1. Agenda Outline

   Documents:

   2020 09 15 BOC REGULAR MEETING AGENDA OUTLINE V2.PDF

2. Agenda Full Version

   Documents:

   2020 09 15 BOC REGULAR MEETING AGENDA FULL VERSION V2.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.

Burke County
Board of Commissioners
Regular Meeting
Comm. Meeting Room
110 N. Green Street, Morganton
Tuesday, September 15, 2020
6:00 PM

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1. CALL TO ORDER

2. INVOCATION - Rev. Dr. Wayne A. Johnson, Sr., Shiloh AME Church

3. PLEDGE OF ALLEGIANCE - J. R. Simpson, County Attorney

4. APPROVAL OF AGENDA

5. APPROVAL OF MEETING MINUTES

1. May 5, 2020 Special (Pre-Agenda) Meeting
2. May 19, 2020 Special (Regular) Meeting
3. May 22, 2020 Special (Budget) Meeting
4. May 28, 2020 Special (Budget) Meeting (Place Holder)

6. PRESENTATIONS

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

7. SCHEDULED PUBLIC HEARINGS

8. INFORMAL PUBLIC COMMENTS

Each speaker is limited to three (3) minutes. Please sign in with the Clerk prior to the meeting.

9. CONSENT AGENDA

1. BOC - Resolution in Support of Breast Cancer Awareness Month
2. BOC - Consideration of Legislative Goals for 2020-2021
3. Clerk - Adult Care & Nursing Home CAC Appointment / Removal
4. Clerk - Board of Adjustment Appointments
5. Tax Dept. - Tax Collection Report for August 2020
6. Tax Dept. - Release Refund Report for August 2020
7. Tax Dept. - Late Applications for Age Exclusion
8. Tax Dept. - Update of Policy for the Sale of Surplus Real Property
9. Tax Dept. - Surplus Real Property

10. ITEMS FOR DECISION

1. Tax Dept. - Appeal of Failure to List Penalty - Presented by Danny Isenhour, Tax Administrator

11. REPORTS AND COMMENTS

1. BOC - Reports & Comments - Presented by Johnnie Carswell, Chairman

12. VACANCY ANNOUNCEMENTS

1. Clerk - Boards and Committees Vacancy Report - Presented by Kay Draughn, Clerk to the Board

13. CLOSED SESSION

1. BOC - Closed Session to Discuss Threatened or Pending Litigation, to Preserve the Attorney-Client Privilege, to Discuss Economic Development Matters and to Discuss Personnel Matters (If needed.) - Presented by Johnnie Carswell, Chairman

14. ADJOURN

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MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
SPECIAL PRE-AGENDA MEETING

Both Burke County and the State of North Carolina had previously declared a state of emergency which was ongoing as of May 5, 2020 due to the global COVID-19 pandemic. Following the N.C. Governor's Executive Order limiting mass gatherings and to protect the health of all meeting participants, the Burke County Board of Commissioners' regularly scheduled in-person pre-agenda meeting on May 5, 2020 at 3:00 p.m. was cancelled on April 29, 2020. A special remote meeting via Zoom, a virtual meeting / teleconferencing platform with simultaneous communication, was scheduled for May 5, 2020 at 3:00 p.m. to facilitate the meeting. Chairman Carswell executed the combined notice of meeting cancellation and notice of a special virtual meeting which was published on April 29, 2020. The Commissioners, the County Manager, the County Attorney, the Clerk and County staff as well as any citizens that joined the virtual meeting, could hear, and see one another for the duration of the meeting. Citizens that joined by telephone, could only hear the meeting. Citizens were also invited on April 29, 2020 to watch a live stream of the meeting on the County's YouTube channel, BurkeCountyNC or view the meeting later on the local cable systems. During the meeting, the Clerk shared each agenda item on her computer screen so that meeting participants could see the item being discussed and the agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. A verbal roll call was conducted.

COMMISSIONERS PRESENT: Johnnie W. Carswell, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

STAFF PRESENT: Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, II, County Attorney
Kay Honeycutt Draughn, Clerk to the Board

CALL TO ORDER

Chairman Carswell called the remote meeting to order at 3:00 p.m. and wished everyone a happy Cinco De Mayo. He also noted the Tourism Development Authority's financial report for their presentation item was emailed to Board members last week.

APPROVAL OF THE AGENDA

Motion: To approve the agenda.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

PRESENTATIONS

AS - PET OF THE MONTH

Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

Kaitlin Settlemyre, Animal Services Director, said Animal Services staff will present a dog and cat in need of their "furever" home at the regular meeting. She noted that both the dog and cat which were presented at the last Board meeting were adopted.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING MARCH 31, 2020

In accordance with Session Law 2007-265, HB 78, the Tourism Dev. Authority must report quarterly and at the close of the fiscal year to the Burke County Board of Commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.

Ed Phillips, TDA Director, presented the financial update for the period ending March 31, 2020.

TDA YTD ACTUAL VS. FULL YEAR BUDGET

	Jul '19 - Mar 20	Budget	$ Over Budget	% of Budget
Income				
4010 · Burke Co. Govt. - Occup. Tax	328,356.57	607,000.00	-278,643.43	54.1%
4110 · Interest Income'	98.20			
4120 · Other Income	23,511.96	40,000.00	-16,488.04	58.78%
5000 · Trolley Revenue	17,141.22	15,000.00	2,141.22	114.28%
Total Income	369,107.95	662,000.00	-292,892.05	55.76%
Expense				
5010 · Accounting	8,812.50	8,000.00	812.50	110.16%
5015 · Legal and Professional Fees	7,266.10	0.00	7,266.10	100.0%
5020 · Marketing/Advertising	99,609.28	156,300.00	-56,690.72	63.73%
5102 · Membership Dues	275.00	2,500.60	-2,225.60	11.0%
5110 · Building Maintenance	27.71	500.00	-472.29	5.54%
5113 · City of Morganton/Tourism	67,262.82	136,575.00	-69,312.18	49.25%
5115 · Town of Valdese/Tourism	45,614.54	75,874.40	-30,259.86	60.12%
5140 · Website Upkeep	1,801.51	499.96	1,301.55	360.33%
5150 · Insurance				
5155 · Trolley Insurance	3,391.40			
5160 · Directors & Officers Liability	1,225.00			
5165 · Worker's Compensation	82.00			
5175 · Employee Health Insurance	8,223.28			
5150 · Insurance - Other	0.00	20,000.00	-20,000.00	0.0%
Total 5150 · Insurance	12,921.68	20,000.00	-7,078.32	64.61%
5180 · Office Supplies	3,896.40	4,000.04	-103.64	97.41%
5190 · Payroll Shared Staff Reimbursem	3,835.67			
5200 · Payroll Expenses				
5210 · Payroll	92,350.97			
5215 · NC Unemployment Tax	457.85			
5220 · Part-time Staffing	5,682.75			
5230 · Payroll Taxes	7,975.41			
5235 · Retirement	7,528.05			
5200 · Payroll Expenses - Other	16,372.82	211,000.00	-194,627.18	7.76%
Total 5200 · Payroll Expenses	130,367.85	211,000.00	-80,632.15	61.79%
5250 · Postage	709.61	750.00	-40.39	94.62%
5280 · Office Rent	5,000.00	6,000.00	-1,000.00	83.33%
5290 · Telephone	2,246.64	3,000.00	-753.36	74.89%
5300 · Travel/Training				
5320 · Board Meeting Expenses	158.10			
5300 · Travel/Training - Other	9,443.92	22,000.00	-12,556.08	42.93%
Total 5300 · Travel/Training	9,602.02	22,000.00	-12,397.98	43.65%
5301 · Trolley Expenses	11,977.72	15,000.00	-3,022.28	79.85%
5305 · Meetings	1,095.37			
5400 · Misc. Expense	3,645.50			
Total Expense	415,967.92	662,000.00	-246,032.08	62.84%
Net Income	-46,859.97	0.00	-46,859.97	100.0%

Mr. Phillips reported occupancy tax (OT) collections for March were down 60 percent over the previous year. He said February OT collections were down as well and noted a hotel did not remit the full amount due and the Finance/Tax Office is working on collecting those taxes.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked what is the TDA going to do to address the lower than usual OT collections. Mr. Phillips said their budget called for $600,000 in OT revenues and he anticipates they will have around $400,000 - $450,000 and any shortfall will be made up with fund balance. He further noted the TDA has cut all expenses in an effort to preserve their budget.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

SCHEDULED PUBLIC HEARINGS

Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

BDI - BUILDING REUSE GRANT AND LOCAL ECONOMIC DEVELOPMENT GRANT FOR PROJECT REFRESH AND PUBLIC HEARING - 6:00 PM

Information from the agenda packet reads as follows:

> Burke Development Inc. requests support for Project Refresh, a new industry relocating to Burke County (Morganton), through a Building Reuse grant, and a local economic development grant which will be the matching funds for a proposed One NC grant from the State of North Carolina.
>
> A Building Reuse grant application for $500,000 is being submitted to the State by the County. Burke County and the City of Morganton will provide the 5 percent local match of $12,500 each or $25,000 total. A grant administration contract with the WPCOG (Western Piedmont Council of Governments) is necessary if a grant award is received. The local match will cover the grant administration cost. The Company will create at least 151 new jobs by the end of 2022, approximately 226 new jobs over 5 years and invest approximately $18.5 million in new additional tax base. The jobs will meet or exceed the average county wage and will include healthcare benefits.
>
> A $500,000 One NC grant application will be submitted to the State, which requires a 50% local match. Burke County's and the City of Morganton's proposed economic development grants, which consists of grants equivalent to 60% of the taxes paid on the new taxable investment for five (5) consecutive years beginning in FY 2022-23 will be used as the match. Based on the estimated investment of $18.5M and the County's current tax rate of 69.5 cents, the County's portion would be $77,145 annually for five (5) years or $385,725 in total. Based on Morganton's current tax rate of 57 cents, their allotment would be $63,270 annually or $316,350 in total. (This is for demonstration purposes only based on investment approximation - actual incentive may vary.)
>
> The County's portion of the local match, $12,500, would need to be appropriated in the FY 2020-21 budget. Based on an $18,500,000 investment, the grant allocation would be approximately $77,145 per year beginning in the 2022-2023 budget year.

Alan Wood, BDI President & CEO said they have been working on this project since September of 2019 and the building under consideration was formerly occupied by Ice River Springs located on Ceramic Tile Drive. He said the proposal includes the company taking ownership of the building, installing new production lines, investing approximately $18.5 million in addition to the purchase price and creating 226 jobs over a period of five (5) years. Mr. Wood said a Building Reuse grant for $500,000 was submitted and a $500,000 One NC grant will be submitted. The One NC grant requires a local match and BDI is requesting the City of Morganton and Burke County to do a grant on the new tax base of 60 percent of the new property taxes created for a period of five (5) years. From the County's perspective, Wood said that would be approximately $77,100 a year for five (5) years totaling a little over $385,000, which would over cover the required grant match. He also said for the Building Reuse grant, there is a five (5) percent local match which would be $12,500 from Burke County and the City of Morganton. Mr. Wood said BDI is supposed to be on Morganton's agenda on June 1 for

Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

approval of their match share. He noted that all the jobs will pay, on average, above the current Burke County average wage ($36,801) and the company would like to be in operation by late fall or early winter.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked what kind of education/skills will be required to fill the newly created jobs. Mr. Wood said because the new company is similar to the former company that occupied the building, some of the previous employees will likely work for the new company; however, the new company will employ more people than the old one. He further said skilled technicians will be required to maintain the mostly automated machines and noted they should be set on skilled labor because of the County's existing manufacturing base and the training programs available at Western Piedmont Community College. Commissioner Taylor requested a summary of local economic development incentives to see if they were successful or not, and the impact they had on the budget. The Chairman asked the Clerk and Finance Director to meet with him after the meeting to discuss the report.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

CONSENT AGENDA

BCPS - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING MARCH 31, 2020

In accordance with the Memorandum of Agreement approved by the County and the Board of Education, the Board of Education will provide to the County quarterly financial reports on the 2019-2020 budget year, showing the application of the County's local funding by the end of each fiscal quarter. These reports will be presented to the County's Board of Commissioners in November 2019, February 2020 and May 2020, respectively.

Keith Lawson, Burke County Public Schools Finance Officer, presented the following financial data for the period ending March 31, 2020.

BCPS						
Estimated Revenues						
2019/2020						
	Annual		March YTD			% of Budget
	Previous	Current Fcst	Previous	Current	% Change	Received
State	80,597,443	80,600,000	60,494,881	60,269,393	-0.4%	74.8%
Federal	7,462,092	7,720,415	5,237,136	5,088,420	-2.8%	65.9%
Local	14,568,907	14,425,772	11,325,498	11,235,787	-0.8%	77.9%
School Nurses	718,403	998,140	563,099	650,259	15.5%	65.1%
Charter Schools	412,143	450,291	276,952	390,460	41.0%	86.7%
Fines & Forfeitures	430,149	380,000	259,995	266,833	2.6%	70.2%
Special Revenues	5,513,118	5,350,000	3,334,118	3,033,210	-9.0%	56.7%
Total	$ 109,702,255	$ 109,924,618	$ 81,491,679	$ 80,934,362	-0.7%	73.6%

Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

BCPS										
Local Financials by Purpose & Function Level										
2019/2020										
					'19/'20					
	Expenses	'16/'17	'17/'18	'18/'19	Budget	1st	2nd	3rd	4th	Total
5XXX	Regular Instructional Services	4,912,851	5,164,868	5,324,653	5,426,911	822,802	1,957,952	672,119		3,452,873
6XXX	Instructional Support	9,795,255	10,405,887	10,119,395	10,442,916	2,975,589	2,337,956	2,023,534		7,337,079
8XXX	Other Governmental Units	655,442	625,363	702,226	617,763	57,823	155,247	192,898		405,968
4XXX	Revenues Over/(Under)	430,881	(98,431)	37,872	(188,387)	93,890	(231,620)	1,137,813		1,000,083
XXXX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ 4,026,364	$ -	$ 12,196,003
	% of Annual Budget									74.8%
	Revenue									
4110	Burke County	14,264,035	14,599,358	14,448,211	14,416,272	3,745,262	3,745,263	3,745,262		11,235,787
4110	Timber Receipts	10,747	9,406	120,696	9,500	-	-	-		-
4110	Charter Schools	370,618	372,286	412,143	450,291	89,557	289,412	11,491		390,460
4410	Fines & Forfeitures	430,126	330,570	430,149	380,000	1,529	141,577	123,727		266,833
4490	School Nurses	653,750	726,095	718,403	998,140	70,933	94,022	485,304		650,259
4493	Schools' Receivables	65,153	59,972	54,544	45,000	42,823	(50,739)	(339,420)		(347,336)
44XX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ 4,026,364	$ -	$ 12,196,003
	LCE FB contributed $38k for '18/'19, bringing total FB to $2.7M, 16.6% of local budget									
	At this point in time have no forecast as to current FB impact due to COVID-19									

Mr. Lawson said the financial impact due to COVID-19 at this time is unknown.

Chairman Carswell opened the floor for questions and comments from the Board. Mr. Lawson responded to a question from Commissioner Taylor concerning possible savings from mandated school closures and noted the greatest budget impact may come next year and be approximately $4 million based on what happened in 2009 after the last recession when the State reduced their budget by $6.9 million and the State projected revenues were down 15 percent. He said this year, the State is projecting revenues will be down 10 percent. Mr. Lawson then reviewed cost saving measures BCPS is implementing.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

WPCC – PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING MARCH. 31, 2020

Sandy Hoilman, WPCC Chief Financial Officer, presented an overview of the College's financial data for the period ending March 31, 2020.

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Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

May 5, 2020 (Special Pre-Agenda) DRAFT

WESTERN PIEDMONT COMMUNITY COLLEGE
FY 2019-2020 SUMMARY AS OF MARCH 30, 2020

	STATE			COUNTY			INSTITUTIONAL		
Summary of Revenues	BUDGET	ACTUAL	REMAINING	PGLT	ACTUAL	REMAINING	BUDGET	ACTUAL	REMAINING
State Appropriations	13,957,487	10,703,317							
Add. Allocations (detail below)	859,200								
County Appropriations				2,560,155	1,920,116				
Rent & Interest Income				53,000	16,705				
Institutional Funds							5,416,497	4,954,480	
Total Budgeted Revenues	14,816,687	10,703,317	4,113,370	2,613,155	1,936,822	676,333	5,416,497	4,954,480	462,017
Summary of Expenditures									
Institutional Support	2,873,668	2,065,052	72%	258,380	214,759	83%	114,659	59,780	52%
Curriculum Instruction	6,750,780	5,025,051	74%				270,666	149,054	55%
Non Curriculum Instruction	1,900,058	1,149,991	61%				147,380	151,497	103%
Academic Support	1,433,149	1,048,912	73%				1,137	81	7%
Student Support	1,554,189	1,103,160	71%				370,000	275,533	74%
Plant Operations & Maint.				2,354,775	1,480,528	63%			
Proprietary / Other							988,202	772,826	78%
Student Aid							3,524,453	3,469,374	98%
Capital Outlay (excluding Capital Improvements)	304,843	185,909	61%						
Total Budgeted Expenditures	14,816,687	10,578,076	4,238,611	2,613,155	1,695,287	917,868	5,416,497	4,878,146	538,351
		71.4%	28.6%		64.9%	35.1%		90.1%	9.9%

ADDITIONAL FUNDING DESIGNATED FOR APPROVED PROJECTS	
Customized Training Projects	108,700
CTP Regional Trainer	128,614
Male Minority Grant - Aviso	45,130
Perkins Grant - Reserve Funds	25,386
Federal Portion - Basic Skills	195,805
NCWorks Career Coach	158,328
Professional Devel Grant	15000
Carryforward	24,018
Longevity	158,219
Total Other	859,200

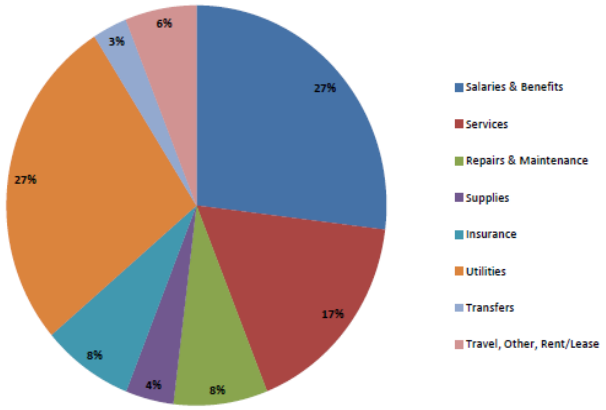
As of March 30, 2020			
Total College Budget	$	22,846,339	
Total Expenditures	$	17,151,509	75.1%

Fund Balance: County Funds	
Fund Balance, Beginning July 1, 2019	626,111
Current Operating Cash	241,534
Current Fund Balance	867,645
	34%

Western Piedmont Community College
County Expenditures by Category
FY 2020 - Actual Expenditures - July 1, 2019 thru March 30, 2020

Salaries & Benefits	456,627	26.9%
Services	288,378	17.0%
Repairs & Maintenance	135,599	8.0%
Supplies	69,231	4.1%
Insurance	131,870	7.8%
Utilities	460,934	27.2%
Transfers	49,941	2.9%
Travel, Other, Rent/Lease	102,707	6.1%
	1,695,287	100%

County Expenditures - FY 2020
July 1, 2019 - March 30, 2020



Ms. Hoilman noted that WPCC is under a spending restriction for the remainder of the year because of the global pandemic. She said WPCC is going to use fund balance to make up the remaining cost of the roof replacement project at Patton Hall and the E. Building. Ms. Hoilman said the County allocated $150,000 to WPCC for this project and the bids came in at $269,450. She said the project will begin this summer and finish before the fall semester.

Chairman Carswell opened the floor for questions and comments from the Board. Ms. Hoilman responded to a question from Commissioner Taylor.

Minutes Acceptance: Minutes of May 5, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

BOC - PBHM AMENDED BYLAWS

Tara Conrad, Community Engagement Director, Partners Behavioral Health Management (PBHM), presented information regarding the amended PBHM bylaws as follows:

> Partners Behavioral Health Management assures everyone who lives in Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin County and is covered by Medicaid or state health insurance or has no insurance at all receives the best possible services for mental health, substance use disorder, and intellectual and developmental disabilities and amended its bylaws on March 19, 2020, as recommended and to comply with NCGS 122C-118.1. The following amendments were approved: The change to limit terms to two, three-year terms was required so that Partners' bylaws are aligned with the statute. The other change to remove the restriction to the number of seats per county, based on population was recommended to the PBHM Board to allow more flexibility to meet the thirteen (13) representation requirements that are required in the statute. It is the County's policy to approve bylaws and amended bylaws for its boards and committees and staff recommends approving these bylaws if only for awareness.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor noted that Burke County did not lose any seats as a result of the amended bylaws and said the Board will need to pick a replacement for him on the PBHM Board of Directors because his terms ends and he has served the maximum number of terms allowed. Commissioner Brittain asked who the other individual representing Burke County on the PBHM Board is, discussion ensued and Clerk Draughn later reported that Linda McCreary is the other representative and she is interested in serving another term.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

BOC - RESOLUTION REGARDING RULES OF PROCEDURE FOR ELECTRONIC MEETINGS DURING COVID-19 STATE OF EMERGENCY

Chairman Carswell reported the following resolution establishes the rules of procedure for electronic meetings during the COVID-19 State of Emergency. He said J.R. Simpson, II, County Attorney spent a great deal of time on this resolution and noted the State recently passed rules and regulations concerning electronic meetings during the COVID-19 pandemic.

Attorney Simpson said there are several items in this resolution, but the most salient is that the resolution does not refer to public hearings or quasi-judicial hearings which the new State law, 2020-3 does. He said this resolution seeks the question of public participation and there are provisions to ensure the public can participate and has more detail than the new State rules. Attorney Simpson said the resolution allows citizens to deliver their comments personally or by electronic mail to the County which will then be read aloud at the regular meeting, citizens also have the opportunity to participate by joining the electronic meeting. He said even with the new State law, this resolution is not superfluous, and it is still an advantage for the Board to adopt the resolution to have the rules ready for the duration of the COVID-19 state of emergency.

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The proposed resolution reads as follows:

RESOLUTION CONCERNING ADOPTION OF RULES OF PROCEDURE FOR ELECTRONIC MEETINGS DURING COVID-19 STATE OF EMERGENCY

WHEREAS, Burke County, along with other municipalities therein, is operating under a declared State of Emergency in response to the spread of the COVID-19 virus as of 12:34 p.m. on March 20, 2020; and

WHEREAS, the Burke County Commissioners recognizes the importance of maintaining public attendance and input, to the extent possible, at all official meetings of the Board of Commissioners, even during this time of unprecedented emergency due to the spread of COVID-19 in our County, State and Nation; and

WHEREAS, continuing and evolving conditions, including the continued spread and forecasted increase in the number of persons in the community who are infected with the COVID-19 virus with resultant threat to the general public health of the community, and further including limits on the number of persons in public places by the Governor of the State of North Carolina, particularly including Executive Order No. 121 that imposed a "stay-at-home or place-of-residence" Order except incident to performance of Essential Services and limiting the number of persons that may be in a single room or single space to no more than ten (10) persons, a modification of Section 1(a) of Executive Orders Nos. 117 and 120; and

WHEREAS, Burke County wishes to remain consistent with the following guidance received from State and Federal authorities:

1. The U.S. Centers of Disease Control guidelines on "social distancing" during this emergency that recommend a minimum buffer of six (6) feet between persons.

2. Executive Order 117, as amended by Executive Order No. 121, of Governor Roy Cooper, limits mass gatherings of the public in a single room or single space at the same time to 10 people or less, including Commissioners and County staff, but that such a maximum number is subject to space availability in light of the social distancing requirements of Executive Order No. 121 that requires the public at all times and as much as reasonably possible to maintain social distancing of at least six feet (6') from other persons with the exception of family or household members; and

WHEREAS, the Governor has issued Executive Order No. 125 authorizing and encouraging remote shareholder meetings and permitting boards of directors of corporations organized, existing and acting pursuant to the laws of the State of North Carolina, in their sole discretion, to determine that all or any part of the shareholders meeting may be held solely by means of remote communication, subject to compliance with certain conditions as set forth in Executive Order No. 125, and that such Executive Order is guidance as to the need for flexibility in permitting reasonable accommodation to allow continuation of business activities to the extent possible during the current public health crisis caused by the COVID-19 virus; and

WHEREAS, N.C.G.S. 143.318.10 states that an "Official Meeting" of a public body such as the Board of Commissioners of Burke County means a meeting, assembly or gathering together at any time or place or the simultaneous communication by conference telephone or other

electronic means of a majority of the members of a public body for the purposes of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body; and

WHEREAS, N.C.G.S. 143-318.13(a) permits a public body to hold an official meeting by use of conference telephone or other electronic means provided the public body provides a location and means whereby members of the public may listen to the meeting.

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

1. That effective immediately the Burke County Board of Commissioners will limit the total number of persons allowed within Commissioners' Chambers during official meetings of the Board of Commissioners to ten (10) persons to comply with social distancing and mass gathering requirements as set forth in Executive Order No. 117 as amended by Executive Order 121 as recited above.

2. Further, to ensure the greatest possibility of public participation, County Department Heads, County staff and employees and volunteers, including boards and committees, will only be present on an as-needed basis for presentation to Commission and will otherwise be excused from Commission meeting participation. To the extent possible, presentations by Department Heads, County staff and employees and volunteers or representatives of County boards and committees may be accomplished by remote presentation by videoconference, audio telephonic, or other electronic means whereby the remote participant is able to hear and be heard in accordance with N.C.G.S. 143-318.13(a).

3. That the Burke County Board of Commissioners adopts the following "Rules of Procedure for Electronic Meetings of the Burke County Board of Commissioners" during the COVID-19 State of Emergency as declared by the Governor of the State of North Carolina. These Rules of Procedure for Electronic Meetings are supplemental to Rules of Procedure as previously adopted by the Board of Commissioners for its meetings.

RULES OF PROCEDURE FOR ELECTRONIC MEETINGS
OF THE BURKE COUNTY BOARD OF COMMISSIONERS

A. Meetings to Which These Rules Apply.

These Rules of Procedure for Electronic Meetings ("Electronic Rules") shall apply to any regular, special or emergency meeting of the Burke County Board of Commissioners, subject to the conditions set forth the herein governing Electronic Meetings.

B. Definition of an Electronic Meeting.

An Electronic Meeting is any meeting where more than three (3) members of the Board of Commissioners participate in the meeting through telephone, videoconference, or other electronic telecommunications application which allows simultaneous communication by multiple parties, or other similar means that allow

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the members of the Board of Commissioners to hold a meeting without all members of the Board of Commissioners being physically present in the same room.

C. Notice of Electronic Meeting.

If an electronic meeting is necessary, a public notice of the electronic meeting shall be sent as part of any notice required by N.C.G.S. 143-318.12. This public notice, in addition to the information required by N.C.G.S. 143.318.12 shall provide:

The location where a member of the public, member of the media, or others, may listen to the Electronic Meeting in accordance with N.C.G.S. 143-318.13; provided that this public notice shall prominently state that attendance at said location will be limited to ten (10) persons pursuant to Executive Order No. 117, as amended by Executive Order.

The notice shall be provided in the manner required by Article 33C of Chapter 143 of the North Carolina General Statues. If the Electronic Meeting is being used for any part of a regular meeting on the meeting schedule adopted by the Board of Commissioners, then the information required above shall be provided in a separate notice to be published in accordance with N.C.G.S. 143-318.12(b)(2), and shall be posted on Burke County's website and social media accounts, if possible. If livestreaming of the meeting on social media is anticipated, the notice shall contain information as to how to access the livestreaming on social media of the meeting.

D. Quorum.

Commission members present in person or electronically shall be included in the calculation for determining whether a quorum exists. If a Commission member who is participating electronically withdraws or disconnects, or is disconnected, then the rest of the meeting may be completed provided there remains a quorum of the Commission members present either in person or electronically. Any Commission member who withdraws or is disconnected from the meeting shall no longer be included for purposes of quorum calculation until he or she is re-connected to the meeting. Upon re-connection to the meeting, such Commission member shall again be counted for purposes of determining whether a quorum exists.

E. Process of Opening Meeting.

Immediately prior to opening the meeting, the Chairman, Vice Chairman, or other presiding officer shall communicate with the Commission members who are participating electronically and ensure that he/she is prepared to go forward. The electronic attendance of Commission members at the meeting shall be verified by roll call of the Commission by the presiding officer of the meeting, Chairman or Vice Chairman, or other presiding officer and verification by the Clerk, or in the absence of the Clerk, by the County Manager or County Attorney, at the commencement of the meeting. Verification shall be by voice identification of each Commission member attending electronically by the presiding officer and verified by the Clerk, or in the absence of the Clerk, by the County Manager or County Attorney in that order.

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Following verification of attendance until adjournment of the meeting, the communication line or application shall be kept open.

F. Public Comment.

Reasonable accommodation for one period of public comment per month at a regular meeting of the Board of Commissioners is required in accordance with N.C.G.S. 160A-81.1. The Board of Commissioners is permitted to adopt reasonable rules governing the conduct of the public comment period. Given the limitations on mass gatherings of the public in a single room or single space as set forth in the above-referenced Executive Orders of the Governor of North Carolina, public comments by the public at the meeting pursuant to N.C.G.S. 160A-81.1, and comments by the public at any duly noticed public hearing shall be made by one or more of the following methods:

(1) By comments delivered personally or by electronic mail to the County and received not later than two (2) hours prior to the noticed time of the meeting; or

(2) By written comments made upon the social media livestream of the electronic meeting that the commenter specifically requests, during the public comments or public hearing period, to be read into and made a part of the record of public comments or comments at a duly noticed public hearing, as the case may be.

In the cases whereby the comments are received pursuant to subsections 3.F.(2) or 3.F.(3) above, the comments shall be read aloud by the Chairman, Clerk or designee of either, as designated to monitor receipt of such comments.

G. Voting and Discussion.

Commission members physically present or present for the meeting through electronic means are eligible to vote for all items considered by the Board of Commissioners during the meeting, except voting on any quasi-judicial matters coming before the Commission. Voting shall be by individual roll call upon each question presented and shall be a response of "yes," "no," "yea," "nay," or "abstain" (in circumstances where abstention is permitted) such that the Clerk or his/her designee may record the vote. Prior to taking a vote upon any issue or question, the Chairman or presiding officer shall inquire of the Commission members attending remotely by electronic means whether he/she has been able to adequately monitor the discussion, including comments from the public, if any, and shall allow those Commission members to make any comments he or she desires. It shall be the responsibility of Commission members attending the meeting via electronic means to gain the attention of the Chairman or other presiding officer in order to be recognized for discussion. A Commission member attending through electronic means that withdraws or is disconnected from the meeting without being excused from further attendance shall not be considered an affirmative or negative vote on any issue or question before the Commission.

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H. Minutes.

The minutes of the meeting shall designate the name of each Commission member or staff member who participated physically or electronically and shall identify the nature or means of the electronic communication. The duration of participation in the meeting by any Commission member who withdraws from or is disconnected from the meeting, as well as the time of re-connection to the meeting, shall be noted in the minutes.

I. Recording.

Where reasonably possible, except for closed sessions conducted in accordance with N.C.G.S. 143-318.1, there shall be a livestream simulcast broadcast of the electronic meeting upon social media of the County. This livestream broadcast shall be preserved for so long as reasonably possible for later public viewing upon social media to the extent available. In addition, to the extent reasonably possible by media platforms used for purposes of participation by electronic videoconferencing, the electronic meeting, excluding closed session conducted pursuant to N.C.G.S. 143-318.11, shall be recorded and preserved as a public record of the County.

J. Closed Sessions.

Except as modified by this subsection, the foregoing rules for electronic meetings shall apply to Closed Sessions of the Commission wherein there is electronic participation by one or more Commission members. As an exception to the foregoing rules, electronic participation by a Commission member in a Closed Session is permitted only if the electronic participant verifies to the Commission that he or she is alone in the location from which he/she is electronically attending the Closed Session, and that the electronic communication is reasonably secure insofar as being a private communication to which no one else is privy. The rules regarding quorum as set forth in 3.D. above shall apply to Closed Session.

4. This resolution shall be in effect for all future meetings of the Burke County Board of Commissioners until rescinded upon cessation of the State of Emergency or further modification by duly adopted resolution of the Commission.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

BOC - RESOLUTION REGARDING SURPLUS REAL PROPERTY

Chairman Carswell said there is property that is owned by Burke County Public Schools (BCPS) that the Board of Education (BOE) has determined is surplus and needs to be sold. He said after speaking with the County Manager, the County has no need to own those properties and BCPS should be allowed the sell them as surplus property.

1) 0 Independence Blvd REID #39733
2) 510 South College Street REID #38130
3) 2142 Pax Hill Road REID #38263

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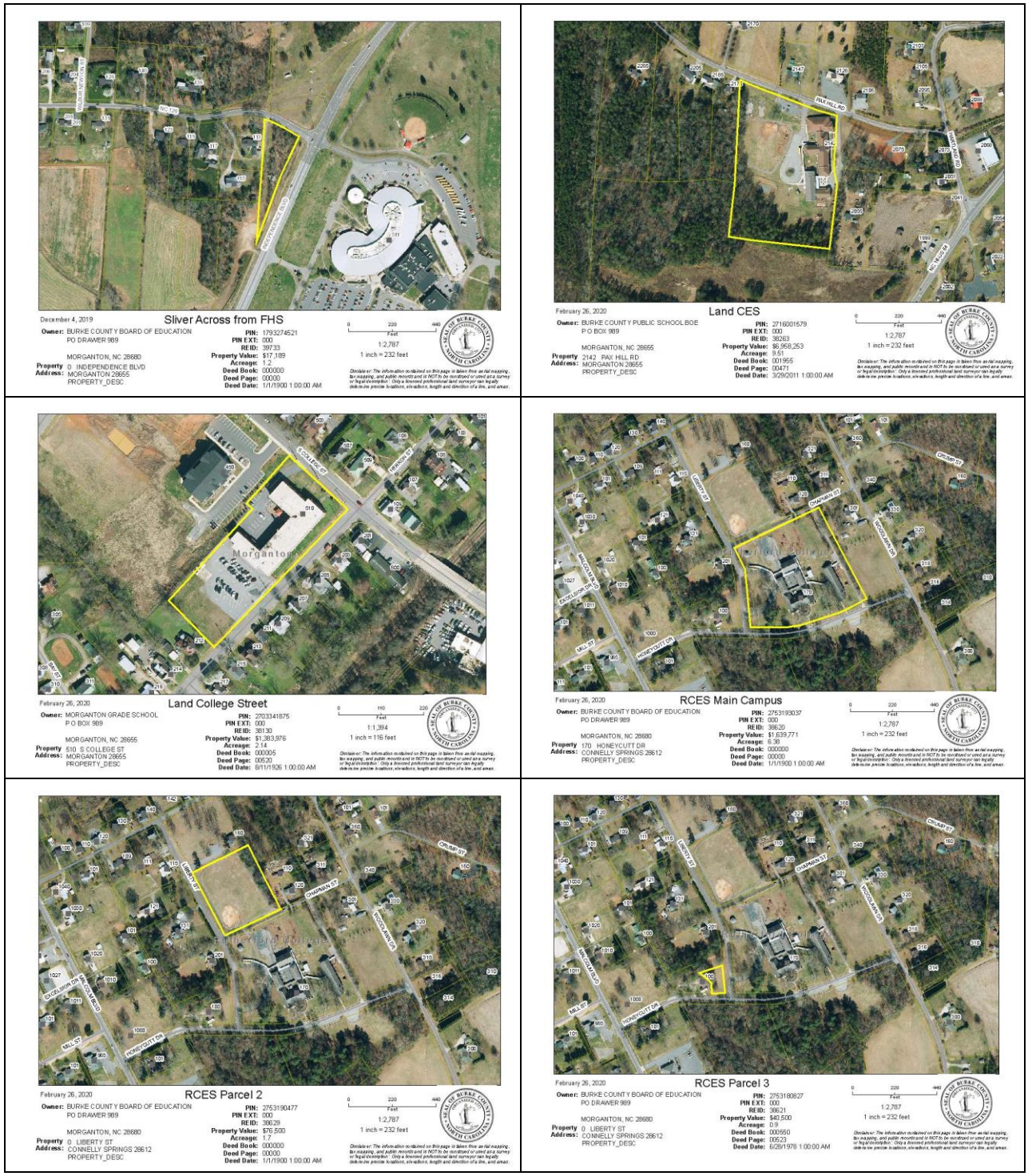
4) 0 Liberty Street REID #38629
5) 170 Honeycutt Drive REID #38620
6) 0 Liberty Street REID #38621
7) 0 Honeycutt Drive REID #38618



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Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor said the cost for all the property is approximately $12 million and asked what fund/account would the profit from the property sale go into. Keith Lawson, BCPS Finance Officer, said BCPS would put the revenues into the capital fund and then projects would be presented to the BOE and Board of Commissioners (BOC) for approval. Commissioner Brittain asked if there was any communication with BDI to see if there was any commercial/industrial interest in the properties. BDI President & ECO, Alan Wood, indicated there is some possible interest in the Rutherford College property for residential development, the interested parties have investigated the property and are preparing a notional site plan for BDI. Discussion continued with County Attorney Simpson advising that (1) if the County has a use for any of the properties, then the time to act is now; (2) the Commissioners' influence on the property ends once the resolution is adopted; (3) and after the resolution is adopted, the Board of Education can do whatever they wish with the properties. Discussion continued on how to proceed, particularly on the Rutherford College property and Commissioner Brittain suggested the Chairman speak with the BOE. In response to an inquiry about the BOE's timeline, Mr. Lawson advised that BCPS does not have any immediate plans for the properties, with the exception of property on Independence Blvd., REID #39733, which is a small sliver of land across from Freedom High School. The neighbor to the west, has expressed interest in purchasing the property and he is awaiting the opportunity. Chairman Carswell asked if a 30-day delay would hurt the potential deal and Mr. Lawson said no. Chairman Carswell suggested that this item be moved to the June agenda, to which the Board agreed to by a verbal roll call vote.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE JUNE 16, 2020 MEETING AT 6:00 PM

CLERK - EAST BURKE SENIOR CENTER ADVISORY COMMITTEE - REAPPOINTMENTS / REMOVAL

Clerk Draughn reported the terms of appointment for Norma Cline (Seat 1), Karen Robinson (Seat 4) and Gale Fullbright (Seat 7) on the East Burke Senior Center Advisory Committee end May 31st. Ms. Cline and Ms. Robinson are willing to serve another term. Ms. Fullbright does not wish to be considered for reappointment. The term is for three (3) years.

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VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

FINANCE - AUDIT CONTRACT FOR FY 19-20

Margaret Pierce, Deputy County Manager/Finance Director, presented information regarding the audit contract for FY 19-20 as follows:

> North Carolina General Statute 159-34 requires the County to have its accounts audited annually by a certified public accountant. The County's current audit firm, Lowdermilk Church & Co., L.L.P. has submitted a proposal to do the work for $41,700. The cost for Fiscal Year 18-19 audit work was $44,700, so a $3,000 decrease is requested.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

FINANCE - COUNTY FINANCIAL REPORT FOR THE PERIOD ENDING MARCH 31, 2020

Margaret Pierce, Deputy County Manager/Finance Director, presented the County financial report for the period ending March 31, 2020 as follows:

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GENERAL FUND AS OF MARCH 31, 2020

	BUDGET	ACTUAL	BALANCE	PERCENT RECEIVED / EXPENDED
REVENUES:				
Property Taxes, Interest, & Penalties	$48,970,000	47,650,484	$1,319,516	97.31%
Sales Tax	$7,400,000	3,965,202	$3,434,798	53.58%
Other taxes	$1,266,000	887,828	$378,172	70.13%
Intergovernmental	$19,073,422	12,532,337	$6,541,085	65.71%
Sales/Services	$4,021,800	2,561,476	$1,460,324	63.69%
Permit/Fees	$1,404,140	1,124,687	$279,453	80.10%
Misc Revenues	$816,950	957,149	($140,199)	117.16%
Transfer from other Funds	$6,681,410	3,340,705	$3,340,705	50.00%
Fund Balance	$4,387,363	0	$4,387,363	0.00%
TOTAL	**$94,021,085**	**73,019,868**	**$21,001,217**	**77.66%**
EXPENDITURES:				
Animal Services	$228,035	158,050	$69,985	69.31%
Burke County Schools	$15,874,203	11,899,232	$3,974,971	74.96%
Community Dev/Building Inspections	$874,345	663,869	$210,476	75.93%
Cooperative Extension	$390,855	264,162	$126,693	67.59%
Debt Service	$8,398,330	8,396,707	$1,623	99.98%
DSS	$17,625,664	11,663,220	$5,962,444	66.17%
Economic Development	$2,801,344	1,650,663	$1,150,681	58.92%
Elections	$1,106,047	820,659	$285,388	74.20%
Emergency Services	$8,921,126	6,605,005	$2,316,121	74.04%
General Government	$7,077,762	4,350,928	$2,726,834	61.47%
Health	$3,387,226	2,491,788	$895,438	73.56%
Library	$1,928,922	1,463,463	$465,459	75.87%
Maintenance & Operation	$3,200,037	1,752,705	$1,447,332	54.77%
Mental Health	$265,000	265,000	$0	100.00%
Recreation	$735,925	481,959	$253,966	65.49%
Register of Deeds	$490,435	316,904	$173,531	64.62%
Senior Services/Veteran Services	$661,428	398,441	$262,987	60.24%
Sheriff, Jail and Animal Control	$13,071,601	8,708,794	$4,362,807	66.62%
Soil & Water	$130,125	97,149	$32,976	74.66%
Tax	$1,580,935	1,150,289	$430,646	72.76%
Western Piedmont Community College	$2,895,740	2,022,226	$873,514	69.83%
Transfers to other Funds	$2,376,000	1,322,379	$1,053,621	55.66%
TOTAL	**$94,021,085**	**$66,943,592**	**$27,077,493**	**71.20%**
REVENUE OVER / (UNDER) EXPENDITURES		**$6,076,276**		
SALES TAX SUMMARY BY ARTICLE	*7 months reporting*			
Sales Tax - Article 39	$5,000,000	3,085,125	$1,914,875	61.70%
Sales Tax - Article 40	$5,837,850	3,234,771	$2,603,079	55.41%
Sales Tax - Article 42	$2,800,000	2,047,786	$752,214	73.14%
Sales Tax - Article 44	$1,562,150	966,337	$595,813	61.86%
TOTAL	**$15,200,000**	**9,334,019**	**$5,865,981**	**61.41%**

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ENTERPRISE FUNDS AS OF MARCH 31, 2020

	BUDGET	ACTUAL	BALANCE	PERCENT RECEIVED / EXPENDED
WATER & SEWER:				
Revenues	$1,854,510	1,160,932	$693,578	62.6%
Expenditures	$1,854,510	880,653	$973,857	47.5%
FUND BALANCE INCREASE / (DECREASE)		**$280,279**		
SOLID WASTE:				
Revenues	$5,822,799	4,546,066	$1,276,733	78.1%
Expenditures	$5,822,799	3,907,769	$1,915,030	67.1%
FUND BALANCE INCREASE / (DECREASE)		**$638,297**		

Ms. Pierce further reported due to COVID-19, some additional revenues will be recognized within the month: $109,000 from the CARES Act because the County does Medicare billing, a $2,000 grant for the Library, $92,873 for the Health Department and the Senior Centers should be receiving funds related to nutrition and senior meals, but there is no concrete dollar amount yet. Ms. Pierce said Senate Bill 704 made an allocation (a minimum of $250,000 per county with an additional amount above that based on population) to counties with various guidelines that will need to be researched to determine what the funds can be spent on. However, at this time, none of the funds can be used for revenue replacement and must be spent on COVID-19 related expenses.

Chairman Carswell opened the floor for questions and comments from the Board. In response to Commissioner Taylor's inquiry on the current amount of General Fund, Fund Balance on hand, Ms. Pierce advised that the exact amount cannot be determined until the end of the fiscal year; however, because expenses have been curtailed, only a small amount of fund balance may need to be used, and last year's fund balance amount was around $19 million. She further advised that revenues are on target and some are even up; however, a general decrease is anticipated, and the sales tax revenue data will not be available until July or August. Commissioner Taylor expressed disbelief that the fund balance amount is unknown. In response to additional follow-up questions from Commissioner Taylor, Ms. Pierce reiterated that the amount of Fund Balance utilized cannot be determined until year end. In response to Commissioner Brittain's inquiry on miscellaneous revenue, Ms. Pierce said interest income was well above projections for the first part of the year because of a temporary increase in the interest rates. Chairman Carswell encouraged the Board to review the North Carolina Association of County Commissioners' (NCACC) legislative update concerning House Bill 1043 and Senate Bill 704. He noted the NCACC has a detailed explanation of the $1.5 billion that will be expended to the counties in North Carolina.

VERBAL ROLL CALL RESULT: THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM
AYES: Johnnie Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS: Maynard M. Taylor

Note: The financial report was later moved to the reports section of the May 19, 2020 agenda as requested by the Chairman and County Manager.

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JCPC - APPROVAL OF JCPC COUNTY PLAN FOR BURKE COUNTY & FUNDING ALLOCATION

Rebecca McLeod, Health Director, presented information regarding the approval of the JCPC county plan for Burke County and funding allocation as follows:

The Juvenile Crime Prevention Council (JCPC) plans for the needs of adjudicated and at-risk youth and assesses the need for delinquency treatment and prevention services in Burke County. The funding from the state Department of Public Safety Division of Juvenile Justice (DJJ) for the programs, $287,074, requires a 44% match which is provided by the programs themselves either by cash or in-kind donations. Therefore, no county funding is necessary. The Annual Plan describes and documents each step of the state mandated process required to make decisions on the allocation of funds provided to Burke County by the Division of Juvenile Justice. The plan also documents the required membership of the council and meeting dates and attendance. Most importantly, it lists the programs chosen for funding and the amounts allocated. This plan must be approved by the Burke County Board of Commissioners prior to acceptance and funding by DJJ.

2020/21 BURKE COUNTY

NC DPS - Community Programs - County Funding Plan

Available Funds: $ **$287,074** Local Match: $ **$89,018** Rate: **30%**

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

			Local Funding			OTHER	OTHER		
#	Program Provider	DPS-JCPC Funding	County Cash Match	Local Cash Match	Local In-Kind	State / Federal	Funds	Total	% Non DPS-JCPC Program Revenues
1	JCPC Administration	$14,500						$14,500	$0
2	Burke Recovery	$25,663	$2,000		$5,768	$9,691		$43,122	68%
3	Conflict Resolution Center	$55,915			$17,531			$73,446	31%
4	Kids at Work	$43,598			$13,098			$56,696	30%
5	Project Challenge	$67,241			$20,172			$87,413	30%
6	Repay Just Girls	$24,892			$8,410	$9,369		$42,671	71%
7	Repay Psychological Services	$11,589			$8,936			$20,525	77%
8	Repay SAIS	$43,676			$13,103	$11,907		$68,686	57%
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
	TOTALS:	$287,074	$2,000	$0	$87,018	$30,967	$0	$407,059	44%

The above plan was derived through a planning process by the Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2018/19 BURKE COUNTY 2020/2021

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TAX DEPT. - TAX COLLECTION REPORT FOR APRIL 2020
Danny Isenhour, Tax Administrator, presented the tax collection report for April as follows:

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$44,881,650.00	$43,681,220.11	$1,195,738.50	97.34%

The information below is comparing Tax Collections for Property Tax and Motor Vehicle Tax to the Annual Budget. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected
Current Year Taxes	$48,070,000.00	$47,779,981.81	$290,018.19	99.40%
Delinquent Taxes	$650,000.00	$716,022.79	NONE	110.16%
Late List Penalty	$250,000.00	$356,888.61	NONE	142.76%

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

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$43,470,000.00	$43,681,220.11	NONE	100.49%
Motor Vehicle Tax	$4,600,000.00	$4,098,761.70	$501,238.30	89.10%

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

TAX DEPT. - RELEASE REFUND REPORT FOR APRIL 2020
Danny Isenhour, Tax Administrator, presented the release refund report for April as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	$2,981.34	$0.00	$2,981.34	$727.66

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$135.35

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

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

ITEMS FOR DECISION

CO. MGR. - PRESENTATION OF RECOMMENDED BUDGET FOR FY 20-21 AND SCHEDULING OF PUBLIC HEARING
County Manager Steen advised that the recommended budget is almost finished and it will be

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presented to the Board at the regular meeting.

Information from the agenda packet:

> The County Manager will present the recommended budget for FY 2020-21 to the Board of Commissioners on Tuesday, May 19, 2020. A copy of the recommended budget will be filed in the office of the Clerk to the Board that day and be available for public inspection at the Burke County Governmental Offices during regular business hours. The recommended budget will also be posted to the County's website at: <http://www.burkenc.org/2265/Budget-Documents>.
>
> G.S. 159-11 (b) - The budget, together with a budget message, shall be submitted to the governing board not later than June 1. The budget and budget message should, but need not, be submitted at a formal meeting of the board. The budget message should contain a concise explanation of the governmental goals fixed by the budget for the budget year, should explain important features of the activities anticipated in the budget, should set forth the reasons for stated changes from the previous year in program goals, programs, and appropriation levels, and should explain any major changes in fiscal policy. Assuming social gathering restrictions associated with the global pandemic have been lifted by then, the budget workshop meetings will be held in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Morganton, NC, on the following dates:

May 22	2:00 p.m.
May 28	2:00 p.m.
June 4	2:00 p.m. (if needed)

> If the social gathering restrictions have not been lifted by then, the budget meetings will be held electronically. A public hearing on the recommended budget is required and citizens are encouraged to present written or oral comments. Adoption of the recommended budget is anticipated to occur on June 16, 2020.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM

HR - CREATION OF ANIMAL SERVICES ENFORCEMENT POSITIONS

Rhonda Lee, HR Director, presented information regarding the creation of Animal Services Enforcement positions as follows:

> Upon the request of Sheriff Steve Whisenant that the responsibility of Burke County Animal Control be placed under the County Manager's Office, three (3) new full-time positions will need to be created. These positions will include one (1) Animal Services Enforcement Supervisor and two (2) Animal Services Enforcement Officers. The actual cost of these positions will be outlined in the County Manager's FY 20-21 recommended budget. To ensure a smooth transition from the Sheriff's Office to the Animal Services Department, it is requested that these positions be approved so they can be advertised and

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recruited so the selected candidates can begin employment on July 1, 2020. The actual cost of these positions will be outlined in the County Manager's FY 20-21 recommended budget.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor said as far as he knows, the Board has not voted to relieve the Sheriff's Office of animal control responsibilities and that he never received an answer to his question of how many counties have a department other than the sheriff operating animal control. Commissioner Taylor said the County Manager is more valuable in other areas and questioned if it was wise to burden him with Animal Enforcement. He expressed concern that this will create additional issues for the Chairman, Board of Commissioners, County Manager, and other personnel. He also wanted more information before voting on this item and asked what is the salary range for pay grades 19 and 22; and, will the Sheriff lose three (3) employees if three (3) new Animal Enforcement positions are created.

County Manager Steen explained that this is a vote on whether the Sheriff's Office will keep the current animal control positions and the related responsibilities or not and when he took over the operation of the Animal Services Center (ASC), the County underwent a very similar process. He further explained that: (1) this matter is under consideration now because of the amount of time it takes for recruitment and onboarding; (2) while the Sheriff's Office has four (4) animal control positions, only three (3) positions are requested which are less expensive than sworn law enforcement positions; (4) whether staff in the existing animal control positions are transferred to the Sheriff's Office is still being evaluated as part of the FY 20-21 budget; and, (5) the Sheriff has repeatedly asked to be relieved of animal control duties.

Chairman Carswell said the Sheriff has been adamant, almost to the point of raising his voice, about being relieved of animal control enforcement. The Board has received a multitude of complaints about the current Animal Control officers and if the County Manager can get his employees operating Animal Enforcement, then the complaints should be much less. Chairman Carswell also noted that there are six (6) or seven (7) vacancies in the Sheriff's Office and that the Sheriff can move the Animal Control Officers in as Deputy Sheriff's. He said the time is here for the Board to take charge of the ASC, including animal enforcement responsibilities.

Vice Chairman Mulwee concurred with Chairman Carswell and reiterated that the Sheriff has, on multiple occasions, expressed his desire to be relieved of animal control responsibilities. He agreed with Commissioner Taylor that the Board might get more direct complaints because they would be responsible for Animal Enforcement, but this way, they can control problems as they arise, because currently there is nothing the Board can do with animal control responsibilities under the Sheriff's Office. Discussion continued.

In response to a question from Commissioner Taylor, Ms. Lee reported the salary for pay grade 19 is $33,661 – $52,188 and pay grade 22 is $38,970 - $60,403. She also reported approximately 17 other counties have animal control under a different department other than the sheriff and discussion continued. Commissioner Taylor expressed his concern regarding adding additional employees and cost to the budget and said he does not see someone outside of the Sheriff's Office being able to have the authority and means to operate animal enforcement, especially in dangerous situations. Commissioner Taylor reiterated his concern that there was not enough information or meetings to make a decision on this request.

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Commissioner Brittain said he believes the Board is going down the right path concerning taking responsibility for the ASC and now enforcement responsibilities. Commissioner Taylor responded that Commissioner Brittain's opinion is groundless.

VERBAL ROLL CALL RESULT: THE ITEM WAS MOVED TO THE NEXT MEETING ON MAY 19, 2020 AT 6:00 PM	
YES:	Johnnie Carswell, Scott Mulwee, and Jeffrey C. Brittain
NAYS:	Wayne F. Abele, Sr. and Maynard M. Taylor

REPORTS – NONE.

OTHER DISCUSSION ITEMS

Chairman Carswell announced the following events/dates:

- May 20th - The NCACC is going to attempt to hold a virtual County Assembly Day.
- May 22nd - Budget meeting scheduled for 2:00 p.m.
- May 25th - County offices will be closed in observance of Memorial Day.
- May 28th - Budget meeting scheduled for 2:00 p.m.

Today is Teacher and School Staff Appreciation Day and the State has asked citizens to show their appreciation by displaying a light in their window at 8:20 p.m. this evening.

ADJOURN

Motion: To adjourn at 4:18 p.m.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Approved the 15th day of September 2020.

_____

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

Attest:

_____

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
SPECIAL REGULAR MEETING

Both Burke County and the State of North Carolina had previously declared a state of emergency which was ongoing as of May 19, 2020 due to the global COVID-19 pandemic. Following the N.C. Governor's Executive Order limiting mass gatherings and to protect the health of all meeting participants, the Burke County Board of Commissioners' regularly scheduled in-person regular meeting on May 19, 2020 at 6:00 p.m. was cancelled on May 14th, 2020. A special remote meeting via Zoom, a virtual meeting / teleconferencing platform with simultaneous communication, was scheduled for May 19, 2020 at 6:00 p.m. to facilitate the meeting. Chairman Carswell executed the combined notice of meeting cancellation and notice of a special virtual meeting which was published on May 14th, 2020. The Commissioners, the County Manager, the County Attorney, the Clerk and County staff as well as any citizens that joined the virtual meeting, could hear, and see one another for the duration of the meeting. Citizens that joined by telephone, could only hear the meeting. Citizens were also invited on May 14th, 2020 to watch a live stream of the meeting on the County's YouTube channel, BurkeCountyNC or view the meeting later on the local cable systems. During the meeting, the Clerk shared each agenda item on her computer screen so that meeting participants could see the item being discussed and the agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. A verbal roll call was conducted.

COMMISSIONERS PRESENT:
Johnnie W. Carswell, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

STAFF PRESENT:
Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, II, County Attorney
Kay Honeycutt Draughn, Clerk to the Board

CALL TO ORDER
Chairman Carswell called the meeting to order at 6:02 p.m.

INVOCATION
Pastor David Bridges, First Apostolic Church, delivered the invocation.

PLEDGE OF ALLEGIANCE
J.R. Simpson, II, County Attorney, led the Pledge of Allegiance to the American flag.

APPROVAL OF THE AGENDA
Motion: To approve the agenda.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes of the December 2, 2019 (pre-agenda), December 17, 2019 (regular), January 7, 2020 (pre-agenda), January 10, 2020 (special), and January 15, 2020 (special) meetings as written.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

PRESENTATIONS

AS - PET OF THE MONTH

Kaitlin Settlemyre, Animal Services Director, said they currently have no adoptable dogs at the Animal Services Center (ASC). Lindsay Stump, Animal Services Coordinator, presented Bessie, a cat in need of her "furever" home. Ms. Settlemyre encouraged citizens who are interested in fostering/adopting a dog or cat to please contact the ASC.

Chairman Carswell commended Animal Services for their work in getting animals adopted. In response to a question from Chairman Carswell, Ms. Settlemyre said there are currently six (6) adoptable cats at the ASC and 30 kittens which are currently in foster homes.

RESULT:	**NO ACTION TAKEN.**

TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING MARCH 31, 2020

In accordance with Session Law 2007-265, HB 78, the Tourism Dev. Authority must report quarterly and at the close of the fiscal year to the Burke County Board of Commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.

Ed Phillips, TDA Director, presented the financial update for the period ending March 31, 2020.

This section is intentionally left blank.

TDA YTD ACTUAL VS. FULL YEAR BUDGET

	Jul '19 - Mar 20	Budget	$ Over Budget	% of Budget
Income				
4010 · Burke Co. Govt. - Occup. Tax	328,356.57	607,000.00	-278,643.43	54.1%
4110 · Interest Income'	98.20			
4120 · Other Income	23,511.96	40,000.00	-16,488.04	58.78%
5000 · Trolley Revenue	17,141.22	15,000.00	2,141.22	114.28%
Total Income	369,107.95	662,000.00	-292,892.05	55.76%
Expense				
5010 · Accounting	8,812.50	8,000.00	812.50	110.16%
5015 · Legal and Professional Fees	7,266.10	0.00	7,266.10	100.0%
5020 · Marketing/Advertising	99,609.28	156,300.00	-56,690.72	63.73%
5102 · Membership Dues	275.00	2,500.60	-2,225.60	11.0%
5110 · Building Maintenance	27.71	500.00	-472.29	5.54%
5113 · City of Morganton/Tourism	67,262.82	136,575.00	-69,312.18	49.25%
5115 · Town of Valdese/Tourism	45,614.54	75,874.40	-30,259.86	60.12%
5140 · Website Upkeep	1,801.51	499.96	1,301.55	360.33%
5150 · Insurance				
5155 · Trolley Insurance	3,391.40			
5160 · Directors & Officers Liability	1,225.00			
5165 · Worker's Compensation	82.00			
5175 · Employee Health Insurance	8,223.28			
5150 · Insurance - Other	0.00	20,000.00	-20,000.00	0.0%
Total 5150 · Insurance	12,921.68	20,000.00	-7,078.32	64.61%
5180 · Office Supplies	3,896.40	4,000.04	-103.64	97.41%
5190 · Payroll Shared Staff Reimbursem	3,835.67			
5200 · Payroll Expenses				
5210 · Payroll	92,350.97			
5215 · NC Unemployment Tax	457.85			
5220 · Part-time Staffing	5,682.75			
5230 · Payroll Taxes	7,975.41			
5235 · Retirement	7,528.05			
5200 · Payroll Expenses - Other	16,372.82	211,000.00	-194,627.18	7.76%
Total 5200 · Payroll Expenses	130,367.85	211,000.00	-80,632.15	61.79%
5250 · Postage	709.61	750.00	-40.39	94.62%
5280 · Office Rent	5,000.00	6,000.00	-1,000.00	83.33%
5290 · Telephone	2,246.64	3,000.00	-753.36	74.89%
5300 · Travel/Training				
5320 · Board Meeting Expenses	158.10			
5300 · Travel/Training - Other	9,443.92	22,000.00	-12,556.08	42.93%
Total 5300 · Travel/Training	9,602.02	22,000.00	-12,397.98	43.65%
5301 · Trolley Expenses	11,977.72	15,000.00	-3,022.28	79.85%
5305 · Meetings	1,095.37			
5400 · Misc. Expense	3,645.50			
Total Expense	415,967.92	662,000.00	-246,032.08	62.84%
Net Income	-46,859.97	0.00	-46,859.97	100.0%

Mr. Phillips said since April, occupancy at the hotels are up and he is hopeful they are now recovering from the financial impact of COVID-19. He said they have a social media campaign called "Burke's Treasures" and every morning there is a post about a Burke treasure that is tied to tourism, attractions, people, or retail. Mr. Phillips said beginning in June, they will have a campaign called "Discover Burke's Treasures" and they are working on packages to invite people to visit Burke County in an organized manner with various packages/themes.

Chairman Carswell opened the floor for questions and comments from the Board. Vice Chairman Mulwee asked how the TDA is marketing prudently due to their restriction of marketing funds. Mr. Phillips said they worked with publications to get free ad space and articles as well as a significant discount on the billboards on Interstate 40. He said they have cut back on everything they possibly can to preserve their funds so they can focus on recovery marketing when people begin traveling again. Mr. Phillips responded to a comment from Commissioner Taylor and noted that people coming to the visitor center were interested in relocating to Burke County, not just leisure travel.

Motion: To accept the report as presented.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

SCHEDULED PUBLIC HEARINGS

BDI - BUILDING REUSE GRANT AND LOCAL ECONOMIC DEVELOPMENT GRANT FOR PROJECT REFRESH AND PUBLIC HEARING - 6:00 PM

Information from the agenda packet:

Burke Development Inc. requests support for Project Refresh, a new industry

relocating to Burke County (Morganton), through a Building Reuse grant, and a local economic development grant which will be the matching funds for a proposed One NC grant from the State of North Carolina.

A Building Reuse grant application for $500,000 is being submitted to the State by the County. Burke County and the City of Morganton will provide the 5 percent local match of $12,500 each or $25,000 total. A grant administration contract with the WPCOG (Western Piedmont Council of Governments) is necessary if a grant award is received. The local match will cover the grant administration cost. The Company will create at least 151 new jobs by the end of 2022, approximately 226 new jobs over 5 years and invest approximately $18.5 million in new additional tax base. The jobs will meet or exceed the average county wage and will include healthcare benefits.

A $500,000 One NC grant application will be submitted to the State, which requires a 50% local match. Burke County's and the City of Morganton's proposed economic development grants, which consists of grants equivalent to 60% of the taxes paid on the new taxable investment for five (5) consecutive years beginning in FY 2022-23 will be used as the match. Based on the estimated investment of $18.5M and the County's current tax rate of 69.5 cents, the County's portion would be $77,145 annually for five (5) years or $385,725 in total. Based on Morganton's current tax rate of 57 cents, their allotment would be $63,270 annually or $316,350 in total. (This is for demonstration purposes only based on investment approximation - actual incentive may vary.)

To comply with the following portion of HB 730 (SL 2020-3) and upon the advice of Tyler Mulligan at the UNC School of Government, excluding the public hearing, official action on the proposed economic incentive grant will occur at 2 p.m. on May 22, 2020. The meeting will be held in the County Board Room, 110 N. Green Street in Morganton and subject to current Coronavirus social distancing requirements.

Public Hearings. - A public body may conduct any public hearing required or authorized by law during a remote meeting, and take action thereon, provided the public body allows for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing.

The County's portion of the local match, $12,500, would need to be appropriated in the FY 2020-21 budget. Based on an $18,500,000 investment, the grant allocation would be approximately $77,145 per year beginning in the 2022-2023 budget year.

Alan Wood, President and CEO of BDI, said this is a project that BDI has been working on since September and he thanked ElectriCities who made him aware of this lead. This company will occupy the former Ice River Springs facility, located on Ceramic Tile Drive in Morganton and the building is approximately 318,000 sq. ft. in size. Mr. Wood said the company will create 151 new jobs by the end of 2022 and the total projection over five (5) years is for 226 jobs. The company plans to invest approximately $18.5 million, which is new investment and the tax base

won't be known until those numbers are provided by the Tax Office. Mr. Wood further stated the company plans to install two (2) state-of-the-art bottling lines and the building is under contract. BDI submitted an application for a One NC grant and a Building Reuse grant is on the Rural Infrastructure Authority's agenda for the June 15th meeting. Mr. Wood said the Building Reuse grant is for $500,000, there is a five (5) percent local match required, and he will appear before the Morganton City Council on June 1st. The $500,000 One NC grant requires a 50 percent match, which will be derived from the local incentives that are proposed at 60 percent of the new tax base for a period of five (5) years. He estimated the County's portion is roughly $77,000 a year based on 60 percent of the new taxes over a five (5) year period would be a little over $385,000; Morganton's portion based on their tax rate, would be approximately $63,000 a year with a total of about $316,000.

Chairman Carswell opened the floor for questions and comments from the Board. Vice Chairman Mulwee commended Mr. Wood and his staff for recruiting this company during a difficult time. In response to a question from Vice Chairman Mulwee, Mr. Wood said at this time, this would be the company's only east coast distribution center and then he responded to a question from Commissioner Taylor concerning the local grant match amounts.

Chairman Carswell asked Clerk Draughn if any public comments had been received. Clerk Draughn said she did not receive any written comments nor is she aware of anyone currently in the Zoom meeting wishing to speak on this item. Chairman Carswell said written public comments concerning this item will be accepted through May 21, 2020 via email, fax, U.S. mail, or hand-delivered to the Clerk in order to comply with House Bill 704.

After a clarification from the County Attorney, Chairman Carswell opened the public hearing at 6:26 p.m. and asked if anyone present on the Zoom call would like to make a public comment. There was no one to speak on this item so Chairman Carswell closed the public hearing at 6:27 p.m. The public hearing notice was published in the News Herald on May 7 and on May 14, 2020. It was also posted on the County's website, www.Burkenc.org, on May 7, 2020.

To allow for additional time to receive public comments in accordance with HB 730, this item was tabled until the Board's May 22, 2020 special meeting.

Motion: To table this item until 2 p.m. on May 22, 2020.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

INFORMAL PUBLIC COMMENTS

Chairman Carswell opened the floor for informal public comments. Due to the Board holding their meeting over Zoom in order to ensure public safety, citizens had the option to submit their public comments to Clerk Draughn to be read aloud at the meeting. Eight (8) citizens submitted public comments which were read aloud by Clerk Draughn.

Debbie Hawkins, President, REASON, Inc.

Dear Burke County Commissioners,

On behalf of Reason, Inc. I am writing to acknowledge our organization's support for the creation of positions as Animal Services Enforcement Officers and the transfer of oversight and supervision to the County Manager. Reason has worked diligently to educate the public on the benefits of spaying and neutering. Several years ago, we joined forces with Burke County with the purpose of targeting citizens who were turning in litters and had complaints filed against them for their animals' problem behaviors. We enlisted the assistance of the Sheriff's Office to ensure the Animal Control officers distribute our Reason cards as they encountered them in the field. To remind you, these cards should have been given to these citizens, which would have provided a free rabies vaccination and a free spay /neuter for their animal. Unfortunately, very few cards were given out in the field.

Educating in the field has been found to be a critical element to reducing the number of unwanted animals in a given area and is the current model of animal welfare programs. To achieve this, we need a model that is current and designed to educate the public on how to better care for their animals. We need officers who provide information on resources available in our community who are also willing to hold pet owners accountable by enforcing the ordinance. As you are aware, humane trapping is an area that requires great attention. We need animal welfare officers who believe in staying current on techniques for humane trapping and who work in harmony with organizations whose mission is to rescue, adopt, and who understand the importance of spaying and neutering. The Sheriff has stated publicly many times the officers do not have the time, nor do they have the manpower to do this.

Key elements within the job description of one proposed position sums it up: participating in public education, educating the public on the importance of spay /neuter and pet overpopulation, working in cooperation with rescue organizations and maintaining communication with Animal Services. All of these have been sorely lacking in the last many years. Creating these positions and aligning them with the shelter operations, is a fiscally responsible decision. Ultimately, having staff who are educating the public on the animal ordinance and enforcing this ordinance will result in fewer animals impounded, eventually saving the taxpayers money. We may not be able to change everyone's attitudes towards the care of the animals, but we can change the outcome.

What a huge impact you can make if you move ahead on this decision. It is past time for Burke County.

Debbie Hawkins, Chair of the Burke County Animal Advisory Board (AAB), on behalf of the AAB.

This letter is in support of the proposed creation of Animal Services Enforcement positions to be under the oversight of the Burke County Manager. The Burke County Animal Advisory Board believes the shift out from under the Sheriff's Office would be a positive move in that it puts the Animal Services shelter and the "enforcement" of animal welfare in our community under one roof. Since the Animal Services staff began late last year, there has been a major shift in developing a more positive atmosphere for the animals as well as the public.

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Shifting the message of "control" to one of enforcement sets the stage for a more proactive approach for Burke County's treatment of animals. These positions, by being a part of the Animal Services Center, can play a more active role in resolving issues in the community and providing resources to companion pet owners. Yes, these positions would still be responsible for enforcing the animal welfare ordinance, investigating allegations of abuse and mistreatment, but could be instrumental in providing information to the public about how to properly care for their animals, and to provide rescue resources to those who find themselves unable to do so.

We understand Commissioner Taylor's reluctance to "reward" negative behavior by not holding the Sheriff's Department accountable for what they are assigned to do. However, rewarding negative behavior is allowing the behavior to continue with little accountability. The County Commissioners, in reality, have no legal authority over the Sheriff's Office or its staff. If Burke County's government truly wants to make a difference in the lives of the animals in our county, creating these positions and putting them under the authority of the County Manager is a step in the right direction.

Jennifer Terry, Morganton

Dear Commissioners,

I am writing in support of the proposal to move Animal Control positions from supervision by the Sheriff's Department to supervision by the County Manager. Because of the unique overlap of animal welfare, code enforcement and public health considerations I feel strongly the County Manager is best positioned to address these areas in a humane and synergistic manner. The Burke County Commissioners have made significant progress in addressing the needs of our domesticated animals in recent years. I believe this progress will continue with the approval of this proposal.

Patti Selm, Morganton

Dear Commissioners,

I am writing to express my support to create Animal Services enforcement positions under the supervision of the County Manager. While currently those positions are under the supervision of the Sheriff's Department, I feel it is imperative to note the progress that has been made in animal welfare in our county since the County Manager, Bryan Steen, has taken over the supervision of our Animal Services department.

There have been many gains towards the positive treatment and management of domesticated animals under the direction of Mr. Steen. It seems very logical to extend that to Animal Control or Animal Enforcement & Care "in the field". Animal Services and Animal Enforcement or "Control", must work hand in hand, with mutual respect and towards the

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same goals. Therefore, putting this department or area of Animal Care under the direction of the County Manager would seem the best way to achieve that goal.

Thank you for all of your efforts to help the animals in Burke County and all of the fantastic progress that has transpired to this point.

Gwen Hood, 4077 Plantation Drive, Morganton

Dear Chairman Carswell, Vice President Mulwee, Commissioners Abele, Taylor, Brittain, and County Manager Bryan Steen:

I am writing this letter to support the efforts of this board to form a new animal control and positions which will be under the supervision of the County Manager's office and will no longer function under the supervision of the Sheriff's Department , as Sheriff Whisenant has proposed and supports.

The positive changes which have already taken place with the formation of our Burke County Animal Services Center, would be enhanced and greatly benefit the BCASC with the addition of a new animal control. Both departments would work together more cohesively and toward the same goals if Animal Control were supervised by the County Manager's office.

Part of the negative image that still unfortunately impacts the BCASC is the knowledge that there has been no change or improvement in animal control policies and goals.

Both departments working together and under the same team would have a more compassionate approach to solving problems in our county. Instead of negatively impacting the efforts of the BCASC, a new animal control would instead help promote a positive humane team and further our cause and hope to become a No Kill county.

The public's confidence would also improve regarding animal control, and there would be more opportunities to work with the public in educating and resolving existing concerns for animal welfare in our county.

I hope you will unanimously approve this exciting and positive change.

Evelyn McMillan Alderson, Treasurer, Hearts & Hands for Animals

Dear Commissioners,

I'm writing to you this evening to ask that you approve the creation & appointment of new Animal Services officers under the direction of the County Manager, Bryan Steen. I believe this will allow him to continue the incredible advancements that have been made with Animal Services in such a short time under his direction. The inclusiveness & community outreach set in motion by

Animal Services staff has made an enormous difference in public opinion and the lives of companion animals in Burke County.

My organization provides monetary assistance to families & individuals needing veterinary care, spay/neuter & rental deposits, enabling them to keep their pet & avoid re-homing or surrender to Animal Services. We often partner with rescues, low cost spay/neuter & gratefully, now, Animal Services, if they find someone in need.

I believe your continued support & direction of Animal Services will serve to reinforce the "All About Advancing" brand for Burke County.

Lela Duke

Dear Burke County Commissioners,

I am writing this to state that I am very much in support of the creation of the positions for Animal Services Enforcement Officers and the transfer of these positions to the County Manager's office. As an individual who has volunteered with Animal Services of Burke County and someone who has been involved with several organizations dealing with animal welfare, I would like to first express my sincere appreciation to the board for the original restructuring of Animal Control to our current Animal Services program and its placement under the county manager's office. This has made a tremendous impact already on the treatment and welfare of the animals, and brought Burke County far forward in its quest to have an innovative quality program in place that will be a model to be emulated. Like the missing piece of a jigsaw puzzle, adding these positions and placing them under the supervision of the county manager's office will serve to ultimately complete the picture in making Burke County's Animal Services program reach the goal you yourselves have set forth. That goal is for Animal Services to be a department that understands and emphasizes the need for community education regarding basic animal welfare, the benefits and need for spaying and neutering of animals, a desire to work in coordination with other agencies to enhance the quality of life of animals in our county, and a knowledge of best practices in the handling of or trapping of stray or abandoned animals, which has not always been the case in the past. But this is the time to move forward. This is the time to build on the progress that has been made thus far. Your decision in this matter can make this happen and will greatly impact the lives of the animals in Burke County, the people who provide upkeep and care for them, and ultimately all of its citizens. I urge you to build on what you have begun by approving this and I extend a sincere thank you for all you do.

Gwen Stephens, 211 Hilltop St., Rutherford College

This note is in support of creating new Animal Service Enforcement positions under the overseeing of Burke County Manager Bryan Steen. I believe if we could move forward with this plan in mind, several things would take place:

First, it would bring the current Animal Services and Animal Control under one roof and working as one entity. This would give FULL transparency to all activities taking place whereas with the present BCSO, things are not very clear and mandates are not being upheld. We are seeing incidents of present Animal Control not willing to work with the current Burke County Animal Services. At the present, it seems that the county has no say-so over what happens with Burke County Sheriff's Animal Control. It is my belief, that a "house divided" will fail, and so far that has been the outcome with this current situation. The "animal house" within Burke County is failing for a number of reasons, and many of them have been spoken loudly by the advocacy groups and animal boards since 2017. It's time to get "our house" in order as one, and maintain an excellent report with our public and most of all treating the animals as they should be treated… humanely.

Second, sub-committees of the Animal Advisory Board have tried to bring about a great positive image by keeping the public aware via radio and TV ads, but maintaining a positive image is difficult when we encounter adverse situations that no one has control over except the BCSO. I am speaking of the most recent issue that occurred with a small dog's death at the hands of BCSO Animal Control. We are working hard to change the image that has been emitted from the former Animal Control/Shelter; however, when you go to the Sheriff for assistance, and none is given except saying that "he (the sheriff) wants to get rid of Animal Control". That speaks volumes to me. If they don't want to do it, then please give it to someone who does. If we move forward with this transition, we will see the public more willing to become involved with their time, talents, and resources – all of which we desperately need.

Finally, if we can move forward with this "new enforcement" – not control, the house no longer divided will work more cohesively and transparently. We will see great strides in organization and in operations. I understand there has been reluctance to move forward because it was felt the BCSO would be rewarded in their failure to accurately and adequately perform their duties regarding the animals; however, I see this not as a reward, but putting this major responsibility into the hands of those most capable, most responsible, and most willing to put their hands to the plow and work this job as it should be.

Thank you for your kind consideration regarding this most difficult decision.

With there being no other comments, Chairman Carswell closed this portion of the meeting.

CONSENT AGENDA

As requested by the Chairman, County Manager Steen reviewed the items on the consent agenda. All the items on the consent agenda were approved by a single roll call vote. Commissioner Taylor announced his intent to vote against the consent agenda because the County finance report was removed. Note: The report was included in the reports section of the agenda packet.

BCPS - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING MARCH 31, 2020

In accordance with the Memorandum of Agreement approved by the County and the Board of Education, the Board of Education will provide to the County quarterly financial reports on the 2019-2020 budget year, showing the application of the County's local funding by the end of each fiscal quarter. These reports will be presented to the County's Board of Commissioners in November 2019, February 2020 and May 2020, respectively.

BCPS

Estimated Revenues

2019/2020

	Annual		March YTD			% of Budget
	Previous	Current Fcst	Previous	Current	% Change	Received
State	80,597,443	80,600,000	60,494,881	60,269,393	-0.4%	74.8%
Federal	7,462,092	7,720,415	5,237,136	5,088,420	-2.8%	65.9%
Local	14,568,907	14,425,772	11,325,498	11,235,787	-0.8%	77.9%
School Nurses	718,403	998,140	563,099	650,259	15.5%	65.1%
Charter Schools	412,143	450,291	276,952	390,460	41.0%	86.7%
Fines & Forfeitures	430,149	380,000	259,995	266,833	2.6%	70.2%
Special Revenues	5,513,118	5,350,000	3,334,118	3,033,210	-9.0%	56.7%
Total	$ 109,702,255	$ 109,924,618	$ 81,491,679	$ 80,934,362	**-0.7%**	**73.6%**

BCPS

Local Financials by Purpose & Function Level

2019/2020

					'19/'20					
	Expenses	'16/'17	'17/'18	'18/'19	Budget	1st	2nd	3rd	4th	Total
5XXX	Regular Instructional Services	4,912,851	5,164,868	5,324,653	5,426,911	822,802	1,957,952	672,119		3,452,873
6XXX	Instructional Support	9,795,255	10,405,887	10,119,395	10,442,916	2,975,589	2,337,956	2,023,534		7,337,079
8XXX	Other Governmental Units	655,442	625,363	702,226	617,763	57,823	155,247	192,898		405,968
4XXX	Revenues Over/(Under)	430,881	(98,431)	37,872	(188,387)	93,890	(231,620)	1,137,813		1,000,083
XXXX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ 4,026,364	$ -	$ 12,196,003
	% of Annual Budget									74.8%
	Revenue									
4110	Burke County	14,264,035	14,599,358	14,448,211	14,416,272	3,745,262	3,745,263	3,745,262		11,235,787
4110	Timber Receipts	10,747	9,406	120,696	9,500	-	-	-		-
4110	Charter Schools	370,618	372,286	412,143	450,291	89,557	289,412	11,491		390,460
4410	Fines & Forfeitures	430,126	330,570	430,149	380,000	1,529	141,577	123,727		266,833
4490	School Nurses	653,750	726,095	718,403	998,140	70,933	94,022	485,304		650,259
4493	Schools' Receivables	65,153	59,972	54,544	45,000	42,823	(50,739)	(339,420)		(347,336)
44XX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ 4,026,364	$ -	$ 12,196,003

LCE FB contributed $38k for '18/'19, bringing total FB to $2.7M, 16.6% of local budget

At this point in time have no forecast as to current FB impact due to COVID-19

Suggested Motion: To accept the report as presented.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

BOC - RESOLUTION REGARDING RULES OF PROCEDURE FOR ELECTRONIC MEETINGS DURING COVID-19 STATE OF EMERGENCY

The following resolution establishes the rules of procedure for electronic meetings during the

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COVID-19 State of Emergency. The Board may wish to consider approving the use of these rules of procedures for any other global, national, state or local event that may occur in the future.

Motion: To adopt Resolution No. 2020-13. To approve the rules of procedure for use during any other global, national, state or local event that may occur in the future.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

Resolution No. 2020-13 reads as follows:

RESOLUTION CONCERNING ADOPTION OF RULES OF PROCEDURE FOR ELECTRONIC MEETINGS DURING COVID-19 STATE OF EMERGENCY

WHEREAS, Burke County, along with other municipalities therein, is operating under a declared State of Emergency in response to the spread of the COVID-19 virus as of 12:34 p.m. on March 20, 2020; and

WHEREAS, the Burke County Commissioners recognizes the importance of maintaining public attendance and input, to the extent possible, at all official meetings of the Board of Commissioners, even during this time of unprecedented emergency due to the spread of COVID-19 in our County, State and Nation; and

WHEREAS, continuing and evolving conditions, including the continued spread and forecasted increase in the number of persons in the community who are infected with the COVID-19 virus with resultant threat to the general public health of the community, and further including limits on the number of persons in public places by the Governor of the State of North Carolina, particularly including Executive Order No. 121 that imposed a "stay-at-home or place-of-residence" Order except incident to performance of Essential Services and limiting the number of persons that may be in a single room or single space to no more than ten (10) persons, a modification of Section 1(a) of Executive Orders Nos. 117 and 120; and

WHEREAS, Burke County wishes to remain consistent with the following guidance received from State and Federal authorities:

1. The U.S. Centers of Disease Control guidelines on "social distancing" during this emergency that recommend a minimum buffer of six (6) feet between persons.

2. Executive Order 117, as amended by Executive Order No. 121, of Governor Roy Cooper, limits mass gatherings of the public in a single room or single space at the same time to 10 people or less, including Commissioners and County staff, but that such a maximum number is subject to space availability in light of the social distancing requirements of Executive Order No. 121 that requires the public at all times and as much as reasonably possible to maintain social distancing of at least six feet (6') from other persons with the exception of family or household members; and

WHEREAS, the Governor has issued Executive Order No. 125 authorizing and encouraging remote shareholder meetings and permitting boards of directors of corporations organized, existing and acting pursuant to the laws of the State of North Carolina, in their sole discretion, to determine that all or any part of the shareholders meeting may be held solely by means of remote communication, subject to compliance with certain conditions as set forth in Executive Order No. 125, and that such Executive Order is guidance as to the need for flexibility in permitting reasonable accommodation to allow continuation of business activities to the extent possible during the current public health crisis caused by the COVID-19 virus; and

WHEREAS, N.C.G.S. 143.318.10 states that an "Official Meeting" of a public body such as the Board of Commissioners of Burke County means a meeting, assembly or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purposes of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body; and

WHEREAS, N.C.G.S. 143-318.13(a) permits a public body to hold an official meeting by use of conference telephone or other electronic means provided the public body provides a location and means whereby members of the public may listen to the meeting.

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

1. That effective immediately the Burke County Board of Commissioners will limit the total number of persons allowed within Commissioners' Chambers during official meetings of the Board of Commissioners to ten (10) persons to comply with social distancing and mass gathering requirements as set forth in Executive Order No. 117 as amended by Executive Order 121 as recited above.

2. Further, to ensure the greatest possibility of public participation, County Department Heads, County staff and employees and volunteers, including boards and committees, will only be present on an as-needed basis for presentation to Commission and will otherwise be excused from Commission meeting participation. To the extent possible, presentations by Department Heads, County staff and employees and volunteers or representatives of County boards and committees may be accomplished by remote presentation by videoconference, audio telephonic, or other electronic means whereby the remote participant is able to hear and be heard in accordance with N.C.G.S. 143-318.13(a).

3. That the Burke County Board of Commissioners adopts the following "Rules of Procedure for Electronic Meetings of the Burke County Board of Commissioners" during the COVID-19 State of Emergency as declared by the Governor of the State of North Carolina. These Rules of Procedure for Electronic Meetings are supplemental to Rules of Procedure as previously adopted by the Board of Commissioners for its meetings.

RULES OF PROCEDURE FOR ELECTRONIC MEETINGS
OF THE BURKE COUNTY BOARD OF COMMISSIONERS

A. Meetings to Which These Rules Apply.

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These Rules of Procedure for Electronic Meetings ("Electronic Rules") shall apply to any regular, special or emergency meeting of the Burke County Board of Commissioners, subject to the conditions set forth the herein governing Electronic Meetings.

B. Definition of an Electronic Meeting.

An Electronic Meeting is any meeting where more than three (3) members of the Board of Commissioners participate in the meeting through telephone, videoconference, or other electronic telecommunications application which allows simultaneous communication by multiple parties, or other similar means that allow the members of the Board of Commissioners to hold a meeting without all members of the Board of Commissioners being physically present in the same room.

C. Notice of Electronic Meeting.

If an electronic meeting is necessary, a public notice of the electronic meeting shall be sent as part of any notice required by N.C.G.S. 143-318.12. This public notice, in addition to the information required by N.C.G.S. 143.318.12 shall provide:

The location where a member of the public, member of the media, or others, may listen to the Electronic Meeting in accordance with N.C.G.S. 143-318.13; provided that this public notice shall prominently state that attendance at said location will be limited to ten (10) persons pursuant to Executive Order No. 117, as amended by Executive Order.

The notice shall be provided in the manner required by Article 33C of Chapter 143 of the North Carolina General Statues. If the Electronic Meeting is being used for any part of a regular meeting on the meeting schedule adopted by the Board of Commissioners, then the information required above shall be provided in a separate notice to be published in accordance with N.C.G.S. 143-318.12(b)(2), and shall be posted on Burke County's website and social media accounts, if possible. If livestreaming of the meeting on social media is anticipated, the notice shall contain information as to how to access the livestreaming on social media of the meeting.

D. Quorum.

Commission members present in person or electronically shall be included in the calculation for determining whether a quorum exists. If a Commission member who is participating electronically withdraws or disconnects, or is disconnected, then the rest of the meeting may be completed provided there remains a quorum of the Commission members present either in person or electronically. Any Commission member who withdraws or is disconnected from the meeting shall no longer be included for purposes of quorum calculation until he or she is re-connected to the meeting. Upon re-connection to the meeting, such Commission member shall again be counted for purposes of determining whether a quorum exists.

E. Process of Opening Meeting.

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Immediately prior to opening the meeting, the Chairman, Vice Chairman, or other presiding officer shall communicate with the Commission members who are participating electronically and ensure that he/she is prepared to go forward. The electronic attendance of Commission members at the meeting shall be verified by roll call of the Commission by the presiding officer of the meeting, Chairman or Vice Chairman, or other presiding officer and verification by the Clerk, or in the absence of the Clerk, by the County Manager or County Attorney, at the commencement of the meeting. Verification shall be by voice identification of each Commission member attending electronically by the presiding officer and verified by the Clerk, or in the absence of the Clerk, by the County Manager or County Attorney in that order. Following verification of attendance until adjournment of the meeting, the communication line or application shall be kept open.

F. Public Comment.

Reasonable accommodation for one period of public comment per month at a regular meeting of the Board of Commissioners is required in accordance with N.C.G.S. 160A-81.1. The Board of Commissioners is permitted to adopt reasonable rules governing the conduct of the public comment period. Given the limitations on mass gatherings of the public in a single room or single space as set forth in the above-referenced Executive Orders of the Governor of North Carolina, public comments by the public at the meeting pursuant to N.C.G.S. 160A-81.1, and comments by the public at any duly noticed public hearing shall be made by one or more of the following methods:

(1) By comments delivered personally or by electronic mail to the County and received not later than two (2) hours prior to the noticed time of the meeting; or

(2) By written comments made upon the social media livestream of the electronic meeting that the commenter specifically requests, during the public comments or public hearing period, to be read into and made a part of the record of public comments or comments at a duly noticed public hearing, as the case may be.

In the cases whereby the comments are received pursuant to subsections 3.F.(2) or 3.F.(3) above, the comments shall be read aloud by the Chairman, Clerk or designee of either, as designated to monitor receipt of such comments.

G. Voting and Discussion.

Commission members physically present or present for the meeting through electronic means are eligible to vote for all items considered by the Board of Commissioners during the meeting, except voting on any quasi-judicial matters coming before the Commission. Voting shall be by individual roll call upon each question presented and shall be a response of "yes," "no," "yea," "nay," or "abstain" (in circumstances where abstention is permitted) such that the Clerk or his/her designee may record the vote. Prior to taking a vote upon any issue or question, the

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Chairman or presiding officer shall inquire of the Commission members attending remotely by electronic means whether he/she has been able to adequately monitor the discussion, including comments from the public, if any, and shall allow those Commission members to make any comments he or she desires. It shall be the responsibility of Commission members attending the meeting via electronic means to gain the attention of the Chairman or other presiding officer in order to be recognized for discussion. A Commission member attending through electronic means that withdraws or is disconnected from the meeting without being excused from further attendance shall not be considered an affirmative or negative vote on any issue or question before the Commission.

H. Minutes.

The minutes of the meeting shall designate the name of each Commission member or staff member who participated physically or electronically and shall identify the nature or means of the electronic communication. The duration of participation in the meeting by any Commission member who withdraws from or is disconnected from the meeting, as well as the time of re-connection to the meeting, shall be noted in the minutes.

I. Recording.

Where reasonably possible, except for closed sessions conducted in accordance with N.C.G.S. 143-318.1, there shall be a livestream simulcast broadcast of the electronic meeting upon social media of the County. This livestream broadcast shall be preserved for so long as reasonably possible for later public viewing upon social media to the extent available. In addition, to the extent reasonably possible by media platforms used for purposes of participation by electronic videoconferencing, the electronic meeting, excluding closed session conducted pursuant to N.C.G.S. 143-318.11, shall be recorded and preserved as a public record of the County.

J. Closed Sessions.

Except as modified by this subsection, the foregoing rules for electronic meetings shall apply to Closed Sessions of the Commission wherein there is electronic participation by one or more Commission members. As an exception to the foregoing rules, electronic participation by a Commission member in a Closed Session is permitted only if the electronic participant verifies to the Commission that he or she is alone in the location from which he/she is electronically attending the Closed Session, and that the electronic communication is reasonably secure insofar as being a private communication to which no one else is privy. The rules regarding quorum as set forth in 3.D. above shall apply to Closed Session.

4. This resolution shall be in effect for all future meetings of the Burke County Board of Commissioners until rescinded upon cessation of the State of Emergency or further modification by duly adopted resolution of the Commission.

Adopted this 19th day of May 2020.

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

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

CLERK - APPOINTMENT TO PLANNING BOARD

Seat No. 7 on the Planning Board is vacant. This seat alternates from east to west every 3-year term. Currently, Seat No. 7 represents the east until September 30, 2020 at which time it will alternate back to the west. An application was received from Shanon Stanbury to fill this vacancy.

Motion: To appoint Shanon Stanbury to the Burke County Planning Board to complete the remainder of an unexpired term ending September 30, 2020.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

CLERK - EAST BURKE SENIOR CENTER ADVISORY COMMITTEE - REAPPOINTMENTS / REMOVAL

The terms of appointment for Norma Cline (Seat 1), Karen Robinson (Seat 4) and Gale Fullbright (Seat 7) on the East Burke Senior Center Advisory Committee end May 31st. Ms. Cline and Ms. Robinson are willing to serve another term. Ms. Fullbright does not wish to be considered for reappointment. The term is for three (3) years.

Motion: To reappoint Norma Cline (Seat 1) and Karen Robinson (Seat 4) to the East Burke Senior Center Advisory Committee for 3-year terms ending May 31, 2023.

To remove Gale Fullbright (Seat 7) and thank her for her service to the community.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

FINANCE - AUDIT CONTRACT FOR FY 19-20

North Carolina General Statute 159-34 requires the County to have its accounts audited annually by a certified public accountant. The County's current audit firm, Lowdermilk Church & Co., L.L.P. has submitted a proposal to do the work for $41,700. The cost for Fiscal Year 18-19 audit work was $44,700, so a $3,000 decrease is requested.

Motion: To award the contract for the Fiscal Year 2019-20 audit to Lowdermilk Church and Co., L.L.P. in the amount of $41,700.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

JCPC - APPROVAL OF COUNTY PLAN FOR BURKE COUNTY & FUNDING ALLOCATION

The Juvenile Crime Prevention Council (JCPC) plans for the needs of adjudicated and at-risk youth and assesses the need for delinquency treatment and prevention services in Burke County. The funding from the state Department of Public Safety Division of Juvenile Justice (DJJ) for the programs, $287,074, requires a 44% match which is provided by the programs themselves either by cash or in-kind donations. Therefore, no county funding is necessary.

The Annual Plan describes and documents each step of the state mandated process required to make decisions on the allocation of funds provided to Burke County by the Division of Juvenile Justice. The plan also documents the required membership of the council and meeting dates and attendance. Most importantly, it lists the programs chosen for funding and the amounts allocated. This plan must be approved by the Burke County Board of Commissioners prior to acceptance and funding by DJJ.

2020/21 BURKE COUNTY

NC DPS - Community Programs - County Funding Plan

Available Funds: $ **$287,074** Local Match: $ **$89,018** Rate: **30%**

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

			Local Funding			OTHER	OTHER		
#	Program Provider	DPS-JCPC Funding	County Cash Match	Local Cash Match	Local In-Kind	State / Federal	Funds	Total	% Non DPS-JCPC Program Revenues
1	JCPC Administration	$14,500						$14,500	$0
2	Burke Recovery	$25,663	$2,000		$5,768	$9,691		$43,122	68%
3	Conflict Resolution Center	$55,915			$17,531			$73,446	31%
4	Kids at Work	$43,598			$13,098			$56,696	30%
5	Project Challenge	$67,241			$20,172			$87,413	30%
6	Repay Just Girls	$24,892			$8,410	$9,369		$42,671	71%
7	Repay Psychological Services	$11,589			$8,936			$20,525	77%
8	Repay SAIS	$43,676			$13,103	$11,907		$68,686	57%
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
	TOTALS:	$287,074	$2,000	$0	$87,018	$30,967	$0	$407,059	44%

The above plan was derived through a planning process by the 2018/19 BURKE COUNTY Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2020/2021

Motion: To approve the JCPC FY 20-21 County Plan for Burke County as presented and the JCPC FY 20-21 annual Funding Allocation. Further, authorize the County Manager and/or the County Finance Director to process revisions to the JCPC FY 20-

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21 Plan administratively and to authorize the Chairman to execute the Allocation on behalf of the Board.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

PBHM - PBHM AMENDED BYLAWS

Partners Behavioral Health Management assures everyone who lives in Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin County and is covered by Medicaid or state health insurance or has no insurance at all receives the best possible services for mental health, substance use disorder, and intellectual and developmental disabilities and amended its bylaws on March 19, 2020, as recommended and to comply with NCGS 122C-118.1. The following amendments were approved: The change to limit terms to two, three-year terms was required so that Partners' bylaws are aligned with the statute. The other change to remove the restriction to the number of seats per county, based on population was recommended to the PBHM Board to allow more flexibility to meet the thirteen representation requirements that are required in the statute. It is the County's policy to approve bylaws and amended bylaws for its boards and committees and staff recommends approving these bylaws if only for awareness.

Motion: To approve the amended bylaws for Partners Behavioral Health Management as presented.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

TAX DEPT. - TAX COLLECTION REPORT FOR APRIL 2020

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2019 and April 30, 2020. It reflects the status of collections by the Burke County Tax Collection's Staff. Included is the status comparing Collections to Levy and comparing Collections to Budget. Levy information is for Property Tax only and does not include the Vehicle Tax.

The information below is comparing Tax Collections to the Tax Levy. Tax Levy is the total taxable property value times the tax rate. The levy changes monthly with the addition of discoveries, other changes or corrections and when Public Utility values are added.

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$44,881,650.00	$43,681,220.11	$1,195,738.50	97.34%

The information below is comparing Tax Collections for Property Tax and Motor Vehicle Tax to the Annual Budget. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected
Current Year Taxes	$48,070,000.00	$47,779,981.81	$290,018.19	99.40%

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Delinquent Taxes	$650,000.00	$716,022.79	NONE	110.16%
Late List Penalty	$250,000.00	$356,888.61	NONE	142.76%

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

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$43,470,000.00	$43,681,220.11	NONE	100.49%
Motor Vehicle Tax	$4,600,000.00	$4,098,761.70	$501,238.30	89.10%

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

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

TAX DEPT. - RELEASE REFUND REPORT FOR APRIL 2020

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)	$2,981.34	$0.00	$2,981.34	$727.66

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$135.35

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

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

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

The tax reports read as follows:

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Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after Release($)	Notes and Rebilled Amount
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Business Closed								
0000081719-2015-2015-0000-00-REG	HAMILTON & COVELLI	7/1/2015	LINDA WILBUR	4/15/2020	18.70	18.70	0.00	0.00
Subtotal						**18.70**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Deceased								
0024034653-2019-2019-0000-01-REG	HUFFMAN, FRED MICHAEL	7/1/2019	BARBARA HARTLEY	4/8/2020	9.67	9.67	0.00	0.00
Subtotal						**9.67**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Duplicate Billing								
0000035199-2018-2018-0000-00-REG	PRITCHARD, ROY JEFFREY	7/1/2018	AMANDA CONLEY	4/9/2020	444.30	312.67	131.63	0.00
0000035199-2019-2019-0000-00-REG	PRITCHARD, ROY JEFFREY	7/1/2019	AMANDA CONLEY	4/9/2020	448.51	316.88	131.63	0.00
Subtotal						**629.55**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Not in Burke County								
0000036601-2014-2014-0000-00-REG	YANG, CHER	7/1/2014	LINDA WILBUR	4/28/2020	322.55	322.55	0.00	0.00
0000036601-2015-2015-0000-00-REG	YANG, CHER	7/1/2015	LINDA WILBUR	4/28/2020	323.95	323.95	0.00	0.00
0000036601-2016-2016-0000-00-REG	YANG, CHER	7/1/2016	LINDA WILBUR	4/28/2020	326.95	326.95	0.00	0.00
0000036601-2017-2017-0000-00-REG	YANG, CHER	7/1/2017	LINDA WILBUR	4/28/2020	337.74	337.74	0.00	0.00
0000036601-2018-2018-0000-00-REG	YANG, CHER	7/1/2018	LINDA WILBUR	4/28/2020	339.74	339.74	0.00	0.00
0000036601-2019-2019-0000-00-REG	YANG, CHER	7/1/2019	LINDA WILBUR	4/28/2020	343.24	343.24	0.00	0.00
0024021498-2018-2018-0000-00-REG	WILSON, ALAN PRESTON	7/1/2018	BARBARA HARTLEY	4/6/2020	59.66	59.66	0.00	0.00
0024021498-2019-2019-0000-00-REG	WILSON, ALAN PRESTON	7/1/2019	BARBARA HARTLEY	4/6/2020	53.70	53.70	0.00	0.00
0024034607-2019-2019-0000-00-REG	GRAHAM, THOMAS C	7/1/2019	BARBARA HARTLEY	4/9/2020	14.39	14.39	0.00	0.00
0024047204-2020-2019-0000-00-REG	WHISENANT, BILLY JOE	3/27/2020	LINDA WILBUR	4/2/2020	172.20	172.20	0.00	0.00
0024047450-2020-2019-0000-00-REG	HUDSON, TERESE MARIE	3/27/2020	BARBARA HARTLEY	4/21/2020	20.58	20.58	0.00	0.00
Subtotal						**2,314.70**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Sold/Traded								
0024010230-2017-2017-0000-00-REG	WOODARD, KYLE EUGENE	7/1/2017	CONNIE HOLDER	4/16/2020	4.13	4.13	0.00	0.00
0024010230-2018-2018-0000-00-REG	WOODARD, KYLE EUGENE	7/1/2018	CONNIE HOLDER	4/16/2020	4.59	4.59	0.00	0.00
Subtotal						**8.72**		**0.00**
Total						**2,981.34**		**0.00**
Net Release Amount							**2,981.34**	

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Description	Tax Jurisd.	Levy Type	Change	Interest Change	Total Change
COLEY, STEPHEN LAWRENCE	COLEY, STEPHEN LAWRENCE	COLEY, ARLENE TRIPLETT	303 LIBERTY TRL	MORGANTON, NC 28655	Adjustment >= $100	0037255411	Refund Generated due to adjustment on Bill #0037255411-2019-2019-0000-00	01	Tax	($74.36)	$0.00	($74.36)
								57	Tax	($60.99)	$0.00	($60.99)
								57	Vehicle Fee	$0.00	$0.00	$0.00
											Refund	$135.35
											Refund Total	$135.35

WPCC – PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING MARCH. 31, 2020

At the Board's pre-agenda meeting, an overview of the College's financial data was presented for the period ending March 31, 2020.

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WESTERN PIEDMONT COMMUNITY COLLEGE
FY 2019-2020 SUMMARY AS OF MARCH 30, 2020

	STATE			COUNTY			INSTITUTIONAL		
Summary of Revenues	BUDGET	ACTUAL	REMAINING	PGLT	ACTUAL	REMAINING	BUDGET	ACTUAL	REMAINING
State Appropriations	13,957,487	10,703,317							
Add. Allocations (detail below)	859,200								
County Appropriations				2,560,155	1,920,116				
Rent & Interest Income				53,000	16,705				
Institutional Funds							5,416,497	4,954,480	
Total Budgeted Revenues	14,816,687	10,703,317	4,113,370	2,613,155	1,936,822	676,333	5,416,497	4,954,480	462,017
Summary of Expenditures									
Institutional Support	2,873,668	2,065,052	72%	258,380	214,759	83%	114,659	59,780	52%
Curriculum Instruction	6,750,780	5,025,051	74%				270,666	149,054	55%
Non Curriculum Instruction	1,900,058	1,149,991	61%				147,380	151,497	103%
Academic Support	1,433,149	1,048,912	73%				1,137	81	7%
Student Support	1,554,189	1,103,160	71%				370,000	275,533	74%
Plant Operations & Maint.				2,354,775	1,480,528	63%			
Proprietary / Other							988,202	772,826	78%
Student Aid							3,524,453	3,469,374	98%
Capital Outlay (excluding Capital Improvements)	304,843	185,909	61%						
Total Budgeted Expenditures	14,816,687	10,578,076	4,238,611	2,613,155	1,695,287	917,868	5,416,497	4,878,146	538,351
		71.4%	28.6%		64.9%	35.1%		90.1%	9.9%

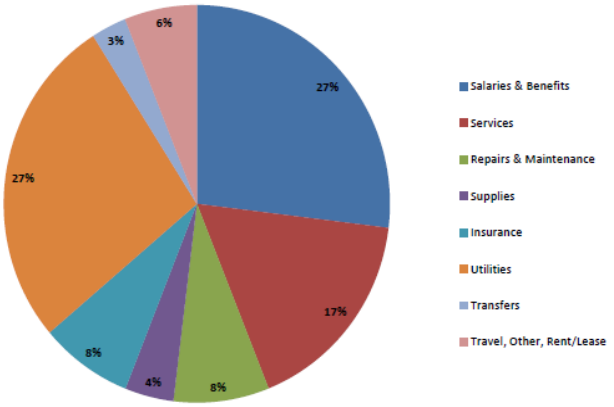
ADDITIONAL FUNDING DESIGNATED FOR APPROVED PROJECTS	
Customized Training Projects	108,700
CTP Regional Trainer	128,614
Male Minority Grant - Aviso	45,130
Perkins Grant - Reserve Funds	25,386
Federal Portion - Basic Skills	195,805
NCWorks Career Coach	158,328
Professional Devel Grant	15000
Carryforward	24,018
Longevity	158,219
Total Other	859,200

As of March 30, 2020			
Total College Budget	$	22,846,339	
Total Expenditures	$	17,151,509	75.1%

Fund Balance: County Funds	
Fund Balance, Beginning July 1, 2019	626,111
Current Operating Cash	241,534
Current Fund Balance	867,645
	34%

Western Piedmont Community College
County Expenditures by Category
FY 2020 - Actual Expenditures - July 1, 2019 thru March 30, 2020

Salaries & Benefits	456,627	26.9%
Services	288,378	17.0%
Repairs & Maintenance	135,599	8.0%
Supplies	69,231	4.1%
Insurance	131,870	7.8%
Utilities	460,934	27.2%
Transfers	49,941	2.9%
Travel, Other, Rent/Lease	102,707	6.1%
	1,695,287	100%



Motion: To accept the report as presented.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

ITEMS FOR DECISION

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CO. MGR. - PRESENTATION OF RECOMMENDED BUDGET FOR FY 20-21 AND SCHEDULING OF PUBLIC HEARING

Information from the agenda packet:

> The County Manager will present the recommended budget for FY 2020-21 to the Board of Commissioners on Tuesday, May 19, 2020. A copy of the recommended budget will be filed in the office of the Clerk to the Board that day and be available for public inspection at the Burke County Governmental Offices during regular business hours. The recommended budget will also be posted to the County's website at: <http://www.burkenc.org/2265/Budget-Documents>.
>
> G.S. 159-11 (b) - The budget, together with a budget message, shall be submitted to the governing board not later than June 1. The budget and budget message should, but need not, be submitted at a formal meeting of the board. The budget message should contain a concise explanation of the governmental goals fixed by the budget for the budget year, should explain important features of the activities anticipated in the budget, should set forth the reasons for stated changes from the previous year in program goals, programs, and appropriation levels, and should explain any major changes in fiscal policy.
>
> Assuming social gathering restrictions associated with the global pandemic have been lifted by then, the budget workshop meetings will be held in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Morganton, NC, on the following dates:

May 22	2:00 p.m.
May 28	2:00 p.m.
June 4	2:00 p.m. (if needed)

> If the social gathering restrictions have not been lifted by then, the budget meetings will be held electronically.
>
> A public hearing on the recommended budget is required and citizens are encouraged to present written or oral comments. Adoption of the recommended budget is anticipated to occur on June 16, 2020.

County Manager Steen said he has prepared a balanced budget for the Board's consideration that meets the immediate and long-term needs of the County and supports the goals desired by the Board. He said a mandatory budget hearing has been scheduled at 6:00 p.m. on Tuesday, June 16th. He said due to the unknown revenue/expenditure impacts caused by COVID-19, in order to continue the current service level for citizens, provide for capital and operation needs, a continuation of the current 69.5 cent tax rate is proposed in the recommended budget. County Manager Steen said the County is in a financial and economic environment like no other in the past 100 years, and as a result of the prevailing economic uncertainty, the County is guided by caution related to revenue projections and his recommendations related to immediate expenditures which must be made to provide primary core services to citizens. He said once reliable economic information is available, they can move forward with considering the possibility of making a mid-year budgetary review if the County desires to fulfill certain optional,

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but important, expenditure decisions.

Commissioner Taylor asked how much is the total recommended budget. County Manager Steen said $109,436,985 which is $5,419,910 less than the total of what departments and outside entities requested.

Motion: To acknowledge receipt of the Manager's recommended budget for FY 20-21. To schedule a public hearing for Tuesday, June 16, 2020 at 6 p.m. or as soon thereafter as persons may be heard.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

CM - CORONAVIRUS RELIEF FUND DIRECT COUNTY ALLOCATION

County Manager Steen presented information regarding the Coronavirus relief fund direct County allocation as follows:

Session Law 2020-4 (HB 1043), An Act To Provide Aid To North Carolinians In Response To The Coronavirus Disease 2019 (Covid-19) Crisis, allocates $150 million in direct funding to the 97 counties that did not receive direct federal funding from the CARES Act. In addition, it holds in reserve $150 million subject to action by the federal government. Key provisions of the Local Government Coronavirus Relief Reserve include:

- Funding is distributed on a per capita basis, with a guaranteed minimum distribution of $250,000 per county.
- Counties are authorized, in their discretion, to allocate a portion of their allotment to municipalities within the county, provided the transfer meets the requirements of the CARES Act and corresponding U.S. Treasury guidance.
- Quarterly reporting to the OSBM on the use of funds is required, beginning Oct. 1, 2020. Unspent and misspent funds are subject to federal recoupment. Counties and municipalities are subject to clawback or other state measures for misuse.
- An additional $150 million in a Reserve Fund to be appropriated to local governments IF local governments experience a revenue shortfall from COVID-19 AND the federal government amends the CARES Act to allow CRF money to be spent on revenue replacement.
- Establishes a Pandemic Recovery Office to oversee and coordinate reporting and accounting of CRF funding.

The State requests each county to submit a plan to the State on how the county proposes to use its share of the funds and the plan is due June 1, 2020. The County Manager and County Attorney are developing an agreement which would enable the municipalities located in Burke County to receive a portion of the allotment if they choose to participate. However, the agreement & submission policy/procedures were not available at the time of agenda distribution. The Board is asked to officially accept the Coronavirus Relief Fund allocation of $1,722,221 and authorize the County Manager to enter into agreements with the

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> local municipalities to receive a portion of the allocation based on eligible expenses if they choose to participate.
>
> Burke's Coronavirus Relief Fund allocation is $1,722,221. Unspent or misspent funds are subject to federal recoupment after December 30, 2020. Counties and municipalities are subject to clawback or other state measures for misuse. "Any local government officer, official or employee who violates this section shall be subject to a civil action by the State and held personally liable to reimburse the State."

County Manager Steen said the General Assembly has recently taken steps to enable counties to receive funds and Burke County's allocation is $1,722,221. He said the County must submit a plan to the State by June 1st, he is asking the Board to accept these funds and enable him to establish a process in which any interested municipalities in Burke County could also ask for funding, if they are available.

Chairman Carswell opened the floor for questions and comments from the Board. Chairman Carswell responded to a question from Commissioner Taylor.

Motions: To accept the Coronavirus Relief Fund Allocation of $1,722,221. To authorize the County Manager to establish the process and procedures a municipality located in Burke County must follow if they wish to participate and have their request for Coronavirus relief grant funds considered by the County Manager in accordance with Coronavirus grant guidelines and availability of grant funds. To authorize the County Manager to execute Coronavirus relief allocation agreements with participating municipalities in Burke County.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Jeffrey C. Brittain, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

HR - CREATION OF ANIMAL SERVICES ENFORCEMENT POSITIONS

Rhonda Lee, HR Director, presented information regarding the creation of Animal Services Enforcement Positions as follows:

> Upon the request of Sheriff Steve Whisenant that the responsibility of Burke County Animal Control be placed under the County Manager's Office, three (3) new full-time positions will need to be created. These positions will include one (1) Animal Services Enforcement Supervisor and two (2) Animal Services Enforcement Officers. The actual cost of these positions will be outlined in the County Manager's FY 20-21 recommended budget. To ensure a smooth transition from the Sheriff's Office to the Animal Services Department, it is requested that these positions be approved so they can be advertised and recruited so the selected candidates can begin employment on July 1, 2020. The actual cost of these positions will be outlined in the County Manager's FY 20-21 recommended budget.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Abele asked if the Animal Control officers will go back to the Sheriff's Office. Chairman Carswell

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said perhaps and noted the Sheriff's Office has several vacant positions. Commissioner Taylor said he appreciates the letters and emails he received in support of this request, but some folks were not happy with this item due to its financial impact. On behalf of these citizens, he asked why would the Commissioners put animal control under the highest paid employee. He asked the Clerk how much time she spent on animal control issues in the past year, which she said was a lot. He asked how much of the County Manager's time will this endeavor require and what is the total cost to operate the Animal Services Center outside of the Sheriff's Office. Commissioner Taylor expressed general displeasure with the concept for a variety of reasons. Commissioner Brittain asked either the County Manager or the HR Director to confirm that the County Manager would not be in charge of the day-to-day operations of the ASC, rather it would be under the authority of the County Manager instead of the Sheriff. Ms. Lee reported the animal enforcement officers report to the animal enforcement supervisor who reports to the animal services director. The animal services director reports to the County Manager.

Motion: To authorize the creation of one (1) Animal Services Enforcement Supervisor and two (2) Animal Services Enforcement Officer positions and to authorize the Burke County Human Resources Department to begin advertising and recruiting for these positions so the selected candidates can begin employment with the County on July 1, 2020.

RESULT:	**APPROVED [4 TO 1] BY A VERBAL ROLL CALL VOTE**
MOVER:	Jeffrey C. Brittain, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
NAYS:	Maynard M. Taylor

BOC - REPORTS & COMMENTS

Chairman Carswell opened the floor for reports and comments from Commissioners and staff.

J.R. Simpson, II, County Attorney, provided an update on projects he has worked on since the last Board meeting.

Commissioner Taylor said his reports are in the agenda packet for review and noted he attended the statewide agriculture meeting along with other meetings via Zoom on May 13th. He also requested an update from Attorney Simpson concerning the Alpine legal issue.

County Manager Steen thanked Clerk Draughn and Exec. Asst. to the Co. Manager/Deputy Clerk, Lance Riddle, for their work on completing meeting minutes. He also thanked the staff who are working with Emergency Management during the COVID-19 pandemic.

Chairman Carswell reminded everyone of the following events:

- May 20th - County Assembly Day which will start at 9:30 a.m. – 12:00 p.m. via Zoom.
- May 22nd - Virtual special meeting at 2:00 p.m.
- County Offices will be closed on Memorial Day.
- May 28th - Virtual special budget meeting at 2:00 p.m.
- June 2nd - Pre-agenda meeting at 3:00 p.m.
- June 4th - Budget meeting at 2:00 p.m., if needed.

Chairman Carswell encouraged everyone to listen to the Governor this week as he will be making announcements regarding Phase 2 of the stay at home orders. He further reported he attended two (2) meetings at the Western Youth Institution and there is a plan to implode the

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facility at a yet-to-be-determined date. He reported he attended several Zoom meetings regarding the opioid settlement workgroup and a settlement is anticipated soon. Chairman Carswell reminded everyone to not litter and to pick up trash, spay and neuter their pets, complete the 2020 Census, and adopt an animal at the Animal Services Center.

RESULT:	**NO ACTION TAKEN.**

CLERK - BOARDS AND COMMITTEES VACANCY REPORT
Clerk Draughn announced the following vacancies on boards and committees:

- Adult Care & Nursing Home Community Advisory Committee
- Council on Aging
- Juvenile Crime Prevention Council
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Voluntary Agriculture Board
- Burke Co. Board of Adjustment & Planning Board
- Western Piedmont Regional Transit Authority - Transportation Advisory Board
- Partners Behavioral Health Mgmt.
- Burke Senior Center Advisory Council
- Recreation Commission
- Western Piedmont Community College Board of Trustees

RESULT:	**NO ACTION TAKEN.**

CLOSED SESSION

RESULT:	**NOT NEEDED. NOT HELD.**

ADJOURN
Motion: To adjourn at 7:10 p.m.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Approved the 15th day of September 2020.

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

Attest:

_____

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
SPECIAL BUDGET MEETING

Both Burke County and the State of North Carolina had previously declared a state of emergency which was ongoing as of May 22, 2020 due to the global COVID-19 pandemic. Following the N.C. Governor's Executive Order limiting mass gatherings and to protect the health of all meeting participants, the Burke County Board of Commissioners' regularly scheduled in-person special budget meeting on May 22, 2020 at 2:00 p.m. was cancelled on May 19th, 2020. A special remote meeting via Zoom, a virtual meeting / teleconferencing platform with simultaneous communication, was scheduled for May 22, 2020 at 2:00 p.m. to facilitate the meeting. Chairman Carswell executed the combined notice of meeting cancellation and notice of a special virtual meeting which was published on May 19th, 2020. The Commissioners, the County Manager, the County Attorney, the Clerk and County staff as well as any citizens that joined the virtual meeting, could hear, and see one another for the duration of the meeting. Citizens that joined by telephone, could only hear the meeting. Citizens were also invited on May 19th, 2020 to watch a live stream of the meeting on the County's YouTube channel, BurkeCountyNC or view the meeting later on the local cable systems. During the meeting, the Clerk shared each agenda item on her computer screen so that meeting participants could see the item being discussed and the agenda, in its entirety, was posted to the County's website, www.burkenc.org, prior to the meeting as usual. A verbal roll call was conducted.

COMMISSIONERS PRESENT:
Johnnie W. Carswell, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

STAFF PRESENT:
Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, II, County Attorney
Kay Honeycutt Draughn, Clerk to the Board

CALL TO ORDER
Chairman Carswell called the meeting to order at 2:00 p.m.

APPROVAL OF THE AGENDA
Motion: To approve the agenda.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

ITEMS FOR DECISION

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BDI - BUILDING REUSE GRANT AND LOCAL ECONOMIC DEVELOPMENT GRANT FOR PROJECT REFRESH

Information from the agenda packet:

> Sect. 4.31 of S.L. 2020-3 (SB 704) specifically authorizes remote meetings and public hearings, upon issuance of a declaration of emergency under G.S. 166A-19.20. A public body may conduct any public hearing required or authorized by law during a remote meeting, and take action thereon, provided the public body allows for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing.
>
> At its regular meeting, the Board held a public hearing on an incentive package for Project Refresh and no public comments were received. To comply with the new legislation, the public hearing comment period was extended through May 21st and Zero (0) comments were received. Action may now be taken on the incentive package referenced below.
>
> Burke Development Inc. requests support for Project Refresh, a new industry relocating to Burke County (Morganton), through a Building Reuse grant, and a local economic development grant which will be the matching funds for a proposed One NC grant from the State of North Carolina.
>
> A Building Reuse grant application for $500,000 is being submitted to the State by the County. Burke County and the City of Morganton will provide the 5 percent local match of $12,500 each or $25,000 total. A grant administration contract with the WPCOG (Western Piedmont Council of Governments) is necessary if a grant award is received. The local match will cover the grant administration cost. The Company will create at least 151 new jobs by the end of 2022, approximately 226 new jobs over 5 years and invest approximately $18.5 million in new additional tax base. The jobs will meet or exceed the average county wage and will include healthcare benefits.
>
> A $500,000 One NC grant application will be submitted to the State, which requires a 50% local match. Burke County's and the City of Morganton's proposed economic development grants, which consists of grants equivalent to 60% of the taxes paid on the new taxable investment for five (5) consecutive years beginning in FY 2022-23 will be used as the match. Based on the estimated investment of $18.5M and the County's current tax rate of 69.5 cents, the County's portion would be $77,145 annually for five (5) years or $385,725 in total. Based on Morganton's current tax rate of 57 cents, their allotment would be $63,270 annually or $316,350 in total. (This is for demonstration purposes only based on investment approximation - actual incentive may vary.)
>
> The County's portion of the local match, $12,500, would need to be appropriated in the FY 2020-21 budget. Based on an $18,500,000 investment, the grant allocation would be approximately $77,145 per year beginning in the 2022-2023 budget year.

Chairman Carswell announced that no public comments were received during the 24-hour

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extension as required by State statute.

Note: The public hearing notice was published in the News Herald on May 7 and on May 14, 2020. It was also posted on the County's website, www.Burkenc.org, on May 7, 2020.

Motions: To adopt Res. No. 2020-15. To approve the recommended local economic development grant equivalent to 60% of the taxes paid on the new taxable investment of approximately $18.5 million for five (5) years and the creation of 151 new jobs by the end of 2022 for Project Refresh. To approve a contract between Burke County & WPCOG for grant administration, subject to a grant award and authorize the County Manager to execute the contract on behalf of the Board.

RESULT:	**ADOPTED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Jeffrey C. Brittain, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Resolution No. 2020-15 reads as follows:

Burke County, North Carolina
Authorizing Resolution
Rural Economic Development Division
North Carolina Department of Commerce
Building Reuse Program
2020 Project Refresh Building Reuse Application

WHEREAS, the North Carolina General Assembly authorized in 2013 funds to the North Carolina Department of Commerce Rural Economic Development Division to stimulate economic development and job creation. A portion of the funding authorized the making of grants to aid eligible units of government to stimulate the creation of jobs through the expansion and renovation of buildings that will spur economic activity; and

WHEREAS, Burke County desires to assist through grant funding the economic renovation of an existing building located in Morganton to assist Project Refresh with an expansion; and

WHEREAS, Burke County intends to request grant assistance from the NC Department of Commerce, Rural Economic Development Division, Building Reuse Program for the renovation of the facility:

NOW THEREFORE BE IT RESOLVED, BY THE BURKE COUNTY COMMISSIONERS:
That Burke County and the City of Morganton will provide the minimum 5 percent match ($25,000 total; $12,500 each) for an estimated $500,000 grant request, if approved for a grant.
That Kenneth B. Steen, County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Burke County with the NC Department of Commerce, Rural Economic Development Division for a grant to assist in the pre-development of the project described above.

That Kenneth B. Steen, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the NC Department of Commerce, Rural Economic Development Division may request in connection with such application or the project; to make

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the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Burke County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this 22nd day of May 2020.

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

FINANCE - HOME & COMMUNITY CARE BLOCK GRANT FY20-21

Tina Miller, Area Agency on Aging Director, presented information regarding the Home & Community Care Block grant for FY 20-21 as follows:

> Each year Burke County receives funds through the Home and Community Care Block Grant ("HCCBG") program for the provision of services to the County's older adults. The Burke County Council on Aging, working with the Western Piedmont Council of Governments, makes recommendations to the Board of County Commissioners as to the use of these funds. The recommendations of the Burke County Council on Aging, serving as the HCCBG advisory committee, are listed below. There are no changes in services or providers for FY20-21.

HCCBG ALLOCATIONS - SFY 2021

BURKE COUNTY

SERVICE	PROVIDER	STATE/FEDERAL FUNDS	LOCAL MATCH	TOTAL BUDGET	
Adult Day Care	Blue Ridge Community Action	$81,000	$9,000	$90,000	
Med. Transportation	Handi-Care, Inc.	$46,378	$5,153	$51,531	
Congregate Meals	Burke County Senior Services	$7,957	$884	$8,841	Reduction of $5000
Home Del. Meals	Burke County Senior Services	$125,983	$13,998	$139,981	Reduction of $10019
Sr. Center Operations	Burke County Senior Services	$39,511	$4,390	$43,901	
Housing & Home Imp.	Foothills Service Project, Inc.	$99,000	$11,000	$110,000	
In-Home Aide, Level III	Catawba Valley Medical Services	$196,200	$21,800	$218,000	
General Transportation	Greenway	$9,000	$1,000	$10,000	
TOTAL		**$605,029**	**$67,225**	**$672,254**	

Approved by Burke Council on Aging 4/22/20 with $15019 decrease

> The Grant requires a 10% local match which is the responsibility of the provider organization. The $605,029 allocation includes a decrease of $13,517 in State/Federal funds from the SFY19-20 current allocation. (Including local match, this is a decrease of $15,019.)

Ms. Miller said the $13,517 reduction in funding is due to the lack of a State budget. She said the Burke County Council on Aging took the reduction of funds from Congregate Meals and Home Delivered Meals because nutrition programs will receive additional funds from COVID-19 legislation (approximately $76,000 each) from the Families First Act and CARES Act. Further, the Burke County Council on Aging also reviewed sealed bids for medical transportation and in-home aid services, and voted to continue with their current vendors, Handi-Care for medical

transportation and Catawba Valley Medical Services for in-home aid level three (3), both are local businesses.

Chairman Carswell opened the floor for questions and comments from the Board. Ms. Miller responded to a question from Commissioner Taylor.

Motion: To approve the Home and Community Care Block Grant (HCCBG) funding allocations as recommended by the Burke County Council on Aging and approve the HCCBG agreement between Burke County and the Western Piedmont Council of Governments Area Agency on Aging for FY20-21, subject to review and/or revision by the County Attorney. Further, authorize the Chairman to execute the aforementioned documents.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

HCCBG ALLOCATIONS - SFY 2021

BURKE COUNTY

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Approved by Burke Council on Aging 4/22/20 with $15019 decrease

ITEMS FOR DISCUSSION

FINANCE - VFD REQUEST FOR TAX RATE CHANGE

Margaret Pierce, Deputy County Manager/Finance Director presented information regarding the VFD request for tax rate changes as follows:

For FY 20-21, two (2) fire departments have requested a fire tax rate increase: Brendletown (.08 to .105) and Glen Alpine (.08 to .10).

Representatives from the fire department were present to address the need for the rate increase and respond to questions from the Board.

FIRE DISTRICTS TAX RATES

District	Current	Requested		Recommended
Brendletown	$0.080	$ 0.105	*	$0.105
Carbon City	$0.080	$ 0.080		$0.080
Chesterfield	$0.090	$ 0.090		$0.090
Drowning Creek	$0.120	$ 0.120		$0.120

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Enola	$0.105	$ 0.105		$0.105
George Hildebran	$0.110	$ 0.110		$0.110
Glen Alpine	$0.080	$ 0.100	*	$0.100
Icard	$0.100	$ 0.100		$0.100
Jonas Ridge	$0.135	$ 0.135		$0.135
Lake James	$0.080	$ 0.080		$0.080
Longtown	$0.120	$ 0.120		$0.120
Lovelady	$0.105	$ 0.105		$0.105
Oak Hill	$0.090	$ 0.090		$0.090
Salem	$0.070	$ 0.070		$0.070
Smokey Creek	$0.118	$ 0.118		$0.118
South Mountain	$0.136	$ 0.136		$0.136
Triple Community	$0.078	$ 0.078		$0.078
West End	$0.110	$0.110		$0.110

* Requested Rate

Ms. Pierce reported Brendletown's tax increase will support the cost of a new building and the potential for borrowing funds for a new truck and Glen Alpine's information is in the agenda packet. She noted representatives from both entities are available to answer questions.

Chairman Carswell opened the floor for comments or questions from the Board. Commissioner Taylor asked how much additional funding did each entity receive as a result of the last reevaluation, how much additional funding would the proposed tax increase generate, and did each entity hold a public hearing regarding the proposed increases. Ms. Pierce said she does not have the reevaluation or dollar amount for the tax increases currently but can bring it to the next budget meeting. Bryan Williams, Brendletown VFD Secretary, said they have not asked for a tax rate increase since 2014 and noted they have a truck that will age out in 2021. He said they held an outdoor meeting, and they voted unanimously to approve the tax increase, the purchase of a new truck, and to investigate purchasing land for a new building. Mr. Williams said the funds from the tax increase would be $69,472.81 at a 95 percent collection rate. Commissioner Taylor commended Brendletown VFD for holding a meeting and getting citizen input before bringing this request before the Board. Robert Benfield, Mayor of Glen Alpine, said a lot of their fire tax funds goes to Lake James Fire Department, their current equipment is in poor condition and because of the pandemic, they did not hold a public hearing/meeting. Ms. Pierce said the tax increase would bring in approximately $5,000 in additional funding for Glen Alpine Fire Department.

Motion: To proceed with the tax increase request from Brendletown Fire & Rescue and the Glen Alpine Fire Department as presented.

RESULT:	**APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE**
MOVER:	Johnnie W. Carswell, Chairman
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

FINANCE - FY 20-21 BUDGET EXPLANATION OF CHANGE AND ITEMS OF NOTE

Margaret Pierce, Deputy County Manager/Finance Director, reviewed the revenues and the summary notes for the recommended FY 20-21 budget as shown on the following pages.

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FY 2020-2021 RECOMMENDED BUDGET

	FY 2020-2021 RECOMMENDED	FY 2019-2020 BUDGET	INCREASE (DECREASE)
GENERAL FUND			
Revenues:			
Ad Valorem Taxes	$ 49,310,000	$ 48,970,000	$ 340,000
Sales Taxes	7,141,010	7,400,000	(258,990)
Other Taxes	1,373,000	1,501,000	(128,000)
Permits and Fees	1,488,035	1,447,640	40,395
Intergovernmental	17,418,115	18,671,422	(1,253,307)
Sales and Services	4,203,300	4,165,300	38,000
Miscellaneous	819,075	806,950	12,125
Transfer from Other Funds	6,456,595	6,681,410	(224,815)
Fund Balance Appropriation	1,768,895	4,719,188	(2,950,293)
Fund Bal Approp-Health Dept	23,225	24,350	(1,125)
Fund Bal Approp-Reg of Deeds	6,340	61,410	(55,070)
TOTAL GENERAL FUND	**$ 90,007,590**	**$ 94,448,670**	**$ (4,441,080)**
Significant Department Revenues			
Building Inspections	$ 305,000	$ 285,000	$ 20,000
Department of Social Services	11,896,830	11,841,774	55,056
EMS	3,871,400	3,946,400	(75,000)
Health Department	1,939,895	1,874,536	65,359
Library	493,000	465,000	28,000
Register of Deeds	635,000	659,700	(24,700)
Senior Services	242,335	242,336	(1)
Sheriff	1,734,980	1,628,050	106,930
OTHER FUNDS			
ART. 39 SALES TAX FUND	**$ 8,210,000**	**$ 7,760,000**	**$ 450,000**
ART. 42 SALES TAX FUND	**$ 3,180,000**	**$ 3,158,000**	**$ 22,000**
911 FUND	**$ 699,500**	**$ 642,435**	**$ 57,065**
TRAIL PROJECTS FUND	**$ -**	**$ 2,451,468**	**$ (2,451,468)**
WATER/SEWER FUND	**$ 1,876,900**	**$ 1,854,510**	**$ 22,390**
SOLID WASTE FUND	**$ 5,462,995**	**$ 5,822,799**	**$ (359,804)**

Fiscal Year 2020-2021 – Summary Notes by Department

Aids and Donations	Decrease of $15,000. No new agencies funded. Decrease relates to one-time funding of memorial in current year.
Animal Services	Increase of $185,780. Three new positions created for enforcement. Three other positions requested and not recommended.
Building Inspections	Decrease of $2,135. Technology in current year.
Burke County Schools	Increase of $175,002. Request for one additional nurse position and operational increase for a total funding request of $16,130,995. The balance of funding will be reviewed in January 2021 based on economic conditions.
Communications	Increase of $31,589. Radio replacements are included with a computer upgrade.

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Community Dev/Planning	Increase of $29,740. Request to fund removal of abandoned mobile homes not recommended.
Cooperative Extension	Increase of $1,870. Furniture replacement and vehicle not recommended. Request to fund a position that was previously grant funded not recommended.
County Manager's Office	Increase of $17,735. Training increased.
Courts	Increase of $1,910 to purchase chairs.
Debt Service	Decrease of $318,865.
DSS	Decrease of $231,509. Seven new positions requested; one position recommended. One new vehicle recommended. Reduction in beneficiary program funds contributes to the decrease.
Economic Development	Decrease of $1,756,764. Tax incentives included with decrease related to initial grants in current year. Occupancy tax projected down.
Elections	Decrease of $681,032. Equipment in current year creates decrease. Increase in pay rate for Chief Judges from $10 to $11/hour and Judges from $8 to $9/hour. Change of position from 32 hours to 40 hours recommended.
EMS	Increase of $84,375. Two vehicles and replacement radios recommended.
Finance	Increase of $17,490. Increase relates to shift of all bank charges to Finance from Tax with transfer of lockbox to First Citizens. Reclassification of Accounting Technician to Senior Accounting Technician recommended.
Fire Marshal/ES	Decrease of $51,140. Grant and equipment in current year are one time. Building expansion not recommended.
Garage	Decrease of $71,780. Decrease due to change in fuel and position allocation procedure.
General Services	Increase of $152,445. Four positions requested and three recommended.
General Services-Buildings	Decrease of $1,187,947. Current year: completion of Sallyport; tax office and Deeds office renovations; Burke Services HVAC, partial replacement. Recommended: Burke Services-HVAC replacements; HRC air system controls replacement.

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Governing Board	Increase of $5,835. One position requested and not recommended.
Health Dept	Increase of $197,404. One position and one vehicle recommended. Other increases for medical supplies and retirement rate increase. Additional revenues for fees anticipated.
Human Resources	Increase of $13,920. Small increase in clinic contract.
Information Technology	Increase of $275,560. Department in the pay cycle; increases relate to salary/benefits. Data center, servers, and switches at $430,000 recommended. Other increases are for software license and maintenance contracts.
Land Records	Increase of $22,255. Department in the pay cycle; increases relate to salary/benefits. Request to reclassify GIS Director to Assistant IT Director recommended.
Legal	Same as current year. Based on historic spending and projected legal matters.
Library	Decrease of $254,752. Decrease from completion of Valdese expansion in current year. Replacement of worn wood and painting at Morganton Library included with cost shared with City of Morganton in revenues.
Mental Health	Same as current year.
Non-Departmental	Decrease of $171,355. Recommended COLA budgeted here for review in January 2021.
Other Public Safety	Decrease of $62,175. Small increase in NC Forestry contract.
Recreation	Decrease $50,305. One vehicle included. Expenses for programs reduced due to potential limited activities. Not included: equipment for trail work and bathroom renovation at Parker Road.
Register of Deeds	Decrease of $50,415. Requests for Automation and Preservation projects funded by set aside funds and current year collections. Drive thru window not recommended.
Senior Services	Decrease of $87,018. Current year Morganton Center includes funds to address drainage issues, replacement of carpet in several areas and repainting water damaged interior areas.
Sheriff	Increase of $163,465. Seven new positions requested and not recommended. Major requests recommended include VIPER radio replacements, and 10 vehicle replacements. Utilities increased to cover entire building with closure of BCDCF. Requests not recommended include 24/7 outside legal service, 3 vehicles for

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	Narcotic officers, and body cameras for all officers.
Sheriff-Jail	Decrease of $47,671. 21 additional positions requested; 12 included. Estimated operating increases for new jail utilities, medical costs, food, and other supplies to allow for rental of beds for approximately 75 inmates included. Significant items in current year not in request/recommended are background investigator, bus, van, BCDCF for operations and medical totaling $1,307,610. Request for full body scanner not recommended.
Sheriff-Animal Control	Decrease of $243,950. Cost for four months' salary and benefits with transition of enforcement to Animal Service and County Manager. Positions will be RIF when the new positions in Animal Services are employed.
Soil and Water	Increase of $23,600. One vehicle recommended.
Tax – all areas	Increase of $43,055 overall. Two positions requested; none recommended. Pay increases for part time tax listers requested and recommended. Education benefit requested and referred to HR for review with overall personnel policies. Vehicle requested and included in recommendation.
Transfers to other funds	Decrease of $276,000.
Transportation	Increase of $3,283.
Veterans Services	Increase of $30.
WPCC	Decrease of $268,130. Operating increase recommended. Capital request will be reviewed in January 2021.
Sales Tax Funds for School Capital	Increases of $472,000. Sales taxes estimated with decrease but actual is currently above budget.
911 Fund	Increase of $57,065. Recommended as requested and eligible expenses.
Trail Projects Fund	Decrease of $2,451,468. No new County funding is recommended next year; however, multiple projects are still in process of completion.
Water/Sewer Fund	Increase of $22,390. One position requested and recommended. Funding for maintenance and repairs along with necessary debt service included.
Solid Waste Fund	Decrease of $359,804. One position requested and not

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recommended. Two roll off trucks requested, and one replacement recommended.

Chairman Carswell opened the floor for questions or comments from the Board. Commissioner Brittain asked if there is a reasonable expectation that the County will not have to spend the entire $4 million budgeted from General Fund, Fund Balance. Ms. Pierce said it depends on how the sales tax revenues come in. If those revenues are down 25 percent as commonly speculated, then more fund balance will be utilized. She then referenced the following document provided to the Board by email earlier today on fund balance.

Projects and purchases carried forward from FY 18-19	Amount
General Services Storage Building	$ 10,000.00
Keyless Door Access HRC	$ 15,802.00
Snowplow and Slag spreader	$ 11,500.00
ROD Bulletproof Glass and Security	$ 58,595.00
Sallyport Architect	$ 12,084.60
Sallyport Construction	$ 1,233,000.00
Ag Building RTU replacement	$ 30,000.00
Tax Bulletproof Glass, Security	$ 36,820.00
Cranberry Bog Purchase and design	$ 23,347.00
Food cart for Jail	$ 2,476.13
Animal Services, Sealing floors and coves	$ 12,000.00
911 Center-lightening strike repairs	$ 4,226.00
Kitchen renovation DSS	$ 8,000.00
Senior Center Drainage and awning	$ 32,658.00
Recreation storage building	$ 26,325.00
Morganton Library HVAC replacement	$ 25,450.00
Valdese Library Expansion Architect	$ 5,454.52
Valdese Library Expansion	$ 301,782.30
WPCC Door Access System project	$ 85,765.00
WPCC Facilities Master Plan	$ 49,820.00
WPCC Wayfinding & Signage	$ 50,000.00
Kellex WPCOG contract	$ 2,499.99
EPA Brownfields project	$ 15,866.00
ZRO Delta WPCOG contract	$ 1,504.17
VEKA East WPCOG contract	$ 8,174.85
This comes from the fund balance restricted for stabilization by state statute which was $6,804,197 as of June 30, 2019	**$ 2,063,150.56**

New appropriations during FY 19-20		Date BOC approved
Original Appropriation to balance the budget for FY 19-20	$ 1,338,885.00	
Animal Services study and design contract	$ 15,000.00	6/24/2019
Grant match for Burke Business Park water tank and pump	$ 415,250.00	8/13/2019
Fonta Flora Park/Trail Bathroom project	$ 16,000.00	8/20/2019
Demolition and disposal of condemed mobile homes	$ 2,800.00	9/17/2019
New voting machines for Elections	$ 615,767.00	10/15/2019
Veritas contract to outsource CSE	$ 35,000.00	10/15/2019
Medical costs for inmates	$ 200,000.00	11/19/2019
Memorial for soldiers killed in action	$ 15,000.00	12/17/2019
Grant match for disposal of abandoned mobile homes	$ 2,335.00	4/21/2020
This comes from the unassigned fund balance which was $16,987,127 as of June 30, 2019	**$ 2,656,037.00**	
Total General fund balance appropriated/budgeted:	**$ 4,719,187.56**	

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Commissioner Taylor said at this point, after the third quarter, Ms. Pierce should know what the fund balance is and noted it's like not knowing your checking account balance. Commissioner Taylor asked why there has been a reduction in DSS benefits. He also requested an update on the privatization of child support services. Ms. Pierce said several beneficiary payments that are pass-through funds such as crisis intervention payments were down, which is common at the beginning of the fiscal year. Commissioner Taylor asked what are the additional positions for General Services. Ms. Pierce said a Senior Accounting Technician, Facilities Maintenance Technician specializing in HVAC, and a Facilities Maintenance Technician specializing in electrical. Commissioner Brittain, a DSS Board Member, advised that excluding COVID-19 related issues, they are pleased with the privatization of child support services. In response to another question from Commissioner Taylor, Ms. Pierce said the reason the County Manager's Department has a large increase in training is because of a UNC School of Government course that was requested and it may be cheaper than what was budgeted because many training classes are being moved online. County Manager Steen clarified that it is for the 6-month Municipal and County Administration class for his executive assistant, discussion ensued on the Manager's budget. Concerning payments into the local government retirement system, Ms. Pierce said they are up 1.2 percent over last year, which is approximately $310,000 throughout the budget, and health insurance is being held at two (2) percent. She said other increases include the pay and classification study, and at this time, a cost of living increase (COLA) is not recommended as of July 1; however, once sales and property tax revenues are better known, they could potentially give a one (1) percent COLA in January. Pierce further said in January the County will also review the funding levels for Burke County Public Schools, Western Piedmont Community College, and other capital projects. Ms. Pierce then responded to a question from Vice Chairman Mulwee on the sales tax collecting / distribution process and at the request of County Manager Steen, Ms. Pierce noted that the recommended budget is $6.7 million less than the current budget or $109 million v. $116 million.

RESULT: NO ACTION TAKEN OR DIRECTION GIVEN TO STAFF.

HR - PAY AND CLASSIFICATION STUDY

Rhonda Lee, HR Director, presented information regarding the pay and classification study as follows:

> The purpose of the Classification and Study Review is to analyze occupational classifications to determine if the salary grade assignment in the pay plan is appropriate based on a labor market analysis of the surrounding counties and other public-sector agencies as needed. Approximately one-third of total allocated positions in the County's Classification and Pay Plan are being reviewed on a rotating basis. Factors such as turnover rate, hard to recruit, retention, and new hire selection decisions made by department heads are taken into consideration during the study process. In some cases, retention of staff is an important consideration in making recommendations especially when the County provides an ongoing investment in the training and development of staff.
>
> The following occupational job classifications were reviewed for the FY 2020-2021 budget:
> Sworn Law Enforcement Occupations (Includes Reserve Deputies)
> Detention Officer Occupations
> Social Work Occupations

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Public Health Nurse Occupations
Skilled and semi-skilled trade Occupations (Includes General Services and Recreation)
Information Technology Occupations (Includes IT and 911 Communications)

The budgetary impact is approximately $82,500. (No impact because the amount is included in the recommended FY 2020-2021 budget.)

Ms. Lee thanked the Board for allowing the County to complete the second cycle of the pay and classification study. She noted that they contracted with HR Essentials to conduct the study. Ms. Lee then presented the following job classes, highlighted in yellow, that are recommended for adjustment:

Job Class Desc	Current Grade	Recommended Pay Grade
ASSOCIATE ENGINEER	27	27
CONVENIENCE SITE ATTENDANT	9	10
FACILITIES MAINT TECH I	17	17
FACILITIES MAINT TECH II	19	19
GROUNDS MAINT SUPERVISOR	17	20
GROUNDS MAINT WORKER	14	15
HEAVY EQUIPMENT MECHANIC	19	19
HEAVY EQUIPMENT OPERATOR	17	17
LANDFILL/TRANSF OPER SUPV	21	24
MECHANIC	17	17
SOLID WASTE COLLECTIONS SUPV	21	24
SOLID WASTE TRUCK DRIVER	15	15
WEIGHMASTER/RECYCLING COORD	15	15
WATER SEWER MAINT TECHNICIAN	14	15
PUBLIC HEALTH NURSE I	23	23
PUBLIC HEALTH NURSE II	25	25
PUBLIC HEALTH NURSE III	26	26
PUBLIC HEALTH NURSING SUPV I	27	27
PUBLIC HLTH NURSING DIRECTOR I	30	30
SOCIAL WORKER II	21	21
SOCIAL WORKER II	21	21
911 GIS/MSAG SPECIALIST	24	22
911 INFOR TECHNOLOGY MANAGER	26	26
APPLICATION ANALYST/PROGRAMMER	26	26
GIS MANAGER-reclass to Asst. IT Director	25	28
GIS TECHNICIAN	19	22

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IT TECHNICIAN	20	22
NETWORK ADMINISTRATOR	26	26
SENIOR IT TECHNICIAN	22	24
GROUNDS MAINT WORKER	14	15
PARKS & REC MAINT SUPERVISOR	17	20
DEP SHERIFF - SERGEANT	L05	L05
DEP SHERIFF - SPECIAL ASSIGN	L03	L03
DEP SHERIFF/CAPTAIN	L10	L10
DEP SHERIFF/LIEUTENANT	L07	L08
DEPUTY SHERIFF	L02	L02
DEPUTY SHERIFF/MAJOR	L12	L13
DETECTIVE	L04	L04
DETECTIVE LIEUTENANT	L08	L08
DETECTIVE SERGEANT	L06	L06
DETENTION OFFICER	19	19
DETENTION TRAINING SERG. NSW	21	21
DETENTION TRAINING SERGEANT	L05	L05
EVIDENCE TECHNICIAN	18	18
DETENTION OFFICER CORPORAL	20	20
WARRANT SERGEANT	L06	L06
SOCIAL WORK PROGRAM ADMIN I	29	29
SOCIAL WORK SUPERVISOR III	27	27
SOCIAL WORKER - IA & T	25	25
SOCIAL WORKER I	17	17
SOCIAL WORKER II	21	21
SOCIAL WORKER III	23	23

Chairman Carswell opened the floor for questions and comments form the Board. Commissioner Brittain asked if the Sheriff is included with the sworn officers. Ms. Lee said no, he is included with the department heads which were studied last year. Ms. Lee then responded to a question from Chairman Carswell and Vice Chairman Mulwee asked Ms. Lee to explain how they get market average rates. Ms. Lee explained that they take a position in Burke County and compare the minimum salary to the surrounding counties and take the average. Chairman Carswell asked how the turnover rate is for Burke County and Ms. Lee said it is stabilizing. Ms. Lee responded to a question from Commissioner Taylor and discussion ensued regarding law enforcement pay which, on the whole, is holding steady at market average. Commissioner Taylor stated his intent to contact the HR Director for additional information.

RESULT: NO ACTION TAKEN OR DIRECTION GIVEN TO STAFF.

FINANCE - FY 20-21 PROPOSED FEE CHANGES

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Margaret Pierce, Deputy County Manager/Finance Director, presented the following fee changes recommended in the FY 20-21 budget for the following schedules:

- Building Inspections - Group Building Codes
- Health Department:

	Current Fee	Proposed Fee
ParaGard	$245.00	$256.00
Mirena	$314.00	$297.00
Nexplanon	$399.00	$391.00

These changes are state mandated changes.

- Land Records:

	Current
Letter size copies	$ 0.15
Map Plots (Color & Aerial Photo)	
Letter (8.5x11)	$ 1.00
Ledger (11x17)	$ 2.00
Arch C (18x24)	$ 4.00
Arch D (24x36)	$ 8.00
Arch E (36x48)	$ 16.00
Large Format copies (B&W)	
Arch C (18x24)	$ 2.00
Arch D (24x36)	$ 3.00
Arch E (36x48)	$ 4.00

	Proposed
Letter size copies	$ 0.15
Map Prints and Copies	Base rate of $1.00/sq ft
Letter (8.5x11)	$ 1.00
Ledger (11x17)	$ 1.00
Arch C (18x24)	$ 3.00
Arch D (24x36)	$ 6.00
Arch E (36x48)	$ 12.00
Oversize - per square foot	$ 1.00/sq ft

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Group (2018 International Building Code)		Type of Construction/Cost of construction per sq. ft.								
		1-A	1-B	II-A	II-B	III-A	III-B	IV	V-A	V-B
A-1	Assembly, theaters, with stage	247.86	239.47	233.25	223.81	210.17	204.10	216.62	195.46	188.40
	Assembly, theaters, without stage	227.10	218.71	212.49	203.05	189.41	183.34	195.86	174.70	167.65
A-2	Assembly, nightclubs	191.96	186.56	182.12	174.70	164.94	160.39	168.64	149.29	144.33
	Assembly, restaurants, bars	190.96	185.56	180.12	173.70	162.94	159.39	167.64	147.29	143.33
A-3	Assembly, churches	229.69	221.30	215.08	205.64	192.37	187.27	198.45	177.66	170.60
A-3	Assembly, community halls, libraries	192.20	183.81	176.59	168.15	153.51	148.44	160.96	138.80	132.75
A-4	Assembly, arenas	226.10	217.71	210.49	202.05	187.41	182.34	194.86	172.70	166.65
B	Business	200.26	192.96	186.54	177.38	161.90	155.84	170.40	142.43	136.08
E	Educational	209.90	202.64	196.82	188.34	175.49	166.60	181.86	153.45	148.75
F-1	Factory and industrial, moderate hazard	117.60	112.19	105.97	101.84	91.54	87.26	97.61	75.29	70.95
F-2	Factory and industrial, low hazard	116.60	111.19	105.97	100.84	91.54	86.26	96.61	75.29	69.95
H-1	High hazard, explosives	109.99	104.58	99.35	94.22	85.14	79.87	89.99	68.89	N.P.
H234	High hazard	109.99	104.58	99.35	94.22	85.14	79.87	89.99	68.89	63.56
H-5	HPM	200.26	192.96	186.54	177.38	161.90	155.84	170.40	142.43	136.08
I-1	Institutional, supervised environment	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
I-2	Institutional, hospitals	335.53	328.23	321.81	312.65	296.45	N.P.	305.67	276.99	N.P.
I-2	Institutional, nursing homes	233.12	225.82	219.40	210.24	195.51	N.P.	203.26	176.05	N.P.
I-3	Institutional, restrained	227.71	220.41	213.99	204.83	190.84	183.78	197.85	171.37	163.02
I-4	Institutional, day care facilities	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
M	Mercantile	142.95	137.54	132.11	125.68	115.38	111.83	119.62	99.73	95.77
R-1	Residential, hotels	199.70	192.92	186.99	179.78	164.90	160.43	179.93	148.60	143.96
R-2	Residential, multiple family	167.27	160.49	154.56	147.35	133.71	129.23	147.50	117.40	112.76
R-3	Residential, one and two family	155.84	151.61	147.83	144.09	138.94	135.27	141.72	130.04	122.46
R-4	Residential, care/assisted living	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
S-1	Storage, moderate hazard	108.99	103.58	97.35	93.22	83.14	78.87	88.99	66.89	62.56
S-2	Storage, low hazard	107.99	102.58	97.35	92.22	83.14	77.87	87.99	66.89	61.56
U	Utility, miscellaneous	84.66	79.81	74.65	71.30	64.01	59.80	68.04	50.69	48.30

a. Private garages use Utility, miscellaneous
b. Unfinished basements (all use group)= $22.45 per sq.ft.
C. For shell only buildings deduct 20 percent.
D. Remodel deduct 20 percent.
E. N.P. = not permitted

Source: International Code Council - Building Valuation Data (February 2020)

RESULT: NO ACTION TAKEN OR DIRECTION GIVEN TO STAFF.

ANNOUNCEMENTS

Chairman Carswell reminded the Board that paper copies of the recommended budget are available for pickup or delivery. He said another budget meeting will take place on May 28th via Zoom at 2:00 p.m. Chairman Carswell asked the Board to please let County Manager Steen and/or Ms. Pierce know if they need any budgetary information before the next budget meeting so it can be provided.

RESULT: NO ACTION TAKEN OR DIRECTION GIVEN TO STAFF.

ADJOURN

Motion: To adjourn at 3:02 p.m.

RESULT: APPROVED [UNANIMOUS] BY A VERBAL ROLL CALL VOTE
MOVER: Maynard M. Taylor, Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Approved the 15th day of September 2020.

Minutes Acceptance: Minutes of May 22, 2020 2:00 PM (APPROVAL OF MEETING MINUTES)

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

Attest:

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

May 28, 2020 DRAFT Special Meeting Minutes

Place Holder

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 15, 2020

PRESENTATIONS

Subject Title: AS - Pet of the Month

Presented By: Kaitlin Settlemyre or Lindsay Stump

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 15, 2020

PRESENTATIONS

Subject Title: County Manager - 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 15, 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 15, 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 15, 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.

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.

At the pre-agenda meeting, Commissioner Taylor presented two (2) legislative goals which were electronically submitted to the Association:

1. Increase employment by creating a massive statewide job search placement plan that matches an individual's education, job skills, and experience to readily available jobs.

2. Establish a statewide committee to develop a priority guideline on how to spend the COVID-19 funds. Citizens, unemployed for four (4) months or longer and without other income, should receive the highest priority.

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 15, 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 15, 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

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

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 15, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Tax Collection Report for August 2020

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	$28,435,960.69	64.26%	$15,814,039.31
Motor Vehicle Tax	$4,600,000.00	$932,442.40	20.27%	$3,667,557.60
Current Year Taxes	$48,850,000.00	$29,368,403.09	60.12%	$19,481,596.91
Delinquent Taxes	$700,000.00	$235,419.43	33.63%	$464,580.57
Late List Penalty	$300,000.00	$174,323.29	58.11%	$125,676.71

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	$43,648,451.00	$28,435,960.69	65.15%	$15,212,490.28

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 15, 2020

CONSENT AGENDA

Subject Title: Tax Dept. - Release Refund Report for August 2020

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)	$42,604.30	$5,720.02	$36,884.28	$615.76

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$0.00

*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.

TR-304 BILL RELEASE REPORT AUGUST 2020

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after Release($)	Notes and Rebilled Amount
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Adjustment**							
0000028624-2020-2020-0000-00-REG	WILSON, JANE M	7/1/2020	CONNIE HOLDER	8/3/2020	278.90	278.90	0.00	557.79
0000045755-2020-2020-0000-01-REG	SHUPING, FRANK ALLEN	7/1/2020	CONNIE HOLDER	8/11/2020	407.34	407.34	0.00	443.34
0000073198-2020-2020-0000-00-REG	ODEL, STEPHEN	7/1/2020	RENEE AUSTIN	8/27/2020	295.87	295.87	0.00	0.00
0024043953-2019-2019-0000-00-REG	LEWIS, JEREMY AARON	12/5/2019	CONNIE HOLDER	8/27/2020	133.44	133.44	0.00	0.00
0024049395-2020-2020-0000-00-REG	4D MOTION LLC	7/1/2020	RENEE AUSTIN	8/5/2020	35,931.50	35,931.50	0.00	0.00
Subtotal						**37,047.05**		**1,001.13**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Amended Listing**							
0024007686-2017-2017-0000-00-REG	LEDFORD, JEFFREY NORRIS	7/1/2017	LINDA WILBUR	8/6/2020	178.20	17.19	161.01	0.00
0024009728-2020-2020-0000-00-REG	DOUGHTON MFG CO	7/1/2020	RENEE AUSTIN	8/28/2020	1,156.30	1.15	1,155.15	0.00
Subtotal						**18.34**		**0.00**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Deceased**							
0000053988-2020-2020-0000-00-REG	BYRAM, HAMPTON R	7/1/2020	CONNIE HOLDER	8/24/2020	281.36	281.36	0.00	539.36
0000057233-2020-2020-0000-00-REG	HENSLEY, LYNN O	7/1/2020	CONNIE HOLDER	8/13/2020	289.40	289.40	0.00	557.41
Subtotal						**570.76**		**1,096.77**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Duplicate Billing**							
0000018098-2020-2020-0000-00-REG	FRANKLIN, STEPHEN D	7/1/2020	BARBARA HARTLEY	8/13/2020	569.05	2.08	566.97	0.00
0000059498-2020-2020-0000-00-REG	CHURCH, LIONEL WADE	7/1/2020	CONNIE HOLDER	8/14/2020	147.88	8.69	139.19	0.00
0000074210-2020-2020-0000-00-REG	JONES, TIMMY LANE	7/1/2020	CONNIE HOLDER	8/7/2020	183.58	7.51	176.07	0.00

Attachment: Copy of 2 TR-304 Bill Release Report Aug 2020 (3137 : Tax Release Refund Report)

TR-304 BILL RELEASE REPORT AUGUST 2020

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after Release($)	Notes and Rebilled Amount
0024025319-2020-2020-0000-00-REG	BRITTAIN, MARTIN L	7/1/2020	BARBARA HARTLEY	8/24/2020	22.80	22.80	0.00	0.00
0024047795-2020-2020-0000-00-REG	JEAN, FREDRICK MATTHEW	7/1/2020	LINDA WILBUR	8/6/2020	109.98	96.22	13.76	0.00
0024047925-2020-2020-0000-00-REG	SEGEBARTH, PAUL BRADLEY	7/1/2020	BARBARA HARTLEY	8/5/2020	123.16	123.16	0.00	0.00
0024049553-2020-2019-0000-00-REG	CHURCH, LIONEL WADE	7/23/2020	CONNIE HOLDER	8/14/2020	15.93	15.93	0.00	0.00
0024050237-2020-2019-0000-00-REG	FREDERICK, MICHAEL LESLIE	7/23/2020	BARBARA HARTLEY	8/11/2020	22.07	22.07	0.00	0.00
0024050388-2020-2019-0000-00-REG	JONES, TIMMY LANE	7/23/2020	CONNIE HOLDER	8/7/2020	14.77	14.77	0.00	0.00
Subtotal						**313.23**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Mapping Correction								
0000005973-2020-2020-0000-00-REG	MDI ENTERPRISES LLC	7/1/2020	AMANDA CONLEY	8/4/2020	80.34	80.34	0.00	521.12
0024046517-2020-2020-0000-00-REG	DICKENS, HENRY VAN	7/1/2020	AMANDA CONLEY	8/4/2020	465.80	455.79	10.01	0.00
Subtotal						**536.13**		**521.12**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Not in Burke County								
0024007686-2017-2017-0000-00-REG	LEDFORD, JEFFREY NORRIS	7/1/2017	LINDA WILBUR	8/6/2020	161.01	161.01	0.00	0.00
0024048267-2020-2019-0000-00-REG	DAGAERAG, JEREMIAH JOSEPH JAY	7/23/2020	BARBARA HARTLEY	7/31/2020	107.97	107.97	0.00	0.00
0024048303-2020-2019-0000-00-REG	DAGAERAG, JEREMIAH JOSEPH JAY	7/23/2020	BARBARA HARTLEY	7/31/2020	282.04	282.04	0.00	0.00
Subtotal						**551.02**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Over Assessment								
0000040109-2020-2020-0000-00-REG	WHEELER, SAMUEL BRIAN	7/1/2020	RENEE AUSTIN	8/5/2020	1,211.09	123.01	1,088.08	0.00
0024043767-2020-2020-0000-00-REG	BIGFOOT PRECISION COMPONENTS	7/1/2020	LINDA WILBUR	8/20/2020	191.13	185.40	5.73	0.00

Attachment: Copy of 2 TR-304 Bill Release Report Aug 2020 (3137 : Tax Release Refund Report)

TR-304 BILL RELEASE REPORT AUGUST 2020

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after Release($)	Notes and Rebilled Amount
Subtotal						**308.41**		**0.00**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Release LFUF**							
0000009383-2020-2020-0000-00-REG	WILBUR, BURTON F	7/1/2020	AMANDA CONLEY	8/31/2020	278.03	72.00	206.03	0.00
0000009752-2020-2020-0000-00-REG	COOKE, SHERRY	7/1/2020	AMANDA CONLEY	8/10/2020	209.55	72.00	137.55	0.00
0000056423-2016-2016-0000-00-REG	TL NORMAN LAND COMPANY LLC	7/1/2016	AMANDA CONLEY	8/3/2020	280.34	65.00	215.34	0.00
0000056423-2017-2017-0000-00-REG	TL NORMAN LAND COMPANY LLC	7/1/2017	AMANDA CONLEY	8/3/2020	126.47	70.00	56.47	0.00
0000056423-2018-2018-0000-00-REG	TL NORMAN LAND COMPANY LLC	7/1/2018	AMANDA CONLEY	8/3/2020	128.47	72.00	56.47	0.00
0000056423-2019-2019-0000-00-REG	TL NORMAN LAND COMPANY LLC	7/1/2019	AMANDA CONLEY	8/3/2020	208.12	72.00	136.12	0.00
0000056423-2020-2020-0000-00-REG	TL NORMAN LAND COMPANY LLC	7/1/2020	AMANDA CONLEY	8/3/2020	208.12	72.00	136.12	0.00
0024008402-2020-2020-0000-00-REG	VANCE, SAMMY C JR	7/1/2020	LINDA WILBUR	8/3/2020	395.89	72.00	323.89	0.00
Subtotal						**567.00**		**0.00**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Situs Correction**							
0000074635-2020-2020-0000-00-REG	TONEY, CHRISTOPHER SCOTT	7/1/2020	BARBARA HARTLEY	8/4/2020	51.33	51.33	0.00	51.33
0024010154-2020-2020-0000-00-REG	WEBB, STEPHEN BRIAN	7/1/2020	LINDA WILBUR	8/10/2020	26.38	26.38	0.00	26.38
0024034095-2020-2020-0000-00-REG	MOORE, DAVID F	7/1/2020	CONNIE HOLDER	8/5/2020	52.96	52.96	0.00	52.96
Subtotal						**130.67**		**130.67**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Sold/Traded**							
0000011192-2020-2020-0000-00-REG	SAUNDERS, BETTY L	7/1/2020	CONNIE HOLDER	8/19/2020	175.07	175.07	0.00	384.82
0000011915-2020-2020-0000-00-REG	FRANKLIN, WILLIAM EARL	7/1/2020	CONNIE HOLDER	8/6/2020	577.66	577.66	0.00	1,003.05

Attachment: Copy of 2 TR-304 Bill Release Report Aug 2020 (3137 : Tax Release Refund Report)

TR-304 BILL RELEASE REPORT AUGUST 2020

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after Release($)	Notes and Rebilled Amount
0000032388-2020-2020-0000-00-REG	BELTON, RICHARD GARY	7/1/2020	CONNIE HOLDER	8/11/2020	354.45	354.45	0.00	634.96
0000041866-2020-2020-0000-00-REG	WEST, EULA MAE	7/1/2020	CONNIE HOLDER	8/19/2020	634.75	634.75	0.00	947.50
0000075002-2020-2020-0000-00-REG	HARRIS, THOMAS	7/1/2020	BARBARA HARTLEY	8/10/2020	28.25	28.25	0.00	0.00
0000088652-2017-2017-0000-00-REG	KNIGHT AUTO SALES	7/1/2017	LINDA WILBUR	8/19/2020	51.88	51.88	0.00	0.00
0000088652-2018-2018-0000-00-REG	KNIGHT AUTO SALES	7/1/2018	LINDA WILBUR	8/19/2020	46.71	46.71	0.00	0.00
0024025092-2020-2020-0000-00-REG	WALKER, DAVID MICHAEL	7/1/2020	BARBARA HARTLEY	8/21/2020	9.25	9.25	0.00	0.00
0024033438-2020-2020-0000-00-REG	RIKARD, ROGER A	7/1/2020	CONNIE HOLDER	8/19/2020	53.45	53.45	0.00	0.00
0024034059-2020-2020-0000-00-REG	GEORGE, CLINTON LEWIS	7/1/2020	BARBARA HARTLEY	8/14/2020	25.99	25.99	0.00	0.00
Subtotal						**1,957.46**		**2,970.33**
TAX DISTRICT: BURKE COUNTY	**RELEASE REASON: Value Change**							
0000021848-2017-2017-0000-00-REG	JOHNSON, MARY MILDRED	7/1/2017	AMANDA CONLEY	8/18/2020	300.49	122.24	178.25	0.00
0000021848-2018-2018-0000-00-REG	JOHNSON, MARY MILDRED	7/1/2018	AMANDA CONLEY	8/18/2020	304.49	124.24	180.25	0.00
0000021848-2019-2019-0000-00-REG	JOHNSON, MARY MILDRED	7/1/2019	AMANDA CONLEY	8/18/2020	321.57	126.39	195.18	0.00
0000021848-2020-2020-0000-00-REG	JOHNSON, MARY MILDRED	7/1/2020	AMANDA CONLEY	8/18/2020	320.52	126.38	194.14	0.00
0024034101-2020-2020-0000-01-REG	CANNON, LESLIE MARK	7/1/2020	LINDA WILBUR	8/10/2020	524.27	104.98	419.29	0.00
Subtotal						**604.23**		**0.00**
Total						**$ 42,604.30**		**$ 5,720.02**
Net Release Amount							**$ 36,884.28**	

Attachment: Copy of 2 TR-304 Bill Release Report Aug 2020 (3137 : Tax Release Refund Report)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 15, 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 2019for 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 15, 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 revisions to the County's Policy Regarding the Sale of Surplus Real Property.

Proposed

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)

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

Existing

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.

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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.
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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.
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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 15, 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)

2010

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

10/19/2010

SURPLUS PROPERTIES OWNED by BURKE COUNTY

	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 15, 2020

ITEMS FOR DECISION

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 15, 2020

REPORTS AND COMMENTS

Subject Title: BOC - Reports & Comments

Presented By: Johnnie W. Carswell

Summary of Information: Reports and comments from Commissioners and staff will be accepted at this time.

Budgetary Effect: NA

County Manager's Recommendation: NA

Suggested Motion: NA

BUILDING PERMITS 2020	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	YEARLY TOTAL
NEW COMMERCIAL	4	6	0	0	1	1	2	0	**14**
NEW CHURCH	0	0	1	0	0	0	0	0	**1**
NEW CELL TOWER	0	0	0	0	1	0	0	0	**1**
20% COMMERCIAL REMODEL/SHELL	13	12	14	9	9	24	16	14	**111**
NEW DUPLEX	0	0	0	0	0	0	0	1	**1**
NEW SINGLE FAMILY HOME	14	15	21	22	10	12	23	11	**128**
NEW SINGLE WIDE MOBILE HOME	4	3	8	0	0	6	8	3	**32**
NEW DOUBLE WIDE MOBILE HOME	4	2	2	7	3	3	4	4	**29**
NEW RESIDENTIAL POOL	1	0	2	4	4	6	8	5	**30**
RESIDENTIAL BUILDING ONLY	16	29	30	32	40	31	44	27	**249**
RESIDENTIAL ELECTRICAL ONLY	25	19	26	28	25	37	22	25	**207**
RESIDENTIAL MECHANICAL ONLY	38	28	24	19	31	32	32	35	**239**
RESIDENTIAL PLUMBING ONLY	**5**	23	7	4	5	12	7	5	**68**
RESIDENTIAL ALL TRADES MINIMUM	8	7	7	3	4	1	7	4	**41**
BUILDING INSPECTIONS MONTHLY TOTAL	**132**	**144**	**142**	**128**	**133**	**165**	**173**	**134**	**1151**

ZONING PERMITS 2020	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	YEARLY TOTAL
RESIDENTIAL ZONING PERMIT	63	64	65	61	72	73	95	63	**556**
COMMERCIAL ZONING PERMIT	4	9	11	8	9	8	7	10	**66**
MINOR SHORELINE PERMIT	4	9	11	8	18	16	11	9	**86**
MAJOR SHORELINE PERMIT	0	1	1	1	3	3	2	2	**13**
MINOR SITE PLAN REVIEW	0	3	0	2	3	1	0	6	**15**
MAJOR SITE PLAN REVIEW	0	1	0	0	0	0	0	0	**1**
MINOR SUBDIVISION REVIEW	9	8	6	6	9	8	7	7	**60**
EXEMPT SUBDIVISION REVIEW	7	4	4	6	5	7	7	6	**46**
REZONING APPLICATION	0	0	0	0	1	1	0	1	**3**
CONDITIONAL USE APPLICATION	0	3	1	1	2	4	2	5	**18**
ZONING CONFORMITY LETTER	0	1	0	0	0	1	1	0	**3**
STREET SIGN ISSUANCE	1	1	1	0	1	**2**	3	0	**9**
ZONING MONTHLY TOTAL	**88**	**104**	**100**	**93**	**123**	**124**	**135**	**109**	**876**

Attachment: 2020 ALL PERMITS SUMMARY V2 (3156 : BOC Reports & Comments)

BURKE DEVELOPMENT INC
A PRIVATE/PUBLIC CORPORATION

BOARD OF DIRECTORS
July 17, 2020

Business Conducted via Zoom Meeting
MORGANTON, NORTH CAROLINA

In response to the global pandemic, COVID-19, the regularly scheduled BDI Board of Directors meeting was held via Zoom on Friday, July 17th.

MEMBERS PRESENT			MEMBERS ABSENT	
Seth Eckard	Kenneth Geathers	Lamar Smitherman	Jim Toner	Kathy Bailey
Jeff Brittain	Chip Black	Bryan Steen	Derek Cline	Larry Putnam
Bryan Beam	Sally Sandy	Sherri Bradshaw	Joel Welch	
Chris Hawkins	Terry Childers			

Also attending were Alan Wood, Hope Hopkins and Peggy Byrd.

Call to Order
Chairman Geathers called the meeting to order at 8:03 a.m.

Approval of the June 19, 2020 Minutes
No corrections or deletions were noted for the June 19, 2020 minutes. With no corrections needed Chip Black made a motion to approve the May minutes as presented. Terry Childers seconded the motion with the Board voting unanimously to approve.

Approval of the June 2020 Financial Reports
Peggy Byrd reported the checking summary consists of normal activity for operations during June 2020. The June Operational Summary reflects 100% of the fiscal year with expenditures at 92% and revenues at 98%. The Burke Business Park Summary reflects normal activity for the Morganton Federal account. The Bank of America account reflects payment of the final loan installment in the amount of $76,781.81 and a debit of $4,903.29 which was the remaining balance in the account returned to BPED and the account was closed. Jeff Brittain made a motion to approve the June 2020 financial reports as presented. Chip Black seconded the motion with the Board voting unanimously to approve.

BDI Website Update
Alan Wood reported that the new BDI website was now live. He requested a formal review of the site to be held at the August Board meeting and asked Board members review the site for any changes or recommendations and have those available to present. Scheduled press releases will be sent out to promote the site and applications will be submitted to SEDC and IEDC for possible award recognition.

Staff Updates
BBP Water Tank – Alan Wood reported that during the initial bidding process on the BBP water tank, three bids were not received. There will be a rebid this afternoon to receive at least two qualifying bids. We would be pleased to come in close to West Consultants projection of $2M. The County is the grantee and once construction and grant complete, the City of Morganton will be responsible for operation, maintenance, and ownership. The Interlocal agreement notes

Attachment: July 2020 Board Minutes(final) (3156 : BOC Reports & Comments)

that once the park is producing revenue, initial income will reimburse Burke County and the City of Morganton for providing the match then all other partners would be reimbursed proportionally thereafter.

BRE Updates - Hope Hopkins reported continued offerings of helpful resources and information to industries as they strive to bring employees back to work. During these efforts, industries continue to utilize PPE. She reported initial hopes to hold the Burke County 2020 Job Fair as a live event; however, the decision was made to hold a virtual job fair via Zoom due to the pandemic. The Job Fair will be held over three days (September 22-24) with individual sectors represented each day. Up to five employers will have the option to participate "live" each day during the event to present their job information. All others will submit their information to be presented via a PowerPoint presentation. Alan Wood also reported that he is mailing out hand-written notes to reassure industry partners we are available should they have any immediate needs.

Housing Updates - Alan Wood reported interest with housing partners continues to develop. Seth Eckard has informed Alan of interest and movement on a residential development near Draughn High School. There is continued interest from Homes for Hope out of Greenville, SC. They continue to look at options for how their model could be used in Burke County and what a partnership would look like. Alan also reported that housing is currently priced around $170 per sq. ft. with housing near the lake priced closer to $270 per sq. ft.

Adjournment

With no further business, Terry Childers made a motion to enter closed session to discuss matters relating to the location or expansion of industry or personnel matters [article 33C, Section 143-318.11]. Chris Hawkins seconded the motion with the Board voting unanimously to approve. Chip Black made a motion to exit closed session. Bryan Beam seconded the motion with the Board voting unanimously to approve. The meeting adjourned at 8:32 a.m.

Respectfully Submitted,

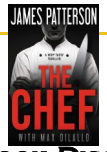
Peggy Byrd

Attachment: July 2020 Board Minutes(final) (3156 : BOC Reports & Comments)

Live Well @ your library
Burke County Public Library
Morganton • Valdese • C.B. Hildebrand

SEPTEMBER ADULT PROGRAMS

THE LIBRARY FOUNDATION OF BURKE COUNTY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Bibliomaniacs Subscription boxes will be available for pick up the first week of September. Call today to register for your monthly box!		1 Tasty Tuesday 7pm a weekly recipe program	2 **Highlight NC! 7pm** Learn about interesting places and events in NC		4	**Nominate a "Wonder Woman"** **September 1-30** Nominate a woman who has made a positive impact on your life for the chance to win a prize for you both! Details and entry on our Facebook Page and Website.
6 Where's Maggie 7pm a weekly hike!	7	8 Tasty Tuesday 7pm	9 **Highlight NC! 7pm**		11 Needlework in the Morning 10am: MPL & Zoom	
13 Where's Maggie 7pm	14 #CraftyMe Kits available for pick up today.	15  Book Discussion 10am: VPL & Zoom Tasty Tuesday: 7pm	16 **Highlight NC! 7pm**	17	18 #CraftyMe How-To Video 7pm	
20 Where's Maggie 7pm	21 **Wonder Woman** Craft Night MPL 5:30pm	22 Tasty Tuesday 7pm	23 **Highlight NC! 7pm**	24 	25 Needlework in the Morning 10am: MPL & Zoom	26 **Kings Mountain Story Video Trilogy** **by Randell Jones** **Sept. 26-Oct. 11** Videos will be hosted on Facebook/website to honor the 240th Anniversary of the Battle of Kings Mountain and the 40th Anniversary of the Overmountain Victory National Historic Trail.
27 Where's Maggie 7pm	28 #CraftyMe 5:30pm @ MPL OR Kit pick up	29 Tasty Tuesday 7pm	30 **Highlight NC! 7pm**	**Banned Books Week 2020** **September 27 - October 3** Contest: Guess which book we have in the jar! Jar will reside at MPL - enter on website or Facebook. Winner will be randomly drawn from all correct entries.		

CALENDAR KEY

Pre-registration & v er are required for programs.

Orange: Item re available for pi up (requires pre-regis on & pick ups are sche ed).

Brown: Prog n video will be p ed on the libra Facebook p and Websit

Yellow: Progra will be held in pe n only. Space Lin d.

Black: Progra will be available h online & in-pe n.

MPL= Morganton ic Library
VPL= Valdese P Library
CBH= C.B. Hildeb d Public Librar

Visit us online www.bcpls.org or on Facebook @bcpls

Attachment: Calendar -- September (3156 : BOC Reports & Comments)

SEPTEMBER YA PROGRAMS!

Live Well @ your library — Burke County Public Library

THE LIBRARY FOUNDATION OF BURKE COUNTY

All programs require pre-registration and waiver to attend!

MON	TUE	WED	THU	FRI	SAT

Introducing the YA All-Access Pass!**

EXCLUSIVE VIP EXCLUSIVE

Call or email today to complete a one-time inclusive waiver that will give you access to the Discord server and all waivers so that pre-registering for any current or future YA programs and resources will be a breeze! You will get early access to programs AND skip the follow-up waivers.

7 **Closed for Labor Day!**

8 ***Freestyle Craft Night & Chill*** 5:30pm (VPL)

14 ***Online Squad Squabble*** 5:30pm

15 ***Jackbox Game Night*** 6:00pm (VPL)

21 ***Jackbox Game Night*** 6:00pm (MPL)

22 First day of Fall! ***DIY Pumpkin Spice Mug Cakes*** 5:30pm (VPL)

28 ***YA Lit Lounge*** 6pm (MPL)

29 ***Canvas Art & Movie Night*** 5:30pm (VPL)

Join the YA Online Discord Server** and get registration-free access to all YA Online programs including Jackbox Game Nights, Trivia Nights, YA Lit Lounge, and more!

Visit us online at bcpls.org!

10 ***Jackbox Game Night*** 4pm (CBH)

11 ***YA Online Trivia Night*** 5:30pm

17 ***Tie-Dye Masks*** 4pm (CBH)

24 ***Virtual Scavenger Hunt*** 4pm

25 ***YA Online Trivia Night*** 5:30pm

YA TO-GO!

Not ready to attend programs in person yet? **We've got you covered!** Programs that are in **RED** are programs that you can participate in by calling the libary and **getting a to-go box at any point during this month to do at home!****

YOUNG ADULT (YA) PROGRAMS ARE LIMITED TO MIDDLE AND HIGH SCHOOL STUDENTS ONLY.

ALL PROGRAMS REQUIRE PRE-REGISTRATION AND WAIVER TO ATTEND!

***For questions, to pre-register, or to get access to the Discord Server & an all-access pass contact Lizzie at 828-764-[illegible] lizzie.whisnant@burkenc.org*

CALENDAR KEY

Green: Prog[illegible] will be hel[illegible] online onl[illegible]

Black: Progr[illegible] will be hel[illegible] in-person o[illegible]

Blue: Progr[illegible] will be avail[illegible] both online in-perso[illegible]

Red: Progr[illegible] will be avail[illegible] in-person o[illegible] a to-go prog[illegible]

Attachment: Calendar -- September (3156 : BOC Reports & Comments)

Live Well @ your library
Burke County Public Library
Morganton • Valdese • C.B. Hildebrand

SEPTEMBER KIDS PROGRAMS

THE LIBRARY FOUNDATION OF BURKE COUNTY

While we can't do in-person programming with our kids right now, we can offer options for you at home. Check these out, give us a call if you have questions, and know that we MISS YOU!

CANVAS CREATIONS

Do you love to paint? Use your imagination & create a masterpiece! All materials provided.
For 5th grade and under. Call to reserve your kit and schedule a pick up - 828-764-9283

Storytimes When You Want Them

Join our Facebook Group for Online Storytimes (linked from our website and main Facebook Page) for storytime videos, exclusive contests & competitions, announcements, and more.

Imagine Your Story this month with lots of storytimes about Fairytales & Fairytale Creatures. We will also hear stories about camping, the ocean, balloons, flies, and more!

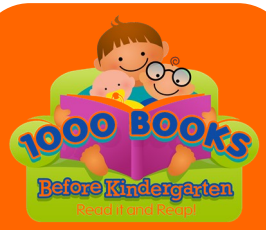
Miss Lego Club?

We have a monthly Lego Challenge (with prizes) released on Facebook and our website!

Keep your eyes open, builders!

Chalk Doodles

A weekly chance to get a personalized chalk message for your child!
See Facebook or our website for details, or call MPL!



1000 Books Before Kindergarten
Read it and Reap!
Call, or come by any library to sign up and get your reading logs.

Pick It Up!

Take it - Make it at MPL

Drive by and pick up your activity bag, no reservation needed (scheduled pick ups also available). For Preschool and School Aged Kids.
MPL from 10-11am & 3-4pm on September 8th, 10th, 17th, and 24th

Busy Bags at VPL

A monthly bag for Preschool and School Aged Kids.
Call to reserve your bag and schedule a pick up - 828-874-2421

Enrichment Bags At CBH

A monthly bag for Preschool and School Aged Kids.
Call to reserve your bag and schedule a pick up - 828-764-9283

Imagine Your Story Fairytale Bag At MPL

For School Aged Kids. Available beginning September 8.
Call to reserve your bag and schedule a pick up - 828-764-9274

Science Academy at VPL

For 5th grade and under. A twice monthly pick-up kit with accompanying how-to video.
Call to sign up and get details - 828-874-2421

Cooking with Amber at VPL

For 5th grade and under. A monthly pick-up kit with accompanying how-to video.
Call to sign up and get details - 828-874-2421

Additional Take-Home Options will post periodically on our Storytime Group on Facebook & our website.

All take-home crafts, kits, and bags are of limited quantity and items are subject to change.

Storytimes on Schedule

Want a live storytime experie ?
Zoom Storytimes are availa
contact the programmers li
below for details!

Terrific Tots (2 year old
Tuesdays at 10:30am
With Ms. Claudia (828-764-92
This month: Imagine Your Sto
Crafts are available for pick u

Preschool Pals (3-5 year c)
Thursdays at 10:30am
With Ms. Claudia (828-764-92
This month: Imagine Your Sto
Crafts are available for pick u

Library Explorers (K-2
Thursdays at 3:30pm
With Ms. Judy (828-764-928
Crafts/Activities are available for pi).

Cool Kids (3rd-5th)
Tuesdays at 3:30pm
With Ms. Judy (828-764-928
Crafts/Activities are available for pi).

Registration and waiver require r
interactive online programmi

MPL= Morganton Public Libra
VPL= Valdese Public Library
CBH= C.B. Hildebrand Public Library
Online @
Or Facebook @bcpls

ONLINE RESOURCES

Live Well @ your library
Burke County Public Library

THE LIBRARY FOUNDATION OF BURKE COUNTY

Want to minimize your outings?
Do you prefer ebooks? Want an audiobook for a trip?
Looking for a title we don't have in our collection at the library?

Check out Overdrive and Libby!

Download ebooks and audiobooks to your computer, cell phone, iPod, or ebook reader (including Kindles) from Overdrive.
Our e-iNC collection includes current popular titles, audiobooks, and magazines - and it grows every week, & has a collection just for kids!

NC KIDS Digital Library

You just need your library card, PIN, and internet access to get started! Download & use the Libby App (powered by Overdrive) for the most flexibility!

NC LIVE

Use your library card, log in to NC LIVE & check out the free electronic resources for all ages.
Topics range from careers, business, & investing to health, history, & genealogy. eBooks, audiobooks, videos, magazines, newspapers, journals, language-learning tools, and more are available from any Internet connection.

Do you have your PIN number?

Stop by or give us a call to get it, set it up, or change it. This four digit number (& your library card) helps you log into our online catalog and connect to our ebook collections!

Burke County Public Library Statsitics -- FY 20-21

Appointments	June	July	August	YTD Avg.
Morganton	1225	1384	1575	1394.67
Valdese	451	757	756	654.67
CB Hildebrand	228	226	213	222.33
TOTAL:	**1904**	**2367**	**2544**	**2271.67**
Curbside				
Morganton	218	177	170	188.33
Valdese	86	89	68	81.00
CB Hildebrand	68	73	67	69.33
TOTAL:	**372**	**339**	**305**	**338.67**
Study Room Use				
Morganton	21	13	18	17.33
Valdese	13	16	14	14.33
CB Hildebrand	19	17	17	17.67
TOTAL:	**53**	**46**	**49**	**49.33**
Programs -- Remote and In-Person				
Adult	16	12	19	15.67
Young Adult	13	17	18	16.00
Children	50	65	68	61.00
TOTAL:	**79**	**94**	**105**	**92.67**
Program Views				
Adult	979	257	361	532.33
Young Adult	742	705	578	675.00
Children	2491	4175	4399	3688.33
TOTAL:	**4212**	**5137**	**5338**	**4895.67**
Pickup Bags				
Adult	49	64	76	63.00
Young Adult	44	67	61	57.33
Children	723	862	890	825.00
TOTAL:	**816**	**993**	**1027**	**945.33**
E-Book Users	2417	2445	2475	**2445.67**
E-Book Checkouts	3330	3338	3441	**3369.67**
Overall Circulation	10030	11501	10563	**10698.00**
Computer Sessions	848	804	816	**822.67**

New/Renewed Borrowers	287	259	287	**277.67**

Western Piedmont Regional Transit Authority
MINUTES OF REGULAR BOARD MEETING
Western Piedmont Regional Transit Authority (WPRTA) Board of Directors
Thursday, July 16, 2020 at 10:00 a.m.
Location: Greenway Conference Room,
1515 4th St. SW, Conover, NC 28613

Members Present: Donald Duncan (Vice Chair), Karen Dickerson, Mary Furtado, Stan Kiser, Kim McGee, Randy Williams, Rick French*, Bryan Steen*

Others Present: Camille Sterling, Jeff Blalock, Brian Horton (Clerk), Terry Taylor (Attorney)

*Attended by phone / participating remotely due to COVID-19 to limit number of persons gathering in accordance with Remote Participation Policy.

1. **Call to Order** – Mr. Duncan called the meeting to order at 10:10 AM, announced a quorum was present, and welcomed all present. Mr. Duncan called for a motion to accept Mr. French and Mr. Steen participating remotely by phone. Upon a motion by Ms. Furtado and a second by Ms. Dickerson, the Board unanimously approved Mr. French and Mr. Steen participating by phone.

2. **Finance**
   a. **Financial Report** – Mr. Blalock gave a brief overview of the WPRTA Operating Income/Expense Report for June. Total cash, as of July 13, 2020, was $1,818,199.74. No board action was required.
   b. **FY 21 and FY22 5310 Grant(s)** – Mr. Blalock explained this is an annual grant totaling $478,028 in Section 5310 funds for four projects: 1) $300,000 to Catawba County Social Services (20% match, since sub-recipient) for operating assistance, 2) $47,803 to Greenway for Program Administration (no match;10% of total grant), 3) $50,479 to Greenway (20% match) for Mobility Manager, and 4) 79,746 to Greenway for other ADA operating assistance (50% match). Mr. Duncan called for a motion to call for a Public Hearing at the August 20, 2020, Board meeting. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board unanimously approved the call for Public Hearing for the Fiscal Year 2021 Section 5310 Grants at the August 20, 2020, Board meeting.
   c. **FY 21 Standards of Conduct and Conflict of Interest** – Mr. Duncan reminded Board members to turn in their annually required completed forms to Camille Sterling.
   d. **Continuity of Operations Plan (COP)** – Mr. Blalock noted the Plan had no significant changes since last month, but that new Board action should cover two months, in the event the Board could not meet next month. Mr. Blalock shared that demand-response was down about 47%. Mr. Duncan asked what staff thought caused the decline. Ms. Sterling responded that non-essential travel had been reduced, though the vans were helping delivering meals. Mr. Blalock explained that fares had not been collected since the COVID crisis. Mr. Blalock acknowledged that Ms. Sterling had compiled financial impacts of the NC House Bill (HB) 77 to assist IMD in disbursing round 2 of the 5311 Cares Act funding. Ms. Sterling explained how CARES Act funding helped offset FY21 ROAP and SMAP funding removed from the NC State budget because of (HB) 77. Mr. Duncan called for a motion to approve the COP. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board unanimously approved the COP to cover the next two months.

Attachment: Item_5a_Greenway Minutes 07.16.2020 (3156 : BOC Reports & Comments)

3. **Authority Update** – Ms. Sterling provided an update on the bus vehicles Request for Proposals (RFP). Ms. Sterling explained that PART and High Point Transit have the same vendor as the lowest bidder to Greenway's RFP for replacement vehicles. No board action was required.

4. **Burke Routes** – Ms. Sterling introduced the topic and summarized recent ridership trends. Ms. Sterling explained the reduced schedule due to COVID. Mr. Horton summarized the planned route changes as serving more apartments and food options. Mr. Duncan noted the routes were award-winning (they received a "Mobi" award in 2019), as did Mr. Steen by phone. Mr. Duncan called for a motion to call for a Public Hearing at the August 20, 2020, Board meeting. Upon a motion by Mr. Williams and a second by Ms. Furtado, the Board unanimously approved the call for Public Hearing for the proposed Burke Flex Route Service Change at the August 20, 2020, Board meeting.

5. **Consent Agenda** – Mr. Duncan called for a motion to approve the June 18, 2020, minutes. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board unanimously approved the Minutes.

6. **Discussion of Items removed for the Consent Agenda-** None

7. **Closed Session** – Mr. Duncan called for a motion to go into Closed Session to discuss the performance review of the Executive Director. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board unanimously approved going into Closed Session for personnel matters. Mr. Duncan called for motion to go back into Open Session. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board unanimously approved going back into Open Session at 10:45 AM. Ms. Furtado made a motion to increase vehicle allowance for the Executive Director to $6,000 a year, plus a 2.5% Cost of Living Adjustment increase, which Mr. Williams seconded. The Board unanimously approved the vehicle allowance and COLA pay increases.

8. **Public Comment-** None

9. **Other Business-** None

10. **Adjournment** – The next board meeting will tentatively be Thursday, August 20, 2020 at 10:00 am. Mr. Duncan called for a motion to adjourn. Upon a motion by Ms. Furtado and a second by Mr. Williams, the Board voted unanimously to adjourn at 10:50 AM.

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Respectfully Submitted,

_____ _____

Brian Horton, Clerk Rick French, Chairman

Attachment: Item_5a_Greenway Minutes 07.16.2020 (3156 : BOC Reports & Comments)

Minutes
Western Piedmont Council of Governments
Bimonthly Policy Board Meeting
Tuesday, May 26, 2020
Video/Conference Call Meeting

Members Present:	Local Government/Agency:	In-person/Remote Participation
Bob Floyd, Jr., Chair	Cedar Rock	Remote
Jill Patton, Vice-Chair	Hickory	Remote
Johnny Berry, Secretary	Connelly Springs	Remote
George Holleman, Treasurer	Taylorsville	Remote
Chip Black, At-Large	Valdese	Remote
Wayne Abele, At-Large	Burke County	In-person at WPCOG
Joseph L. Gibbons, At-Large	Lenoir	Remote
Kitty Barnes, At-Large	Catawba County	Remote
Johnnie Carswell, Alternate	Burke County	Remote
Dale Sherrill	Claremont	Remote
Joie Fulbright	Conover	Remote
Dennis Anthony	Drexel	Remote
Dr. Caryl Burns	Granite Falls	Remote
Larry Chapman	Hudson	Remote
Marla Thompson	Long View	Remote
Ronnie Williams	Maiden	Remote
Chris Jernigan	Morganton	Remote
Gary McClure	Rutherford College	Remote
Jack Simms, Alternate	Taylorsville	Remote
Amparo Alfaro	Appointed	Remote
Tommy Luckadoo	Appointed	Remote
Helen Chestnut	Appointed	Remote
Jeanna Price	Appointed	Remote
Malla Vue	Appointed	Remote

Members Absent:	
Larry Yoder	Alexander County
James Weaver	Brookford
Ronnie Setzer	Cajah's Mountain
Mike Labrose	Caldwell County
Donald Robinson	Catawba
Barbara Pennell, Past Chair	Gamewell
Sheila Perkins	Glen Alpine
Ben Honeycutt	Hildebran
Rick Justice	Rhodhiss
Jerry Hodge	Newton

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

Keith Warren	Sawmills
Casey Pope	Appointed
Randy Burns	Appointed

Guests/Others Present:
Todd Herms, Maiden, Remote
Sherri Bradshaw, Drexel, Remote
Chase Winebarger, Sawmills, Remote
Scott Hildebrand, Lenoir, Remote
Barbara Harmon, Rhodhiss, Remote

WPCOG Staff Present:
Anthony Starr, Executive Director, In-person at WPCOG
Sherry Long, Assistant Executive Director, In-person at WPCOG
Ashley Bolick, Director of Administrative Services and Human Resources, In-person at WPCOG
Andrea Roper, Finance Director, In-person at WPCOG
Stephanie Hanvey, Regional Housing Director, In-person at WPCOG
Wendy Johnson, Director of Workforce Development, In-person at WPCOG
Jason Toney, Communications Specialist, In-person at WPCOG

Call to Order/Welcome and Roll Call
A regular meeting of the WPCOG Policy Board was called to order at 6:00 pm by Chair Bob Floyd. Chair Floyd thanked the board for their flexibility in dealing with meeting changes due to COVID-19. Chair Floyd asked the board clerk for a roll call. The roll call was completed and names recorded for the meeting minutes.

Minutes of Previous Meeting
Minutes of the previous meeting were considered. Ms. Jill Patton made a motion to approve the minutes from the March 24, 2020 meeting and Ms. Helen Chestnut offered a second. Roll call vote was called by Chair Floyd.

Larry Yoder	Not Present	Bob Floyd	Yes	Jill Patton	Yes
George Holleman	Yes	Barbara Pennell	Not Present	Marla Thompson	Yes
Wayne Abele	Yes	Dr. Caryl Burns	Yes	Ronnie Williams	Yes
Johnny Berry	Yes	Larry Chapman	Yes	Jerry Hodge	Not Present
Dennis Anthony	Yes	Joseph L. Gibbons	Yes	Casey Pope	Not Present
Sheila Perkins	Not Present	Allen Spencer	Not Present	Helen Chestnut	Yes
Ben Honeycutt	Not Present	Keith Warren	Not Present	Amparo Alfaro	Yes
Chris Jernigan	Yes	Kitty Barnes	Yes	Tommy Luckadoo	Yes
Gary McClure	Yes	James Weaver	Not Present	Randy Burns	Not Present
John “Chip” Black, Jr.	Yes	Donald Robinson	Not Present	Jeanna Price	Yes
Mike Labrose	Not Present	Dale Sherrill	Yes	Malla Vue	Yes
Ronnie Setzer	Not Present	Joie Fulbright	Yes		

The motion to approve the March 24, 2020 meeting minutes was unanimously approved.

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

Unfinished Business/Reports
There was no unfinished business.

New Business

WIOA Comprehensive Plan, Program Year 2020 - 2024
Ms. Wendy Johnson, Director of Workforce Development presented information to the board concerning the Workforce Innovation and Opportunity Act (WIOA) Comprehensive Plan for program year 2020 - 2024. WIOA requires each Workforce Development Board (WDB) to develop and submit, in partnership with the local chief elected officials, a comprehensive four-year plan. The WDB staff have been working to prepare this plan, and would like to inform the board that the plan is now available on the website, www.westernpiedmontworks.org for a 30 day public comment. The WIOA Comprehensive Plan is developed to provide current information on how the WDB plans to collaborate, operate, and impact the region through its workforce development funding, its partnerships, as well as plans to continue to meet US Department of Labor Performance Standards as required in the WIOA law. Staff requested the Policy Board to review the plan online and provide feedback. No formal action by the Board is needed at this time.

Workforce Development Board Reappointments
Ms. Wendy Johnson, Director of workforce Development requested that the Policy Board reappoint seven current Workforce Development Board members for another two-year term. The following individuals' terms are expiring and are eligible for reappointment, July 1, 2020 – June 30, 2022.

- Marty Waters, Owner, Marlin Chemical – Caldwell County
- Bill Burton, President/Owner, Jack Sipe Construction – Catawba County
- Glenn Privette, Director of Human Resources, Leviton Manufacturing Inc – Burke County
- Wayne Abele, Owner, Abele's Family Restaurant – Burke County
- Crystal Glenn, Executive Director, Workforce Development Innovation Center – Catawba Valley Community College
- Malla Vue, District Director for Catawba, Caldwell, Burke, Alexander and Iredell counties, Goodwill Industries Northwest North Carolina
- Randy Ledford, VP of Instruction, Caldwell Community College & Technical Institute

Mr. Larry Chapman made a motion that the Policy Board re-appoint the seven current Workforce Development Board members for another two year term, July 1, 2020 – June 30, 2022. Mr. Joseph Gibbons offered a second. Roll call vote was called by Chair Floyd.

Larry Yoder	Not Present	Bob Floyd	Yes	Jill Patton	Yes
George Holleman	Yes	Barbara Pennell	Not Present	Marla Thompson	Yes
Wayne Abele	Yes	Dr. Caryl Burns	Yes	Ronnie Williams	Yes
Johnny Berry	Yes	Larry Chapman	Yes	Jerry Hodge	Not Present
Dennis Anthony	Yes	Joseph L. Gibbons	Yes	Casey Pope	Not Present
Sheila Perkins	Not Present	Allen Spencer	Not Present	Helen Chestnut	Yes
Ben Honeycutt	Not Present	Keith Warren	Not Present	Amparo Alfaro	Yes
Chris Jernigan	Yes	Kitty Barnes	Yes	Tommy Luckadoo	Yes
Gary McClure	Yes	James Weaver	Not Present	Randy Burns	Not Present
John "Chip" Black, Jr.	Yes	Donald Robinson	Not Present	Jeanna Price	Yes
Mike Labrose	Not Present	Dale Sherrill	Yes	Malla Vue	Yes

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

Ronnie Setzer	Not Present	Joie Fulbright	Yes		

The motion to re-appoint the seven current Workforce Development Board members for another two year term was unanimously approved.

Utility Allowance Changes for Section 8 Housing Program and Increase in Applicable Payment Standards
Ms. Stephanie Hanvey, Regional Housing Authority Director, presented proposed changes for the Section 8 Housing Program utility allowance. A Regional Housing Authority (RHA) established utility allowance schedule is used in determining the family share and PHA subsidy. The RHA must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection. The utility allowance schedule must be based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality.

In developing the schedule, the RHA must use normal patterns of consumption for the community as a whole and current utility rates. The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. Costs for telephone, cable/satellite television, and internet services are not included in the utility allowance schedule.

The RHA must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised. The RHA must maintain information supporting its annual review of utility allowance and any revisions made in its utility allowance schedule. In June of 2017, the RHA released Request for Proposals for the Utility Allowance Study. David Simms & Associates Consulting Engineers was awarded the bid for five years. The third year review has been completed and we need to change most of our utility rates. Staff would like to make this change in utility allowances effective June 1, 2020.

HUD has published an increase in the new Fair Market Rents for 2020. Payment standards for efficiency, one, two, and three bedroom units need to be increased to help make those units more affordable for our tenants. Many prospective tenants have been unable to find affordable housing and must submit numerous requests before being approved. Landlords are complaining because there is an enormous amount of paperwork involved with the normal request process and the denials are causing them to have to submit paperwork several times.

The RHA was awarded an additional 96 new Mainstream Vouchers that began in January 2020. Increasing the payment standards would allow the RHA to fully utilize the new vouchers and assist more families by making housing more affordable. The goal of the RHA is to help as many families as possible in the community while maximizing the funding that HUD allows. The board has been provided the increase in the payment standards for approval.

Staff requested that the Policy Board approve both the proposed Section 8 Utility Allowance changes and the increase in the applicable payment standards to become effective June 1, 2020.

Ms. Jill Patton made a motion that the Board approve the both the Section 8 Utility Allowance Changes and the increase in the applicable payment standards to become effective June 1, 2020 as proposed. Ms. Kitty Barnes offered a second. A roll call vote was called by Chair Floyd.

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

Larry Yoder	Not Present	Bob Floyd	Yes	Jill Patton	Yes
George Holleman	Yes	Barbara Pennell	Not Present	Marla Thompson	Yes
Wayne Abele	Yes	Dr. Caryl Burns	Yes	Ronnie Williams	Yes
Johnny Berry	Yes	Larry Chapman	Yes	Jerry Hodge	Not Present
Dennis Anthony	Yes	Joseph L. Gibbons	Yes	Casey Pope	Not Present
Sheila Perkins	Not Present	Allen Spencer	Not Present	Helen Chestnut	Yes
Ben Honeycutt	Not Present	Keith Warren	Not Present	Amparo Alfaro	Yes
Chris Jernigan	Yes	Kitty Barnes	Yes	Tommy Luckadoo	Yes
Gary McClure	Yes	James Weaver	Not Present	Randy Burns	Not Present
John "Chip" Black, Jr.	Yes	Donald Robinson	Not Present	Jeanna Price	Yes
Mike Labrose	Not Present	Dale Sherrill	Yes	Malla Vue	Yes
Ronnie Setzer	Not Present	Joie Fulbright	Yes		

The motion passed unanimously.

2nd Reading and Adoption of the FY 2020-2021 Budget

Mr. Anthony Starr, Executive Director, presented the 2nd Reading of the 2020-2021 Budget reflecting a total budget of $20,525,409 and an operating budget of $6,548,599 which represents an increase of the total budget from the March 24th, 2020 budget amendment of approximately 7% or $1,498,489.

The 2nd Reading of the 2020-2021 Budget highlights include:

- 57 full and part-time staff positions
- A WPCOG dues rate increase by $.10 per capita per the board approved 3-year plan. The dues were approved by the Board in January.
- Financial Administration Services for four local governments and one local non-profit.
- Town Planning Services for 12 local governments.
- Code Enforcement Services for 9 local governments.
- Administration of two new urgent repair projects and one single family rehabilitation project. These programs account for large contractual increase.
- Several new building reuse projects for the Economic Development portion of the budget.
- A small decrease for Environmental Protection due to a decrease in anticipated carryover funds (committed fund balance).
- An increase within the Aging budget of $44.901 to reflect actual grant award amounts.
- An anticipated increase of 8% for health insurance. Staff is working through plan design and insurance provider options to avoid a larger increase.
- An increase within the contingency lines of $65,429 due to new project revenues being allocated for future use in FY21 budget.
- Approximately $137,424 in anticipated contracts for FY21. The unfunded areas at this point are within the Community Development budget.
- A 3.25% average increase for staff salaries subject to availability of funds. WPCOG staff increases occur in January of each year and management will evaluate funding availability later in 2020 before implementing pay increases. Because the pay increases take effect for only six months in the FY21 budget, it represents a 1.625% increase from current salary levels.

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

- An increase of $1.238 million in the Special Revenue Funds for Aging to reflect the additional funding received from the Families First and CARES acts.

The revenues for several program areas include funds already received for projects that will continue in FY21. This creates the effect of temporarily increasing the fund balance at the end of the current fiscal year and decreasing fund balance by an equal amount in FY21. These are reflected as committed fund balance in the financial statements (audit).

There is significant uncertainty concerning changes to funding for various programs. The Executive Committee and Policy Board should expect amendments to the budget in the coming weeks and months as conditions change. It is expected that revenues will increase in some programs while decrease in other areas. Overall, no reductions in staff are currently expected and adding staff positions is possibly needed to accomplish additional work.

The Executive Committee held the required public hearing on May 21st, 2020. There where no public comments received. Staff requests the Policy Board review and adopt the attached budget ordinance.

Mr. Johnny Berry made a motion that the Policy Board adopt the budget ordinance and FY 2020-2021 Budget as presented. Ms. Jill Patton offered a second. A roll call vote was called by Chair Floyd.

Larry Yoder	Not Present	Bob Floyd	Yes	Jill Patton	Yes
George Holleman	Yes	Barbara Pennell	Not Present	Marla Thompson	Yes
Wayne Abele	Yes	Dr. Caryl Burns	Yes	Ronnie Williams	Yes
Johnny Berry	Yes	Larry Chapman	Yes	Jerry Hodge	Not Present
Dennis Anthony	Yes	Joseph L. Gibbons	Yes	Casey Pope	Not Present
Sheila Perkins	Not Present	Allen Spencer	Not Present	Helen Chestnut	Yes
Ben Honeycutt	Not Present	Keith Warren	Not Present	Amparo Alfaro	Yes
Chris Jernigan	Yes	Kitty Barnes	Yes	Tommy Luckadoo	Yes
Gary McClure	Yes	James Weaver	Not Present	Randy Burns	Not Present
John “Chip” Black, Jr.	Yes	Donald Robinson	Not Present	Jeanna Price	Yes
Mike Labrose	Not Present	Dale Sherrill	Yes	Malla Vue	Yes
Ronnie Setzer	Not Present	Joie Fulbright	Yes		

The motion was passed unanimously.

Staff Updates

Mr. Anthony Starr reviewed the Executive Director’s Report outlining both current and upcoming projects by department.

Adjournment

Mr. Larry Chapman made a motion that the meeting adjourn at 6:36 pm and the motion was seconded by Mr. Joie Fulbright.

Attachment: PB Minutes 05262020 (3156 : BOC Reports & Comments)

Board Members
The Rev. Dr. Marshall Jolly, Chair
Joseph A. Martinez, Vice Chair
Jeffrey C. Brittain
Lisa Dean
Renee Rostan

Korey Fisher-Wellman
Director

Burke County Department of Social Services

PO Drawer 549
Morganton, North Carolina 28680-0549
Phone (828) 764-9600 ~ Fax (828) 764-9790

MINUTES
BURKE COUNTY BOARD OF SOCIAL SERVICES
REGULAR BOARD MEETING (by WebEx)
June 16, 2020

Board Present: Rev. Marshall Jolly, Chair
Joseph Martinez, Vice Chair
Jeff Brittain
Lisa Dean
Renee Rostan

Staff Present: Korey Fisher-Wellman, DSS Director
Amanda Grady, Eligibility Program Administrator

Sharon Honeycutt, Clerk to the Board

CALL TO ORDER
Dr. Jolly called the meeting to order at 8:01 am.

APPROVAL OF AGENDA
The agenda was unanimously approved with a motion from Ms. Rostan.

APPROVAL OF MINUTES
The minutes from the May 19, 2020 meeting were unanimously approved with a motion from Mr. Brittain.

PUBLIC COMMENTS
None

Attachment: Board of Directors Meeting 6-16-2020 + (3156 : BOC Reports & Comments)

OLD OR NEW BUSINESS

Ms. Dean will email Ms. Honeycutt directly with corrections to the Annual Report. Mr. Fisher-Wellman said the annual report did a good job displaying the impact that the department has on the community. The 2019 Annual Report was unanimously approved with a motion from Ms. Rostan and a second from Mr. Brittain.

Dr. Jolly wrote a letter to Senator Daniel and Representative Blackwell on the board's behalf concerning the matter of the 40.5 benchmark for reunification within 12 months. A response was received from Senator Daniel but not Representative Blackwell. Senator Daniel has offered to meet with Mr. Fisher-Wellman and Dr. Jolly and any other board member that would like to join to learn more about the issue.

ECONOMIC SERVICES PROGRAM AND CHILD SUPPORT UPDATES

Ms. Grady said there has been a conditional offer for a long-term care position and there are two family and children intake positions that references are being checked. A supervisor in adult Medicaid will be retiring at the end of the June and the department has been able to work ahead and have somebody ready to roll in that position on July 1st. That creates an adult lead work position open that is currently posted. There is a daycare position with a conditional offer on the table. The staff development specialist worker is leaving at the end of July and Ms. Grady is working to fill that position.

Ms. Grady said Food and Nutrition Services had a meeting with the State Deputy Director of Economic Services. He talked a lot about the PBET which has many issues. Our agency has no control over the cards; however, the department is responsible for hunting clients down and making sure they have received the cards. The cards are for people who do not have food and nutritional services but are eligible for reduced lunches. There were 89,000 cards issued across the state which resulted in $329,000,000 worth of money on the cards. Out of that amount, there were $96,000,000 purchases statewide. There were system errors such as wrong names on the card and cards going to the wrong address.

Ms. Grady said there were several state waivers through the end of June and the state is working to extend those to the end of July. The department is still supplementing cases based on their household size. The next supplement will go on the cards June 21st and 22nd. The department will know towards the end of June what the state will do. Online purchases with food stamp cards are new to FNS. Walmart and Amazon are the only two vendors accepting food stamps in NC.

Ms. Grady said Medicaid is going through the same type of situations. The State is promising to give a transition period for recertifications. If the State does not give an extension for recertifications the agency will be in bad shape. The State is aware of the problem and is working to try to get the transition period.

Attachment: Board of Directors Meeting 6-16-2020 + (3156 : BOC Reports & Comments)

Ms. Grady said CIP starts on July 1st. Ms. Grady and Mr. Fisher-Wellman are looking for solutions on how to serve the community without putting staff and clients in jeopardy such as social distancing and taking applications.

Ms. Grady said that staff was doing everything they are supposed to do, and the performance measures numbers look good. Ms. Grady will be having a meeting with child support and it looks like they are also doing what they are supposed to do. Child Support has been sending reports on their progress and has had some jump in their numbers. Paternity establishment is up 4% and they are on track for their collections. Child Support is still ranked 100 but Ms. Grady feels like the numbers are moving. Ms. Grady said CIP was the crisis intervention plan and clients can get $600 beginning July 1st for heating and cooling emergencies. Ms. Grady said the department is expecting a rush for these funds because people have been living in the moment and have let their electric bills go. While their power has not been cut off, they are still going to be held accountable for the past due payments. Ms. Grady said while the department normally has a higher volume in the winter, she feels there will be a rush for CIP money in the summer months. Clients, in turn, will not have CIP money available for the winter months. Mr. Brittain concurred with the department's analysis.

ADULT AND CHILDREN SERVICES UPDATE

Mr. Fisher-Wellman said one foster care position was filled and the social worker started last week. Another foster care worker was hired and started this week. There are two social worker IA&T positions and the program administrator position open. Mr. Fisher-Wellman said he did not appoint an interim program administrator, but instead appointed point staff in CPS and APS. The program administrator position has around 30 applicants so far. There is a program manager position recommended in the approved budget. The purpose of that position would be to directly supervise the 5 CPS supervisors and will report to the program administrator.

Mr. Fisher-Wellman said there were 217 children in foster care. Eleven additional young adults are participating in the 18 to 21 program. There are 85 adult wards in APS and 6 pending guardianship actions.

Mr. Fisher-Wellman said court started back the first week of June with more normal operations. There is a significant backlog and are using remote technology for cases. Parent/child visitation has been resumed on a case by case situation.

Mr. Fisher-Wellman said before COVID he had met with representatives from Partners and Support Inc. with the hope that the department would be able to have an embedded therapist at DSS to help provide assessments and short-term therapy for children and adults. Support Inc. has identified a therapist who would be stationed at the agency. It is an internal hire, so the department will not get the therapist until their replacement had been hired. The therapist's roll with the department would also include providing clinical consultations for difficult cases.

Attachment: Board of Directors Meeting 6-16-2020 + (3156 : BOC Reports & Comments)

DEPARTMENT UPDATES

Mr. Fisher-Wellman said the chiller went out again last week and the office was closed early on Tuesday and Wednesday. Both days the temperature in the offices were approaching 93°/94°. The chiller has now been repaired.

Mr. Fisher-Wellman said staff has been working effectively at home and at this time no one has been asked to return to the office. Social distancing would not be possible with everyone back in the building. Currently, Mr. Fisher-Wellman is looking to identify the first group of child welfare workers to be permanent teleworkers and Ms. Grady is looking to identify the second group of staff in economic services to become permanent teleworkers.

ADJOURNMENT

The meeting adjourned at 9:42 with a motion from Mr. Brittain and a second from Mr. Martinez.

Submitted by: Sharon Honeycutt, Clerk to the Board

_____ _____

Approved by: Rev. Marshall Jolly, Chair Date

Attachment: Board of Directors Meeting 6-16-2020 + (3156 : BOC Reports & Comments)

American Heart Association®
Mission:Lifeline
EMS

2020 Mission: Lifeline® EMS Recognition

The American Heart Association proudly recognizes

Burke County EMS
Morganton, NC

American Heart Association.
2020
Mission: Lifeline®
GOLD PLUS
EMS

Mission: Lifeline®-EMS – GOLD PLUS
Achievement Award – EMS Agency

The American Heart Association/American Stroke Associations recognizes this EMS provider organization for demonstrating continued success in using the **Mission Lifeline®** program. Thank you for applying the most up-to-date evidence-based treatment guidelines to improve patient care and outcomes in the community you serve.*

Nancy Brown
Chief Executive Officer
American Heart Association

John Warner, MD
Chairperson, Quality Oversight Committee

Robert A. Harrington, MD
President American Heart Association

*For more information, please visit Heart.org/MissionLifeline

Attachment: Burke County EMS ML EMS Gold Plus 2020 (3156 : BOC Reports & Comments)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 15, 2020

VACANCY ANNOUNCEMENTS

Subject Title: Clerk - Boards and Committees Vacancy Report

Presented By: Kay Draughn

Summary of Information: County Appointment Opportunities

Adult Care & Nursing Home Community Advisory Committee

Several vacancies exist. Initial terms of appointment are for one (1) year. Training is required and provided by the Western Piedmont Council of Governments through the Aging Support Program. Contact Christina Franklin, the Regional Ombudsman, at 828.485.4213 for more information.

Council on Aging

Several vacancies exist for at-large positions. Terms of appointment are for three (3) years. For more information, please contact Karen Robinson at 828.381.2187.

Regional Aging Advisory Committee

Applications are being accepted for Seat No. 1. The term of appointment is for two (2) years. Contact Tina Miller, WPCOG Area Agency on Aging Director at 828.485.4212.

Juvenile Crime Prevention Council

Applications are being accepted for a United Way/nonprofit seat. The terms of appointment are for two (2) years. Contact A. J. Coutu at 828.403.1427 for more information.

City of Morganton - Board of Adjustment (ETJ)

Two (2) vacancies exists on Morganton's Board of Adjustment. Applicants must reside in the extraterritorial jurisdiction (ETJ) of the City of Morganton. Terms are for three (3) years. For more information, please contact the City of Morganton at 828.438.5260.

City of Morganton - Planning Board (ETJ)

Two (2) vacancies exists on Morganton's Planning Board. Applicants must reside in the extraterritorial jurisdiction (ETJ) of the City of Morganton. Terms are for three (3) years. For more information, please contact the City of Morganton at 828.438.5260.

Voluntary Agriculture Board

One (1) vacancy exists. The term is four (4) years. Contact Lea Ann Branch at 828-439-9727, Ext. 3 for more information.

Burke Co. Board of Adjustment & Planning Board

Applications are being accepted for the Burke Co. Board of Adjustment and Planning Board. Contact the Community Department at 828.764.9030 for more information.

Burke Senior Center Advisory Council

Two (2) vacancies exists. The term is for three (3) years. Contact Roxanne Powell at 764-9392 for more information.

Recreation Commission

Applications are being accepted for several seats on the Commission. The term is for three (3) years. Contact Treg McGee at 764-9092 for more information.

Budgetary Effect: NA

County Manager's Recommendation: NA

Suggested Motion: No action required.

BURKE COUNTY
APPOINTMENT APPLICATION
BOARDS AND COMMITTEES

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Home: _____ Business: _____

Cell: _____ Email: _____

Occupation: _____

Retired from: _____

How did you hear about this opportunity? _____

Are you currently serving on a 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._____

2._____

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?

_____

_____

Revised: 1-26-18

Attachment: 2018 Application to Serve on Boards and Committees V4 (3157 : Vacancy Report)

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

_____

_____

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:

_____

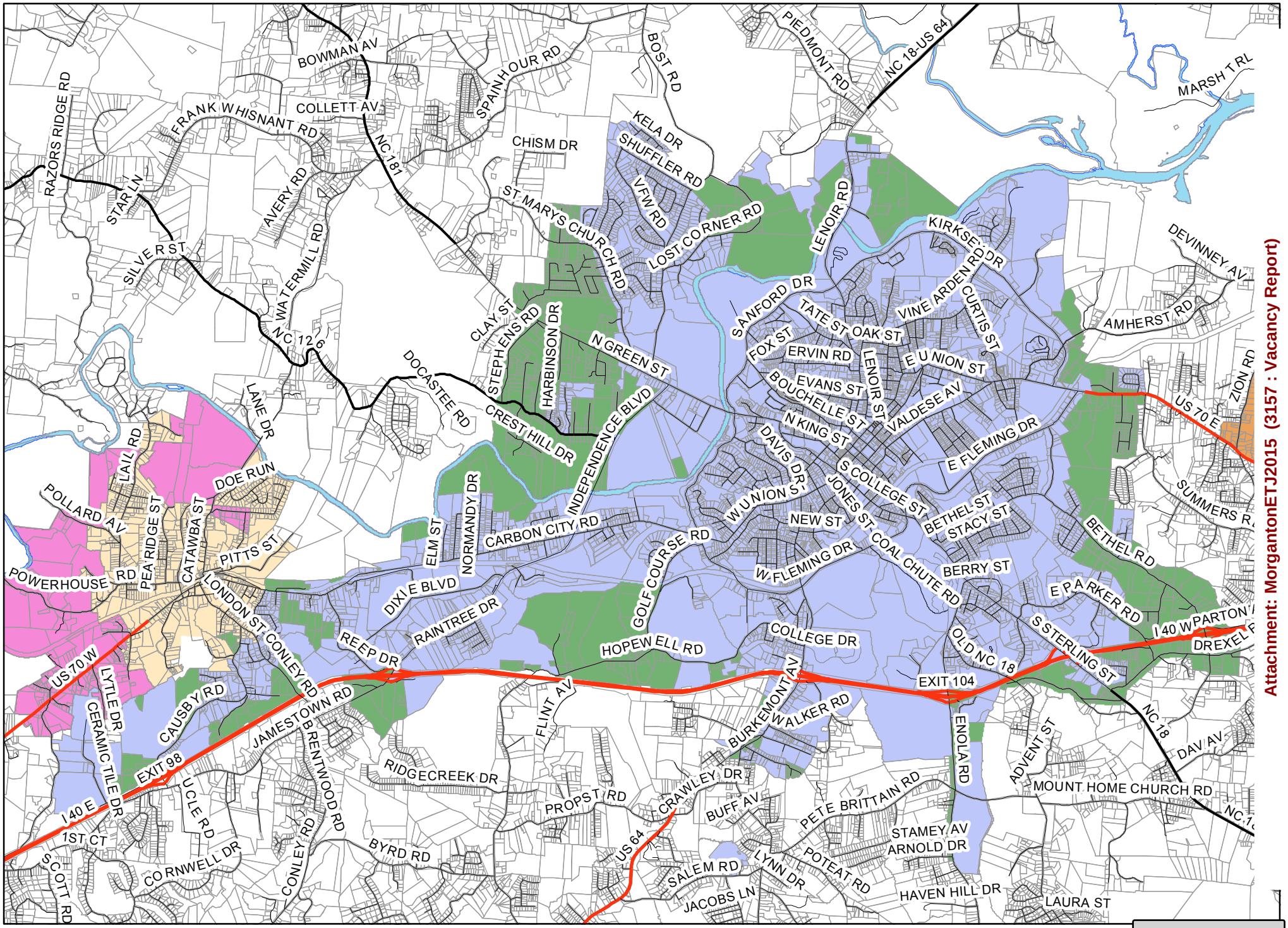
Remarks: _____
(OPTIONAL)

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

Return to:

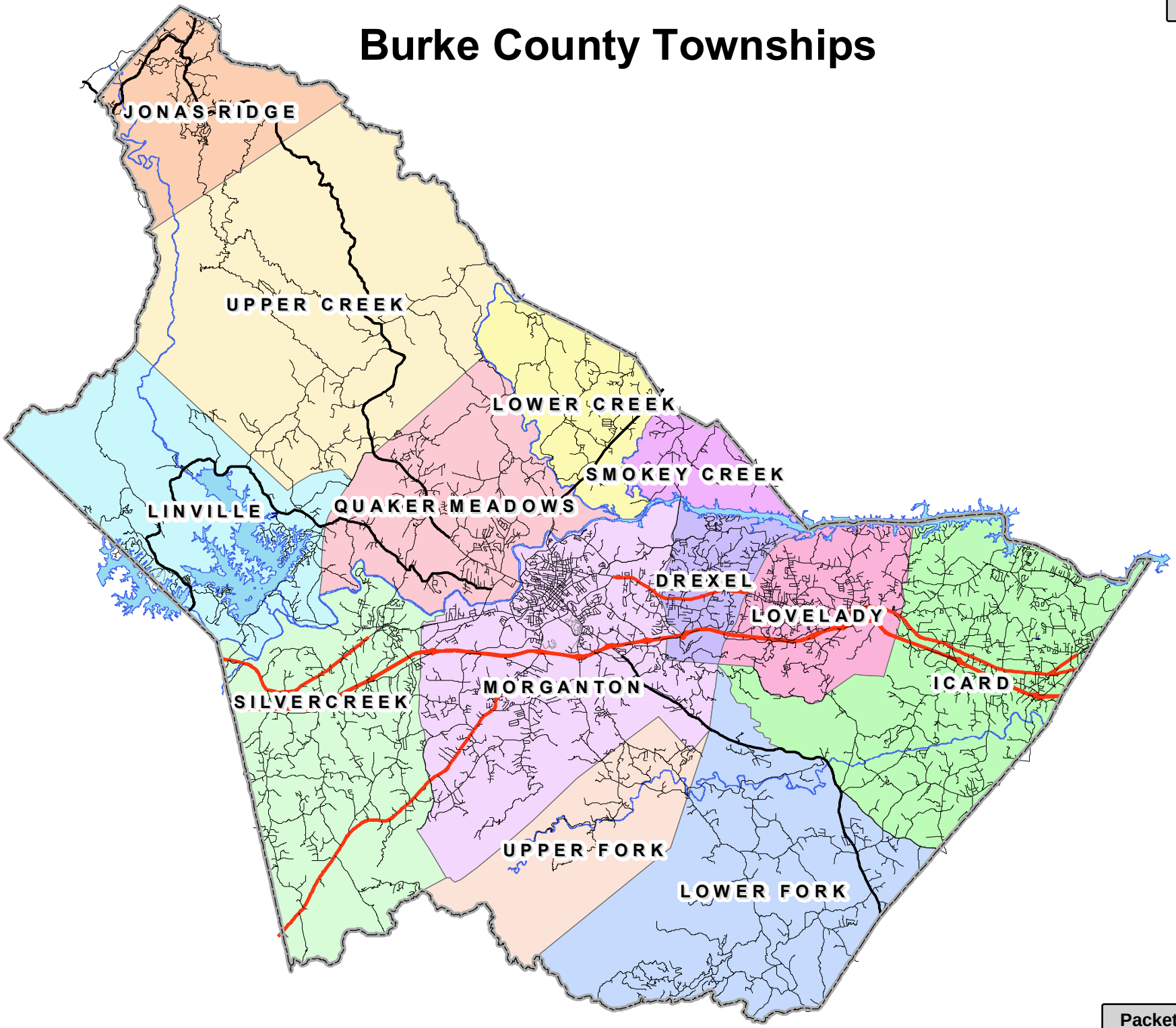
Burke County
Attn: Clerk to the Board
P.O. Box 219
Morganton NC 28680
Email: kay.draughn@burkenc.org
Phone: 828-764-9354 Fax: 828-764-9352

City of Morganton - ETJ



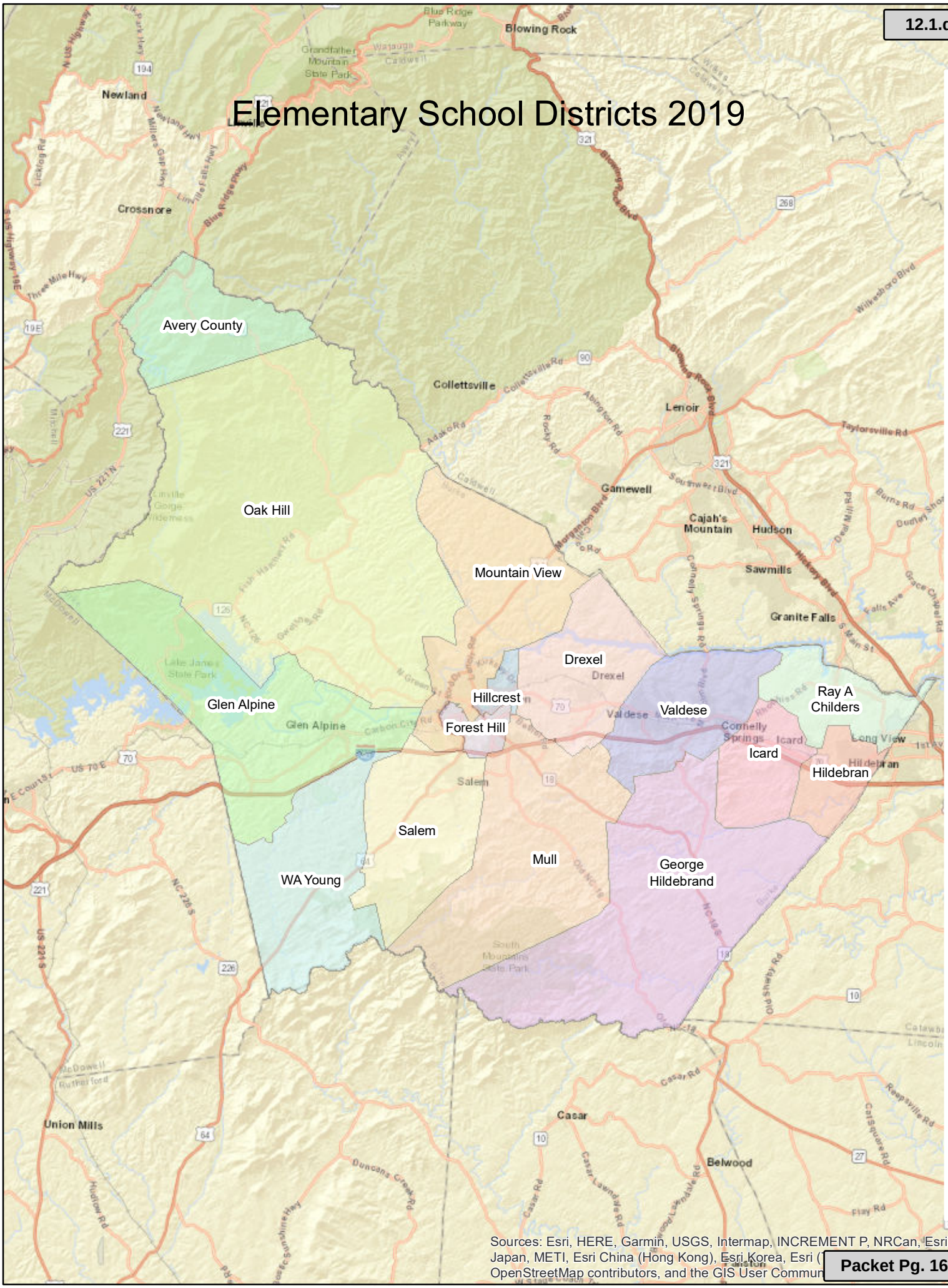
Attachment: MorgantonETJ2015 (3157 : Vacancy Report)

Burke County Townships



Attachment: 2013 Township Map (3157 : Vacancy Report)

Elementary School Districts 2019



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (
OpenStreetMap contributors, and the GIS User Commun

Attachment: Elementary Districts Map 2019 (3157 : Vacancy Report)

Burke County, North Carolina

Agenda Abstract

Meeting Date: September 15, 2020

CLOSED SESSION

Subject Title: BOC - Closed Session to Discuss Threatened or Pending Litigation, to Preserve the Attorney-Client Privilege, to Discuss Economic Development Matters and to Discuss Personnel Matters (If needed.)

Presented By: Johnnie W. Carswell

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

Budgetary Effect: NA

County Manager's Recommendation: NA

Suggested Motion: To go into closed session to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters and to discuss personnel matters as authorized by NCGS 143-318.11(a)(3),(4) and (6).

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

(1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.

(2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

Attachment: GS_143-318.11 (3158 : Closed Session)

(7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.

(9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(10) To view a recording released pursuant to G.S. 132-1.4A.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)