniture, fixtures and equipment in the facility at an estimated cost of $8.5 million. The company plans to create approximately 25 new full-time jobs over a 5-year period. The County proposes to pay to Project Gray an economic development grant in an amount equal to 75 percent of the new net increase in property tax paid by Project Gray upon the actual assessed ad valorem tax value increase occasioned by construction and equipment installation of the new investment (assumed $8,500,000 x .0068 current tax rate x 75% = $43,350) for a period of five (5) consecutive years.

There is no impact on FY 15-16 budget. The projected incentive payment of $43,350 would not be due until the 17-18 tax year and run for five (5) consecutive years. Incentive payments will be made after the Company pays their property taxes. The Company will not receive the final payment unless 25 new full time jobs were created and engaged for at least six months.

Mr. Wood responded to questions from the Board including the number of full-time jobs to be provided and the length of the jobs. Mr. Wood advised the 25 new positions would be in addition to the current number of employees and would have to last for at least a 6-month period. Commissioner Taylor asked to include the minimum duration period of the 25 new jobs in the suggested motion.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/19/16 AT 6:00 PM

BLUE RIDGE COMMUNITY ACTION - COMMUNITY SERVICE BLOCK GRANT FOR FY 16-17
Mary Wright, Community Services Director for Blue Ridge Community Action, reported Blue Ridge Community Action intends to apply for funding provided by the North Carolina Department of Health and Human Services, Office of Economic Opportunity. The Office of Economic Opportunity helps low-income individuals and families achieve self-sufficiency. They work to improve the social and economic well-being of individuals, families and communities across North Carolina. Local agencies help individuals find jobs, locate housing, obtain shelter, have food, obtain access to health care and take care of children. The application deadline is February 2016.

Funding Level: $603,168 ($223,332 (37%) - Burke County, $184,464 for Caldwell County, $195,372 for Rutherford County)
Funding Source: North Carolina Office of Economic Opportunity
Service Area: Burke, Caldwell and Rutherford Counties
Families to be served: 150 (Burke = 90 & Caldwell = 60)

Long Range Goal: To reduce barriers that adversely affect the living conditions of 150 low-income families by providing information, referral and access to needed human services by 6/30/17.

One-Year Objective:
1. To inform and educate 150 low-income families about programs of local human services assistance agencies providing assistance in applying for services; as well as follow up to assure services are obtained by 6/30/17.
2. To provide 75 families comprehensive case management assistance to help them to move above the poverty level. To move 10 of these families out of poverty by 6/30/17.

Information and Referral Activities:
1. Provide outreach and intake through door-to-door canvassing, intra-agency referrals, agency walk-ins.
2. Assess family needs and make appropriate referrals for needed services.
3. Provide follow up activities to assure services are received.
4. Provide additional follow up if needed.

Self-Sufficiency Activities:
1. Provide outreach and intake through door-to-door canvassing, intra-agency referrals, agency walk-ins.
2. Secure documents for eligibility determination and record keeping.
3. Complete a family assessment to identify family strengths and resources needed.
4. Make appropriate referrals for needed services.
5. Develop a comprehensive family plan of action.
6. Monitor family plans for progress and/or adjustments.
7. Provide direct assistance to families as needed such as emergency assistance, transportation, childcare, tuition, student fees, etc.
8. Provide employment assistance and referral.
9. Assure 10 families secure and maintain employment.

Note: The Board received a copy of the partial grant application by email on December 17, 2015. No local funding is requested.

Ms. Wright stated to apply for the Grant, the Board of Commissioners must acknowledge receipt of a copy of the application. The application is due in February 2016. Ms. Wright also responded to questions from Commissioner Taylor on poverty statistics.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/19/16 AT 6:00 PM

BOC - ADOPTION OF RULES OF PROCEDURE FOR 2016 (TABLED FROM DECEMBER)
It is the Board’s practice to review, amend as needed and adopt its Rules of Procedures on an
The following changes arose during and after the December pre-agenda meeting and are presented for your consideration.

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Rule No.</th>
<th>Text Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carroll</td>
<td>Cover Page</td>
<td>Delete the following reference: Joseph S. Ferrell, Third Edition, Institute of Government</td>
</tr>
<tr>
<td>Carroll/Clk</td>
<td>Signatory Page</td>
<td>Add the following text to avoid plagiarism issues: Reference: This document is largely based on the writings of Joseph S. Ferrell, Third Edition, Institute of Government (UNC School of Government).</td>
</tr>
<tr>
<td>Clerk</td>
<td>Rule 4 (a)</td>
<td>Even-numbered Years. The board shall hold an organizational meeting at its regular meeting place at 2:00 6:00 p.m. on the first Monday in December of each even-numbered year.</td>
</tr>
<tr>
<td>Carroll</td>
<td>Rule 4 (b)</td>
<td>As the fourth and fifth order of business, the board may will appoint a clerk and an attorney.</td>
</tr>
<tr>
<td>Caroll</td>
<td>Rule 34</td>
<td>Add the following text: Appointment of Commissioners to County Board and Committees Each Commissioner shall will serve on two (2) different board/committees than he/she served on in the prior year.</td>
</tr>
<tr>
<td>Brittain</td>
<td>Rule 34</td>
<td>Amendment: Appointment of Commissioners to County Board and Committees Every four (4) years, each Commissioner shall will serve on two (2) different board/committees than he/she served on previously.</td>
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</tbody>
</table>

Chairman Abele opened the floor for discussion and Rule No. 34, as shown above, was discussed at length. Chairman Abele advised that some boards/committees are more difficult than others and it may take longer than one (1) or two (2) years to learn. In response to questions from Chairman Abele, Vice Chairman Brittain reported the proposed term is four (4) years and that rotating off two (2) boards every 4-year term seems reasonable.

Commissioner Taylor stated there is merit in rotating periodically, but there are some Commissioners, like Chairman Abele, that have special expertise to offer particular a board like the Tourism Development Authority. However, he said there is no merit in rotating boards, just for the sake of change. With regard to the boards he serves on, Commissioner Taylor offered to switch with any Commissioner and suggested the words “shall” or “will” be replaced with “recommend” or “may”. He expressed support for switching boards occasionally to gain a broader perspective and perhaps gain a different perspective. He said serving on the Parks and Recreation Commission completely changed his view of the program.

Chairman Abele stated having new Commissioners serve on the tougher boards is not
Commissioner Carroll said it is not a good idea for Commissioners to serve on the same boards for a long time. Commissioners, he said, are elected / expected to be knowledgeable of all the County’s boards and the only way to achieve this, is to rotate. He further stated Commissioners should report on what is happening on these boards to the other Commissioners; however, that is not happening. Chairman Abele responded that each Commissioner would be asked to provide an update on the boards they serve on at regular meetings, which will help bring everyone up to speed. Discussion continued.

Chairman Abele asked if everyone was happy with the boards they are appointed to and what the Board wanted to do about Rule 34. Commissioner Carroll stated he is happy, but wanted to switch off every election term (4-year term) and visit other boards. Commissioner Carswell said he likes the Rules of Procedure as they are currently and Chairman Abele agreed. Commissioner Taylor suggested a change of 50 percent. Chairman Abele asked if there was a consensus to keep this the rules the way they currently are. Commissioner Carswell pointed out that the Chairman assigns Commissioners to these boards annually and can make changes then. Commissioner Carroll expressed support for leaving the rules the way it currently is. In response to Chairman Abele’s inquiry, the Board agreed to remove Rule 34 completely and to leave the remaining changes to the Rules of Procedure on the Consent agenda.

**RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM**

**CLERK - APPOINTMENT TO BDI (TABLED FROM DECEMBER)**
Kay Draughn, Clerk to the Board, reported based on BDI’s new bylaws, the County appoints three (3) individuals to the Board of Directors as follows:

B. Directors and Terms.

(1) The County Commissioners of Burke shall appoint a total of three (3) Directors, one to be the Chairman of the County Commission or designee (designee becomes board member). One Director shall be the county manager and one Director shall be an at large member (not to be an elected or government employee appointment). All appointments will be for a three-year period and they shall serve until their successors are appointed.

An application was received from Scott Mulwee for the at-large position. Currently, there are no other applications on file for this seat. The BOC Chairman and County Manager were appointed in December.

Commissioner Taylor suggested attendance rosters be provided for reappointment requests.

**RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM**

**CLERK - REAPPOINTMENTS AND REMOVAL TO BRCA**
Kay Draughn, Clerk to the Board, reported the County used to appoint three (3) members to the Blue Ridge Community Action Board of Directors. However, BRCA realigned its membership for Seat No. 2, filled by Jesse Crowder. Now, the County only appoints two (2) members. The terms of appointment for Mr. Terry Elliott and Mr. Michael Fulenwider ended December 15, 2015. Both members desire reappointment and have served for many years. Therefore, an exception to Section 2.88 (e), membership requirements of the Burke Co. Code of Ordinances is requested.

Sec. 2-88. - Membership requirements.
(e)  
No member of any board or commission shall serve more than one unexpired term and four full terms of office consecutively, provided that this provision shall not prevent any person from serving any number of nonconsecutive terms, nor shall it apply to any board or commission whose authorization or bylaws are in conflict with this provision.

She further reported that according to BRCA, Mr. Elliott and Mr. Fulenwider attend meetings on a regular basis.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

CLERK - APPOINTMENT AND REMOVALS TO THE BOARD OF ADJUSTMENT
Kay Draughn, Clerk to the Board, reported the Community Development Dept. requests the removal of Jeff Clark (Seat No. 3) and Mark Buff (Seat No. 6) from the Burke Co. Board of Adjustment. Mr. Clark is unable to fulfill his duties at this time and Mr. Buff has moved from the area. The Department also requests the appointment of Mr. Robert Love to fill Seat No. 3 (West), who also serves on the Jury Commission.

RESULT: MOVE WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

CLERK - APPOINTMENT TO ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE
Kay Draughn, Clerk to the Board, reported despite ongoing recruitment efforts, there are six (6) vacancies on the Adult Care Home Community Advisory Committee. However, an application was received from Todd Machler for consideration and the Regional Ombudsman recommends his appointment.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

COMM. DEV. - RESOLUTION TO APPOINT REVIEW OFFICERS
Scott Carpenter, Deputy County Manager/Planning Director, reported pursuant to General Statute 47-30.2 (a), the Board of Commissioners of each county shall, by resolution, designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording. A copy of the resolution designating the Review Officers for Burke County shall be recorded in the county registry.
Extract from the draft resolution is as follows:

WHEREAS, it is the desire of Burke County to remove Pamela Lipford, Jeanine Barus, Matt Settlemyer, John Kinley, John E. Wear III, and Laurie LoCicero as Review Officers from Burke County.

NOW, THEREFORE, BE IT RESOLVED, that the Burke County Board of Commissioners does hereby appoint Tamara Brooks, Erin Schotte, Sherri Bradshaw, and Teresa Kinney as Plat Review Officers for Burke County.

BE IT FURTHER RESOLVED, that a copy of this resolution designating the Plat Review Officers for Burke County be recorded in the Burke County Register of Deeds Office and indexed in the name of the Review Officers.

Mr. Carpenter also responded to questions from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

COUNTY MANAGER - TRANSPORTATION INVOLUNTARY MENTAL COMMITMENT RESPONDENTS

Following introductory comments from County Manager Steen, Sheriff Whisenant reported Carolinas HealthCare System Blue Ridge-Morganton approached the Sheriff’s Department about a proposed agreement between the hospital and G4S Security Company for transportation of involuntary mental commitment respondents. He said the Sheriff’s Department does not have an officer designated for transporting mental commitments; therefore, patrol deputies are used to transport involuntary commitments and the number of transports fluctuates monthly and has increased recently. In addition, he reported having a private company transport the patient(s) is advantageous to the Sheriff’s Department because it frees up patrol deputies and keeps them in Burke County to answer calls. He reiterated the agreement is between hospital and G4S and that the Sheriff’s Dept. is no longer involved after the patient is initially picked up and taken to the hospital.

Commissioner Carroll expressed support for the concept. Commissioner Carswell asked County Attorney Simpson whether the hold harmless language in the agreement is sufficient. Mr. Simpson responded affirmatively. Commissioner Carswell identified a typographical error in the draft agreement (2nd page, 2nd paragraph) and asked if it should read, “The hospital wishes to contract with G4S.” The County Attorney concurred and said he would ask the hospital’s attorneys to make the correction.

In response to questions from the Board, Sheriff Whisenant addressed the monetary benefit of freeing-up a hospital bed as quickly as possible. Further, he explained that police calls are prioritized and a patrol deputy is not always available to transport commitments from Blue Ridge to another hospital. Therefore, commitments remain hospitalized until they can be
transported to another facility. However, the Sheriff’s Department will continue to transport problem commitments.

Chairman Abele expressed support for the concept. Sheriff Whisenant also responded to questions from Commissioner Taylor concerning the location of the company’s headquarters and closest hub. Although he said he has never worked with this company before, other Sheriffs he has spoken with were pleased with the services they provided. Attorney Simpson reported G4S provides similar services in Lincoln and Mecklenburg counties.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

FM - APPOINTMENTS TO THE LOCAL FIREFIGHTER'S RELIEF FUND

Mike Long, Fire Marshal reported it is the requirement of NCGS 58-84-30 for the Firefighter’s Relief Fund Board to be comprised of five (5) members, two (2) of whom shall be elected by the members of the local fire department, one (1) of whom shall be named by the Commissioner of Insurance, and two (2) of whom shall be appointed by the local governing body. The two (2) members appointed by the local governing body must be appointed in January of each year. These members must be filed with the State on a form prescribed by the State known as the “North Carolina Rural Fire District Board of Trustees Report”. Under NCGS 58-84-46 this must be filed with the State before October 31st of each year by the County Fire Chiefs. This form is now required to be filed on-line. The completion of this form is required for the fire departments to be eligible to receive the annual Firefighter’s Relief Fund monies which is one-half (1/2) of one (1) percent of all fire and lightning insurance premiums written in the insurance district.

Brian Newlin, Relief Fund Administrator for the North Carolina Department of Insurance advised that Glen Alpine and Morganton would need to be removed from the list because they are municipalities and must make their own appointments.

The terms of appointment for the following members end January 31, 2016: Bryan Williams, Brendletown; Mike Wagner, Chesterfield; Bruce Smith, Enola; Derick Brittain, George Hildebran; George Hollowell, Icard Township; Susan Clark, Jonas Ridge; Larry Saulman, Lake James; Nathan Hall, Longtown; Bob Smith, Lovelady; Glen Tanzer, Oak Hill; Lewis P. Dale, Salem; Beth Hudson, South Mountains; Walter Sigmon, Triple Community; and Bruce Byrd, West End. All desire reappointment. Kevin Head, Brendletown, will replace Harlan Dula whose term ends January 31, 2017. Mr. Long also responded to questions from the County Manager concerning Mr. Head’s appointment and from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

FM - REQUEST FOR APPROVAL OF A PURCHASE AGREEMENT BETWEEN LOCAL GOVERNMENT FEDERAL CREDIT UNION AND TRIPLE COMMUNITY FIRE DEPARTMENT, INC.

Mike Long, Fire Marshall, reported Triple Community Fire Department, Inc. is entering into a
Purchase Agreement with the Local Government Federal Credit Union for a new Pierce Fire Apparatus on an Enforcer Chassis with a 1,000-gallon water tank and a 1,500-gallon per minute pump. The Fire Department held a public hearing on December 17, 2015 at 6:30 p.m. at the station located at 505 Mountain View Drive in Morganton. The newspaper affidavit of publication and the public hearing meeting minutes are included in the agenda packet. The Board of Directors of the Triple Community Fire Department, Inc. believe the Department is fiscally responsible and financially able to buy the fire apparatus and respectfully request the Burke County Board of Commissioners approve the request. The approval would not constitute a financial obligation to the County of Burke. Mr. Long also responded to questions from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

FM - APPOINTMENTS TO THE LOCAL EMERGENCY PLANNING COMMITTEE

Mike Long, Fire Marshal, reported Burke County is required to organize and maintain the Local Emergency Planning Committee (LEPC) as a requirement of the federal law known as Emergency Planning and Community Right-to-Know Act (EPCRA). EPCRA requires facilities with more than the threshold planning quantities of hazardous materials to report to the LEPC, Fire Departments, and the State Emergency Response Commission. This reporting is done through Tier II reporting on a program called E-Plan. E-plan can be viewed by the LEPC, Fire Departments and Emergency Services personnel. The LEPC works on the planned response and general safety measures in dealing with hazardous materials at fixed facilities and transportation routes. This committee is designed to work hand in hand with emergency response agencies, business and industry organizations, and the public.

The LEPC is required to have certain cross section of representation with fifteen (15) members serving according to the by-laws. The following persons and their position are submitted for review and appointment:

1. Local Official - Peter Minter, Senior Planner, Burke Co. Community Development (3-year term)
2. Law Enforcement - Banks Hinceman, Major, Burke County Sheriff Department (2-year term)
3. Fire Service - Charles Watts, Chief, Valdese Fire Department (1-year term)
4. Emergency Management - Mike Long, Emergency Management Director (3-year term)
5. Public Health - Rebecca McLeod, Director, Burke County Health Department (2-year term)
6. Environmental Health - Matt Gupton, Burke County Environmental Health (1-year term)
7. Hospital - Thomas Logan, Carolinas HealthCare System Blue Ridge (3-year term)
8. Local Elected Official - TBD
9. Citizen Representative - Mike Willis, Emergency Service Programs at WPCC (1-year term)
10. Civic/Community Group - Chasity Poteat, Burke County United Way (3-year term)
11. Media - Lisa Propst, WMNC Radio (2-year term)
12. Transportation - Darrell Dean, NCDOT (1-year term)
13. Agriculture - Spring Williams-Byrd - Burke County Agricultural Extension (3-year term)
14. Emergency Medical Service (EMS) - Greg Curry, Director, EMS (2-year term)
15. Facility Emergency Coordinator for Extremely Hazardous Substance - Randy Waibel, Hexion (1-year term – pending receipt of his application.)

Mr. Long said the LEPC needs one (1) elected official to serve on this Board and asked for a Commissioner to serve on the committee. Commissioner Carroll responded in the affirmative.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

FM - EMERGENCY SERVICES RESCUE FRANCHISE FOR ENOLA VOLUNTEER FIRE DEPARTMENT, INC.

Mike Long, Fire Marshal, presented information related to the following request:

The Enola Volunteer Fire Department, Inc. is requesting an Emergency Service Rescue Franchise for their fire district. This service would provide all forms of light and medium extrication, including vehicle extrication, farm machinery emergencies, building and industrial extrication and other incidental duties associated with the use of heavy duty power tools and other advanced rescue equipment and/or techniques that are needed to gain access to or remove victim(s) from the confines of entrapments and inextricable situations. The fire department requesting a rescue franchise must complete an Application for Emergency Service Franchise, which has been completed by the fire department. The County also has established Guidelines for Granting Rescue Extrication Franchises to Volunteer Fire Departments. The fire department has completed this and met the guidelines. The Enola Fire Department is currently dispatched to any situation in which a person is entrapped or any other type of entanglement within their fire district. The fire department’s average response time for fire situations is 6.5 minutes. The average driving time for Burke County Rescue Squad is approximately 18 minutes to Enola Fire Department. Burke County Rescue Squad is located approximately 8.8 miles from Enola Fire Department and 14.4 miles from the furthest point in our district with an approximately time of 28 minutes. The fire department has in place an F-550 Quick Attack Vehicle and an 18’ ft. Marion Walk-in Rescue Truck. The proposed equipment that will be carried on these two (2) pieces of apparatus is listed and included in the packet. The fire department currently has 22 members that have taken and completed the minimum of 24 hours of rescue training in topics of basic and advanced rescue techniques including the use of hand and power tools. The fire department currently provides automatic and mutual aid to other fire departments within the county and agrees that it will provide this service to any and all other departments within the county upon request and will be provided on a 24-hour basis. This service will be non-profit and the department will not charge any fees for service rendered. The department further agrees that it will amend and file with the County a copy of their Articles of
Incorporation to include the wording Fire and Rescue. The department agrees that it will maintain a minimum liability insurance coverage of not less than $1,000,000 aggregate, and their policy amended to have the County of Burke named as Additional Insured. This has been completed by the fire department. The fire department has prepared for and planned for this service for years and has made great strides to accomplish this additional level of service. The department has met or exceeded all of the requirements and guidelines for this service as set forth by the County of Burke and the North Carolina Department of Insurance. Due to the remote location of this area, distance and long response times this service will enhance the protection for the residents of the Enola Fire District and also be an asset to all Burke County citizens as well as other travelers and visitors where “The Golden Hour” standard applies to trauma. The current county contract for this service is included in the agenda packet.

Commissioner Taylor asked Attorney Simpson if he has reviewed the contract and if it is acceptable. Attorney Simpson responded in the affirmative. Commissioner Carswell asked what the relationship is with the Rescue Squad. Mr. Long said he has talked to the chief and they understand the needs as Enola Fire Department only provides light and medium rescue. The Rescue Squad will still handle heavy rescue. He stated everyone is happy. Mr. Long also responded to questions from Vice Chairman Brittain concerning which fire departments have franchise agreements.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

GS - SOLID WASTE DISPOSAL INSTALLATION OF LANDFILL GAS VENTS AT THE KIRKSEY AND EAST BURKE CLOSED LANDFILL PROPERTIES

Chris Hollifield, General Services Director, reported the County is required by NCDEQ (N.C. Dept. of Environmental Quality), Solid Waste Division, based off landfill gas monitoring data, to install passive gas vents to remediate landfill gas accumulation. The following data represents the installation of these vents on both of the County’s closed landfill properties, Kirksey Drive and East Burke. The Kirksey Drive site will require four (4) gas vents to be installed, while the East Burke site requires three (3) vents. Joyce Engineering has designed and bid this project with the recommendation that the County award the bid to American Environmental Group, Ltd.

This space is intentionally left blank.
Mr. Hollifield further reported Joyce Engineer’s fee is $15,000 and County staff would handle the waste removal resulting in a $20,000 savings. Mr. Hollifield also responded to questions from Commissioner Taylor. Commissioner Taylor asked to include the vent site information in the suggested motion.

**RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM**

**SENIOR SERVICES - ADDITIONAL FUNDS FOR HOME & COMMUNITY CARE BLOCK GRANT 2015-2016**

Roxanne Powell, Senior Services Director, reported the HCCBG (Home and Community Care Block Grant) allocations for Region E were slightly more than anticipated; therefore, Burke County was allocated an additional $803 in funding. The Western Piedmont Council of Government chose to allocate these additional funds to each county congregate nutrition program. Then, in the fall of 2015, the NC General Assembly voted to restore $969,549 to the HCCBG, which had been cut the previous year. This resulted in $9,465 of additional funding for Burke County. On November 16, 2015, the Burke County Council on Aging voted unanimously to split these funds between the Home Delivered Meals ($4,732) and the In-Home Aide Level III ($4,733) programs.

Commissioner Brittain requested an update on the new meal provider. Ms. Powell reported she has received positive feedback from the recipients about new caterer, Mooresridge Catering. County Manager Steen asked where the $606 would come from. Paul Ijames, Deputy County Manager/Finance Director, stated the funds would come out of the Senior Center’s budget. Commissioner Taylor requested the County’s share of $606 be included in the motion.

**RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM**
SHERIFF’S OFFICE - APPROVAL OF REVISED RECORDS RETENTION SCHEDULE
Sheriff Whisenant, Burke County Sheriff, reported the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records has released a revised version of the County Sheriff’s Office Records Retention and Disposition Schedule. Some of the major updates to the Schedule include the following:
- Addition of an item for mobile audio/video devices.
- Splitting the weapons permits into two separate items: one for concealed weapons and one for handgun permits.
- Deleting several items that are covered by other standards to avoid clutter.
Approval is required. Sheriff Whisenant also responded to questions from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: Next: 1/19/2016 AT 6:00 PM

TAX DEPT. - EMS COLLECTION REPORT FOR NOVEMBER 2015.
Danny Isenhour, Tax Administrator, presented the EMS Collection Report for November 2015 as follows:

| 2015-2016 Budget | $3,100,000.00 |
| Collected YTD | $1,191,699.39 |
| Balance to Collect | $1,908,300.61 |
| Percent of Budget Collected | 38.75% |

Mr. Isenhour said the amount collected through November is $38,566.90 lower than same time last year and it is $138,438.17 lower than November 2013. He has a meeting scheduled for the following week with the collection vendor to determine why the collection rates are down.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

TAX DEPT. - RELEASE REFUND REPORT FOR DECEMBER 2015
Danny Isenhour, Tax Administrator, presented the following Tax Release Refund Report for December 2015 as follows:

Tax System Refunds and Releases
- Releases (TR-304): $10,951.44
- Refunds (TR-406): $ 214.86

VTS Refunds over $100.00
- Adjustments: $ 109.60
- Proration: $ 893.93

Mr. Isenhour also provided an explanation for an $8,366.84 release for a 2015 bill for CWW, which is a part of Carolina West Wireless. CWW improperly listed a store that went out of business several years ago. He further explained that cell towers became state assessed this
year for the first time. He also responded to questions from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 AT 6:00 PM

TAX DEPT. - TAX COLLECTION REPORT FOR DECEMBER 2015
Danny Isenhour, Tax Administrator, presented the following Tax Collection Report for December 2015 as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Budget</th>
<th>Amount Collected YTD</th>
<th>Balance to Collect</th>
<th>% Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Year Taxes</td>
<td>$41,785,250</td>
<td>$34,540,687.66</td>
<td>$7,244,562.34</td>
<td>82.66%</td>
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<tr>
<td>Delinquent Taxes</td>
<td>$665,000</td>
<td>$487,786.08 $</td>
<td>$177,213.92</td>
<td>73.35%</td>
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<tr>
<td>Late List Penalty</td>
<td>$280,000</td>
<td>$98,678.28 $</td>
<td>$181,321.72</td>
<td>35.24%</td>
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</table>

These two (2) items below make up the current year taxes above.

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Budget</th>
<th>Amount Collected YTD</th>
<th>Balance to Collect</th>
<th>% Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax</td>
<td>$37,885,250</td>
<td>$32,575,424.90</td>
<td>$5,309,825.10</td>
<td>85.98%</td>
</tr>
<tr>
<td>Motor Vehicle Tax</td>
<td>$3,900,000</td>
<td>$1,965,262.76</td>
<td>$1,934,737.24</td>
<td>50.39%</td>
</tr>
</tbody>
</table>

Mr. Isenhour also responded to questions from the Board.

RESULT: MOVED WITHOUT OBJECTION TO NEXT MEETING: 1/19/2016 6:00 AT PM

ITEMS FOR DECISION - NONE

REPORTS

BOC - COMMITTEE REPORTS
To keep the Board informed, Chairman Abele said each Commissioner is asked to provide a brief update at regular meetings on what is happening for each of the boards/committees they serve on. He said this is a good way to keep the public and Commission members apprised, but it is only a suggestion and the Board does not have to do it. If it does not work, he said it would be stopped. There was no objection from Board members.

RESULT: NO ACTION TAKEN

OTHER DISCUSSION ITEMS

BOC - DISCUSSION OF GOALS FOR 2016
Chairman Abele referenced several ongoing projects like the jail, the Senior Center/Library project and the park at Lake James. After mentioning the County’s recent efforts to provide public water to certain areas, he asked if there were other items, the Board would like to discuss and/or work on in 2016.
Commissioner Carroll presented the following items:

- **Public Water**
  - Decide to get in or get out of the water business.
  - Address Edna Whisenant’s water problem on NC 18 South, using General Fund, Fund Balance, if necessary.
  - What was the result of the CDBG water grant for NC 18 South?

- **Boards and Committees**
  - Merge the Social Service Board and the Board of Health.
  - Greater local control if the two (2) boards are merged together.
  - Ask School of Government personnel to make a presentation to the Board.

- **Responsibilities of the County Manager**
  - Consolidate responsibilities contained in the Personnel Policy and those located in the Budget Ordinance.
  - Compared Manager’s authority listed in the 1995 Budget Ordinance for to the 2015 Budget Ordinance.

- **Legal Fees**
  - Ask the Human Resource Department draft an RFP (Request for Proposal) for a county attorney and provide responses.

- **Capital Outlay Budget**
  - Consolidate all capital items in the budget into one (1) fund.
  - Departments would provide justification to the County Manager and the Commissioners on how that money is spent and what their needs are.
  - Consolidate jail funding of $1.1 million and anticipated new sales tax revenue of $1.4 million into one (1) fund.

- **Ordinances**
  - The Animal Control Ordinance is not enforced; it has no teeth in it and it needs to be updated and enforced.
  - The County does not have an ordinance regarding the discharge of firearms in neighborhoods.
  - Citizens contact him regularly concerning noise from motorcycles and go-carts in residential areas. No one seems to be aware of the ordinance.

- **Firing Range**
  - Build a $250,000 firing range at the landfill.

- **Drone**
  - Purchase a drone for use by County Departments (Sheriff, Fire Marshal and Community Development/Planning).

- **Burke Development, Inc. (BDI)**
  - Have the BDI Director make regular updates to the Board on projects.
  - Based on the County’s investment in BDI over the years and the ROI (Return on Investment), the program is not worth the expense.

- **Economic Development**
  - Work with Morganton to recruit industry. They have done a lot over the years.
Chairman Abele stated there are many good ideas here, but suggested the Manager review the items and pair them down, as not everything can be accomplished in one year. With regard to BDI, Chairman Abele pointed out that BDI has saved many local jobs over the past few years.

Commissioner Taylor presented the following items:
- Meeting Minutes of Boards/Committees
  - Forward approved meeting minutes from all county boards to Commissioners.
- Public Water
  - Provide a copy of the old water extension policy.
  - Review water policy/procedure to request provision of county water service.
- Regular Commissioners’ Meetings
  - Hold regular meetings in various locations of the county on a quarterly basis to reconnect with citizens.
- Pre-Agenda Meetings
  - Televise pre-agenda meetings so citizens can see/hear Board discussion.
- Jail
  - Requested a cost comparison for placement of the jail in downtown Morganton versus the Government Drive location.
  - Thought the Board agreed to hold public hearings on placement of the jail in several locations in the county outside of Morganton.
- Meet with Nellie Moore concerning ongoing issues with her neighbor.

Vice Chairman Brittain presented the following items:
- Recreation
  - The County has a great long-range master plan. Future needs/desires of young adults (Millennials) should be considered.
  - Prioritize identified projects, establish capital funds and begin funding, as the budget allows, toward total amount needed to complete the project.
- Burke Business Park
  - The current arrangement is very complicated, has multiple partners, which makes it very difficult to get something accomplished. Explore the possibility of creating a County Economic Development Department.
  - Provide funding for needed infrastructure to enable recruitment of businesses/industry.

Chairman Abele presented the following items:
- Economic Development
  - Meet with McDowell County to explore potential for joint economic development projects.
- State of the County
  - Prepare a “State of the County” address and sign it, “Burke County Commissioners”.
Commissioner Carswell did not submit any items.

Commissioner Carroll suggested giving the County Manager an opportunity to look over these items and share his thoughts. Chairman Abele agreed and stated perhaps these items could be addressed at the upcoming budget meeting in February.

County Manager Steen reported:
- He has discussed the water issues with the General Services Director, Chris Hollifield, and several much-needed projects are expensive.
- He said he would look at the aforementioned items, but budget ordinances have certain rules, but he will work with the Finance Director on it.
- Information for the annual “summary of accomplishments” report was solicited from county departments.
- The Senior Center/Library and Jail projects are ongoing and there will be Board interaction along with way.
- Construction should begin on the Senior Center/Library in April or May of this year and the Jail project should begin in early fall.
- Since the County is using a Construction Manager at Risk approach, when the final number is obtained, it will come back to the Board for approval.
- He has plans to relocate staff to various county buildings to improve efficiency and better utilization county assets.
- Discussed the development of a mobile phone app with the IT Director.

In closing, he stated this is an exciting time and he is thankful to be a part of the County.

Chairman Abele expressed appreciation to the county staff and said the County Manager has put together a good team. He encouraged Board members to contact Mr. Steen or Mr. Ijames with problems or concerns.

**RESULT:** NO ACTION TAKEN

**ADJOURN**

Motion: To adjourn at 4:45 p.m.

<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>Wayne F. Abele, Sr., Jeffrey C. Brittain, Jack Carroll, Johnnie W. Carswell and Maynard M. Taylor</td>
</tr>
</tbody>
</table>

Approved this the 15th day of March, 2016.

Wayne F. Abele, Sr., Chairman
January 5, 2016 (Pre-Agenda)

Board of Commissioners

Attest:

[Signature]

Kay Honecutt Draughn, CMC, NCMCC
Clerk to the Board