1. Zoom Meeting Credentials

   Documents:

   ZOOM MEETING CREDENTIALS.PDF

2. Agenda Outline

   Documents:

   2020 09 01 BOC ZOOM PRE-AGENDA AGENDA OUTLINE.PDF

3. Agenda Full Version

   Documents:

   2020 09 01 BOC ZOOM PRE-AGENDA AGENDA FULL VERSION (2).PDF

In accordance with ADA regulations, persons in need of an accommodation to participate in the meeting should notify the County Manager's office at 828-764-9350 at least forty-eight (48) hours prior to the meeting.

Topic: Burke Co. Board of Commissioners' Pre-Agenda Meeting
Time: Sep 1, 2020 03:00 PM Eastern Time (US and Canada)

Please join at 2:45 p.m. so that technical issues can be addressed before the meeting begins.

Join Zoom Meeting
https://us02web.zoom.us/j/82400898291?pwd=R1lqUVNtMUdEN0R0NGRVV2EvODkvdz09

Meeting ID: 824 0089 8291
Passcode: 838901
One tap mobile
+13017158592,,82400898291#,,,,,,0#,,838901# US (Germantown)
+13126266799,,82400898291#,,,,,,0#,,838901# US (Chicago)

Dial by your location
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Meeting ID: 824 0089 8291
Passcode: 838901
Find your local number: https://us02web.zoom.us/u/kbCjlr8kKS

Burke County
Board of Commissioners
Pre-Agenda Meeting
Zoom Virtual Meeting
ID: 824 0089 8291
PW: 838901
Tuesday, September 1, 2020
3:00 PM

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1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. PRESENTATIONS

1. Animal Services - Best Friends Lifesaving Award - Presented by Bryan Steen, County Manager
2. AS - Pet of the Month (Place Holder) - Presented by Kaitlin Settlemyre, Animal Services Director
3. BR - Proclamation Proclaiming September as National Recovery Month - Presented by Kim James, Burke Recovery

4. SCHEDULED PUBLIC HEARINGS

5. CONSENT AGENDA

1. BOC - Resolution in Support of Breast Cancer Awareness Month - Presented by Johnnie Carswell, Chairman
2. BOC - Consideration of Legislative Goals for 2020/2021 - Presented by Johnnie Carswell, Chairman
3. Clerk - Adult Care & Nursing Home CAC - Presented by Kay Draughn, Clerk to the Board
4. Clerk - Board of Adjustment Appointments - Presented by Kay Draughn, Clerk to the Board
5. Clerk - Planning Board Appointments - Presented by Kay Draughn, Clerk to the Board
6. Tax Dept. - Tax Collection Report for August 2020 (Place Holder) - Presented by Danny Isenhour, Tax Administrator
7. Tax Dept. - Release Refund Report for August 2020 (Place Holder) - Presented by Danny Isenhour, Tax Administrator
8. Tax Dept. - Appeal of Failure to List Penalty - Presented by Danny Isenhour, Tax Administrator
9. Tax Dept. - Late Applications for Age Exclusion - Presented by Danny Isenhour, Tax Administrator
10. Tax Dept. - Update of Policy for the Sale of Surplus Real Property - Presented by Danny Isenhour, Tax Administrator
11. Tax Dept. - Surplus Real Property - Presented by Danny Isenhour, Tax Administrator

6. ITEMS FOR DECISION

1. County Attorney - Place Holder for Bid for Real Property in Connelly Springs - Presented by JR Simpson, County Attorney

7. REPORTS

8. OTHER DISCUSSION ITEMS

9. ADJOURN

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Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

PRESENTATIONS

Subject Title: Animal Services - Best Friends Lifesaving Award

Presented By: Bryan Steen

Summary of Information: The County Manager will recognize Burke County Animal Services staff for their outstanding work on being awarded the Transformational Change Award for the highest increase in lifesaving progress for shelters admitting 2,001 - 6,000 pets in 2019 from Best Friends Animal Society, a national animal welfare organization dedicated to ending the killing of dogs and cats in America's shelters.

Budgetary Effect: N/A

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To recognize and congratulate Burke County Animal Services staff for receiving the Transformational Change Award from Best Friends Animal Society.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

PRESENTATIONS

Subject Title: AS - Pet of the Month

Presented By: Kaitlin Settlemyre

Summary of Information: Animal Services staff will present a dog and cat in need of its “furever” home at the regular meeting.

Budgetary Effect: None.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: None. Encourage citizens to adopt an animal from the Burke Co. Animal Services Center.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

PRESENTATIONS

Subject Title: BR - Proclamation Proclaiming September as National Recovery Month

Presented By: Kim James

Summary of Information: The following proclamation declares the month of September as national recovery month.

Budgetary Effect: None.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To approve Proclamation No. 2020-06.

Burke County
North Carolina

PROCLAMATION
DECLARING SEPTEMBER 2020 AS NATIONAL RECOVERY MONTH IN BURKE COUNTY

WHEREAS, behavioral health is an essential part of health and one's overall wellness, and

WHEREAS, according to PRIDE survey results, the average first age of use in Burke County is 13 - therefore prevention of mental and/or substance use disorder as well as treatment is effective and people recover in our area and around the nation, and

WHEREAS, preventing and overcoming substance use disorder is essential to achieving healthy lifestyles both physically and emotionally, and

WHEREAS, we must educate relatives and friends of people with substance use disorders so they will be able to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services, and

WHEREAS, substance use disorder is a major public health problem that impacts society on multiple levels, and

WHEREAS, the use of Fentanyl and other dangerous opioids (which are also being laced with other substances) is rising in the community leading to overdose and death, and

WHEREAS, underage drinking and a failure to properly store alcohol in the home continues to lead to teenagers having a poor perception of risk, and

WHEREAS, to help more people achieve and sustain long term recovery, Burke Wellness Initiative and Burke Substance Abuse Network invites Burke County residents to participate in activities held to recognize National Recovery Month.

NOW, THEREFORE, the Burke County Board of Commissioners do hereby proclaim September 2020 as National Recovery Month in Burke County, North Carolina and call upon citizens, government agencies, public and private institutions, businesses and schools in Burke County to recommit our community to increasing awareness and understanding of substance use disorder and the need for appropriate and accessible services for all people with substance use disorder and the complications and struggles for daily living in wellness.

Approved this 15th day of September 2020.

_____
Johnnie W. Carswell, Chairman
Burke Co. Board of Commissioners

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: BOC - Resolution in Support of Breast Cancer Awareness Month

Presented By: Johnnie W. Carswell

Summary of Information: The National Breast Cancer Awareness Month (NBCAM) organization is a partnership of national public service organizations, professional medical associations and government agencies working together to promote breast cancer awareness, share information on the disease, and provide greater access to screening services. This is an annual international health campaign organized by major breast cancer charities every October. Since its inception more than two decades ago, NBCAM has been at the forefront of promoting awareness of breast cancer issues, education, and empowerment to women to increase their knowledge of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment and cure.

Budgetary Effect: None.

Recommendation: Approval is recommended.

Suggested Motion: Motion to adopt Resolution No. 2020-25.

BURKE COUNTY
NORTH CAROLINA

RESOLUTION IN SUPPORT OF THE
NATIONAL BREAST CANCER AWARENESS MONTH (NBCAM)

WHEREAS, The National Breast Cancer Awareness Month (NBCAM) organization is a partnership of national public service organizations, professional medical associations, and government agencies working together to promote breast cancer awareness, share information on the disease, and provide greater access to screening services.

WHEREAS, The National Breast Cancer Awareness Month (NBCAM) is an annual international health campaign organized by major breast cancer charities every October to increase awareness of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment and cure.

WHEREAS, The National Breast Cancer Awareness Month (NBCAM) for more than two decades has been at the forefront of promoting awareness, education, and empowerment for women to take charge of their own breast health by practicing regular self-breast exams to identify any changes, scheduling regular visits and annual mammograms with their healthcare provider, adhering to prescribed treatment, and knowing the facts about recurrence.

THEREFORE, THE BOARD OF COMMISSIONERS OF BURKE COUNTY RESOLVES THAT the Burke County Board of Commissioners hereby supports National Breast Cancer Awareness Month in an effort to save more lives and improve the quality of life for all of us touched by breast cancer.

Adopted this 15th day of September 2020.

_____
Johnnie W. Carswell, Chairman
Burke Co. Board of Commissioners

Attest:

_____
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: BOC - Consideration of Legislative Goals for 2020 / 2021

Presented By: Johnnie W. Carswell

SUMMARY OF INFORMATION: NCACC's legislative goals process is underway, and the Association encourages all counties and county officials to participate. Counties are invited to add the adoption of legislative goals to your upcoming Board of Commissioners meeting agenda. Goals submitted to the Association must be submitted by either a resolution from the Board of Commissioners or a signed letter from the Chair of the Board submitting the goal on behalf of the entire board. The deadline to submit goal proposals is September 30, 2020. Note: The Clerk has not received any legislative goals from the Board or staff.

NCACC's Top Five (5) Priority Goals

1. Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.

2. Seek additional revenue sources, including a statewide bond and lottery proceeds, to equitably address statewide public school and community college capital challenges.

3. Support efforts to preserve and expand the existing local revenue base of counties and authorize local option revenue sources already given to any other jurisdiction to all counties. Oppose efforts to divert to the state, fees or taxes currently allocated to the counties or to erode existing county revenue streams.

4. Support provision of state resources to ensure county ability to provide essential public health, behavioral health and social services, with specific consideration to the challenges of incarcerated persons, the continued county role in behavioral health governance, and programs addressing substance use disorder, throughout Medicaid transformation.

5. Seek legislation to repeal the statutory authority under N.C. Gen. Stat. 115C-431(c) that allows a local school board to file suit against a county board of commissioners over appropriations to the local board of education's capital outlay fund.

Other Legislative Items/Issues of Importance

	?
	?
	?

Budgetary Effect: N.A.

County Manager's Recommendation: N.A.

Suggested Motion: Reaffirm support for the NC Association of County Commissioners' 2019-2020 legislative goals.

2019-2020 Legislative Goals

Top Five Priority Goals

1) Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.

- House Bill 431 gained a favorable report in the House State and Local Government Committee in the 2019 legislative long session before failing to move forward. Under the legislation, counties meeting one of the following criteria are authorized to install or maintain broadband infrastructure for lease to a private provider:
    - Any county with more than 4.75% of the county without a provider of broadband according to the Federal Communications Commission
    - Any county with a major military installation

  The legislation provides the process that a county must follow in order to install broadband infrastructure, which includes a written report and business plan, feasibility study, public hearing, and adoption of a board resolution. The legislation also provides specifications on lease requirements, as well as RFP specifications. The bill does not authorize local governments to provide broadband services.

- The General Assembly approved, and the Governor signed into law, **House Bill 387 (SL 2019-230)**, a "mini-budget" pledging $150 million over a 10-year period ($15 million per year) for the GREAT grant program to award funding to eligible recipients for eligible projects to expand broadband access in rural communities as defined in the bill.
- During the reconvened 2020 short session, the General Assembly approved, and the Governor signed into law, House Bill 1043 (SL 2020-4), a bill aimed at COVID-19 relief. The new law appropriates an additional $9 million to the GREAT grant program for qualifying and eligible applications received on or before April 1, 2020.

2) Seek additional revenue sources, including a statewide bond and lottery proceeds, to equitably address statewide public school and community college capital challenges.

- The Senate filed and approved Senate Bill 5, providing $2 billion for K-12 school construction and repair over a nine-year period. The bill also provided $2 billion to community colleges and the UNC system over the same period. As originally written, the bill did not receive a hearing in the House. The House later removed the school construction funding content and replaced it with legislation related to school safety.

- The House approved House Bill 241, providing for a $1.9 billion school bond. Under the legislation, the bond provides $1.5 billion for public school facility construction, renovation or repair. The bond also provides $200 million each to the University of North Carolina and Community College systems. The bill did not receive a hearing in the Senate.
- The 2019-2021 budget approved by the General Assembly provided an intent to appropriate $1.5 billion for K-12 schools for new construction, renovations and repairs through the 2028-29 fiscal year with intent to appropriate at least $500 million by the end of the 2021-2022 fiscal year. The budget also provided an intent to appropriate $400 million to community colleges over the same period. The Governor vetoed the budget and it has not been overridden by both the House and Senate.
- The 2019-2021 budget approved by the General Assembly provided $100 million in lottery proceeds each year of the biennium for the Public School Building Capital Fund, which is scheduled to be distributed by DPI as in previous years on the basis of ADM. Additionally, the budget provided $67 million in lottery proceeds in 2019-20 and $81 million in lottery proceeds in 2020-21 for the Needs-Based Public School Capital Fund. DPI announced it would distribute $73 million in Needs-Based Public School Capital funding to six counties in 2019-20.
- An education and transportation bond was filed early in the House during the 2020 legislative short session. House Bill 1225 is a proposed bond referendum for $3.1 billion, with $800 million directed to public school capital projects, $200 million for community college projects, $600 million for UNC System capital needs, and $1.5 billion for public transportation infrastructure.

3) Support efforts to preserve and expand the existing local revenue base of counties and authorize local option revenue sources already given to any other jurisdiction to all counties. Oppose efforts to divert to the state, fees or taxes currently allocated to the counties or to erode existing county revenue streams.

- The House approved House Bill 667, modifying the existing Article 46 local sales tax option, allowing it to be levied, by voter referendum, at either ¼ cent or ½ cent in quarter-cent increments and up to current local sales tax caps. Under these provisions, counties would also be allowed to specify the use of the tax on the ballot— either public education or general purpose. The bill did not see action in the Senate.
- The House also put the same provision in an unrelated Senate bill, Senate Bill 681. The House approved that bill and sent it back to the Senate. The Senate did not concur with the House changes to the bill and both chambers appointed conferees to negotiate a final bill. No final bill emerged and it is unlikely a final bill will as the unrelated Senate provisions in the bill gained full legislative approval through a separate bill later in the legislative session.

4) Support provision of state resources to ensure county ability to provide essential public health, behavioral health and social services, with specific consideration to the challenges of incarcerated persons, the continued county role in behavioral health governance, and programs addressing substance use disorder, throughout Medicaid transformation.

- House Bill 555 Medicaid Transformation Implementation gained full legislative during the legislative session. However, Governor Cooper vetoed the legislation for reasons related to Medicaid expansion. The bill provides some funding for the operation of the Medicaid program and the transition to managed care during the 2019-2021 fiscal biennium, and makes other necessary changes for the transition to managed care. The language and appropriation were previously included and approved as part of the 2019-2021 budget. Although the bill passed the General Assembly, it did so by a final vote of 25-20 in the Senate and by a vote of 57-52 in the House, which are not veto-proof majority votes. The House voted to override the Governor's veto of this bill, but the bill did not receive a veto override vote in the Senate and is not law at the time of this report.
- The N.C. Department of Health and Human Services delayed the transition to Medicaid managed care pending the passage of funding and other legislation to operationalize the change.

5) Seek legislation to repeal the statutory authority under N.C. Gen. Stat. 115C-431(c) that allows a local school board to file suit against a county board of commissioners over appropriations to the local board of education's capital outlay fund.

- The House filed House Bill 850, removing the ability for school boards to sue boards of county commissioners over appropriations made to the school capital outlay fund. Under the legislation, the final decision of the board of county commissioners would be final when a dispute occurs and mediation fails to result in an agreement. The bill did not receive any hearings in the House or Senate.
- The Senate put the contents of H850, as reflected above, into the Senate budget, which gained full Senate approval. However, the language did not make it into the final budget approved by the General Assembly.

Tax and Finance Goals

TF-1: Support efforts to preserve and expand the existing local revenue base of counties and authorize local option revenue sources already given to any other jurisdiction to all counties. Oppose efforts to divert to the state, fees or taxes currently allocated to the counties or to erode existing county revenue streams.

- See priority goal #3 above

TF-2: Support legislation to remove inequities and inconsistencies in the current state economic tier system.

- S597 was introduced and establishes a new economic distress tier system to be used in addition to the current system. The bill did not receive a hearing and is not eligible during the short session.

TF-3: Support reinstatement of affordable housing tax credits.

- No legislation was introduced to reinstate affordable housing tax credits.

TF-4: Seek legislation to maximize remote sales tax collection for counties, including sales tax collection from third-party online sellers.

- Senate Bill 557 (SL 2019-246) requires marketplace facilitators meeting certain sales or transaction thresholds to collect and remit sales tax on behalf of third-party online sellers beginning Feb. 1, 2020.

TF-5: Seek legislation to increase funding for the state's current film grant program and review existing legislation to allow tax incentives and other measures that would encourage expansion of the statewide film industry.

- S578 would reduce the threshold for film and television grants and expand the maximum grant amounts for film. The legislation also contained a reduction in franchise tax rates. It was ratified by the General Assembly but vetoed by Governor Cooper for reasons related to the franchise tax rate change.

General Government Goals

GG-1: Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.

- See Priority goal #1 above

GG-2: Support increased state funding for transportation construction and maintenance needs, and support legislation to ensure that the Strategic Transportation Investments (STI) funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded.

- No legislation was introduced to change the existing STI formula. Senate Bill 356 (SL 2019-251) allows for the issuance of an additional $100 million in Build NC bonds for the NC Dept. of Transportation, as well as a transfer loan of $100 million from the Highway Trust Fund and establishes a $125 million Transportation Emergency Reserve, with initial funding from the State of $64 million.

GG-3: Seek legislation to authorize counties to require developers to post maintenance bonds on new construction for subdivision roads

- House Bill 620 (SL 2019-156) as originally introduced would have required developers to post performance bonds for subdivision roads. However, this provision was ultimately removed from the bill.

GG-4: Support maintaining county authority and revenue streams associated with the current ABC system, including the flexibility to determine locations of sales and number of outlets.

- House Bill 971 would replace the state-controlled ABC model with a licensure model allowing private wholesalers and private retailers to sell spirituous liquors. Under the legislation, counties retain the authority, through election, to allow the sale of off-premises spirituous liquors within county borders. Any county that has already authorized the establishment and operation of an ABC store is deemed to have authorized off-premises sale of spirituous liquor. The sale of such liquors would no longer be through ABC stores under the control of local ABC boards under the legislation.

  Received a hearing, but no vote, in the House ABC committee.

Health and Human Services Goals

HHS-1: Seek funding to increase access to high quality childcare and early childhood education.

- H966, the budget legislation ultimately vetoed by Governor Cooper, the legislature appropriated did not significantly increase funds from FY18-19 for early childhood education though there were earmarks for programs in Transylvania and Alleghany counties

HHS-2: Support legislation and state resources for social service reform efforts as identified by the Social Services Working Group to improve outcomes for individuals, families, and children and to continue the NCACC's opposition to mandated regionalization.

- No legislation was introduced to mandate DSS regionalization. Legislation extending the Social Services Regional Supervision and Collaboration Working Group did not become law.

- Senate Bill 537 (SL 2019-240) extends the deadline for submission of local area crisis services plans by LME/MCOs, which shall include county involuntary commitment transportation agreements, to no later than August 1, 2020, and postpones deployment of the NC FAST system for case management functionality for the child welfare system and aging and adult services programs.

HHS-3: Support provision of state resources to ensure county ability to provide essential public health, behavioral health and social services, with specific consideration to the challenges of incarcerated persons, the continued county role in behavioral health governance, and programs addressing substance use disorder, throughout Medicaid transformation.

- See priority goal #4 above

HHS-4: Support continued state funding of Medicaid and support legislation and state funding to close the Medicaid coverage gap.

- The transition to Medicaid managed care remains pauseddue to the budget impasse and other operational reasons. Multiple bills aimed at expanding Medicaid benefits did not pass.

HHS-5: Seek to revise the provision in G.S. 108A-74 requiring counties to enter into annual written agreements for all social services programs other than medical assistance.

- Senate Bill 537 (SL 2019-240) makes some modifications to the written agreement requirement, including delaying certain changes from March 1, 2020 to July 1, 2020. The law also reinstates the Secretary's emergency takeover authority for county social service provision.

Public Education Goals

PE-1: Seek additional revenue sources, including a statewide bond and lottery proceeds, to equitably address statewide public school and community college capital challenges.

- See priority goal #2 above

PE-2: Support legislation to provide exceptions to the K-3 class size mandate including but not limited to lack of school facility space and availability of qualified teachers.

- House Bill 251 creates waivers to the mandated class sizes in grades kindergarten through third grade if there is inadequate classroom space or a shortage of qualified, licensed teachers available to teach in the grade level for the number of classrooms required at the individual school. The bill did not receive a hearing in the House or Senate.
- Senate Bill 397 allows the State Board of Education to provide local school districts with K-3 class size waivers under the following circumstances:

1. A shortage of qualified, licensed teachers available to teach in a grade level for the number of classrooms required at each school; or

2. Inadequate classroom space or facilities that would require facility expansion, construction, or relocation.

However, under the legislation, a school district receiving a class size waiver is not eligible for funds from the program enhancement teacher allotment for teacher positions for kindergarten through fifth grade for the fiscal year in which the school district receives the waiver. The school district will retain the flexibility to use classroom teacher funds to hire enhancement teachers for those years the school district receives the waiver.

The bill did not receive a hearing in the House or Senate.

PE-3: Support legislation providing flexibility to align K-12 and community college calendars.

- House Bill 79: allows local boards of education to align school calendars with the start of the local community college. The bill passed the House earlier in session and now sits in the Senate Rules committee.
- House Bill 232: grants total school calendar flexibility for local school districts. The bill did not receive a hearing in the House or Senate.
- Senate Bill 613: Directs that the opening day for public school students be August 16, and the closing date for students be June 1. The bill did not receive a hearing in the House or Senate.
- Senate Bill 704 (SL 2020-3): Providing regulatory and other COVID-19 policy relief, this law allows local school districts to, for the 2020-2021 school year only, have a start date no earlier than August 17, 2020 (one week earlier than previous law allowed).

PE-4: Seek legislation to repeal the statutory authority under N.C. Gen. Stat. 115C-431(c) that allows a local school board to file suit against a county board of commissioners over appropriations to the local board of education's capital outlay fund.

- See priority goal #5 above

Justice and Public Safety Goals

JPS-1: Seek legislation to reinstate funding for Drug Treatment and Mental Health Courts.

- Senate Bill 251 proposed changing the name of the existing Drug Treatment Court Program to the Judicially Managed Accountability and Recovery Court Program and appropriated funds for the establishment of four pilot courts in Haywood, Robeson and Wayne counties. The bill did not move during the long session.

JPS-2: Support legislation and state funding to provide early intervention services for juveniles and fully fund the Juvenile Justice Reinvestment Act.

- House Bill 1001 (SL 2019-229) appropriated approximately $64 million dollars to implement provisions of the Juvenile Justice Reinvestment Act.

JPS-3: Support efforts to provide greater flexibility to local governments in expenditure of 911 surcharge funds and ensure adequate funding for next-gen technology.

- No legislation was introduced to expand the use of 911 funds.

Agriculture Goals

AG-1: Support state funding and staffing for agricultural research, Cooperative Extension services and other agriculture-related efforts, including Community Conservation Assistance Program, to support the largest economic driver in North Carolina.

- Legislation providing funding for these purposes did not become law during the long session.

AG-2: Support legislation to protect farming operations from nuisance lawsuits including those as defined by the state and small farms in rural counties.

- No legislation was introduced to expand protections from nuisance lawsuits for farmers.

Environment Goals

ENV-1: Seek legislation to restore county authority over solid waste management and oppose any further shift of authority away from local governments.

- No legislation was introduced to restore county authority over solid waste management. Senate Bill 553 proposed changes to landfill life-of-site franchise contract requirements, but the legislation was vetoed by Governor Cooper for reasons unrelated to this provision.

ENV-2: Support legislation to help improve water quality in the state, including increased funding and resources for state agencies to develop health advisory levels for emerging contaminants, and increased funding for water and wastewater expansion as well as capital projects.

- Several bills were introduced to expand research around the chemical substance PFAS, but did not make it out of their respective chambers. Senators made several attempts to create a grant program for struggling water systems—the Viability Utility Reserve Fund—in a number of bills, but none of the bills containing the provision became law.

ENV-3: Support additional funding to assist local governments in managing electronics recycling.

- House Bill 759 proposed some changes to existing electronics recycling law by requiring manufacturers to establish contracts with licensed electronics recyclers. The bill did not pass the House. The original version of Senate Bill 553 removed the ban on electronics disposal in landfills but the provision was removed in later versions of the bill. No appropriations were made to assist local governments with electronic recycling during the legislative long session.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Clerk - Adult Care & Nursing Home CAC

Presented By: Kay Draughn

Summary of Information: Seat No. 8 on the Adult Care / Nursing Home Community Advisory Committee is vacant. An application was received from Ms. Ann Holland and the Regional Ombudsman, Christina Franklin, has vetted the applicant and recommends her appointment.

After auditing the roster with the Regional Ombudsman, the removal of Helen Wilson (Seat No. 10) is requested due to a resignation. (The Board briefly discussed this removal in 2019 but did not take any action.)

Budgetary Effect: N.A.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To remove Helen Wilson from the Adult Care / Nursing Home Community Advisory Committee's official roster and thank her for her service to the community.

To appoint Ann Holland to the Adult Care / Nursing Home Community Advisory Committee, Seat No. 8 for the remainder of a 1-year term ending May 31, 2021.

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: Ann Holland Date: 8/12/20

Address: 2089 Hunterwood Dr

City: Hickory State: NC Zip: 28601

Telephone: Home: _____ Business: _____

Cell: 980-439-2137 Email: littlequeenbee786@yahoo.com

Occupation: retired/disabled

Retired from: Gateway Surgery

How did you hear about this opportunity? Website

Are you currently serving on a county board or committee? ___ Yes X No

If so, please identify the board or committee: _____

Community interest and activities:

Library, Planning/Zoning; Reading, Golf, playing with my dog, spending time w/ hubby + church

Do you reside in the extraterritorial area of a municipality? _____ Yes X No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. Adult Care + Nursing Home Community Advisory Com
2. Burke County Board of Social Svc.
3. Burke County of Adjustment

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

4 yrs on Adult Care Community Advisory Committee; 4 yr Planning + Zoning Board of Adjustment Appointment; 1 yr on Board of Social Svc in Cabarrus g

Revised: 1-26-18

Attachment: Ann Holland App (3151 : Clerk - Adult Care & Nursing Home CAC)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

I enjoy learning about the town that I live in and love to help develop the area.

Are you willing to attend board or committee meetings on a regular basis? ✓ Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee:

None

Remarks: Can give you references if asked for.
(OPTIONAL)

Signature: Ann Holland
(ORIGINAL SIGNATURE REQUIRED)
(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

Return to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Ann Holland App (3151 : Clerk - Adult Care & Nursing Home CAC)

Adult Care & Nursing Home Community Advisory Committee
13-Members
1-Year & 3-Year Terms
General Statute: GS 131 D

Seat No.	Position	Name-Address		Term
1	At-Large	Deborah Cooper	A	5/29/2018
		P.O. Box 385	R	11/19/2019
		Morganton NC 28655	TE	5/31/2022
2	At-Large	Roger Hart	A	12/20/2016
		P.O. Box 841	R	12/19/2017
		Morganton NC 28680	TE	12/15/2020
3	At-Large	Ron Cooper	A	5/29/2018
		P.O. Box 385	R	11/19/2019
		Morganton NC 28655	TE	5/31/2022
4	At-Large	Victoria Whitworth	A-UT	8/21/18
		1324 Kinglet Drive	R	11/19/2019
		Morganton NC 28655	TE	5/31/2022
5	At-Large	Kathy Foster	A-UT	11/19/2019
		2265 Zion Road	TE	5/31/2020
		Morganton NC 28655		
6	At-Large	Jon Cooke	A-UT	12/17/2019
			TE	5/31/2020
7	At-Large	Deloris Huffman	A-UT	12/17/2019
			TE	5/31/2020
8	At-Large	Vacant	A	
			TE	5/31/2020
9	At-Large	Vacant		

Attachment: Adult Care Roster (3151 : Clerk - Adult Care & Nursing Home CAC)

10	At-Large	Helen C. Wilson	A	3/1/2011
		4866 Burkemont Road	R	5/19/2015
		Morganton, NC 28655	R	5/29/2018
		828-433-4761 (H)	TE	5/31/2021
		828-448-4985 (C)		
		wronny@bellsouth.net		
11	At-Large	Vacant		
			TE	
12	At-Large	Alan Austin	A	9/17/2013
		121 Clearwater Drive	R	9/16/2014
		Morganton NC 28655	R	12/19/2017
			TE	12/15/2020
13	At-Large	Susan Merrill	A	5/19/2015
		123 Beechmont Drive	R	1/24/2017
		Morganton NC 28655	R	11/19/2019
			TE	5/31/2022

A=Appointment
R=Reappointment
A-UT=Appointed to Complete Unexpired Term
TE=Term Expires

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Clerk - Board of Adjustment Appointments

Presented By: Kay Draughn

Summary of Information: Seat No.'s 1, 3, 5 and 6 on the Board of Adjustment require action.

Seat No. 1 (East) is occupied by Jennie Cook and she is willing to serve another term. There are two (2) applications on file, but the reappointment of Ms. Cook is recommended based on her experience and many years of service on the BOA.

Seat No. 3 (West) is occupied by Robert Love and he is willing to serve another term.

Seat No. 5 (East / West Alternating seat) is occupied by Ed Hallyburton (East) and he is willing to serve another term. However, this seat converts to the "west" on October 1st and as an eastern resident, he is ineligible to serve in this capacity. However, an application from Joyce Counihan, a Morganton (West) resident, was received and her appointment is requested to fill this seat.

Seat No. 6 was occupied by Gary Kling but he resigned in May. Seat No. 6 is the "East Alternate" seat. There are two (2) applications on file, but the appointment of Ed Hallyburton is recommended based on his experience and many years of service on the BOA.

Budgetary Effect: N.A.

County Manager's Recommendation: Approval is recommended.

Suggested Motions:

To remove Gary Kling's name from the official roster for the Burke Co. Board of Adjustment and thank him for his service to the community.

To reappoint Jennie Cook to the Burke Co. Board of Adjustment, Seat No. 1, East, for a 3-year term ending September 30, 2023.

To reappoint Robert Love to the Burke Co. Board of Adjustment, Seat No. 3, West, for a 3-year term ending September 30, 2023.

To appoint Joyce Counihan to the Burke Co. Board of Adjustment, Seat No. 5, East/West Alternating, for a 3-year term ending September 30, 2023.

To appoint Ed Hallyburton to the Burke Co. Board of Adjustment, Seat No. 6, East Alternate, for a 3-year term ending September 30, 2023.

Burke County Board of Adjustment
7-Members
3-Year Terms, 4 Term Limit
Section 1702 of the Burke Co. Zoning Ordinance

Seat No.	Position	Name-Address		Term
1	East	Jennie Cook	A	9/19/2017
		P.O. Box 382		
		Hildebran NC 28537	TE	9/30/2020
2	East	Rick McClurd	A	11/20/2018
		408 Garrou Ave SE		
		Valdese NC 28690	TE	9/30/2021
3	West	Robert Love	A-UT	1/19/2016
		1458 N. Powerhouse Road	R	9/19/2017
		Morganton NC 28655	TE	9/30/2020
4	West	Tony Yount	A	9/17/2019
		1555 Sam Mull Drive		
		Morganton NC 28655	TE	9/30/2022
5	East / West	Ed Hallyburton	A	11/21/2017
	Alternating	6498 Old Laurel Road		
	Position	Connelly Springs NC 28612	TE	9/30/2020
6	East - Alt.	Gary Kling	A	11/20/2018
		5504 Mineral Springs Mtn Ave		
		Valdese NC 28690	TE	9/30/2020
7	West - Alt.	Mario Sacchetti	A-UT	10/18/2016
		2820 NC 18 South	R	11/20/2018
		Morganton NC 28655	TE	9/30/2021

Attachment: BOA Roster (3152 : Clerk - Board of Adjustment Appointments)

A=Appointment
R=Reappointment
A-UT=Appointed to Complete Unexpired Term
TE=Term Expires

East:
Icard Township
Lovelady Township
Drexel Township
Upper Fork Township
Lower Fork Township
Smokey Creek Township

West:
Jonas Ridge Township
Upper Creek Township
Lower Creek Township
Linville Township
Silver Creek Township
Quaker Meadows Township
Morganton Township

Attachment: BOA Roster (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: Ann Holland Date: 8/12/20

Address: 2089 Hunterwood Dr

City: Hickory State: NC Zip: 28601

Telephone: Home: _____ Business: _____

Cell: 980-439-2137 Email: littlequeenbee786@yahoo.com

Occupation: retired/disabled

Retired from: Gateway Surgery

How did you hear about this opportunity? Website

Are you currently serving on a county board or committee? ___ Yes X No

If so, please identify the board or committee: _____

Community interest and activities:

Library, Planning/Zoning; Reading, Golf, playing with my dog, spending time w/ hubby + church

Do you reside in the extraterritorial area of a municipality? _____ Yes X No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. Adult Care + Nursing Home Community Advisory Com
2. Burke County Board of Social Svc.
3. Burke County of Adjustment

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

4 yrs on Adult Care Community Advisory Committee; 4 yr Planning + Zoning Board of Adjustment Appointment; 1 yr on Board of Social Svc in Cabarrus g

Revised: 1-26-18

Attachment: Ann Holland App (3152 : Clerk - Board of Adjustment Appointments)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

I enjoy learning about the town that I live in and love to help develop the area.

Are you willing to attend board or committee meetings on a regular basis? ✓ Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee:

None

Remarks: Can give you references if asked for.
(OPTIONAL)

Signature: Ann Holland
(ORIGINAL SIGNATURE REQUIRED)
(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

Return to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Ann Holland App (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: Joyce M Counihan Date: Oct 31, 2019

Address: 108 S Anderson St

City: Morganton State: NC Zip: 28655

Telephone: Home: 828 448 1347 Business:

Cell: 828 448 1347 Email: joyce.counihan@gmail.com

Occupation: educator

Retired from: NCSU & educational consulting at CPS Baobab Inc

How did you hear about this opportunity? past planning board member

Are you currently serving on a county board or committee? ___ Yes X No

If so, please identify the board or committee: NA

Community interest and activities:

born & raised here and raised my 3 children here.

Past member of Planning Board, Rotary Club of Morganton, Rotary Club of Burke Sunrise , Salvation Army board,

Do you reside in the extraterritorial area of a municipality? _____ Yes X No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. planning
2. Board of Adjustment
3.

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

Past experience with Planning Board. Particular interest in the growth and development of the county.

Revised: 1-26-18

Attachment: Joyce Counihan Application (3152 : Clerk - Board of Adjustment Appointments)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

To serve as a mindful citizen aware of the potential of this county and its citizenry.

Are you willing to attend board or committee meetings on a regular basis? X Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee:

no conflict of interest

Remarks: _____
(OPTIONAL)

Signature: Joyce M Counihan
(ORIGINAL SIGNATURE REQUIRED)
(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

Return to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Joyce Counihan Application (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPLICATION
APPOINTMENT TO BOARDS AND COMMITTEES

Name: Virginia "Jennie" Cook Date: June 2, 2020

Address: P.O. Box 382

City: Hildebran State: NC Zip: 28637

Telephone: Home: _____ Business: _____

Cell: 828 781 0885 Email: jmc@billsewing.com

Occupation: _____

Retired from: _____

How did you hear about this opportunity? Kay Draughn

Are you currently serving on a Burke County board or committee? X Yes ___ No

If so, please identify the board or committee: Board of Adjustment

Community interest and activities:
Helping children in school, make quilts for hospitals, police cars and homeless shelters. Working with senior citizens

Do you reside in the extraterritorial area of a municipality? _____ Yes _____ No

List in order of preference the board and/or committee(s) on which you would like to serve.

1 WPRTA- TAB
2. Planning Board
3. Board of Adjustment

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

Experience in planning and local government

Attachment: Jennie Cook App (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPLICATION
APPOINTMENT TO BOARDS AND COMMITTEES

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

I wish to serve my county and help with future growth.

Are you willing to attend board or committee meetings on a regular basis? X Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee: _____

Are you willing to abide by the Burke County Code of Ethics? X Yes ___ No

Remarks: _____ (OPTIONAL)

Signature: Virginia M Cook
(ORIGINAL SIGNATURE REQUIRED)

Return form to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Jennie Cook App (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPLICATION
APPOINTMENT TO BOARDS AND COMMITTEES

Name: Ed Hallyburton Date: 08/07/2020

Address: 6498 Old Laurel Road

City: Connelly Springs State: NC Zip: 28612

Telephone: Home: 828-430-0440 Business: 828-397-5541

Cell: 828-430-0440 Email: edhallyburton@gmail.com

Occupation: Educator

Retired from: N/A

How did you hear about this opportunity? Current Board Member

Are you currently serving on a board or committee? _X_ Yes ___ No

If so, please identify the board or committee: _Board of Adjustment

Community interest and activities:
Le Phare des Alpes,Civil Air Patrol, Teacher Collaborative Committee Federal Reserve Bank of Richmond,

Member Solarium Cyber Security Education Solutions Working Groups.

Do you reside in the extraterritorial area of a municipality? _____ Yes ___X___ No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. Burke County Board of Adjustment
2. Burke County Planning Board
3. _____

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

N/A

Revised Oct. 24, 2013

Attachment: Ed Hallyburton App (3152 : Clerk - Board of Adjustment Appointments)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

I an interested in serving on this board because I believe every citizen has a duty to contribute to their community in whatever capacity they can.

Are you willing to attend board or committee meetings on a regular basis? X Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee: None.

Are you willing to abide by the Burke County Code of Ethics? X Yes ___ No

Remarks: I look forward to be of service to the citizens of Burke County.
(OPTIONAL)

Signature: Ed Hallyburton
(ORIGINAL SIGNATURE REQUIRED)

Return form to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

BURKE COUNTY
APPLICATION
APPOINTMENT TO BOARDS AND COMMITTEES

Name: ROBERT E LOVE Date: August 28, 2019

Address: 1458 NORTH POWERHOUSE Rd.

City: Morganton State: N.C Zip: 28655

Telephone: Home: 828 584-1250 Business: 828-584-1250

Cell: _____ Email: _____

Occupation: _____

Retired from: _____

How did you hear about this opportunity? _____

Are you currently serving on a Burke County board or committee? ✓ Yes ___ No

If so, please identify the board or committee: _____

Community interest and activities:

_____

_____

Do you reside in the extraterritorial area of a municipality? ✓ Yes ___ No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. BOARD OF ADJUSTMENT
2. JURY COMMITTEE
3. Planning Board

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

_____

Attachment: Robert Love App (3152 : Clerk - Board of Adjustment Appointments)

BURKE COUNTY
APPLICATION
APPOINTMENT TO BOARDS AND COMMITTEES

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

Note: Serving on Both Boards Now.

Are you willing to attend board or committee meetings on a regular basis? ✓ Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee: _____

Are you willing to abide by the Burke County Code of Ethics? ✓ Yes ___ No

Remarks: _____
(OPTIONAL)

Signature: Robert E. Love
(ORIGINAL SIGNATURE REQUIRED)

Return form to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Robert Love App (3152 : Clerk - Board of Adjustment Appointments)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Clerk - Planning Board Appointments

Presented By: Kay Draughn

Summary of Information: Seat No. 3 (East) on the Burke County Planning Board was occupied Gary Kling who resigned in May.

Seat No. 7 is the alternating seat that switches from East to West every 3-year term. Currently, this seat represents the East and is occupied by Shanon Stanbury, an Eastern resident. However, on October 1st this seat switches to the West and Ms. Stanbury is not eligible to be reappointed to Seat No. 7.

Staff recommends that Ms. Stanbury, who wants to serve another term, be appointed to Seat No. 3, representing the East for a 3-year term ending September 30, 2023. An application from Joyce Counihan, a Western resident, is on file and staff recommends her appointment to fill Seat No. 7, alternating, representing the West.

Budgetary Effect: N.A.

County Manager's Recommendation: Approval is recommended.

Suggested Motions:

To remove Gary Kling's name from the official roster for the Burke County Planning Board and thank him for his service to the community.

To appoint Shanon Stanbury (East) to Seat No. 3 (East) on the Burke County Planning Board for a 3-year term ending September 30, 2023.

To appoint Joyce Counihan (West) to Seat No 7 (East / West alternating seat) on the Burke County Planning Board for a 3-year term ending September 30, 2023.

Burke County Planning Board
7-Members
3-Year Terms, 2 Term Limit
Section 1704 of the Burke Co. Zoning Ordinance

Seat No.	Position	Name-Address		Term
1	East	William Tunstill	A	9/18/2018
		4177 Oakmont Lane	R	
		Hickory, NC 28602	R	
			TE	9/30/2021
2	East	Michael Cultera	A	9/17/2019
			R	
			TE	9/30/2022
3	East	Gary Kling	A	6/19/2018
		5504 Mineral Springs Mtn Ave		
		Valdese NC 28690	TE	9/30/2020
4	West	Sara Chester	A-UT	2/18/2020
			R	
			TE	9/30/2021
5	West	Dorian Palmer	A	10/15/2019
			R	
			TE	9/30/2022
6	West	Richard Evey	A	8/21/2018
		4150 Trim Tree Drive	R	9/18/2018
		Morganton, NC 28680	TE	9/30/2021
7	East Alternating Position	Shanon Stanbury	A-UT	5/19/2020
		Hickory NC	TE	9/30/2020

Attachment: Planning Board Roster (3153 : Clerk - Planning Board Appointments)

Thru 9-30-2020 East

A=Appointment
R=Reappointment
A-UT=Appointed to Complete Unexpired Term
TE=Term Expires

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: Shanon Stanbury Date: August 8, 2020

Address: 1839 Tucker St.

City: Hickory State: NC Zip: 28601

Telephone: Home: 828-962-3332 Business: 828-405-1230

Cell: 828-962-3332 Email: Shanon.sle@gmail.com

Occupation: Business Owner | Business Consultant

Retired from: N/A

How did you hear about this opportunity? Johnnie Caswell

Are you currently serving on a county board or committee? ___ Yes X No

If so, please identify the board or committee: N/A

Community interest and activities:

Church- Community Chapel Church-music director/financial committee Chairperson; Sports w/ kids; Civic groups/political groups

Do you reside in the extraterritorial area of a municipality? ___ Yes X No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. Planning Board
2. Board of Adjustment
3. ___

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

Experience in financial auditing of govt entities. Business + accounting background. Desire to serve my community

Revised: 1-26-18

Attachment: Shanon Stanbury App (3153 : Clerk - Planning Board Appointments)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

I deeply want to serve my community while utilizing my education/work experience. I want to see Burke co. grow economically, despite current economic climate.

Are you willing to attend board or committee meetings on a regular basis? X Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee: None that I am aware of.

Remarks: Thank you for your Consideration! (OPTIONAL)

Signature: Shanon C Stanbury 5-7-2020

(ORIGINAL SIGNATURE REQUIRED)

(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

Return to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Shanon Stanbury App (3153 : Clerk - Planning Board Appointments)

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: Joyce M Counihan Date: Oct 31, 2019

Address: 108 S Anderson St

City: Morganton State: NC Zip: 28655

Telephone: Home: 828 448 1347 Business:

Cell: 828 448 1347 Email: joyce.counihan@gmail.com

Occupation: educator

Retired from: NCSU & educational consulting at CPS Baobab Inc

How did you hear about this opportunity? past planning board member

Are you currently serving on a county board or committee? ___ Yes X No

If so, please identify the board or committee: NA

Community interest and activities:

born & raised here and raised my 3 children here.

Past member of Planning Board, Rotary Club of Morganton, Rotary Club of Burke Sunrise , Salvation Army board,

Do you reside in the extraterritorial area of a municipality? _____ Yes X No

List in order of preference the board and/or committee(s) on which you would like to serve.

1. planning
2. Board of Adjustment
3.

Most board or committee seats have no special requirement other than being a citizen of Burke County. Do you have special criteria that you would like to be considered for this appointment?

Past experience with Planning Board. Particular interest in the growth and development of the county.

Revised: 1-26-18

Attachment: Joyce Counihan Application (3153 : Clerk - Planning Board Appointments)

Describe why you are interested in serving on a board or committee. What goals and objectives do you have?

To serve as a mindful citizen aware of the potential of this county and its citizenry.

Are you willing to attend board or committee meetings on a regular basis? X Yes ___ No

Please disclose any business or personal relationships that may be considered a conflict of interest, if selected to serve on a board or committee:

no conflict of interest

Remarks: _____
(OPTIONAL)

Signature: Joyce M Counihan
(ORIGINAL SIGNATURE REQUIRED)
(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

Return to:

Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
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Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Joyce Counihan Application (3153 : Clerk - Planning Board Appointments)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Tax Collection Report for August 2020 (Place Holder)

Presented By: Danny Isenhour

Summary of Information: The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2020 and August 31, 2020. This reflects the status of collections by the Burke County Tax Collection's Staff. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	$44,250,000.00	$	%	$
Motor Vehicle Tax	$4,600,000.00	$	%	$
Current Year Taxes	$48,850,000.00	$	%	$
Delinquent Taxes	$700,000.00	$	%	$
Late List Penalty	$300,000.00	$	%	$

The Tax Levy is the total property tax value not including motor vehicles times the tax rate. This amount changes monthly with the addition of discoveries, other changes, or corrections, and when Public Utility Values are added, typically during September.

Category	Tax Levy	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	$43,777,993.00	$	%	$

Budgetary Effect: None.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To accept the Tax Collection Report for August 2020 as presented.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Release Refund Report for August 2020 (Place Holder)

Presented By: Danny Isenhour

Summary of Information: Releases in value and/or refunds of taxes typically occur when:

- Taxpayers submit information that creates a reduction in value.
- 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. The Net Release is a result of the Report Amount minus the Rebilled Amount.

Tax System Refunds and Releases				
	Report Amount	**Rebilled Amount**	**Net Release**	**Refund Amount**
Releases (TR-304)	$	$	$	$

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$

*Note: The net loss amount is a result of the report amount minus the rebilled amount.

Budgetary Effect: None.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To approve the Tax Releases and Refunds for August 2020 as presented.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Appeal of Failure to List Penalty

Presented By: Danny Isenhour

Summary of Information: Burke County has a contract with Evans and Associates to perform Business Personal Property Audits on companies operating in Burke County. The purpose of these audits is to ensure these companies are properly reporting their business assets for taxation. After the Audit is completed if the company is properly reporting, a letter of compliance is sent. If the audit reveals that all assets were not reported, a letter of discovery is sent. This discovery letter lists the amount of variance by year and lists the associated penalty percentage in accordance with NCGS 105-312. This penalty period covers the current year and up to five (5) prior years beginning at 10% and increasing 10% for each additional year.

Part 1

In 2019 Evans and Associates as an agent for Burke County contacted Gerresheimer Glass Inc. and arranged a plant tour which was conducted on January 16, 2020. From this tour and review of the balance sheets, Evans determined there was a variance between the balance sheet and what was reported. This proposed discovery information was sent to the County Listing Staff for review on January 31, 2020. During this time Evans continued to try to get additional details about these variances but were unsuccessful.

A “Notice of Discovery” letter was sent March 20, 2020. This letter gives the taxpayer 30 days to appeal the findings of the discovery per NCGS 105-312(d)(4). Gerresheimer Glass Inc. did not respond to the Notice of Discovery. With no response, the Tax Office mailed Gerresheimer Glass Inc. a discovery bill for 2018 with a 20% penalty and a discovery bill for 2019 with a 10% penalty in May. Since the Audit began in 2019 with the first letter, the penalty amounts were based on 2019 not 2020, which saved Gerresheimer 10% for each year.

- 2018 penalties $ 796.14
- 2019 penalties $ 728.56
- Total discovery penalties $ 1,524.70

Part 2

Business are required to submit their Business Listing between January 1 and January 31 annually (NCGS 105-307(a). A request for an extension during the regular listing period can be made. An extension may be granted up to April 15th (NCGS 105-307(c). During the listing period, Gerresheimer Glass Inc. applied for and was granted an extension. Gerresheimer Glass Inc. failed to submit their 2020 Business Personal Property listing during this extended listing period. In late June, staff had still not received a listing from the company, therefore staff had to roll the 2019 values forward and apply a 10% penalty before creating a bill.

- 2020 listing penalties $9,125.59

Gerresheimer Glass Inc. is appealing the penalties assessed on the 2018 and 2019 audit and the 2020 failure to list. These three (3) bills were paid in July to take advantage of the discount Burke County offers. They are also requesting a refund of these penalty amounts as referenced in their letter dated August 14, 2020. They did file for and receive an extension.

The penalties for the 2018 and 2019 discoveries have nothing to do with the current COVID-19 Pandemic. Therefore, the Tax Administrator recommends the Board deny the request to release and refund the penalties resulting from the 2018 and 2019 audit. Further, the Tax Administrator does not recommend releasing the 2020 penalty because the regular listing is still outstanding.

This decision is brought to the Board of Commissioners since the Board of Equalization and Review have adjourned for 2020. Should the Board decide to release all or any part of the penalty, authorization comes under NCGS 105-312(k).

§ 105-312. Discovered property; appraisal; penalty.

(k) Power to Compromise. - After a tax receipt computed and prepared as required by subsections (g) and (h) of this section has been delivered and charged to the tax collector as prescribed in subsection (j), above, the board of county commissioners, upon the petition of the taxpayer, may compromise, settle, or adjust the county's claim for taxes arising therefrom. The board of commissioners may, by resolution, delegate the authority granted by this subsection to the board of equalization and review, including any board created by resolution pursuant to G.S. 105-322(a) and any special board established by local act.

Budgetary Effect: A loss of $10,650.29 in penalties and interest would be incurred if all three (3) years are released.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To deny the request by Gerresheimer Glass Inc. for release

and refund of the penalties associated with the 2018, 2019 and 2020 failure to list in the amount of $10,650.29.

Burke County

Office of Tax Administration

Daniel Isenhour
Tax Administrator

Linda Wilbur
Property Listing Supervisor

March 20, 2020

Mr. Donald Norcross
Gerresheimer Glass Inc
537 Crystal Ave.
Vineland, NJ 08360

Notice of Discovery

RE: Business Personal Property Audit of Gerresheimer Glass Inc.
Account No. 103981

Dear Mr. Norcross,

Thank you for your cooperation with the Evans & Associates staff. The review of your Business Personal Property records has been completed. Based upon information obtained during the review and information provided to us, we note the following:

A discovery was made for the years indicated below based on an examination of your depreciation schedule and other documents provided to Evans & Associates staff. Detailed work papers completed during this process are included for your review. The major variance relates to unreported rebuilds in progress. This examination resulted in discovered assessment in value as shown below:

Please accept this as our official notice of audit findings, proposed property discovery, and abstract correction as provided by North Carolina General Statute 105-312.

Proposed Discovery:

Tax Year	Variance Value	Penalty
2019	$1,069,690	10%
2018	$584,456	20%

PO Box 219, Morganton, NC 28680-0219
Phone: 828.764.9430 ● Fax: 828.764.9433
listing@burkenc.org

Attachment: Letter of Discovery Gerresheimer (3144 : Appeal of Failure to List Penalty)

These values and penalties will become final in thirty (30) days unless we receive written exception to them.

If you have any questions regarding the findings of this audit, please contact the auditor, Evans & Associates at (704) 847-4709.

Sincerely,

Daniel Isenhour
Tax Administrator

Enclosures

***If you agree with and accept the above discovery, please sign and return to the Tax Department, Business Property Section, and your bill will be processed.**

RE: Gerresheimer Glass Inc. – Account No. 103981

SIGNATURE: _____ _____
Principal Officer or officially empowered full-time employee Date

GERRESHEIMER
Gerresheimer Glass, Inc.
537 Crystal Avenue
Vineland, NJ 08360
USA
Telephone 1.856.896.6280
Internet www.gerresheimer.com

August 14, 2020

Burke County
Business Personal Property Listing
Penalty and Interest Abatement Request – 2018, 2019, 2020
Taxpayer: Gerresheimer Glass Inc.

Dear Linda:

Gerresheimer Glass Inc. respectfully requests an abatement of all penalties and interest previously paid relating to the attached Property Tax invoices for the 2018, 2019 and 2020 tax years. Taxpayer submits this request based on the following:

- An extension request was filed on January 31, 2020. At the time of filing, the results of the audit performed by Evans & Associates was not communicated to the taxpayer. That is still the case as of today, August 14, 2020.
- An extension was granted by the state until March 15, 2020. However, due to the COVID-19 pandemic the taxpayer had to adhere to numerous safety requirements in the March 15th timeframe implemented by the state of New Jersey, the location of the corporate headquarters of Gerresheimer Glass Inc. Thus, not allowing the taxpayer to operate in a normal corporate environment for several months, which is still the case.
- The taxpayer normally prepares and submits the Business Personal Property Tax Listing and pays their annual Property Tax invoices in a timely manner.
- The late list penalties assessed for 2018, 2019 and 2020 was not a result of willful neglect or gross negligence on behalf of the taxpayer, Gerresheimer Glass Inc.

Taxpayer strongly requests that the state and county consider the above facts mentioned. Please contact the undersigned should you have any questions or concerns with this request.

Sincerely,
Donald Norcross *Donald Norcross*
Tax Director

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Late Applications for Age Exclusion

Presented By: Danny Isenhour

Summary of Information: The Tax Department has received four (4) late applications for the Age Exclusion. Persons qualifying for the Age Exclusion receive a reduction in value of $25,000 or 50% of the home and prime site value, whichever is greater. See NCGS 105-277.1. To qualify,

- The primary owner must be at least 65 years old or totally and permanently disabled.
- The owner or household income cannot exceed $31,000 for the previous year.
- The home must be their primary residence.

The application period for this type of exclusion is January 2nd through June 1st each year (NCGS 105-277.1(c)). Due to the applications being late, the assessor's only option was to deny the applications for the current year. These applicants now have the right to either reapply next year or appeal the assessor's decision to the Board of Commissioners (see last paragraph of the application).

First Appeal:

Mrs. Elsie Childers is appealing the Tax Assessor's decision to the Board of Commissioners. Her application was received on July 21, 2020. The Board must decide if the reason for not applying in a timely manner demonstrates "Good Cause" (105-282.1(a1)). If the BOC believes the applicant has proven good cause, then they can grant authority to the Tax Assessor to accept the application. If not, then Mrs. Childers can reapply next year.

Mrs. Childers' reason for filing late: "*Couldn't get this completed by June 1 because of the Coronavirus. I'm 96 years old. Had trouble filling this out*."

If the application had been mailed or received prior to June 1st, it would have been approved by the Tax Dept.

Second Appeal:

Mr. Ronald Lail is appealing the Tax Assessor's decision to the Board of Commissioners. His application was received on July 31, 2020. Mr. Lail is a 25% co-owner residing on this property. The Board must decide if the reason for not applying in a timely manner demonstrates "Good Cause" (105-282.1(a1)). If the BOC believes the applicant has proven good cause, then they can grant authority to the Tax Assessor to

accept the application. If not, then Mr. Lail can reapply next year.

Mr. Lail's reason for filing late: *"July 30, 2020 Burke County Tax Assessor: Following please find the Application for Property Tax Relief. I understand this form is due before June 1 but we originally sent the Certification of Disability form to the Social Security office to get filled out but never got it back and then found out the office is closed for Coronavirus. I took it to my regular doctor, Dr Byrd in Valdese, and he sent it back to me today. I have dialysis on Monday, Wednesday and Friday but if you can call my sister, Patricia young at 828-390-1207 to let her know if you need more information or you can call me in the evening at 828-443-8287. Thank you for your help with this. Ronald Lail."*

If the application had been mailed or received prior to June 1st, it would have been approved by the Tax Dept.

Third Appeal:

Christopher and Dawn McNeely are appealing the Tax Assessor's decision to the Board of Commissioners. Their application was received on July 18, 2020. The Board must decide if the reason for not applying in a timely manner demonstrates "Good Cause" (105-282.1(a1)). If the BOC believes the applicant has proven good cause, then they can grant authority to the Tax Assessor to accept the application. If not, then the McNeely's can reapply next year.

The McNeely's reason for filing late: *"July 15,2020 Dear Burke county Board of Commissioners and Mr. Daniel Isenhour: We are requesting our application for Disabled Exclusion filed after the due date be reviewed. We mailed our Application for property Tax Relief (AV-9) on July 1st. While this is a late application, we hope you will consider it for approval at your Board meeting. Due to Covid-19, we were not able to apply for property tax relief by June 1st deadline. Additionally, Chris's doctor finally signed his AV-9a on July 14th and I promptly brought it to the tax office the same day. I was informed by Diane that it was after the deadline and to try again next year. But after I phoned Mr. Isenhour, he stated he would present our late application before the Board of Commissioners at the next meeting, most likely in August. I hope and pray that we have shown good cause for failure to make a timely application. We do apologize for any inconvenience. Thank you for your time and consideration. Sincerely Chris and Dawn McNeely*

If the application had been mailed or received prior to June 1st, it would have been approved by the Tax Dept.

Forth Appeal:

John Fontenot is appealing the Tax Assessor's decision to the Board of Commissioners. His application was received on July 22, 2020. The Board must decide if the reason for not applying in a timely manner demonstrates "Good Cause" (105-282.1(a1)). The Board must also decide if Mr. Fontenot qualifies based on income. If the BOC believes he has proven good cause and believes he meets the income requirement, then they can grant authority to the Tax Assessor to accept the application and direct the Assessor to approve. If not, then the Mr. Fontenot can reapply next year.

Mr. Fontenot's reason for filing late: *Explanation for late application: I downloaded the AV-9 documents in January 2020 and filled them out according to the instructions. I*

misunderstood the instructions that I could either have a doctor sign or submit proof of total disability. I submitted my court documents and 2018 tax returns that I was determined permanently disabled. I was sent back the AV-9 documents with a written note on the bottom of the page "medical doctor must fill and date document." I brought the paperwork to Dr. Kadry Alaboon's office 113a Foothills Drive Morganton (828-580-8100) they informed me this could take weeks to process. Then Covid-19 so I assumed that was the reason I had not heard back from the doctor to pick up the documents. I called and left a message around May or June and did not hear back. I went to the office and saw a sign they had moved. I found their new office and requested the documents and they could not find them. Luckily, I had a copy of the document that was sent back to me that had the note on the bottom. I brought it to my doctor and he signed it on 7/20/20 unfortunately after the due date. I ask for consideration to accept the late application resubmitted. Thank you, John Fontenot

Mr. Fontenot's application was not only late but it does not meet the income requirement. The income requirement includes all income regardless of the source. Mr. Fontenot received a settlement in 2019 for several years back pay on a disability claim. This settlement put him way over the $31,000 income limit for 2019. With this non-qualification there is no need to accept his late application. Based on this year's information and the belief that he will not receive an additional settlement, Mr. Fontenot is encouraged to reapply next year (2021).

Budgetary Effect: Minimal impact on FY 20-21 property tax collection.

Appeal 1 - The value exclusion is $84,153. This equates to a reduction in county taxes of $584.87 in taxes and $36 for the landfill user fee, for a total of $620.87.

Appeal 2 - The value exclusion is $6,250. This equates to a reduction in county taxes of $43.44 in taxes and $36 for the landfill user fee, for a total of $79.44.

Appeal 3 - The value exclusion is $36,710. This equates to a reduction in county taxes of $255.14 in taxes and $36 for the landfill user fee, for a total of $291.14.

Appeal 4 - The value exclusion is $14,587. This equates to a reduction in county taxes of $101.38 in taxes and $36 for the landfill user fee, for a total of $137.38.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To accept the late applications for the Age Exclusion Program submitted by Elsie Childers, Ronald Lail, and Chris and Dawn McNeely and authorize the Tax Assessor to accept and process applications for these citizens for 2020.

To reject the late application submitted by John Fontenot on July 22, 2020 due to his 2019 total income exceeding the maximum $31,000 income limit for the 2020 Age Exclusion Program.

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Update of Policy for the Sale of Surplus Real Property

Presented By: Danny Isenhour

Summary of Information: The following policy was originally adopted by the Burke County Board of Commissioners on November 16, 2010. This policy provides the County a way to dispose Surplus Real Property by private bid.

The Tax Administrator is requesting a minor change to Section V, Minimum Bid. The current policy states: The minimum bid amount is based on the cost the county has in the property plus advertising fees of $125.00 and attorney fees of $500.00.

Due to cost increases, the following revision to Section V, Minimum Bid, is recommended:

The minimum bid amount will be the County's actual cost, plus closing costs which includes advertising and attorney fees. Closing costs are determined based on actual cost at the time of closing.

The second minor change is in Addendum B. Change quitclaim deed to **Special Warranty Deed** to match Section I Overview Bid Process #11.

Budgetary Effect: No effect on current budget.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To approve the amendment to Section V, Minimum Bid and Addendum B of the County's Policy Regarding the Sale of Surplus Real Property.

2020 Version

THE BURKE COUNTY POLICY
REGARDING THE SALE OF SURPLUS REAL PROPERTY OWNED BY BURKE COUNTY

Purpose- The purpose of this policy is to establish a system that will promote a fair and effective means for anyone to purchase property that Burke County has obtained at a tax foreclosure sale, through a private bid process.

Authority- Burke County hereby adopts this policy under the authority granted by North Carolina General Statutes 105-376(c), 153A-176, 160A-267, and 160A-269. All of said statutes are fully set forth in Appendix A.

Section I.
Overview of Bid Process

1. Burke County will accept bids on real property which Burke County has obtained through a property tax foreclosure proceeding. These parcels are identified by a GIS Parcel Identification Number (PIN) assigned by the Burke County Land Records Department.
2. Any bids received on property declared as surplus by the Board of Commissioners must include the Offer to Purchase and the entire bid amount. This bid must be submitted to the County Attorney.
3. The minimum bid amount is the amount predetermined by the County plus any delinquent taxes that may be owed the County and/or the Municipality.
4. The Minimum bid amounts does not include closing cost. Closing cost are attorney and advertising cost to be determined once a successful bidder is established.
5. The County Attorney will accept the bid deposit and begin the advertisement process
6. The property shall be advertised in a newspaper of local circulation as a “Notice of Offer”. Such notice shall state that any person may raise the bid by an amount of $750.00 or 5% of the bid, whichever sum is greater, anytime thereafter within ten (10) days of the date of publication.
7. Ten (10) days from the date of publication shall be allowed for any upset bids. Any upset bid must increase the prior bid by an amount not less than $750.00 or 5% whichever is greater, to be a valid upset bid. If no upset bids are received in the ten (10) day period, the offer shall stand, and the County Attorney shall accept the offer and finalize the sale.
8. If an upset bid is received during the ten (10) day period, the upset bidder shall deposit with the County Attorney an upset bid deposit in the amount of the original bid plus $750.00 or 5% whichever is greater.
9. Ten (10) days from the date of publication will again be allowed for any other upset bids. If no other upset bids are received in the ten (10) day period, the offer shall stand, and the County Attorney shall accept the offer and finalize the sale.
10. If a valid bid is received within the ten (10) days following the publication of a bid, the upset bid shall be processed in accordance with paragraphs six (6) and seven (7) above.
11. The entire process shall continue until a ten (10) day period passes following the date of publication of a bid without any further upset bids being received. At this point in time, the last bid received shall stand and the County Attorney will accept the offer and finalize the sale.
12. After the offer is finalized, the County Attorney shall execute a Special Warranty Deed to the bidder.
13. The Burke County Board of Commissioners may at any time reject any bid received.

Attachment: 2020 Sale of Surplus Property Procedure V2 (3145 : Update of Policy for the Sale of Surplus Real Property)

Section II.
Upset Bid Process
This procedure shall be the same as in Section I except for the following:

A. Amount of Upset Bid

1. The amount of the upset bid must raise the prior bid by $750.00 or 5% whichever is greater.

B. Responsibility of Upset Bidder

1. The bidder shall submit any upset bids to the County Attorney along with Offer to Purchase Information Sheet and a full deposit which includes the original bid amount plus the upset amount. This does not include closing cost.

C. Responsibility of the County Attorney

1. The County Attorney must receive the Offer to Purchase. The County Attorney shall be responsible for making sure that the amount of the upset bid exceeds the prior bid by at least $750.00 or 5% whichever is greater.
2. The County Attorney shall collect the bid amount in full at the same time as the Offer to Purchase is filled out.
3. Upon receipt of an upset bid, the County Attorney shall prepare a new "Notice of Offer" and deliver it for immediate publication to the newspaper of local circulation. The ad shall run once.
4. The County Attorney shall note the date the ad will appear in the paper on the copy. The County Attorney shall request the newspaper to send an Affidavit of Publication to the County Attorney after publication.
5. If ten (10) days passes without receipt of an upset bid, the County Attorney shall proceed according to the County Attorney's responsibilities in Section VI Part C. If another upset bid is received, the County Attorney shall proceed according to the provisions in this section.
6. Only one (1) upset bid may be received in a ten (10) day period. As soon as an upset bid is received, it shall be advertised immediately, and a new ten (10) day period for upset bidding shall commence from the date of publication of the upset bid.

Section III
Prior Owners

1. The Burke County Board of Commissioners may, in its discretion, "resell such property to the former owner, or to any other person having an interest in the property at a private sale for an amount not less than the taxing unit's interest therein plus any taxes due if it holds the property as sole owner or for an amount not less than the total interests of all taxing units (other than special assessments due the taxing unit holding title) if it holds the property for the benefit of all such units." N.C.G.S.105-376(c). The procedures outlined in N.C.G.S. 160A-267 governing private sales shall be followed.
2. The County Attorney's Office shall proceed in exactly the same manner for prior owners or other interest holders as is set out in Section VI, Part C. The County Attorney shall collect all documentation and have it available at the meeting at which the Board of Commissioners considers the bid of the prior owner or other interest holder.
3. The County Attorney shall bring the matter before the Board of Commissioners for their consideration and decision. The County Attorney shall further be responsible for preparing the Resolution authorizing the private sale for signature by the Chairman of the Board of Commissioners.

4. A notice summarizing the contents of the Resolution shall be published in the local newspaper one time. The County Attorney shall be responsible for the advertisement. The former owner (or other interest holder) shall be required to pay the advertising cost before a notice is published.
5. After the notice has been published and a ten (10) day period has passed, the County Attorney shall prepare a quitclaim deed transferring the property to the former owner (or interest holder). The County Attorney shall be responsible for making sure that the entire amount of the sales price authorized by the Board of Commissioners is paid before transferring the deed to the former owner (or interest holder).
6. The former owner (or interest holder) shall be responsible for recording the quitclaim deed.
7. If Burke County receives a public bid on property which it has acquired at a tax foreclosure sale, Burke County will no longer negotiate private sales with prior property owners or other interest holders.

Section IV
Bid Exception

1. The Tax Assessor along with the County Attorney may request the Board of Commissioners to accept a bid less than the minimum amount established if the Assessor and Attorney believe it is in the County's best interest.
2. The Burke County Board of Commissioners may at any time reject any bid received.

Section V
Minimum Bid

1. The minimum bid amount will be the county's actual cost, plus closing cost which include advertising and attorney fees. Closing costs are determined at the time of closing based on actual cost.

Section VI
Responsibility of Parties

A. Responsibility of Personnel

1. The Tax Assessor shall maintain a list of all surplus real property.
2. The County Tax Collections Office shall provide a statement of any county or fire district taxes due when requested.
3. The Municipal Tax Collections Office shall provide a statement of any municipal taxes due when requested.

B. Responsibility of Initial Bidders on Foreclosed Property

1. Any person interested in buying foreclosed property in Burke County shall first obtain the parcel identification number and inquire about any taxes owed the County and/or Municipality.
2. After obtaining this information, the bidder must submit his bid to the County Attorney. The bidder must identify the property by the parcel identification number before the County Attorney will accept the bid.
3. The bidder shall complete the necessary form(s), including the Offer to Purchase. The information includes the bidder's name, address, telephone number, the parcel

identification number, and the amount of his or her bid. The bidder is required to sign the necessary documents.

4. For the County Attorney to accept the offer, the bidder must include the bid amount in full.
5. If the initial bid is not upset within the ten (10) days after it is advertised, the County Attorney will, accept the bid and finalize the sale. The bidder shall be responsible for Closing cost and recording the deed.

C. Responsibility of County Attorney

1. The County Attorney must receive the Offer to Purchase and the entire bid amount to accept a bid.
2. Upon receipt of a bid the County Attorney shall perform a title examination and render a title opinion of the foreclosed property.
3. Once the ten-day period has passed following the publication of a bid without the receipt of further bids, the County Attorney shall be responsible for the preparation of all necessary documents associated with the sale process and finalizing the sale.
4. A Special Warranty Deed signed by the Chair of the Board of Commissioners will transfer ownership to the successful bidder.

This policy regarding the Sale of Surplus Real Property owned by Burke County is hereby approved, this 15th day of September 2020.

_____
Johnnie W. Carswell, Chairman
Burke Co. Board of Commissioners

Attest:

_____
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

Appendix A

North Carolina General Statute 105-376(c)
Resale of Real Property Purchased by Taxing Units

North Carolina General Statute 153A-176
Disposition of Property

North Carolina General Statute 160A-267
Private Sale

North Carolina General Statute 160A-269
Negotiated Offer, Advertisement and Upset Bids

Exhibit A: Offer to Purchase Tax Foreclosed Property

NORTH CAROLINA OFFER TO PURCHASE
COUNTY OF BURKE TAX FORECLOSED PROPERTY

THE PROPERTY DESCRIBED BELOW, having been foreclosed and bid in by Burke County for nonpayment of taxes, the undersigned hereby offer to purchase said property from the Burke County for the sum of _____ Dollars ($_____) cash plus the signing of a Release releasing Burke County, its officers, employees, insurers, and assigns from any liability associated with the tax collection process, the sale of tax lien process, the foreclosure process, and the execution sale process associated with the below described property, both the cash and signing of the release being in consideration of the purchase of the property.

IT IS UNDERSTOOD AND AGREED that the Burke County must advertise the property for sale and that the Special Warranty Deed to the purchaser will convey only such interest, if any, as the Burke County may have in the property by virtue of unpaid taxes, and there will be no refund of the purchase price in the event of a failure of title. I have been apprised of those procedural irregularities documented and understand that there may be other irregularities not yet discovered and agree to accept the property if I am the highest bidder. The Board of Commissioners has determined this real property to be surplus property subject to such irregularities, whether known or unknown.

I understand that the Board of Commissioners may reject this Offer to Purchase at any time, even after a proposed acceptance and advertisement for upset bids. Said property is located: _____ was owned by:
(TOWNSHIP)

_____ at the time of its foreclosure, and is described as
(PREVIOUS OWNER)

_____ located at
(DESCRIPTION)

_____
(ADDRESS)

_____
(PARCEL IDENTIFICATION NUMBER)

In acceptance of this Offer to Purchase, I submit a deposit of _____Dollars ($_____), said bid deposit being one hundred percent (100%) of the minimum bid amount plus any municipal taxes due. This amount does not include closing cost.

This the _____ day of _____, 20___.

_____
(SIGNATURE)

_____
(SIGNED COUNTY ATTORNEY)

_____
(PRINT NAME)

_____
(ADDRESS)

_____
(CITY, STATE, ZIP)

THE BURKE COUNTY POLICY
REGARDING THE SALE OF SURPLUS REAL PROPERTY OWNED BY BURKE COUNTY

Purpose- The purpose of this policy is to establish a system that will promote a fair and effective means for anyone to purchase property that Burke County has obtained at a tax foreclosure sale, through a private bid process.
Authority- Burke County hereby adopts this policy under the authority granted by North Carolina General Statutes 105-376(c), 153A-176, 160A-267, and 160A-269. All of said statutes are fully set forth in Appendix A.

Section I.
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1. Burke County will accept bids on real property which Burke County has obtained through a property tax foreclosure proceeding. These parcels are identified by a Parcel Identification Number (PIN) assigned by the Burke County Land Records Department.
2. Any bids received on property declared as surplus by the Board of Commissioners must include the Offer to Purchase and the entire bid amount. This bid must be submitted to the County Attorney.
3. The minimum bid amount is the amount predetermined by the County plus any delinquent taxes that may be owed the County and/or the Municipality.
4. The County Attorney will accept the bid deposit and begin the advertisement process.
5. The property shall be advertised in a newspaper of local circulation as a “Notice of Offer”. Such notice shall state that any person may raise the bid by an amount of $750.00 or 5% of the bid, whichever sum is greater, anytime thereafter within ten (10) days of the date of publication.
6. Ten (10) days from the date of publication shall be allowed for any upset bids. Any upset bid must increase the prior bid by an amount not less than $750.00 or 5% whichever is greater, in order to be a valid upset bid. If no upset bids are received in the ten (10) day period, the offer shall stand, and the County Attorney shall accept the offer and finalize the sale.
7. If an upset bid is received during the ten (10) day period, the upset bidder shall deposit with the County Attorney an upset bid deposit in the amount of the original bid plus $750.00 or 5% whichever is greater.
8. Ten (10) days from the date of publication will again be allowed for any other upset bids. If no other upset bids are received in the ten (10) day period, the offer shall stand, and the County Attorney shall accept the offer and finalize the sale.
9. If a valid bid is received within the ten (10) days following the publication of a bid, the upset bid shall be processed in accordance with paragraphs six (6) and seven (7) above.
10. The entire process shall continue until a ten (10) day period passes following the date of publication of a bid without any further upset bids being received. At this point in time, the last bid received shall stand and the County Attorney will accept the offer and finalize the sale.
11. After the offer is finalized, the County Attorney shall execute a Special Warranty Deed to the bidder.
12. The Burke County Board of Commissioners may at any time reject any bid received.

Attachment: (1)Sale of Surplus Property Procedure (3145 : Update of Policy for the Sale of Surplus Real Property)

Section II.
Upset Bid Process

This procedure shall be the same as in Section I except for the following:

A. Amount of Upset Bid

1. The amount of the upset bid must raise the prior bid by $750.00 or 5% whichever is greater.

B. Responsibility of Upset Bidder

1. The bidder shall submit any upset bids to the County Attorney along with Offer to Purchase Information Sheet and a full deposit which includes the original bid amount plus the upset amount.

C. Responsibility of the County Attorney

1. The County Attorney must receive the Offer to Purchase. The County Attorney shall be responsible for making sure that the amount of the upset bid exceeds the prior bid by at least $750.00 or 5% whichever is greater.
2. The County Attorney shall collect the bid amount in full at the same time as the Offer to Purchase is filled out.
3. Upon receipt of an upset bid, the County Attorney shall prepare a new "Notice of Offer" and deliver it for immediate publication to the newspaper of local circulation. The ad shall run once.
4. The County Attorney shall note the date the ad will appear in the paper on the copy. The County Attorney shall request the newspaper to send an Affidavit of Publication to the County Attorney after publication.
5. If ten (10) days passes without receipt of an upset bid, the County Attorney shall proceed according to the County Attorney's responsibilities in Section VI Part C. If another upset bid is received, the County Attorney shall proceed according to the provisions in this section.
6. Only one (1) upset bid may be received in a ten (10) day period. As soon as an upset bid is received, it shall be advertised immediately, and a new ten (10) day period for upset bidding shall commence from the date of publication of the upset bid.

Section III
Prior Owners

1. The Burke County Board of Commissioners may, in its discretion, "resell such property to the former owner, or to any other person having an interest in the property at a private sale for an amount not less than the taxing unit's interest therein plus any taxes due if it holds the property as sole owner or for an amount not less than the total interests of all taxing units (other than special assessments due the taxing unit holding title) if it holds the property for the benefit of all such units." N.C.G.S.105-376(c). The procedures outlined in N.C.G.S. 160A-267 governing private sales shall be followed.
2. The County Attorney's Office shall proceed in exactly the same manner for prior owners or other interest holders as is set out in Section VI, Part C. The County Attorney shall collect all documentation and have it available at the meeting at which the Board of Commissioners considers the bid of the prior owner or other interest holder.
3. The County Attorney shall bring the matter before the Board of Commissioners for their consideration and decision. The County Attorney shall further be responsible for preparing the Resolution authorizing the private sale for signature by the Chairman of the Board of Commissioners.

4. A notice summarizing the contents of the Resolution shall be published in the local newspaper one time. The County Attorney shall be responsible for the advertisement. The former owner (or other interest holder) shall be required to pay the advertising cost before a notice is published.
5. After the notice has been published and a ten (10) day period has passed, the County Attorney shall prepare a quitclaim deed transferring the property to the former owner (or interest holder). The County Attorney shall be responsible for making sure that the entire amount of the sales price authorized by the Board of Commissioners is paid before transferring the deed to the former owner (or interest holder).
6. The former owner (or interest holder) shall be responsible for recording the quitclaim deed.
7. If Burke County receives a public bid on property which it has acquired at a tax foreclosure sale, Burke County will no longer negotiate private sales with prior property owners or other interest holders.

Section IV
Bid Exception

1. The Tax Assessor along with the County Attorney may request the Board of Commissioners to accept a bid less than the minimum amount established if the Assessor and Attorney believe it is in the County's best interest.
2. The Burke County Board of Commissioners may at any time reject any bid received.

Section V
Minimum Bid

1. The minimum bid amount will be the county's actual cost, plus closing cost which include advertising and attorney fees. Closing cost are determined once the successful bidder is determined.

Section VI
Responsibility of Parties

A. Responsibility of Personnel

1. The Tax Assessor shall maintain a list of all surplus real property.
2. The County Tax Collections Office shall provide a statement of any county or fire district taxes due when requested.
3. The Municipal Tax Collections Office shall provide a statement of any municipal taxes due when requested.

B. Responsibility of Initial Bidders on Foreclosed Property

1. Any person interested in buying foreclosed property in Burke County shall first obtain the parcel identification number and inquire about any taxes owed the County and/or Municipality.
2. After obtaining this information, the bidder must submit his bid to the County Attorney. The bidder must identify the property by the parcel identification number before the County Attorney will accept the bid.
3. The bidder shall complete the necessary form(s), including the Offer to Purchase. The information includes the bidder's name, address, telephone number, the parcel

identification number, and the amount of his or her bid. The bidder is required to sign the necessary documents.

4. For the County Attorney to accept the offer, the bidder must include the bid amount in full.
5. If the initial bid is not upset within the ten (10) days after it is advertised, the County Attorney will, accept the bid and finalize the sale. The bidder shall be responsible for recording the deed.

C. Responsibility of County Attorney

1. The County Attorney must receive the Offer to Purchase and the entire bid amount to accept a bid.
2. Upon receipt of a bid the County Attorney shall perform a title examination and render a title opinion of the foreclosed property.
3. Once the ten-day period has passed following the publication of a bid without the receipt of further bids, the County Attorney shall be responsible for the preparation of all necessary documents associated with the sale process and finalizing the sale.
4. A Special Warranty Deed signed by the Chair of the Board of Commissioners will transfer ownership to the successful bidder.

This policy regarding the Sale of Surplus Real Property owned by Burke County is hereby approved, this ____ day of September 2020.

BY: THE BURKE COUNTY BOARD OF COMMISSIONERS

, _____

, Chairman

ATTEST:

_____

Clerk to the Board

Appendix A

North Carolina General Statute 105-376(c)
Resale of Real Property Purchased by Taxing Units
"Real property purchased at a tax foreclosure sale by a taxing unit may be resold at any time (for such price as the governing body of the taxing unit may approve) at a sale conducted in the manner provided by law for sales of other real property of the taxing unit. However, a purchasing taxing unit, in the discretion of its governing body, may resell such property to the former owner or to any other person formerly having an interest in the property at private sale for an amount not less than the taxing unit's interest therein if it holds the property as sole owner or for an amount not less than the total interests of all taxing units (other than special assessments due the taxing unit holding title) if it holds the property for the benefit of all such units."

North Carolina General Statute 153A-176
Disposition of Property
"A county may dispose of any real or personal property belonging to it according to the procedures prescribed in Chapter 160A, Article 12. For purposes of this section, references in Chapter 160A, Article 12, to the "city", the "council", or a specific city official are deemed to refer, respectively, to the county, the board of commissioners and the county official who most nearly performs the same duties performed by the specified city official. For purposes of this section, references in G.S. 160A-266(c) to "one or more city officials" are deemed to refer to one or more county officials designated by the board of county commissioners."

North Carolina General Statute 160A-267
Private Sale
"When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereafter until ten (10) days after its publication."

North Carolina General Statute 160A-269
Negotiated Offer, Advertisement and Upset Bids
"A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall re-advertise the offer at the increased bid. This procedure shall be repeated until no further qualifying bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers.

Addendum B: Offer to Purchase Tax Foreclosed Property

NORTH CAROLINA OFFER TO PURCHASE
COUNTY OF BURKE TAX FORECLOSED PROPERTY

THE PROPERTY DESCRIBED BELOW, having been foreclosed and bid in by Burke County for nonpayment of taxes, the undersigned hereby offer to purchase said property from the Burke County for the sum of _____ Dollars ($_____) cash plus the signing of a Release releasing Burke County, its officers, employees, insurers, and assigns from any liability associated with the tax collection process, the sale of tax lien process, the foreclosure process, and the execution sale process associated with the below described property, both the cash and signing of the release being in consideration of the purchase of the property.

IT IS UNDERSTOOD AND AGREED that the Burke County must advertise the property for sale and that the Special Warranty Deed to the purchaser will convey only such interest, if any, as the Burke County may have in the property by virtue of unpaid taxes, and there will be no refund of the purchase price in the event of a failure of title. I have been apprised of those procedural irregularities documented in the attached Exhibit A, and understand that there may be other irregularities not yet discovered and agree to accept the property if I am the highest bidder. The Board of Commissioners has determined this real property to be surplus property subject to such irregularities, whether known or unknown.

I understand that the Board of Commissioners may reject this Offer to Purchase at any time, even after a proposed acceptance and advertisement for upset bids. Said property is located in:
_____ was owned by:
(TOWNSHIP)
_____ at the time of its foreclosure, and is described as
(PREVIOUS OWNER)
_____ located at
(DESCRIPTION)
_____
(ADDRESS)
_____
(PARCEL IDENTIFICATION NUMBER)

In acceptance of this Offer to Purchase, I submit a deposit of _____Dollars ($_____), said bid deposit being one hundred percent (100%) of the minimum bid amount plus and municipal taxes due.
This the _____ day of _____, 20___.

_____ (SIGNATURE)

_____ (SIGNED COUNTY ATTORNEY)

_____ (PRINT NAME)

_____ (ADDRESS)

_____ (CITY, STATE, ZIP)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Surplus Real Property

Presented By: Danny Isenhour

Summary of Information: Attached is a list of properties declared as Surplus Real Property by the Burke County Board of Commissioners in 2010. At that time, a minimum bid amount was also set which included $125 for advertising and $500 for attorney fees. By having a minimum bid amount, staff was not required to seek Board approval. Board approval was required if the bid is less than the minimum amount set by the Board.

Since that time additional properties have been acquired through the foreclosure process and some properties were sold. The Tax Administrator requests the following properties be declared as surplus real property and the minimum bid amount established. The minimum bid amount does not include closing costs (advertising and attorney fees), which is extra and is based on actual costs incurred.

Parcel 37261, PIN 2783-64-0810 located at West View Trail, $2,285.00.

Parcel 50288, PIN 2753-87-8009 located at 2295 Shady Grove Road, $20,500.00.

Parcel 34337, PIN 2627-06-2025 located at Mallard Road, $3,025.00.

Parcel 29737, PIN 2646-09-1638 located at Old Hwy 18, $3,145.00.

The minimum bid amount for the remaining 2010 properties were updated to remove the set amounts for advertising and attorney fees.

Budgetary Effect: None.

County Manager's Recommendation: Approval is recommended.

Suggested Motion: To declare parcels 37261, 50288, 34337, and 29737 as surplus real property and approve the minimum bid amounts:

Parcel 37261, PIN 2783-64-0810 located at West View Trail, $2,285.00.

Parcel 50288, PIN 2753-87-8009 located at 2295 Shady Grove Road, $20,500.00.

Parcel 34337, PIN 2627-06-2025 located at Mallard Road, $3,025.00.

Parcel 29737, PIN 2646-09-1638 located at Old Hwy 18, $3,145.00.

Further, closing costs (attorney fees and advertising) are in addition to the

minimum bid amounts.

To approve the updated minimum bid amounts on parcels designated as surplus real property in 2010.

Parcel Number	GIS Number	Size Acres	Deed Number	Deed Date	Civil Case	Cost	Min. Bid +Closing Cost	Address	Property Description
8782	2703-09-5503	0.61	1549-583	3/22/2006	04-CVD-1525	$ 2,956.35	$ 2,960.00	Goodson Dr lot 1	Vacant Land
9797	2627-65-5880	0.06	790-184	3/24/1992	91-CVD1439	$ 918.78	$ 500.00	2664 Pine Mountain Dr	Pine Mountain Lakes S/D
11244	2703-88-9843	0.86	1549-587	3/22/2006	05-CVD-1134	$ 3,100.00	$ 3,100.00	Morgan Drive	Vacant Land/ No Street Access
12638	2704-43-5207	0.82	665-130	9/24/1984	84-CVD-448	$ 1,024.34	$ 1,025.00	Rocky Ford Road	Vacant Land/ no access
16893	1764-21-9254	0.20	807-1313	5/25/1993	04-CVD-1381	$ 930.52	$ 935.00	1716 Joines Drive	Vacant Land
17255	1792-63-2374	0.15	1512-805	11/2/2005	04-CVD-1380	$ 1,867.50	$ 1,870.00	1818 Burkemont Ave	Vacant Land
20313	2627-65-6811	0.06	656-229	5/10/1984	84-CVD-110	$ 802.50	$ 500.00	2668 Pine Mountain Dr	Pine Mountain Lakes S/D
23217	2783-79-2630	0.38	1512-813	11/2/2005	04-CVD-1249	$ 2,016.62	$ 650.00	9737 Lakeview Drive	Vacant Land / extreme topo & shape
44993	2782-87-6221	0.18	1512-809	11/2/2005	04-CVD-1381	$ 2,400.00	$ 2,400.00	37th St SW/LV/	Vacant Land
41153	1679-50-9530	0.54	1895-663	4/16/2010	09-CVD-2224	$ 1,855.07	$ 1,860.00	3218 Silver Creek	Vacant Land

SURPLUS PROPERTIES OWNED by BURKE COUNTY

8/24/2020

Parcel Number	GIS Number	Size Acres	Deed Number	Deed Date	Civil Case	Cost	Min. Bid +Closing Cost	Address	Property Description
8782	2703-09-5503	0.61	1549-583	3/22/2006	04-CVD-1525	$ 2,956.35	$ 2,960.00	Goodson Dr lot 1	Vacant Land
9797	2627-65-5880	0.06	790-184	3/24/1992	91-CVD1439	$ 918.78	$ 500.00	2664 Pine Mountain Dr	Pine Mountain Lakes S/D
11244	2703-88-9843	0.86	1549-587	3/22/2006	05-CVD-1134	$ 3,100.00	$ 3,100.00	Morgan Drive	Vacant Land/ No Street Access
12638	2704-43-5207	0.82	665-130	9/24/1984	84-CVD-448	$ 1,024.34	$ 1,025.00	Rocky Ford Road	Vacant Land/ no access
16893	1764-21-9254	0.20	807-1313	5/25/1993	04-CVD-1381	$ 930.52	$ 935.00	1716 Joines Drive	Vacant Land
17255	1792-63-2374	0.15	1512-805	11/2/2005	04-CVD-1380	$ 1,867.50	$ 1,870.00	1818 Burkemont Ave	Vacant Land
20313	2627-65-6811	0.06	656-229	5/10/1984	84-CVD-110	$ 802.50	$ 500.00	2668 Pine Mountain Dr	Pine Mountain Lakes S/D
23217	2783-79-2630	0.38	1512-813	11/2/2005	04-CVD-1249	$ 2,016.62	$ 650.00	9737 Lakeview Drive	Vacant Land / extreme topo & shape
44993	2782-87-6221	0.18	1512-809	11/2/2005	04-CVD-1381	$ 2,400.00	$ 2,400.00	37th St SW/LV/	Vacant Land
41153	1679-50-9530	0.54	1895-663	4/16/2010	09-CVD-2224	$ 1,855.07	$ 1,860.00	3218 Silver Creek	Vacant Land
37261	2783-64-0810	0.45	2131-481	4/2/2014	13-CVD-1335	$ 2,281.18	$ 2,285.00	West View Trail	Vacant Land
50288	2753-87-8009	1.59	2445-67	1/21/2020	18-CVD-987	$ 20,477.77	$ 20,500.00	2295 Shady Grove Rd	Improved site w/various buildings in disrepair
34337	2627-06-2025	0.57			07-CVD-649	$ 3,021.15	$ 3,025.00	Mallard Rd.	Vacant Land
29737	2646-09-1638	1.32			07-CVD-871	$ 3,140.38	$ 3,145.00	Old HWY 18	Vacant Land

2020 new properties are highlighted in yellow.

Attachment: Surplus Real Property List (3146 : Surplus Real Property)

10/19/2010

SURPLUS PROPERTIES OWNED by BURKE COUNTY

	Record Number	GIS Number	Map Number	Size Acres	Deed Number	Deed Date	Civil Case	Tax Value
1	3541	2703-55-4343	44-16-2-1	0.06	624-524	9/29/1982	82-CVD-587	$ 4,158.00
2	6798	2704-42-9688	42-56-2-28	0.12	1512-801	11/2/2005	04-CVD-1392	$ 2,700.00
3	8782	2703-09-5503	42-8-2-23	0.61	1549-583	3/22/2006	04-CVD-1525	$ 10,294.00
4	9797	2627-65-5880	93-42-1-7	0.06	790-184	3/24/1992	91-CVD1439	$ 199.00
5	11244	2703-88-9843	44-52-1-14	0.86	1549-587	3/22/2006	05-CVD-1134	$ 9,811.00
6	11492	2742-16-3682	97-50-1-4	14.27	1549-591	3/22/2006	05-CVD-631	$ 28,139.00
7	12638	2704-43-5207	42-56-2-10	0.82	665-130	9/24/1984	84-CVD-448	$ 6,403.00
8	16893	1764-21-9254	7-40-8-3	0.20	807-1313	5/25/1993	11-May-93	$ 2,040.00
9	17255	1792-63-2374	46-82-1-23	0.15	1512-805	11/2/2005	04-CVD-1380	$ 5,625.00
10	20313	2627-65-6811	93-42-1-6	0.06	656-229	5/10/1984	84-CVD-110	$ 201.00
11	23217	2783-79-2630	87-14-2-1	0.38	1512-813	11/2/2005	04-CVD-1249	$ 2,280.00
12	25100	2707-63-9531	13-22-2-46	0.29	1512-797	11/2/2005	04-CVD-1244	$ 1,946.00
13	32525	2742-06-5027	97-50-1-1	0.35	1549-591	3/22/2006	05-CVD-631	$ 5,260.00
14	37340	1775-86-3118	7-20-1-22	1.16	790-187	3/24/1992	91-CVD-1717	$ 5,271.00
15	42270	1755-58-8506	7-7-2-19	0.50	853-276	12/13/1995	29-Nov-95	$ 12,657.00
16	44993	2782-87-6221	99-34-8-13	0.18	1512-809	11/2/2005	04-CVD-1381	$ 3,500.00
17	41153	1679-50-9530	91-108-1-27	0.54	1895-663	4/16/2010	09-CVD-2224	$ 3,872.00

Attachment: (2)County Owned Property List 10-19-10 (002) (3146 : Surplus Real Property)

2010 List

SURPLUS PROPERTIES OWNED by BURKE COUNTY

10/19/2010

	Record Number	Cost	Advertise	Attorney	Min Bid	Address	Property Description
1	3541	$ 1,377.55	$ 125.00	$ 500.00	$ 2,002.55	East View Street	Vacant Land / not buildable (size)
2	6798	$ 3,200.00	$ 125.00	$ 500.00	$ 2,500.00	Vine Arden	Vacant Land
3	8782	$ 2,956.35	$ 125.00	$ 500.00	$ 3,581.35	Goodson Dr lot 1	Vacant Land
4	9797	$ 918.78	$ 125.00	$ 500.00	$ 700.00	2664 Pine Mountain Drive	Pine Mountain Lakes S/D
5	11244	$ 3,100.00	$ 125.00	$ 500.00	$ 3,725.00	Morgan Drive	Vacant Land/ No Street Access
6	11492	$ 4,500.00	$ 125.00	$ 500.00	$ 5,125.00	Mineral Springs Mtn. Road	Acres Mineral Springs Mtn./ no street
7	12638	$ 1,024.34	$ 125.00	$ 500.00	$ 1,649.34	Rocky Ford Road	Vacant Land/ no access
8	16893	$ 930.52	$ 125.00	$ 500.00	$ 1,555.52	1716 Joines Drive	Vacant Land
9	17255	$ 1,867.50	$ 125.00	$ 500.00	$ 2,492.50	1818 Burkemont Ave	Vacant Land
10	20313	$ 802.50	$ 125.00	$ 500.00	$ 700.00	2668 Pine Mountain Drive	Pine Mountain Lakes S/D
11	23217	$ 2,016.62	$ 125.00	$ 500.00	$ 650.00	9737 Lakeview Drive	Vacant Land / extreme topo & shape
12	25100	$ 2,300.00	$ 125.00	$ 500.00	$ 1,500.00	3504 Piney Road	Vacant Land
13	32525	$ 4,500.00	$ 125.00	$ 500.00	$ 5,125.00	Mineral Springs Mtn. Road	Lot Mineral Springs Mtn./road graded/ undeveloped
14	37340	$ 1,701.63	$ 125.00	$ 500.00	$ 2,000.00	1605 Tar Heel Drive	V/L Off Perkins Road (181 North)/clean-up needed
15	42270	$ 1,563.40	$ 125.00	$ 500.00	$ 2,188.40	1865 Moon Valley Court	V/LThe Ridge S/D Off Pea Ridge Road
16	44993	$ 2,400.00	$ 125.00	$ 500.00	$ 3,025.00	37th St SW/LV/	Vacant Land
17	41153	$ 1,855.07	$ 125.00	$ 500.00	$ 2,480.07	3218 Silver Creek	Vacant Land

Attachment: (2)County Owned Property List 10-19-10 (002) (3146 : Surplus Real Property)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 1, 2020

ITEMS FOR DECISION

Subject Title: CA - Place Holder for Bid on Real Property

Presented By: JR Simpson

Summary of Information:

Budgetary Effect:

County Manager's Recommendation:

Suggested Motion: