



**Burke County  
Board of Commissioners  
Regular/Special Meeting  
Zoom Virtual Meeting  
Tuesday, May 19, 2020  
6:00 PM  
841 5775 8269 / 910769**

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**1. CALL TO ORDER**

**2. INVOCATION**

Pastor David Bridges, First Apostolic Church

**3. PLEDGE OF ALLEGIANCE**

Commissioners & Management Staff

**4. APPROVAL OF AGENDA**

**5. APPROVAL OF MEETING MINUTES**

1. December 2, 2019 Pre-Agenda Meeting
2. December 17, 2019 Regular Meeting
3. January 7, 2020 Pre-Agenda Meeting
4. January 10, 2020 Special Meeting
5. January 15, 2020 Special Meeting

**6. PRESENTATIONS**

1. AS - Pet of the Month - Presented by Kaitlin Settlemyre, Animal Services Director
2. TDA - Financial Update for the Period Ending March 31, 2020 - Presented by Ed Phillips, TDA Director

**7. SCHEDULED PUBLIC HEARINGS**

1. BDI - Building Reuse Grant and Local Economic Development Grant for Project Refresh and Public Hearing - 6:00 PM - Presented by Alan Wood and/or Hope Hopkins, BDI

**8. INFORMAL PUBLIC COMMENTS**

Citizens that want to address the Commissioners during the "Informal Public Comments" portion of the meeting are encouraged to submit their comments to the Clerk by 4 p.m. on Tuesday, May 19, 2020 in one of the following ways:

1. Email: [kay.draughn@burkenc.org](mailto:kay.draughn@burkenc.org)
2. US Mail: Burke County, Attn: Kay Draughn, P.O. Box 219, Morganton, NC 28680
3. Hand-deliver: Burke County Governmental Offices, 200 Avery Avenue (2nd Floor) in Morganton.

**9. CONSENT AGENDA**

1. BCPS - Presentation of Financial Data for the Period Ending March 31, 2020

2. BOC - Resolution Regarding Rules of Procedure for Electronic Meetings During COVID-19 State of Emergency
3. Clerk - Appointment to Planning Board **New Item**
4. Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal
5. Finance - Audit Contract for FY 19-20
6. JCPC - Approval of County Plan for Burke County & Funding Allocation
7. PBHM - PBHM Amended Bylaws
8. Tax Dept. - Tax Collection Report for April 2020
9. Tax Dept. - Release Refund Report for April 2020
10. WPCC – Presentation of Financial Data for the Period Ending March. 31, 2020

**10. ITEMS FOR DECISION**

1. Co. Mgr. - Presentation of Recommended Budget for FY 20-21 and Scheduling of Public Hearing - Presented by Bryan Steen, County Manager
2. CM - Coronavirus Relief Fund Direct County Allocation - Presented by Bryan Steen, County Manager **New Item**
3. HR - Creation of Animal Services Enforcement Positions - Presented by Rhonda Lee, HR Director

**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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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.

December 2, 2019 (Pre-Agenda)

DRAFT

**MINUTES  
BURKE COUNTY BOARD OF COMMISSIONERS  
PRE-AGENDA MEETING**

The Burke County Board of Commissioners held a pre-agenda meeting on Monday, December 2, 2019 at 3:00 p.m. They met in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E in Morganton, N.C. Those present were:

**COMMISSIONERS:**

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

**STAFF:**

Bryan Steen, County Manager  
Scott Cook, Deputy Finance Director  
J.R. Simpson, II, County Attorney  
Kay Honeycutt Draughn, Clerk to the Board

**STAFF ABSENT:**

Margaret Pierce, Deputy County Manager/Finance Director  
(Family medical event.)

**CALL TO ORDER**

Chairman Carswell called the meeting to order at 3:02 p.m.

**ANNOUNCEMENTS**

Chairman Carswell asked everyone to please remember Deputy County Manager/Finance Director, Margaret Pierce, in their prayers as her husband is experiencing a serious medical event.

**INTRODUCTION**

The new DSS Director, Korey Fisher-Wellman, introduced himself to the Board. Mr. Fisher-Wellman said he was previously employed with Catawba County for 14 years where he and his family still live. Chairman Carswell and Commissioner Taylor welcomed Mr. Fisher-Wellman to Burke County.

**APPROVAL OF THE AGENDA**

**Motion: To approve the agenda.**

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Wayne F. Abele, Sr., Commissioner

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**ORGANIZATION OF THE BOARD**

Chairman Carswell reviewed the list of elections/appointments that will take place at the regular meeting.

**BOC - ELECTION OF CHAIRMAN FOR 2020 (PLACE HOLDER)**

Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)

December 2, 2019 (Pre-Agenda)

DRAFT

Information from the agenda packet.

Pursuant to North Carolina General Statute 153A-39, it is the duty of the Board of Commissioners to elect a Chairman for the ensuing year. The County Manager will open the floor for nominations and preside over the meeting until a Chairman is elected. Once the Chairman is elected, the County Manager will turn the meeting over to the newly elected Chairman who will preside over the remainder of the meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**BOC - ELECTION OF VICE CHAIRMAN FOR 2020 (PLACE HOLDER)**

Information from the agenda packet.

Pursuant to North Carolina General Statute 153A-39, it is the duty of the Board of Commissioners to elect a Vice Chairman for the ensuing year.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**BOC - APPOINTMENT OF COUNTY ATTORNEY FOR 2020 (PLACE HOLDER)**

Information from the agenda packet.

Currently, James R. Simpson, II serves as the Board's attorney. This position is appointed by the Board of Commissioners and serves at the pleasure of the Board.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**BOC - APPOINTMENT OF TAX ATTORNEY FOR 2020 (PLACE HOLDER)**

Information from the agenda packet.

The Kania Law Firm (Asheville) currently serves as the County Tax Attorney. This position is appointed by the Board and serves at the pleasure of the Board. The Board may change this appointment as deemed necessary.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**BOC - APPOINTMENT OF THE CLERK TO THE BOARD FOR 2020 (PLACE HOLDER)**

Information from the agenda packet.

Currently, Kay Honeycutt Draughn, serves as the Clerk to the Board. This position is appointed by the Board of Commissioners and serves at the Board's pleasure.

Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**PRESENTATIONS**

**AS - PET OF THE MONTH (PLACE HOLDER)**

Kaitlin Settlemyre, Animal Services Director, said Animal Services staff will present a dog or cat in need of its "forever" home at the regular meeting. She said hopefully all of the animals at the Animal Services Center (ASC) will be adopted before the regular meeting. Ms. Settlemyre said Gomez, the previous dog of the month is still at the ASC.

Chairman Carswell commended Animal Services for their work and asked Ms. Settlemyre to explain which magazine they were featured in. Ms. Settlemyre said Animal Services was featured in *Best Friends Animal Society*, which is a national animal welfare publication. Ms. Settlemyre gave updates on special ASC Christmas events and Caesar, a previous pet of the month, who is now training to be a service dog for a veteran.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

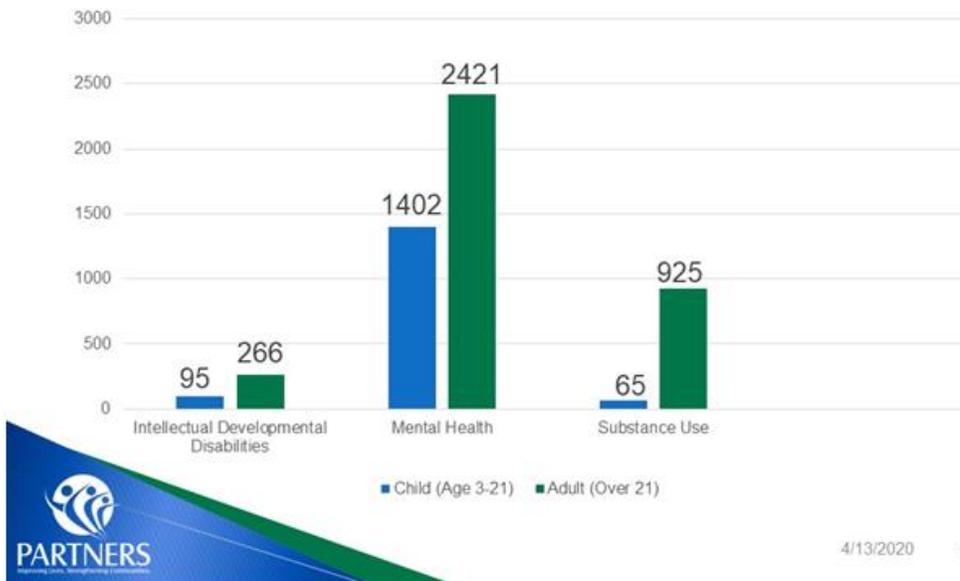
**PBHM - UPDATE FROM PARTNERS BEHAVIORAL HEALTH MANAGEMENT AS OF SEPT. 30, 2019**

Tara Conrad, Community Engagement Director, Partners Behavioral Health Management (PBHM), provided an update on Partners' activities. Highlights of the presentation reads as follows:



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## Persons Served by Disability *12 months ending 9/30/19*



## Outcomes Related to County Expenditures *1<sup>st</sup> Quarter Reporting*

Service Category	Provider of Service	Impact
Director & SOAR position	Burke Integrated Care	77 applicants assisted; 16 connected to benefits, service navigation and linkage
MH/SU services in jail	CVBH	129 receiving treatment while in jail
Psychiatric support	CVBH	506 patient visits
MORES Program	CVBH	2 families
Embedded therapist @ DSS	A Caring Alternative	30 individuals
Psychiatric Services	Blue Ridge Healthcare	In process



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## Outcomes Related to County Expenditures

Service Category	Provider of Service	Impact
Housing	Various	2 individuals
Consumer Reserves	Various	None at this time
System of Care community collaboratives	Multiple providers & stakeholders	1 community event Burke Recovery Rally
Psychiatric support/medication	Good Samaritan Clinic	96 patients/ 31 prescriptions
NAMI support groups	NAMI	None at this time



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Chairman Carswell opened the floor for comments or questions from the Board. Commissioner Taylor commented on the high number of adults being treated for substance use and said the use of opioids was supposed to be decreasing. Ms. Conard noted that substance use is not just opioids and includes alcohol and other drugs. In response to a question from Commissioner Taylor, Ms. Conrad said across the state opioid use seems to be declining, however, that is not always the case in individual communities.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

### TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING SEPT. 30, 2019

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, Tourism Development Authority (TDA) Director, presented the financial update for the period ending September 30, 2019 as follows:

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BURKE CO. TOURISM DEVELOPMENT AUTHORITY Balance Sheet As of September 30, 2019		BURKE CO. TOURISM DEVELOPMENT AUTHORITY Profit & Loss July through September 2019	
	Sep 30, 19		Jul - Sep 19
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
1014 - First Citizens Bank-Checking	323,168.47		
<b>Total Checking/Savings</b>	<b>323,168.47</b>		
<b>Accounts Receivable</b>			
1210 - Accounts Receivable	17,450.00		
<b>Total Accounts Receivable</b>	<b>17,450.00</b>		
<b>Other Current Assets</b>			
1300 - Prepaid Rent	500.00		
<b>Total Other Current Assets</b>	<b>500.00</b>		
<b>Total Current Assets</b>	<b>341,118.47</b>		
<b>Fixed Assets</b>			
Vehicles	61,000.00		
1410 - Furniture & Equipment	17,433.25		
1590 - Accumulated Depreciation	-25,615.25		
<b>Total Fixed Assets</b>	<b>52,818.00</b>		
<b>TOTAL ASSETS</b>	<b>393,936.47</b>		
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable			
2000 - *Accounts Payable	4,584.44		
<b>Total Accounts Payable</b>	<b>4,584.44</b>		
<b>Other Current Liabilities</b>			
2100 - Payroll Liabilities	4,050.33		
2150 - Retirement Payable	2,475.27		
2300 - Trolley Fees In Advance	150.00		
<b>Total Other Current Liabilities</b>	<b>6,675.60</b>		
<b>Total Current Liabilities</b>	<b>11,260.04</b>		
<b>Total Liabilities</b>	<b>11,260.04</b>		
<b>Equity</b>			
3900 - Retained Earnings	381,855.22		
Net Income	821.21		
<b>Total Equity</b>	<b>382,676.43</b>		
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>393,936.47</b>		
		<b>Income</b>	
		4010 - Burke Co. Govt. - Occup. Tax	56,640.02
		4110 - Interest Income*	40.85
		4120 - Other Income	20,825.00
		5000 - Trolley Revenue	2,475.00
		<b>Total Income</b>	<b>79,980.87</b>
		<b>Expense</b>	
		5015 - Legal and Professional Fees	1,600.00
		5020 - Marketing/Advertising	28,367.64
		5113 - City of Morganton/Tourism	0.00
		5115 - Town of Valdese/Tourism	0.00
		5140 - Website Upkeep	119.56
		5150 - Insurance	
		5155 - Trolley Insurance	992.96
		5160 - Directors & Officers Liability	230.00
		5175 - Employee Health Insurance	1,137.28
		<b>Total 5150 - Insurance</b>	<b>2,360.24</b>
		5180 - Office Supplies	1,137.25
		5190 - Payroll Shared Staff Reimburse	1,957.67
		5200 - Payroll Expenses	
		5210 - Payroll	20,064.99
		5215 - NC Unemployment Tax	47.74
		5220 - Part-time Staffing	1,099.50
		5230 - Payroll Taxes	2,266.14
		5235 - Retirement	3,372.10
		5200 - Payroll Expenses - Other	10,068.14
		<b>Total 5200 - Payroll Expenses</b>	<b>36,918.61</b>
		5250 - Postage	263.80
		5280 - Office Rent	1,000.00
		5290 - Telephone	601.96
		5300 - Travel/Training	2,081.30
		5301 - Trolley Expenses	2,416.26
		5305 - Meetings	335.37
		<b>Total Expense</b>	<b>79,159.66</b>
		<b>Net Income</b>	<b>821.21</b>

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December 2, 2019 (Pre-Agenda)

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11:22 AM		BURKE CO. TOURISM DEVELOPMENT AUTHORITY			
11/26/19		Profit & Loss Budget vs. Actual			
Accrual Basis		July through September 2019			
	Jul - Sep 19	Budget	\$ Over Budget	% of Budget	
<b>Income</b>					
4010 · Burke Co. Govt. - Occup. Tax	56,640.02	151,750.03	-95,110.01	37.3%	
4110 · Interest Income*	40.85				
4120 · Other Income	20,825.00	10,000.03	10,824.97	208.2%	
5000 · Trolley Revenue	2,475.00	3,750.00	-1,275.00	66.0%	
<b>Total Income</b>	<b>79,980.87</b>	<b>165,500.06</b>	<b>-85,519.19</b>	<b>48.3%</b>	
<b>Expense</b>					
5010 · Accounting	0.00	2,000.01	-2,000.01	0.0%	
5015 · Legal and Professional Fees	1,600.00	0.00	1,600.00	100.0%	
5020 · Marketing/Advertising	28,367.64	39,075.00	-10,707.36	72.6%	
5102 · Membership Dues	0.00	625.56	-625.56	0.0%	
5110 · Building Maintenance	0.00	125.01	-125.01	0.0%	
5113 · City of Morganton/Tourism	0.00	34,143.75	-34,143.75	0.0%	
5115 · Town of Valdese/Tourism	0.00	18,968.16	-18,968.16	0.0%	
5140 · Website Upkeep	119.56	125.01	-5.45	95.6%	
5150 · Insurance					
5155 · Trolley Insurance	992.86				
5160 · Directors & Officers Liability	230.00				
5175 · Employee Health Insurance	1,137.28				
5150 · Insurance - Other	0.00	5,000.01	-5,000.01	0.0%	
<b>Total 5150 · Insurance</b>	<b>2,360.24</b>	<b>5,000.01</b>	<b>-2,639.77</b>	<b>47.2%</b>	
5180 · Office Supplies	1,137.25	1,000.03	137.22	113.7%	
5190 · Payroll Shared Staff Reimburse	1,957.67				
5200 · Payroll Expenses					
5210 · Payroll	20,064.99				
5215 · NC Unemployment Tax	47.74				
5220 · Part-time Staffing	1,099.50				
5230 · Payroll Taxes	2,266.14				
5235 · Retirement	3,372.10				
5200 · Payroll Expenses - Other	10,068.14	52,749.99	-42,681.85	19.1%	
<b>Total 5200 · Payroll Expenses</b>	<b>36,918.61</b>	<b>52,749.99</b>	<b>-15,831.38</b>	<b>70.0%</b>	
5250 · Postage	263.80	187.50	76.30	140.7%	
5260 · Office Rent	1,000.00	1,500.00	-500.00	66.7%	
5290 · Telephone	601.96	750.00	-148.04	80.3%	
5300 · Travel/Training	2,081.30	5,499.99	-3,418.69	37.8%	
5301 · Trolley Expenses	2,416.26	3,750.00	-1,333.74	64.4%	
5305 · Meetings	335.37				
<b>Total Expense</b>	<b>79,159.68</b>	<b>165,500.02</b>	<b>-86,340.36</b>	<b>47.8%</b>	
<b>Net Income</b>	<b>821.21</b>	<b>0.04</b>	<b>821.17</b>	<b>2,053,025.0%</b>	

Mr. Phillips presented the TDA strategic plan and noted that the federal government does a study of visitor spending in North Carolina which is broken down by county. He said in 2018 Burke County visitor spending grew by 5.8 percent and is in sixth (6<sup>th</sup>) place in western North Carolina, right behind Buncombe County. In comparison to counties in our surrounding area, Burke County beat Catawba, McDowell, and Caldwell Counties in visitor spending. Mr. Phillips said, regarding the TDA's profit and loss section of the budget, they anticipated collecting \$607,000 in occupancy tax and noted that the County retains three (3) percent of the first \$500,000 and one (1) percent above \$500,000, he noted that their budget is a net budget based on what they actually receive. Regarding the "other income" section of the budget, Mr. Phillips said that is fund balance, which is being used to kickstart their group marketing campaign with the anticipation that they are going to bring in more groups and increase hotel stays. He noted that the trolley brought in a significant amount of revenue, almost \$13,000, from the fall color tours. Mr. Phillips explained that the City of Morganton and the Town of Valdese receive funds through the legislative act that created the TDA. He said the funds they receive, which is based off a formula put in place in 2007, is a percentage of the second three (3) percent the TDA receives. In the second three (3) percent, Phillips said, the City of Morganton received 45 percent, which in this budget equals approximately \$136,000 and the Town of Valdese received approximately \$75,000. Mr. Phillips then reviewed additional lines in the budget.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked is there a threshold of visitor spending revenue that would entitle the other

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municipalities to receive funds like the City of Morganton and the Town of Valdese. Mr. Phillips said the TDA markets the entire county and commented on the growth of tourism in the eastern part of the county, especially in regards to vacation rentals, noting that as of June, Burke County has 130 vacation rentals, which is up from 65 three (3) years ago. Regarding funding for other municipalities, Mr. Phillips said the reason the City of Morganton and the Town of Valdese receive funds is because of legislation passed in 2007 and that would have to go to the General Assembly to change it. Discussion ensued regarding occupancy tax funds. Vice Chairman Mulwee asked how does the TDA know who is and is not paying their occupancy taxes. Mr. Phillips said most of the vacation rentals are through Airbnb and they collect North Carolina sales and occupancy taxes and remit them. However, Phillips said, Airbnb does not remit it by individual property, it is a gross amount, and noted that the vast majority of vacation rentals are managed by a company and not individuals. Commissioner Abele asked what progress has been made concerning the letter the County received from the Local Government Commission (LGC) about the TDA's finances. Mr. Phillips said this is a part of that and financial updates will be done quarterly.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

## **SCHEDULED PUBLIC HEARINGS**

### **COMM. DEV. - ZONING MAP AMENDMENT ZMA 2019-09 & PUBLIC HEARING - 6:00 P.M.**

Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding ZMA 2019-09 as follows

#### REQUEST

Staff has received a rezoning application from Allen Whisnant to rezone a two (2) acre portion of one (1) parcel of land totaling 5.74 acres. The request is to rezone that portion of property from its current split zoning of Residential One (R-1) / Residential Two (R-2) to the General Business "Conditional" District (GB-CD).

#### SITE ANALYSIS

The parcel is described as follows: The 911 address of the parcel is 2635 Moose Lodge St., Morganton, NC. The parcel is further identified in county records as (PIN# 2713833337 and REID# 62694). The parcel has one residential dwelling on the property in which the applicant and his family reside. The applicant has recently been permitted to operate two (2) Home Occupations within the dwelling. The home occupations are for a painting studio where painting classes are held and a taxidermy business. Taxidermy is considered an form of art by the North American Industry Classification System (NAICS Code 711510).

The applicant has also recently received approval from the Burke County Board of Adjustment to construct a 3,600 square foot residential accessory structure on the property. At the time of approval, the BOA placed a condition on the approval that the building could only be used for residential purposes.

The property is located within the Morganton Township of Burke County, the Lake Rhodhiss WS-IV-PA Water Supply Watershed, and the Triple Community Fire District. The parcel is not located within a Special Flood Hazard Area. The parcel is accessed on the corner of Summers Road (SR #1713) and Moose Lodge Street (SR #1714). Both of these roads are public, and state maintained.

SURROUNDING AREA

Land uses in the surrounding area are a mixture of residential, commercial, and industrial uses. The parcels that adjoin the subject property are all zoned residential with dwellings on them. There is a public cemetery to the north on Summers Road. At the end of Moose Lodge Street is the Moose Fraternal Lodge #193 and Campground. The Moose Lodge property is zoned General Business.

Across the street from the subject property is a driveway that provides access to an industrial zoned property. A sign at the driveway entrance seems to indicate there is a car restoration business that operates there. There are also several other industrial buildings in the area.

The majority of development in this area is residential single-family detached dwellings. The Farmland Acres Subdivision adjoins the subject parcel to the east. The subdivision is also part of the Residential One (R-1) zoning district.

The table below indicates the existing land uses in the area.

Existing Zoning and Land Uses within the Surrounding Area		
	Current Zoning	Existing Land Uses
North	R-1, R-2	Public Cemetery, Residences, Vacant Land
South	R-2, G-B	Residences, Moose Lodge
East	R-1, R-2	Residential Subdivision
West	R-2, IND, G-B	Residences, Industrial Structures, Commercial Struct.

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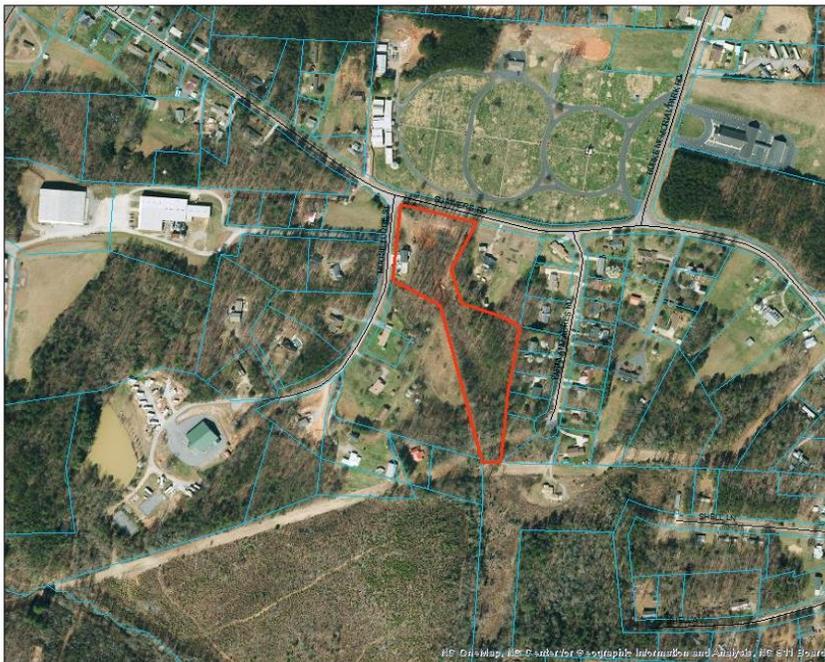


Burke County, NC Zoning Administration  
Aerial Land Use Map

ZMA 2019-09

Applicant:  
Allen Whisnant

PIN#  
271383337



0 5810 220 330 440  
Feet

Burke County assumes no legal responsibility for the information contained on this map. This map is not to be used for land conveyance.

The 2018 Aerial photo and Existing Land Use Map also provide a visual representation of the existing land uses in the area. The current Zoning Map shows where the current zoning districts are located.



Burke County, NC Zoning Administration  
Existing Land Use Map

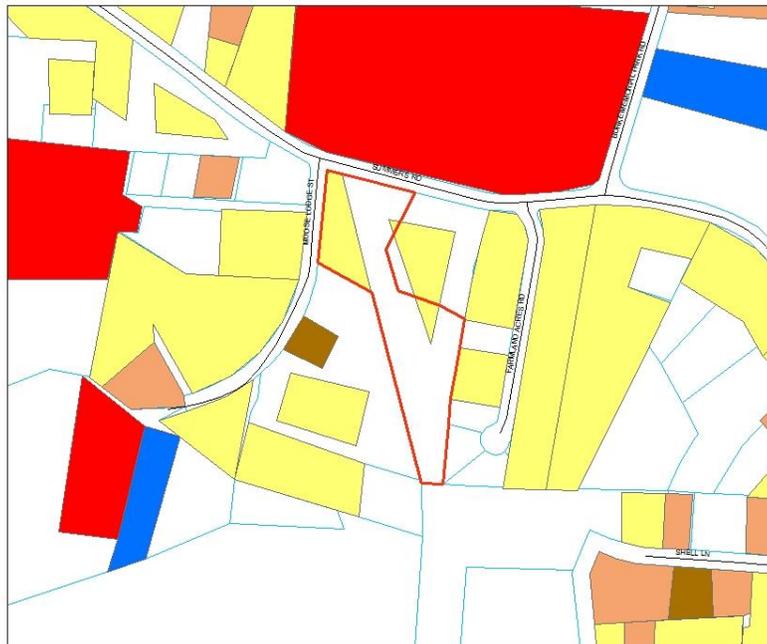
ZMA 2019-09

Applicant:  
Allen Whisnant

PIN#  
271383337

Legend

- Streets
- ExistLandUse**
- LUCode**
- City
- Extra-Territorial Jurisdiction
- Commercial
- Office & Institutional
- Industrial
- Vacant
- Agriculture
- Parks / State Lands
- Single-family Residential
- Multi-Family Residential
- Single-wide Residential
- Double-wide Residential



0 4080 160 240 320  
Feet

Burke County assumes no legal responsibility for the information contained on this map. This map is not to be used for land conveyance.

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CONFORMITY WITH THE COMPREHENSIVE PLAN

The current land use plan for Burke County is the 2016-2030 Blueprint Burke Strategic Land Use Plan. Within that plan, this area of the county is designated as the "Secondary Growth Area". This area has many of the attributes of the Primary Growth Area (i.e. infrastructure, utilities, transportation corridors, mixed uses), or there is an expectation that those attributes will be available in the near future. Current residential densities in this area may be less than in the Primary Growth Area.



Burke County, NC Zoning Administration  
Future Land Use Map

ZMA 2019-09



Applicant:  
Allen Whisnant

PIN#  
271383337

- Legend
- Streets
  - parcel Polygons
  - Lakes & Rivers
  - ⊗ Industrial Focus Areas
  - ⊗ ED Focus Areas
  - Lake James Special Planning Area
  - ⊞ South Mountain Special Planning Area
  - ⊞ Plagah Special Planning Area
  - Rural/Agricultural/Home Business Area
  - Primary Growth Area
  - Secondary Growth Area



0 60 30 260 390 520  
Feet

Burke County assumes no legal responsibility for the information contained on this map. This map is not to be used for land conveyance.

CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE

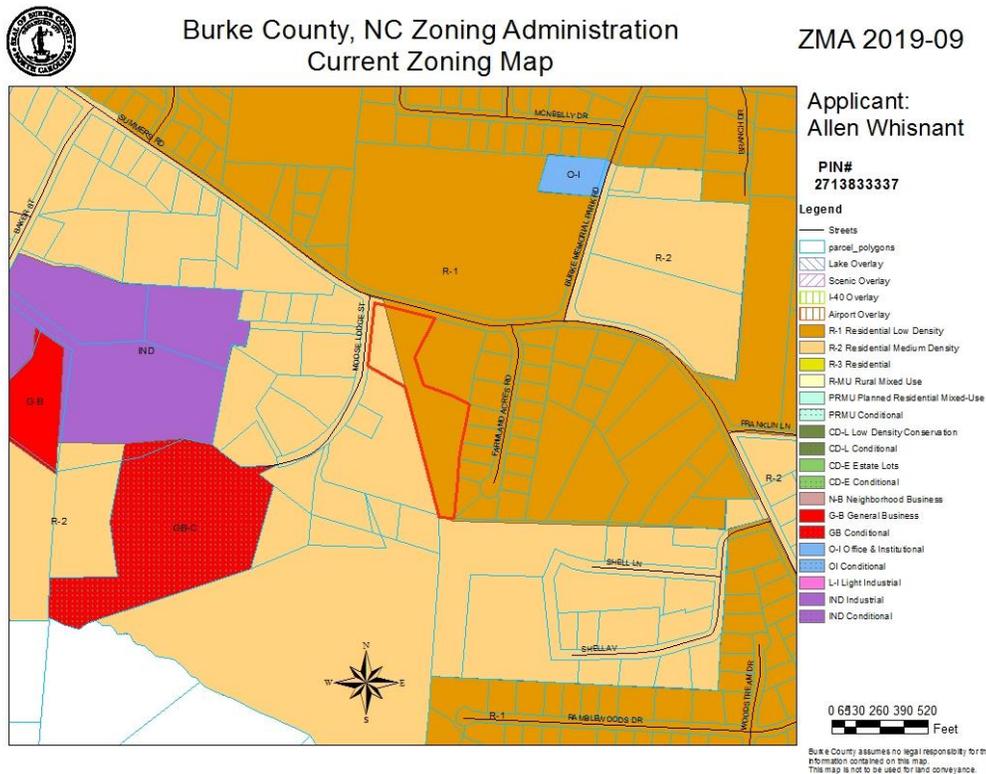
The "current" zoning district for this parcel is split between the Residential One (R-1) and Residential Two (R-2) Districts. The R-1 Residential District is composed of high to medium density single-family site built and modular homes in areas that have now or are likely to have in the future both water and sewer availability. The R-2 district is very similar to the R-1 district. These districts should also have access to public water and in some cases, public sewer. Allowable uses in this district are sensitive to the residential character of the area and non-residential uses are limited. Certain home occupations which are incidental and secondary to the residential use are permitted within these districts. No exterior evidence of the presence of a home occupation should exist except for one small sign. The R-2 district allows double-wide manufactured homes.

PROPOSED ZONING DISTRICT

Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)

The proposed zoning district is the General Business Parallel Conditional District. Parallel Conditional District Zoning is defined and outlined within Article IX-A of the Zoning Ordinance. The parallel conditional zoning district rezoning process allows particular uses to be established, but only in accordance with a specific development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and/or on the entire community that cannot be predetermined and controlled by general district standards.

The General Business Parallel Conditional District (GB-CD) is an optional zoning district for major developments of commercial and mixed-use structures. The district provides substantial flexibility to incorporate uses allowed by right and conditional uses allowed in the General Business District (as noted in Section 920) without requiring Conditional Use Permits.



**STAFF COMMENTS**

This is essentially a residential community for the most part. The proposed zoning change to a “conditional” zoning district would limit the allowed commercial uses to those which are specifically requested. Staff’s comments are based on the facts of the case.

- The parcels adjacent to the subject parcel are all zoned Residential.
- The subject parcel adjoins a residential subdivision.
- The proposed zoning district can be considered because there is “General Business” zoning in close proximity to the subject parcel.

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- The Board of Adjustment denied the applicant's request to lift the condition that the accessory structure only be used for residential/personal use. **Rezoning to a non-residential district would essentially lift the condition because the land would then allow for non-residential uses.**
- **The proposed zoning district is a "conditional" district. The Board can therefore require certain specific conditions which would be reasonable for the "specific" development project.** Those conditions can be screening, hours of operation, delivery hours, lighting, access, signage, trash/waste disposal, etc.
- **Per Section 9A of the Zoning Ordinance, the applicant held a "Community Meeting" in advance of the Board's meeting.** The meeting was advertised to the public according to County standards, which includes a legal notice in the local newspaper and mailed letters to adjoining property owners. The applicant provided a written report of the meeting to the Board.
- The applicant has provided a very detailed description of the business uses requested. The applicant seems very willing to accept reasonable conditions which the Board might feel appropriate to maintain the residential character of the neighborhood.

#### PLANNING BOARD RECOMMENDATION

The Planning Board met on October 24, 2019 to hear this request. There were a number of citizens present at the meeting. Seven (7) citizens requested to speak. Not all speakers were from the immediate area. Some citizens had used Mr. Whisnant's meat processing for a number of years at his previous location. All seven (7) of the citizens stated that they were in favor of the proposed rezoning. No one present at the meeting spoke against the proposed rezoning or use of the proposed property.

The Planning Board had some concern about the disposal of the waste products. According to Mr. Whisnant, he would bag up the waste products and dispose of the waste every day. The Board had again asked if he would drive to the landfill every day and he said yes.

The Planning Board voted unanimously to approve the rezoning with the addition of the following self-imposed conditions:

1. The work environment must be enclosed – No work is to take place outside of the building.
2. Wild game only – Whisnant's Deer would only process deer and bear (During State-wide Deer Season only).
3. Limit hours of operation from 8 am to 9 pm.
4. Lighting – The lighting will be dusk to dawn LED security lighting. No flashing lights or neon signs.
5. No dumpsters or trash cans outside - No waste will be kept on the property. Waste will be taken to the landfill at the end of every day.
6. The building will maintain a residential look with a natural buffer.
7. Rezoning will be limited to non-residential development for taxidermy and a paint studio, including painting lessons for the public, as well as wild game butchering processing which will be limited to deer or bear season.

To assist the Board in their decision, staff has provided the following considerations:

- Is there a public need for additional land to be zoned to the requested classification?
- What is the impact on public services, facilities, infrastructure, fire and safety, and topography?
- What are the nearby development/zoning patterns?
- Is the rezoning request compatible with the character of the surrounding area and suitable with the property for certain uses?

**ADDITIONAL INFORMATION**

Please refer to the application, driving directions, and map(s) for more information.



Two-acre portion to be rezoned is outlined in black

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Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)



Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)



Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner

Taylor said often times hunters have to go below Maiden to get this kind of service and if there is no objection, he is glad to see this service available in Morganton. Commissioner Brittain asked if the picture of the building provided in the packet is a "residential look." Mr. Carpenter said yes, and noted that if a building (accessory building) exceeds a threshold of approximately 1,200 square feet, then it has to go to the Board of Adjustment (BOA), and if it is in a residential setting, then those are conditions that the BOA can place on the building. When this building was constructed, Mr. Carpenter said, it was built with a residential look so it would be in line with the area. Chairman Carswell asked if Mr. Carpenter or his staff attended the community meeting. Mr. Carpenter said no and noted that the reason they do not attend is so they do not look biased.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

## CONSENT AGENDA

### BOC - PROCLAMATION DECLARING JANUARY 2020 AS NATIONAL RADON ACTION MONTH

Chairman Carswell presented the following proclamation declaring January 2020 as National Radon Action Month in Burke County.

Radon is a natural result of uranium decaying in our rock and soil. Radon is undetectable without radon testing. Radon has no smell and is a colorless naturally occurring radioactive element. Radon is the leading cause of lung cancer among non-smokers and is responsible for more than 20,000 deaths annually in the United States.

The NC Radon Program will be providing 3,000 free radon test kits through this website ([www.ncradon.org](http://www.ncradon.org) <<http://www.ncradon.org>>) beginning the first week of January 2020. NCDHHS is also working with the NC Cooperative Extension Service and a number of other partners in providing four (4) free webinars on radon during National Radon Action Month.

WHEREAS, radon is a colorless, odorless, radioactive gas that may threaten the health of our citizens and their families; and

WHEREAS, radon is the second leading cause of lung cancer in the U.S. and is the leading cause of lung cancer in non-smokers; and

WHEREAS, the National Academy of Sciences estimates that up to 21,000 lung cancer deaths occur in the United States each year; and

WHEREAS, radon is found in one in 15 homes across the U.S. have elevated radon levels; and

WHEREAS, any home may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

WHEREAS, testing for radon is simple and inexpensive and radon problems can be fixed; and

WHEREAS, Burke County Board of Commissioners, the U.S. Surgeon General, the U.S. Environmental Protection Agency, the NC Department of Health and Human Services' NC Radon Program and the North Carolina Advisory Committee on Cancer Coordination and Control support efforts to encourage homeowners to test their homes for radon, have elevated levels of radon reduced; and

WHEREAS, many residents in Burke County don't know about radon, yet need to know, for the safety and health of their families and a proclamation of National Radon Action Month is an opportunity to educate individuals on the available measures to reduce radon.

NOW, THEREFORE, the Burke County Board of Commissioners do hereby proclaim:

JANUARY 2020 as National Radon Action Month in Burke County, North Carolina.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

### **BOC - 2020 COMMISSION APPOINTMENTS (PLACE HOLDER)**

Information from the agenda packet.

There are approximately 20 (+/-) boards or commissions that Commission members are appointed to serve on. The Chairman may wish to keep the appointments for 2020 as they were in 2019, or he may want to change them. Consideration of work schedules and prior commitments should be taken into consideration when making the appointments.

<b>Authority, Board or Commission</b>	<b>2019 Appointee</b>	<b>2020 Appointee</b>
Burke Development Inc.		
Burke Co. BOC Chairman*	Carswell / Brittain	
Burke Co. Manager*	Steen	
Board of Health	Carswell	
Burke County Cooperative Water Board	Carswell	
EMS Quality Management Committee	Brittain	
Foothills Regional Airport Authority	Abele	
Juvenile Crime Prevention Council	Taylor	
JCPC - Oversight "Governance" Committee	Taylor	
Library Board of Trustees	Carswell	
Local Emergency Planning Committee	Carswell	
Partners Behavioral Health Management	Taylor	
Recreation Commission	Mulwee	
Smart Start (Burke Partnership for Children)	Mulwee	
Social Services Board	Brittain	

Tourism Development Authority	Mulwee	
Transportation Advisory Committee	Taylor	
Transportation Coordinating Committee	Steen	
Unifour Air Quality Committee	Taylor	
Unifour Air Quality Oversight Committee	Taylor	
WPCOG - Future Forward Economic Alliance	Abele	
WPCOG - Policy Board: Alternate	Carswell	
WPCOG - Policy Board: Delegate	Abele	

\*Based on BDI bylaws.

Chairman Carswell asked if there are any changes that need to be made to the roster. If not, the roster will remain the same for 2020. Chairman Carswell commended the Board for serving on these committees. There were no changes requested from the Board members for 2020.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**CLERK - APPOINTMENTS TO ADULT CARE & NURSING HOME CAC**

Clerk Draughn reported an application to serve on the Adult Care / Nursing Home Community Advisory Committee was received from Jon Cooke and Deloris Huffman. Both applicants have completed their training and orientation from the Regional Ombudsman and are recommended for appointment. The initial terms are for the remainder of 1-year terms.

Place Holder: The status of Helen Wilson's membership on the Committee is uncertain presently and a request to remove her from the roster may be needed.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**CLERK - REAPPOINTMENT TO THE BOARD OF EQUALIZATION AND REVIEW**

Clerk Draughn reported Betty Greer's term of appointment on the Board of Equalization and Review ends 12/31/2019. Ms. Greer is willing to sever another term and she occupies Seat No. 1.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**CLERK - BOARD OF HEALTH REMOVAL, APPOINTMENT & REAPPOINTMENT**

Clerk Draughn reported the terms of appointment for Dr. Michael Gould (Seat 4 - Physician), Sam King (Seat 8, Engineer), and Adriana Morris (Seat 11, At-Large) on the Board of Health end December 31, 2019. Dr. Gould and Mr. King have served the maximum number of terms allowed and are not eligible for reappointment. An application from Dr. Anthony Frank was received for Seat 4 and Ms. Morris' application was received for Seat 11. Mr. King will remain on the Board until a replacement can be found.

<b>RESULT:      MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM</b>
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**CLERK - RESOLUTION ESTABLISHING THE BOC 2020 MEETING SCHEDULE (PLACE HOLDER)**

Clerk Draughn reported in accordance with NCGS 153A-40, the following resolution sets the Board's meeting schedule for 2020.

WHEREAS, the Burke County Board of Commissioners' pre-agenda meetings of are held on the first (1<sup>st</sup>) Tuesday of each month at 3:00 p.m. in the County Board Room, Burke County Services Building in Morganton, N.C., except in December as indicated below; and

WHEREAS, North Carolina General Statute 153A-39 requires that the Board hold an organizational meeting the first (1<sup>st</sup>) Monday in December for each even numbered year. As such, an organizational meeting will be held on Monday, December 7, 2020 at 2:00 p.m. in the County Board Room; and

WHEREAS, a reception for newly elected officials will be held on Monday, December 7, 2020 at 2:30 p.m. in the County Board Room and the December pre-agenda meeting will be held at 3 p.m. or immediately following the conclusion of the reception; and

WHEREAS, the regular meetings of the Board of Commissioners are held on the third (3<sup>rd</sup>) Tuesday of each month at 6:00 p.m. in the County Board Room, Burke County Services Building; and

WHEREAS, budget workshop meetings will be held in the County Board Room on the following dates:

Friday	May 22, 2020	2 p.m.
Thursday	May 28, 2020	2 p.m.
Thursday	June 4, 2020	2 p.m.

WHEREAS, the Board may attend the following conferences/gatherings and desires to give the public ample notice:

- NCACC County Assembly Day/Legislative Reception in Raleigh in May 20, 2020, Capitol Grounds.
- NCACC Annual Conference in Cabarrus County, Concord Convention Center, August 13-15, 2020.

NOW, THEREFORE, BE IT RESOLVED, the Burke County Board of Commissioners, pursuant to North Carolina General Statute 153A-40(a), does hereby:

- (1) Establish the Board's regular pre-agenda meetings at 3:00 p.m. on the following dates:

January 7, 2020	County Board Room
February 4, 2020	County Board Room
March 3, 2020	County Board Room
April 7, 2020	County Board Room
May 5, 2020	County Board Room
June 2, 2020	County Board Room
July 7, 2020	County Board Room
August 4, 2020	County Board Room
September 1, 2020	County Board Room
October 6, 2020	County Board Room
November 3, 2020	County Board Room
December 7, 2020*	County Board Room

\*Monday

- (2) Establish the Board's regular meetings at 6:00 p.m. in the County Board Room on the following dates:

January 21, 2020	July 21, 2020
February 18, 2020	August 18, 2020
March 17, 2020	September 15, 2020
April 21, 2020	October 20, 2020
May 19, 2020	November 17, 2020
June 16, 2020	December 15, 2020

BE IT FURTHER RESOLVED that any recessed, special or emergency meeting will be held as needed with proper notice as required by North Carolina General Statute 153A- 40.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Brittain said that due to low public attendance and the high amount of staff time and energy required for set up and facilitation, the Board could consider canceling the off-site meetings in April and September. Commissioner Abele and Vice Chairman Mulwee said they like the idea of bringing government to the people, but the low attendance rates do not make it feasible. Commissioner Taylor said he does not think the meeting held at the Burke County Public Library and Senior Center was well promoted and noted that the meeting at South Mountain was standing room only. He said the Board does not serve each other for convenience they serve Burke County citizens and it is a good practice to make meetings convenient for citizens. Chairman Carswell agreed with Commissioners Abele, Brittain, and Vice Chairman Mulwee. Commissioner Abele reiterated that he agrees the practice is good, but citizens have not been attending the meetings.

<b>RESULT:      MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM</b>
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**CA - TRANSFER OF DEEDS FOR SCHOOL PROPERTY (PLACE HOLDER)**

December 2, 2019 (Pre-Agenda)

DRAFT

J.R. Simpson, County Attorney presented information regarding the transfer of deeds for school property as follows:

The North Carolina Department of Agriculture recently signed over to Burke County Public Schools the nearly 50 acres of land that Liberty Middle and North Liberty School sit on, as well as an additional 28 acres of land near the Liberty property and behind Patton High School. The property is deeded to the County and transferring the property to the school system is the next step.

School board celebrates deed presentation  
Posted on 10/28/2019



Morganton, NC – Friday, Oct. 25, 2019

The Burke County Board of Education celebrated a gift of land from the state on Friday during a special called meeting at Liberty Middle School. The North Carolina Department of Agriculture signed over to Burke County Public Schools the nearly 50 acres of land that Liberty Middle and North Liberty School sit on, as well as an additional 28 acres of land near the Liberty property and behind Patton High School.

Burke County Board of Education Chair Randy Burns said when he realized Burke County Public Schools had been leasing the land from the state for Liberty Middle and North Liberty, which opened in 1989, he sought the Board of Education's permission to pursue acquiring the land. Burns contacted Burke County Board of Commissioners Chairman Johnnie Carswell, who in turn reached out to Burke County's state legislators Rep. Hugh Blackwell and Sen. Warren Daniel. Carswell, Blackwell and Daniel were all at Liberty for Friday's meeting, as were North Carolina Department of Administration Deputy Secretary Mark Edwards, Assistant District Forester Nathan Gatlin, Burke County Board of Commissioners Vice Chairman Scott Mulwee, Commissioner Jeffrey Brittain, County Manager Bryan Steen and County Clerk Kay Draughn. In addition to Burns, Board of Education Vice Chair Buddy Armour and members Edna Weller, Dr. Don Hemstreet, Seth P. Hunt Jr. and Rev. Dr. RL Icard were present.

Burns said, "Today is a celebration. We have worked for a year and a half to two years on getting this land and today, we got it." Burns thanked all of those

involved in transferring the land over to the schools and invited Blackwell and Carswell to speak.

Blackwell said, "This is a fun occasion." He thanked Sen. Daniel for his collaboration on the project, the Department of Agriculture for their willingness to donate the land and the North Carolina Department of Administration for processing the deed. The land was formerly part of a forestry education center in Morganton, and Blackwell read a letter from North Carolina Agriculture Commissioner Steve Troxler stating excitement for the opportunity for the land to continue to be used for education purposes.

Carswell said he is excited for the future. "This is what collaboration can do," Carswell said. "Mr. Burns and I talk daily about education and the needs of our students. Burke County Public Schools has one of the hardest working boards and collaboration between the boards of education and commissioners has never been better. We are looking to the future and are all about advancing. We don't know what Burke County will be like in 10 years, but this county is growing, the population is coming back, business is moving here, and I am excited to be a small part of the future. We are moving forward, and this is a great day for our county."

Burke County Public Schools Superintendent Dr. Larry Putnam recommended the Board of Education accept the donation of 77 acres of land from the Department of Agriculture in accordance with the board's policy on gifts, Following a motion from Armour on recommendation with "appreciation to all involved," and a second on the motion from Hunt, all school board members approved accepting the land as a gift from the state. Weller recognized Burns for his efforts in acquiring the land and said, "We are such a great team working together and working with the county and the state to get this done."

Burns shared his appreciation to all involved, including fellow school board members. He said, "I am blessed to work with an awesome board. It is a pleasure to serve the students of Burke County with them and all of this would not be possible without our teamwork and collaboration." Upon formally handing over the land deed to Burns, Administration Deputy Secretary Edwards said, "I can think of no better use of these resources than for the land to be put to use for educating the next generation."

Liberty Middle School student government representatives participated Friday by leading the group in the Pledge of Allegiance and leading those in attendance on a tour of the school following the meeting.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor said he was a little shocked to discover that the school was built on land the county did not own and the least they can do is to accept the property. Chairman Carswell concurred with Commissioner Taylor.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**CM - BURKE-CATAWBA DISSOLUTION AGREEMENT**

Information from the agenda packet:

The following dissolution agreement between Burke and Catawba Counties establishes the provisions for the termination of the Operating Agreement, the dissolution of the Regional Jail Agency, the disposition of the Regional Jail Facility, and the handling of the post-dissolution expenses.

County Manager Steen said both Burke and Catawba Counties are going to remove their in-custody defendants by December 31<sup>st</sup> and county staff from each county have been working on the dissolution document.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**COMM. DEV - AWARD CONTRACT FOR FONTA FLORA TRAIL - LINVILLE ACCESS BOARDWALK (PLACE HOLDER)**

Shane Prisby, Operations Manager, presented information regarding awarding a contract for the Fonta Flora Trail – Linville Access boardwalk as follows:

The Community Development Department applied for and received a \$100,000 Recreation Trails Program grant from North Carolina State Parks for trail construction on the Fonta Flora State Trail. This project is for the construction of a new section of trail and boardwalk near Linville Access Boat Launch at Lake James. A Request for Proposal was posted to the County Website on November 5, 2019 and sent directly to the following companies: Tri-State Company, Inc.; Trail Dynamics LLC; Singletrack Trails, and NHM Constructors, LLC. Bids are due on November 25, 2019 and the apparent low bidder will be recommended at the December 2019 pre-agenda meeting.

FFST Linville Access Boardwalk RFP Bid Opening 12/2/2019							
Contractor	Contact	Schedule	733 LF New Trail	Option A	Option B	TOTAL A	TOTAL B
Tri-State Company, Inc	Y	Y	\$ 3,665.00	\$56,226.00	\$ 93,145.50	\$ 59,891.00	\$96,810.50

Budget	\$ 125,000.00
Option B	\$ 96,810.50
Remainder	\$ 28,189.50

Budgetary Effect: None. Project is funded through a RTP Grant and matched with Duke Energy CRA funds.

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December 2, 2019 (Pre-Agenda)

DRAFT

Mr. Prisby said this project was bid with two (2) options, A and B. Option A, Prisby said, would include 300 feet of boardwalk which is what was specified in the grant and option B is 525 feet of boardwalk which is the total amount required by NCDOT to get around NC Highway 126 and Lake James. He said this project is a significant connection for the existing Fonta Flora State Trail and will take the trail from the current terminus at the Linville Boat Access around a narrow section of the lake and allow a tie-in to the Mountains-to Sea-Trail connector. Mr. Prisby stated three (3) interested parties attended a pre-bid conference but only one (1) bid was received from Tri-State Company, Inc. Since Tri-State has completed other sections of the Trail to the County's satisfaction and the bid



came in under budget, he recommended the project move forward with option B. Further, three (3) bids are not required since the project is in the informal bid range.

Chairman Carswell opened the floor for questions and comments from the Board. Mr. Prisby responded to questions from Commissioner Taylor concerning the cost per sq. foot of the project and a short discussion ensued. Vice Chairman Mulwee asked when will the Boardwalk be completed. Mr. Prisby said the project should begin in February and finish in June.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

### **COMM. DEV. - AWARD CONTRACT FOR FONTA FLORA TRAIL - LINVILLE RIVER SIDE PATH (PLACE HOLDER)**

Shane Prisby, Operations Manager, presented information regarding awarding a contract for the Fonta Flora Trail – Linville River side path as follows:

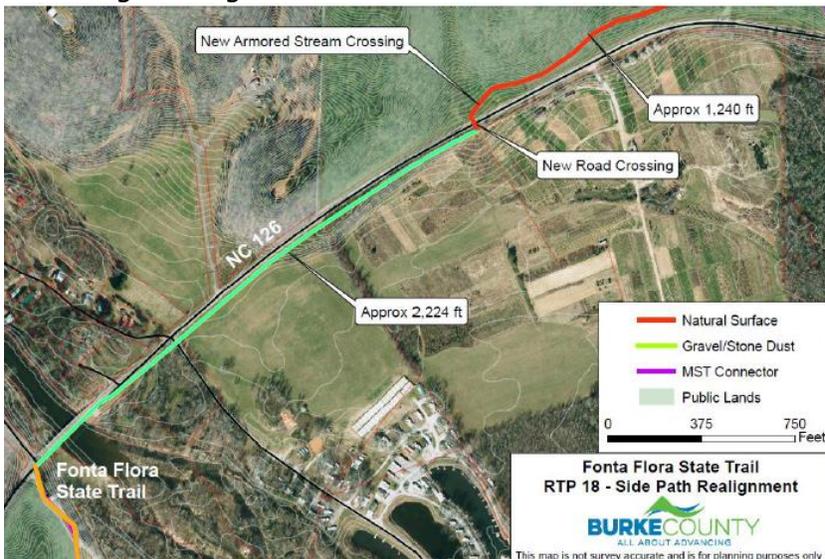
The Community Development Department applied for and received a \$100,000 Recreation Trails Program grant from North Carolina State Parks for trail construction on the Fonta Flora State Trail. This project is for the construction of a new section of trail near the Linville River Bridge at Lake James. A Request for Proposal was posted to the County Website on November 6, 2019 and sent directly to the following companies: Tri-State Company, Inc.; Trail Dynamics LLC; Singletrack Trails, Suttles Grading & Trucking, Inc. and NHM Constructors, LLC. Bids were due on November 25, 2019 and the apparent low bidder will be recommended at the December 2019 pre-agenda meeting.

Budgetary Effect: None. Project is funded through a RTP Grant and matched with Duke Energy CRA funds.

FFST Linville River Side Path RFP Bid Opening 12/2/2019								
Contractor	Contact	Schedule	Natural Trail	Gravel Trail	Wall	Stream	Road X-ING	TOTAL
Suttles Trucking and Grading	N	N	\$ 22,400.00	\$ 39,800.00	\$32,800.00	\$ 1,600.00	\$ 1,600.00	\$98,200.00
Tri-State Company, Inc	Y	Y	\$ 4,960.00	\$ 24,929.04	\$49,105.00	\$ 2,500.00	\$ 8,840.00	\$90,334.04

Budget	\$ 125,000.00
Cost	\$ 90,334.04
Remainder	\$ 34,665.96

Mr. Prisby said this is the missing piece to connect existing trail from a previous project connecting at Long Arm and the State Park section to the County park. He said once these two (2) projects are complete, the trail will be complete from Harris Whisnant Road to around the lake to the State Park.



Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Brittain asked what is involved with the road crossing section. Mr. Prisby said concrete pads with truncated domes which are the detectable warning strips which are part of the

high visibility package for anyone with visual impairments. He said it also includes four (4) sets of MUTCD traffic signs and the post they are installed in, painting on the road, gravel base, and other general site work. Vice Chairman Mulwee asked Mr. Prisby to explain what the armored stream crossing is. Mr. Prisby said it is a trail technique to cross intermittent water sources without installing a bridge or culvert. He said stones (with a flat surface) are embedded into the ground so they provide a smooth transition for hikers and bikers to cross without causing any erosion. He noted that it is a cheaper and more long-term solution because it has minimal maintenance costs compared to a culvert or bridge. Mr. Prisby responded to a question from Commissioner Taylor concerning the bids. Mr. Prisby recommended the contract be awarded to Tri-State Company, Inc.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**FINANCE - FY 18-19 AUDIT CONTRACT AMENDMENT**

Scott Cook, Deputy Finance Director, presented information regarding the FY 18-19 audit

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December 2, 2019 (Pre-Agenda)

DRAFT

contract amendment as follows:

The audit contract listed the due date of October 31, 2019, however, due to extenuating circumstances within the Finance Office, this deadline was not met. The Local Government Commission gives an automatic grace period until December 1 but requires a contract amendment be approved if the audit will be submitted after December 1.

Mr. Cook said with the Board's approval, the new deadline will be set to January 31.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

#### TAX DEPT. - TAX COLLECTION REPORT FOR NOVEMBER 2019

Danny Isenhour, Tax Administrator, presented the tax collection report for November as follows:

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	\$44,815,217.00	\$31,232,641.06	\$13,582,575.79	69.69%

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	\$33,260,418.89	\$14,809,581.11	69.19%
Delinquent Taxes	\$650,000.00	\$391,633.09	\$258,366.91	60.25%
Late List Penalty	\$250,000.00	\$138,546.44	\$111,453.56	55.42%

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	\$31,232,641.06	\$12,237,358.94	71.85%
Motor Vehicle Tax	\$4,600,000.00	\$2,027,777.83	\$2,572,222.17	44.08%

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

#### TAX DEPT. - RELEASE REFUND REPORT FOR NOVEMBER 2019

Danny Isenhour, Tax Administrator, presented the release refund report for November as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$132,979.66	\$129,940.87	\$3,038.79	\$18.94

VTS Refunds Over \$100

	Refund Amount
VTS Adjustments	\$147.15

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

Mr. Isenhour explained Bell South, a public utility, gave the Tax Office an amount then they changed that amount which was treated as a total release and then a rebill.

<b>RESULT:      MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM</b>
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## ITEMS FOR DECISION

### BOC - APPROVAL OF APPROPRIATION FOR VETERANS MONUMENT

Chairman Carswell reported in recent years the Commissioners received several requests from citizens and veterans' groups for funding to locate a killed in action memorial on the grounds of the Historic Courthouse, which are leased to the City of Morganton. He read the following information from the agenda packet:

In a letter to Mr. Jack Carroll and Mr. Champ Ray dated July 17, 2018, Burke County Commission Chairman Jeff Brittain outlined the following six (6) objectives to be achieved before the County would be involved with placing a killed in action memorial on the grounds of the current courthouse:

1. That an official spokesperson for the project is determined and communicated to the County, whom the County may deal with exclusively.
2. That the selected monument design be submitted by the spokesperson for the Board's prior approval along with three (3) written cost estimates good for 60 days.
3. That fifty percent (50%) of funding for the monument be raised by private donations first before the project proceeds further.
4. That the entire cost of the monument be raised before ground is broken or construction begins.
5. That you develop and present a plan for the future maintenance and repair of the monument.
6. That all concerned parties accept that the current location of the courthouse may change sometime in the future, and the County would have no obligation to move the monument.

The letter goes on to state that "nothing is agreed upon until all terms are set down in contract form and signed by both parties". As of December 2019, all conditions of the July 2018 letter have been met to include the KIA committee reporting that they have raised \$23,800.00 toward the project. Additionally, as of December 2019, the Courthouse Square Steering Committee has informed the Killed in Action Committee Chairman and Treasurer that they have been granted permission to construct the memorial on the grounds of the Old Historic Burke County Courthouse as soon as construction plans have been submitted for approval. The Board may wish to consider appropriating \$15,000 towards the completion of the killed in action memorial itself.

Budgetary Effect: \$15,000 - Funding is not included in the FY 19-20 budget and would require an appropriation of General Fund, Fund Balance to move forward.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Brittain asked if the Courthouse Square Steering Committee had received permission from the Morganton City Council, if needed, to locate the monument on the old courthouse square. Chairman Carswell said the city manager, city attorney, and chair of the Courthouse Square Steering Committee granted that request and believes the city manager is comfortable that the request will be granted through the new city council. Commissioner Taylor said the veteran's group originally wanted approval from the Board because it would have made it easier for them to raise the funds themselves. He thanked the Board for agreeing to support this project and commended the 10+/- veterans who consistently continued to work and fundraise for this project. Commissioner Taylor said he was informed at a meeting last week that they had raised the required funding and were told by the City of Morganton that their request would most likely be approved at the council meeting. Chairman Carswell said the Courthouse Square Steering Committee originally requested the location of the monument to be on the northeast corner of the old courthouse square, across from the theater, but it has been moved to the south side of the Confederate monument and the Killed in Action (KIA) Committee is pleased with that location. Commissioner Taylor said that will make it easier to view the veteran's monument as citizens drive by the square.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**BOC - ADOPTION OF RULES OF PROCEDURE FOR 2020 (PLACE HOLDER)**

Chairman Carswell reported it is the Board's practice to review, amend as needed and adopt its Rules of Procedures (ROP) on an annual basis. The 2020 ROP is largely based on the 4<sup>th</sup> Edition, 2017, Suggested Rules of Procedure for the Board of County Commissioners, which was published by the SOG (School of Government) and authored by Trey Allen.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 12/17/2019 AT 6:00 PM**

**CLERK - REAPPOINTMENT TO TOURISM DEVELOPMENT AUTHORITY (PLACE HOLDER)**

Clerk Draughn reported appointments or reappointments to Tourism Development Authority are needed. The term is for two (2) years. Seat No. 6, formerly held by Jarrod Bailey, is vacant due to a resignation. An application from Ginny Erwin was received for this seat. Applications are needed for Seat 1 (Polly Leadbetter), Seat 5 (Dana Whisnant) and Seat 8 (Angel Crawley). The appointment of a Commissioner (Seat 9) to the TDA is handled in a separate agenda item.

Chairman Carswell requested this item be delayed until January in order to have more time to get additional applications submitted for the Board's consideration. He said there is a special called meeting of the Tourism Development Authority (TDA) on Wednesday which will be a closed session. Therefore, Chairman Carswell said, because the Board does not know what is going to happen in the closed session meeting, it would behoove the Board to delay making these appointments until after the TDA's meeting.

**RESULT: POSTPONED WITHOUT OBJECTION TO THE JANUARY MEETING.**

**REPORTS**

Chairman Carswell reminded the Board that the Morganton Christmas Parade will take place on December 3 at 6:00 p.m. and a short discussion ensued about the parade logistics. Chairman Carswell reported that he will be in Washington, DC for the next four (4) days to meet with North Carolina congressional representatives.

**ADJOURN**

**Motion: To adjourn at 4:38 p.m.**

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

Approved this 19<sup>th</sup> day of May 2020.

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

Attest:

\_\_\_\_\_  
Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

Minutes Acceptance: Minutes of Dec 2, 2019 3:00 PM (APPROVAL OF MEETING MINUTES)

December 17, 2019 (Regular)

DRAFT

**MINUTES  
BURKE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

The Burke County Board of Commissioners held a regular meeting on Tuesday, December 17, 2019 at 6:00 p.m. They met in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E in Morganton, N.C. Those present were:

**COMMISSIONERS:**

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

**STAFF:**

Scott Carpenter, Deputy County Manager/Planning Director  
Scott Cook, Deputy Finance Director  
J.R. Simpson, II, County Attorney  
Kay Honeycutt Draughn, Clerk to the Board

**STAFF ABSENT:**

Bryan Steen, County Manager (Family medical event.)  
Margaret Pierce, Deputy County Manager/Finance Director  
(Family medical event.)

**CALL TO ORDER**

Chairman Carswell called the meeting to order at 6:00 p.m.

Chairman Carswell took a moment of personal privilege to welcome Scott Carpenter, Deputy County Manager/Planning Director, to the meeting who substituted for County Manager Steen in his absence due to a death in his family. Manager Steen's mother, Helen Steen, died recently after falling at church. Chairman Carswell extended condolences to the entire Steen family, asked that all citizens pray for the family and spoke affectionally about Manager Steen and his love for Burke County.

**INVOCATION**

Reverend Dr. Wayne Arthur Johnson, Sr., Shiloh AME Church, was unable to attend the meeting, therefore, Ed Stephenson, Arneys Fairview United Methodist Church, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Under the leadership of Principal Jeanene Burris, Icard Elementary School students led the Pledge of Allegiance to the American Flag. Afterwards, they had a commemorative photograph taken with the Commissioners and staff.

**APPROVAL OF AGENDA**

**Motion: To approve the agenda.**

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Wayne F. Abele, Sr., Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

## ORGANIZATION OF THE BOARD

### BOC - ELECTION OF CHAIRMAN FOR 2020

Pursuant to North Carolina General Statute 153A-39, it is the duty of the Board of Commissioners to elect a Chairman for the ensuing year.

Chairman Carswell opened the floor for nominations for Chairman. Vice Chairman Mulwee nominated Chairman Carswell and Commissioner Taylor nominated Commissioner Abele. With there being no others, Chairman Carswell closed the floor for nominations. Chairman Carswell received three (3) votes: himself, Vice Chairman Mulwee, and Commissioner Brittain. Commissioner Abele received two (2) votes: himself and Commissioner Taylor. Chairman Carswell then called for a motion and a vote.

### Motion: To elect Commissioner Carswell as Chairman of the Burke County Board of Commissioners for 2020.

<b>RESULT:</b>	<b>APPROVED [4 TO 1]</b>
<b>MOVER:</b>	Scott Mulwee, Vice Chairman
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain
<b>NAYS:</b>	Maynard M. Taylor

### BOC - ELECTION OF VICE CHAIRMAN FOR 2020

Pursuant to North Carolina General Statute 153A-39, it is the duty of the Board of Commissioners to elect a Vice Chairman for the ensuing year.

Chairman Carswell opened the floor for nominations for Vice Chairman. Commissioner Abele nominated Commissioner Taylor and Commissioner Brittain nominated Vice Chairman Mulwee. With there being no others, Chairman Carswell closed the floor for nominations. Commissioner Taylor received two (2) votes: himself and Commissioner Abele. Vice Chairman Mulwee received three (3) votes: Chairman Carswell, himself, and Commissioner Brittain. Chairman Carswell then called for a motion and a vote.

### Motion: To elect Commissioner Mulwee as Vice Chairman of the Burke County Board of Commissioners for 2020.

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Johnnie W. Carswell, Chairman
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee and Jeffrey C. Brittain
<b>NAYS:</b>	Wayne F. Abele, Sr. and Maynard M. Taylor

### BOC - APPOINTMENT OF COUNTY ATTORNEY FOR 2020

Currently, James R. Simpson, II serves as the Board's attorney. This position is appointed by the Board of Commissioners and serves at the pleasure of the Board.

Chairman Carswell opened the floor for nominations for County Attorney. Vice Chairman Mulwee nominated J.R. Simpson, II, and Commissioner Abele nominated Redmond Dill. With

there being no others, Chairman Carswell closed the floor for nominations. J.R. Simpson, II received three (3) votes: Chairman Carswell, Vice Chairman Mulwee and Commissioner Brittain. Redmond Dill received two (2) votes: Commissioner Abele and Commissioner Taylor. Chairman Carswell then called for a motion and a vote.

**Motion: To appoint J.R. Simpson, II as the County Attorney for the Burke County Board of Commissioners for 2020.**

**RESULT:** APPROVED [3 TO 2]  
**MOVER:** Scott Mulwee, Vice Chairman  
**AYES:** Johnnie W. Carswell, Scott Mulwee and Jeffrey C. Brittain  
**NAYS:** Wayne F. Abele, Sr. and Maynard M. Taylor

**BOC - APPOINTMENT OF TAX ATTORNEY FOR 2020**

The Kania Law Firm (Asheville) currently serves as the County Tax Attorney. This position is appointed by the Board and serves at the pleasure of the Board. The Board may change this appointment as deemed necessary.

Chairman Carswell opened the floor for nominations for County Tax Attorney. Vice Chairman Mulwee nominated the Kania Law Firm. With there being no others, Chairman Carswell closed the floor for nominations.

**Motion: To appoint Kania Law Firm as the County Tax Attorney for the Burke County Board of Commissioners for 2020. The only compensation for the County Tax Attorney will be those authorized by General Statutes in relation to a foreclosure action. The County Tax Attorney will provide the Board a quarterly report of accounts turned over to him/her and the disposition of said cases at the end of each quarter.**

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

**BOC - APPOINTMENT OF THE CLERK TO THE BOARD FOR 2020**

Currently, Kay Honeycutt Draughn, serves as the Clerk to the Board. This position is appointed by the Board of Commissioners and serves at the Board's pleasure.

Chairman Carswell opened the floor for nominations for Clerk to the Board. Commissioner Brittain nominated Kay Honeycutt Draughn. With there being no others, Chairman Carswell closed the floor for nominations.

**Motion: To appoint Kay Honeycutt Draughn as the Clerk to the Board for the Burke County Board of Commissioners for 2020.**

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

**PRESENTATIONS**

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

**AS - PET OF THE MONTH**

Kaitlin Settlemyre, Animal Services Director, presented Layla, a dog in need of her "forever" home. She also presented a short video of Junior, a cat in need of his "forever" home. Ms. Settlemyre also said they are in need of fosters and encouraged anyone interested to visit the Animal Services Center (ASC).

**RESULT: NO ACTION TAKEN.**

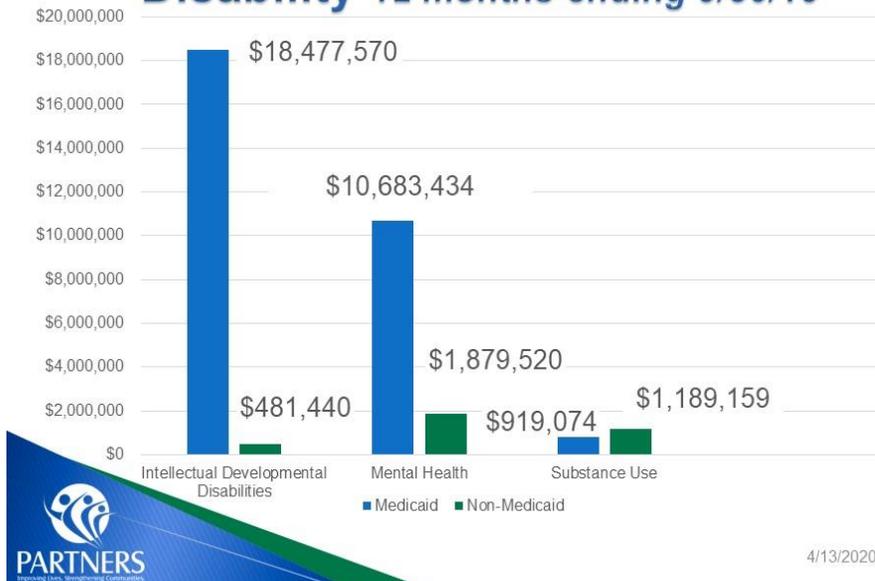
Clerk Draughn informed the Board about the passing of Alice Kopacki and said she was a wonderful advocate for all animals, but especially cats. Chairman Carswell said Ms. Kopacki was one of the finest ladies Burke County has ever had and she cared about animals. He said after his interactions with Ms. Kopacki, she made him look at animals differently. Chairman Carswell said Ms. Kopacki passed away due to complications from cancer. Commissioner Taylor said Ms. Kopacki would come and speak on behalf of the animals in Burke County and said she had a spirit and heart of caring for animals that was hard to match. Commissioner Taylor said he wishes the family well during this time of grieving.

**PBHM - UPDATE FROM PARTNERS BEHAVIORAL HEALTH MANAGEMENT AS OF SEPT. 30, 2019**

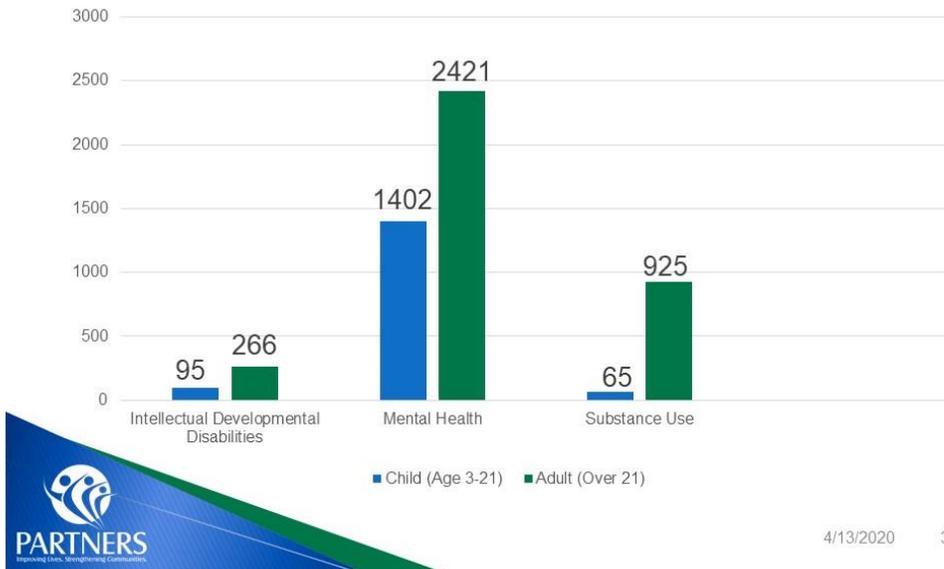
Tara Conrad, Community Engagement Director, Partners Behavioral Health Management, provided an update on Partners' activities as well as any new initiatives, trends or concerns impacting the mental health field.

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### Cost of Persons Served by Disability 12 months ending 9/30/19



### Persons Served by Disability 12 months ending 9/30/19



Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

## Outcomes Related to County Expenditures 1<sup>st</sup> Quarter Reporting

Service Category	Provider of Service	Impact
Director & SOAR position	Burke Integrated Care	77 applicants assisted; 16 connected to benefits, service navigation and linkage
MH/SU services in jail	CVBH	129 receiving treatment while in jail
Psychiatric support	CVBH	506 patient visits
MORES Program	CVBH	2 families
Embedded therapist @ DSS	A Caring Alternative	30 individuals
Psychiatric Services	Blue Ridge Healthcare	In process



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## Outcomes Related to County Expenditures

Service Category	Provider of Service	Impact
Housing	Various	2 individuals
Consumer Reserves	Various	None at this time
System of Care community collaboratives	Multiple providers & stakeholders	1 community event Burke Recovery Rally
Psychiatric support/medication	Good Samaritan Clinic	96 patients/ 31 prescriptions
NAMI support groups	NAMI	None at this time



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Commissioner Brittain asked where the non-Medicaid funding comes from. Ms. Conrad said those funds come from the state and specific federal grants. Commissioner Taylor noted that counties also contribute to Partners Behavioral Health Management (PBHM).

**Motion: To accept the report as presented.**

December 17, 2019 (Regular)

DRAFT

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

### TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING SEPT. 30, 2019

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, Tourism Development Authority (TDA) Director, presented the financial update for the period ending September 30, 2019 as follows:

BURKE CO. TOURISM DEVELOPMENT AUTHORITY Balance Sheet As of September 30, 2019		BURKE CO. TOURISM DEVELOPMENT AUTHORITY Profit & Loss July through September 2019	
	Sep 30, 19		Jul - Sep 19
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
1014 - First Citizens Bank-Checking	323,168.47		
Total Checking/Savings	323,168.47		
Accounts Receivable			
1210 - Accounts Receivable	17,450.00		
Total Accounts Receivable	17,450.00		
Other Current Assets			
1300 - Prepaid Rent	500.00		
Total Other Current Assets	500.00		
Total Current Assets	341,118.47		
<b>Fixed Assets</b>			
Vehicles	61,000.00		
1410 - Furniture & Equipment	17,433.25		
1590 - Accumulated Depreciation	-25,815.25		
Total Fixed Assets	52,618.00		
<b>TOTAL ASSETS</b>	<b>393,936.47</b>		
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable			
2000 - *Accounts Payable	4,584.44		
Total Accounts Payable	4,584.44		
Other Current Liabilities			
2100 - Payroll Liabilities	4,050.33		
2150 - Retirement Payable	2,475.27		
2300 - Trolley Fees In Advance	150.00		
Total Other Current Liabilities	6,675.60		
Total Current Liabilities	11,260.04		
Total Liabilities	11,260.04		
<b>Equity</b>			
3900 - Retained Earnings	381,855.22		
Net Income	821.21		
Total Equity	382,676.43		
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>393,936.47</b>		
		<b>Income</b>	
		4010 - Burke Co. Govt. - Occup. Tax	58,640.02
		4110 - Interest Income*	40.85
		4120 - Other Income	20,825.00
		5000 - Trolley Revenue	2,475.00
		<b>Total Income</b>	<b>79,980.87</b>
		<b>Expense</b>	
		5015 - Legal and Professional Fees	1,600.00
		5020 - Marketing/Advertising	28,367.64
		5113 - City of Morganton/Tourism	0.00
		5115 - Town of Valdese/Tourism	0.00
		5140 - Website Upkeep	119.56
		5150 - Insurance	
		5155 - Trolley Insurance	992.96
		5160 - Directors & Officers Liability	230.00
		5175 - Employee Health Insurance	1,137.28
		<b>Total 5150 - Insurance</b>	<b>2,360.24</b>
		5180 - Office Supplies	1,137.25
		5190 - Payroll Shared Staff Reimburse	1,957.67
		5200 - Payroll Expenses	
		5210 - Payroll	20,064.99
		5215 - NC Unemployment Tax	47.74
		5220 - Part-time Staffing	1,099.50
		5230 - Payroll Taxes	2,266.14
		5235 - Retirement	3,372.10
		5200 - Payroll Expenses - Other	10,068.14
		<b>Total 5200 - Payroll Expenses</b>	<b>36,918.61</b>
		5250 - Postage	263.80
		5280 - Office Rent	1,000.00
		5290 - Telephone	601.96
		5300 - Travel/Training	2,081.30
		5301 - Trolley Expenses	2,416.26
		5305 - Meetings	335.37
		<b>Total Expense</b>	<b>79,159.66</b>
		<b>Net Income</b>	<b>821.21</b>

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December 17, 2019 (Regular)

DRAFT

11:22 AM		BURKE CO. TOURISM DEVELOPMENT AUTHORITY			
11/26/19		Profit & Loss Budget vs. Actual			
Accrual Basis		July through September 2019			
	Jul - Sep 19	Budget	\$ Over Budget	% of Budget	
<b>Income</b>					
4010 · Burke Co. Govt. - Occup. Tax	56,640.02	151,750.03	-95,110.01	37.3%	
4110 · Interest Income*	40.85				
4120 · Other Income	20,825.00	10,000.03	10,824.97	208.2%	
5000 · Trolley Revenue	2,475.00	3,750.00	-1,275.00	66.0%	
<b>Total Income</b>	<b>79,980.87</b>	<b>165,500.06</b>	<b>-85,519.19</b>	<b>48.3%</b>	
<b>Expense</b>					
5010 · Accounting	0.00	2,000.01	-2,000.01	0.0%	
5015 · Legal and Professional Fees	1,600.00	0.00	1,600.00	100.0%	
5020 · Marketing/Advertising	28,367.64	39,075.00	-10,707.36	72.6%	
5102 · Membership Dues	0.00	625.56	-625.56	0.0%	
5110 · Building Maintenance	0.00	125.01	-125.01	0.0%	
5113 · City of Morganton/Tourism	0.00	34,143.75	-34,143.75	0.0%	
5115 · Town of Valdese/Tourism	0.00	18,968.16	-18,968.16	0.0%	
5140 · Website Upkeep	119.56	125.01	-5.45	95.6%	
5150 · Insurance					
5155 · Trolley Insurance	992.86				
5160 · Directors & Officers Liability	230.00				
5175 · Employee Health Insurance	1,137.28				
5150 · Insurance - Other	0.00	5,000.01	-5,000.01	0.0%	
<b>Total 5150 · Insurance</b>	<b>2,360.24</b>	<b>5,000.01</b>	<b>-2,639.77</b>	<b>47.2%</b>	
5180 · Office Supplies	1,137.25	1,000.03	137.22	113.7%	
5190 · Payroll Shared Staff Reimburse	1,957.67				
5200 · Payroll Expenses					
5210 · Payroll	20,064.99				
5215 · NC Unemployment Tax	47.74				
5220 · Part-time Staffing	1,099.50				
5230 · Payroll Taxes	2,266.14				
5235 · Retirement	3,372.10				
5200 · Payroll Expenses - Other	10,068.14	52,749.99	-42,681.85	19.1%	
<b>Total 5200 · Payroll Expenses</b>	<b>36,918.61</b>	<b>52,749.99</b>	<b>-15,831.38</b>	<b>70.0%</b>	
5250 · Postage	263.80	187.50	76.30	140.7%	
5280 · Office Rent	1,000.00	1,500.00	-500.00	66.7%	
5290 · Telephone	601.96	750.00	-148.04	80.3%	
5300 · Travel/Training	2,081.30	5,499.99	-3,418.69	37.8%	
5301 · Trolley Expenses	2,416.26	3,750.00	-1,333.74	64.4%	
5305 · Meetings	335.37				
<b>Total Expense</b>	<b>79,159.68</b>	<b>165,500.02</b>	<b>-86,340.36</b>	<b>47.8%</b>	
<b>Net Income</b>	<b>821.21</b>	<b>0.04</b>	<b>821.17</b>	<b>2,053,025.0%</b>	

Mr. Phillips, reading from the TDA strategic plan, noted that in 2018 Burke County visitor spending grew by 5.8 percent and came in sixth (6<sup>th</sup>) place out of 19 counties in western North Carolina. He said Burke County also finished first (1<sup>st</sup>) compared to neighboring Catawba, McDowell, and Caldwell Counties. Mr. Phillips said tourism in Burke County is strong and the TDA is in good financial shape.

Chairman Carswell opened the floor for questions and comments from the Board. Vice Chairman Mulwee asked how he anticipates the new downtown Morganton hotel impacting occupancy tax receipts. Mr. Phillips said in the short term it probably will not grow at a tremendous rate, but a new hotel brings new business and occupancy tax should increase within the first year or so. He also said they have an initiative to bring in more conferences and businesses and noted people coming to Burke County for sports related activities should stay here as well. Mr. Phillips responded to an additional question from Vice Chairman Mulwee. Commissioner Taylor asked how much tourism will grow in Burke County in the next year. Mr. Phillips said the TDA's projection is three (3) to five (5) percent growth and an approximate \$40,000 in additional gross occupancy tax collections, which is a very conservative estimate.

**Motion: To accept the report as presented.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**SCHEDULED PUBLIC HEARINGS**

**COMM. DEV. - ZONING MAP AMENDMENT ZMA 2019-09 & PUBLIC HEARING - 6:00 P.M.**

Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding ZMA 2019-09 as follows:

REQUEST

Staff has received a rezoning application from Allen Whisnant to rezone a two (2) acre portion of one (1) parcel of land totaling 5.74 acres. The request is to rezone that portion of property from its current split zoning of Residential One (R-1) / Residential Two (R-2) to the General Business "Conditional" District (GB-CD).

SITE ANALYSIS

The parcel is described as follows: The 911 address of the parcel is 2635 Moose Lodge Street, Morganton, NC. The parcel is further identified in county records as (PIN# 2713833337 and REID# 62694). The parcel has one residential dwelling on the property in which the applicant and his family reside. The applicant has recently been permitted to operate two (2) Home Occupations within the dwelling. The home occupations are for a painting studio where painting classes are held and a taxidermy business. Taxidermy is considered an form of art by the North American Industry Classification System (NAICS Code 711510). The applicant has also recently received approval from the Burke County Board of Adjustment to construct a 3,600 square foot residential accessory structure on the property. At the time of approval, the BOA placed a condition on the approval that the building could only be used for residential purposes. The property is located within the Morganton Township of Burke County, the Lake Rhodhiss WS-IV-PA Water Supply Watershed, and the Triple Community Fire District. The parcel is not located within a Special Flood Hazard Area. The parcel is accessed on the corner of Summers Road (SR #1713) and Moose Lodge Street (SR #1714). Both of these roads are public, and state maintained.

SURROUNDING AREA

Land uses in the surrounding area are a mixture of residential, commercial, and industrial uses. The parcels that adjoin the subject property are all zoned residential with dwellings on them. There is a public cemetery to the north on Summers Road. At the end of Moose Lodge Street is the Moose Fraternal Lodge #193 and Campground. The Moose Lodge property is zoned General Business.

Across the street from the subject property is a driveway that provides access to an industrial zoned property. A sign at the driveway entrance seems to indicate

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there is a car restoration business that operates there. There are also several other industrial buildings in the area.

The majority of development in this area is residential single-family detached dwellings. The Farmland Acres Subdivision adjoins the subject parcel to the east. The subdivision is also part of the Residential One (R-1) zoning district.

The table below indicates the existing land uses in the area.

Existing Zoning and Land Uses within the Surrounding Area		
	Current Zoning	Existing Land Uses
North	R-1, R-2	Public Cemetery, Residences, Vacant Land
South	R-2, G-B	Residences, Moose Lodge
East	R-1, R-2	Residential Subdivision
West	R-2, IND, G-B	Residences, Industrial Structures, Commercial Struct.

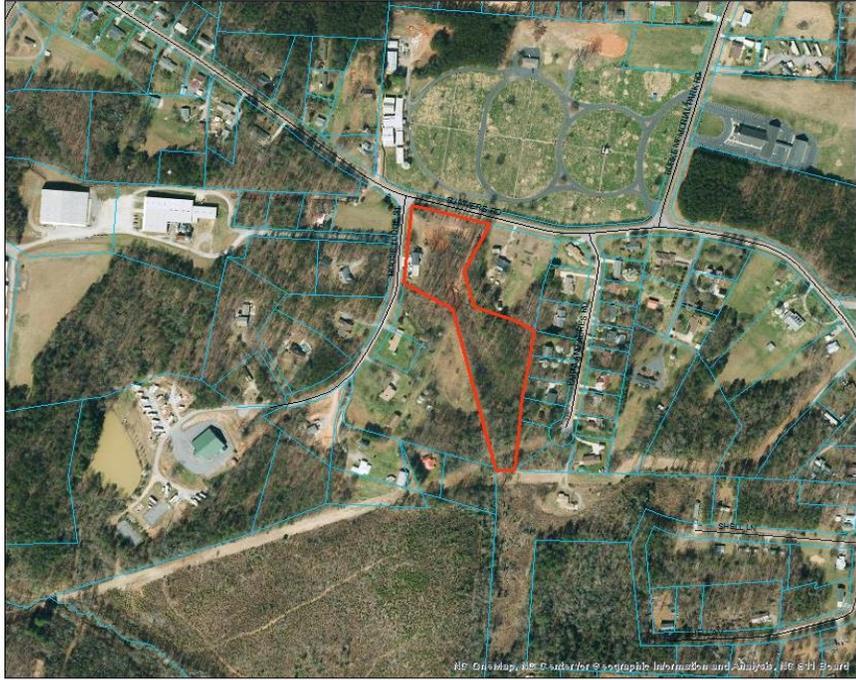


Burke County, NC Zoning Administration  
Aerial Land Use Map

ZMA 2019-09

Applicant:  
Allen Whisnant

PIN#  
271383337



0 50 100 200 300 400 Feet

Burke County assumes no legal responsibility for the information contained on this map. This map is not to be used for land conveyance.

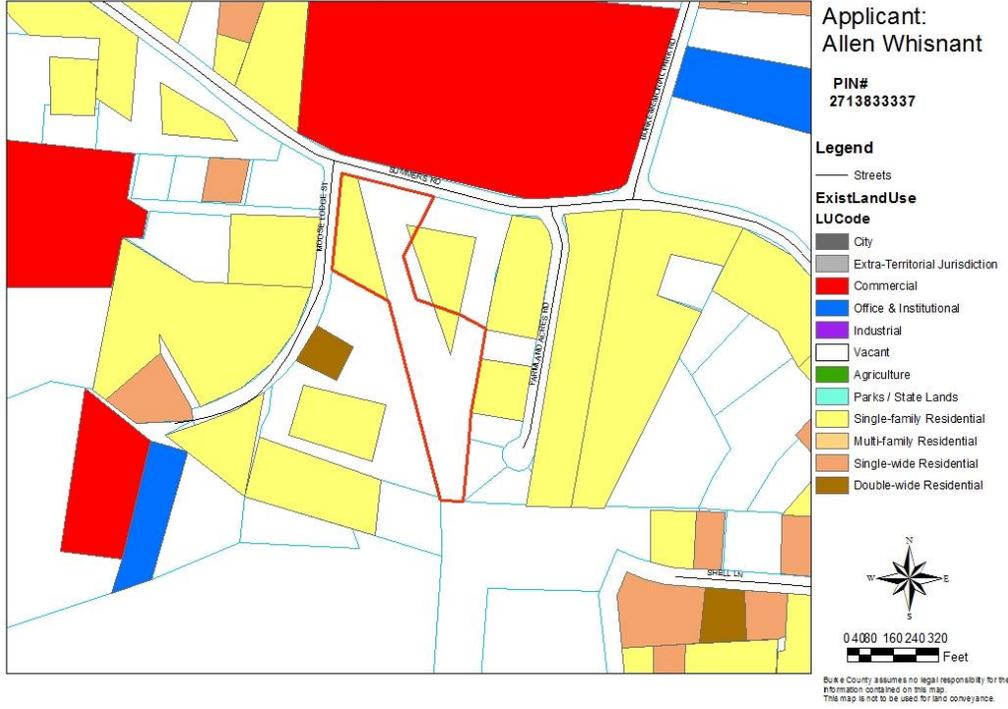
The 2018 Aerial photo and Existing Land Use Map also provide a visual representation of the existing land uses in the area. The current Zoning Map shows where the current zoning districts are located.

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Burke County, NC Zoning Administration  
Existing Land Use Map

ZMA 2019-09



CONFORMITY WITH THE COMPREHENSIVE PLAN

The current land use plan for Burke County is the 2016-2030 Blueprint Burke Strategic Land Use Plan. Within that plan, this area of the county is designated as the "Secondary Growth Area". This area has many of the attributes of the Primary Growth Area (i.e. infrastructure, utilities, transportation corridors, mixed uses), or there is an expectation that those attributes will be available in the near future. Current residential densities in this area may be less than in the Primary Growth Area.

This space is intentionally left blank.

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Burke County, NC Zoning Administration  
Future Land Use Map

ZMA 2019-09



CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE

The "current" zoning district for this parcel is split between the Residential One (R-1) and Residential Two (R-2) Districts. The R-1 Residential District is composed of high to medium density single-family site built and modular homes in areas that have now or are likely to have in the future both water and sewer availability. The R-2 district is very similar to the R-1 district. These districts should also have access to public water and in some cases, public sewer. Allowable uses in this district are sensitive to the residential character of the area and non-residential uses are limited. Certain home occupations which are incidental and secondary to the residential use are permitted within these districts. No exterior evidence of the presence of a home occupation should exist except for one small sign. The R-2 district allows double-wide manufactured homes.

PROPOSED ZONING DISTRICT

The proposed zoning district is the General Business Parallel Conditional District. Parallel Conditional District Zoning is defined and outlined within Article IX-A of the Zoning Ordinance. The parallel conditional zoning district rezoning process allows particular uses to be established, but only in accordance with a specific development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and/or on the entire community that cannot be predetermined and controlled by general district standards.

The General Business Parallel Conditional District (GB-CD) is an optional zoning district for major developments of commercial and mixed-use structures. The

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legal notice in the local newspaper and mailed letters to adjoining property owners. The applicant provided a written report of the meeting to the Board.

- The applicant has provided a very detailed description of the business uses requested. The applicant seems very willing to accept reasonable conditions which the Board might feel appropriate to maintain the residential character of the neighborhood.

#### PLANNING BOARD RECOMMENDATION

The Planning Board met on October 24, 2019 to hear this request. There were a number of citizens present at the meeting. Seven (7) citizens requested to speak. Not all speakers were from the immediate area. Some citizens had used Mr. Whisnant's meat processing for a number of years at his previous location. All seven (7) of the citizens stated that they were in favor of the proposed rezoning. No one present at the meeting spoke against the proposed rezoning or use of the proposed property.

The Planning Board had some concern about the disposal of the waste products. According to Mr. Whisnant, he would bag up the waste products and dispose of the waste every day. The Board had again asked if he would drive to the landfill every day and he said yes.

The Planning Board voted unanimously to approve the rezoning with the addition of the following self-imposed conditions:

1. The work environment must be enclosed – no work is to take place outside of the building.
2. Wild game only – Whisnant's Deer would only process deer and bear (During State-wide Deer Season only).
3. Limit hours of operation from 8 a.m. to 9 p.m. or dusk to dawn.
4. Lighting – The lighting will be dusk to dawn LED security lighting. No flashing lights or neon signs.
5. No dumpsters or trash cans outside - No waste will be kept on the property. Waste will be taken to the landfill at the end of every day.
6. The building will maintain a residential look with a natural buffer.

To assist the Board in their decision, staff has provided the following considerations:

- Is there a public need for additional land to be zoned to the requested classification?
- What is the impact on public services, facilities, infrastructure, fire and safety, and topography?
- What are the nearby development/zoning patterns?
- Is the rezoning request compatible with the character of the surrounding area and suitable with the property for certain uses?

#### ADDITIONAL INFORMATION

Please refer to the application, driving directions, and map(s) for more information.



Two-acre portion to be rezoned is outlined in black

This space is intentionally left blank.

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Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)



Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)



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Chairman Carswell opened the floor for question and comments from the Board. Commissioner

Taylor suggested changing the wording of self-imposed condition number five (5) regarding keeping waste on the property to clarify that the owner can keep the trash overnight and dispose of it in the morning because the landfill will be closed at 9:00 p.m., when the business closes. He said he received numerous phone calls and letters of support for the rezoning and commended the service this business will provide Burke County. Vice Chairman Mulwee asked if the owner will only be able to process deer during North Carolina's deer season and not during other states hunting season. Mr. Carpenter responded in the affirmative.

At 6:48 p.m., Chairman Carswell opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on December 5, 2019, and December 12, 2019 in addition, it was posted to the County's website (www.burkenc.org) on December 5, 2019. No one signed up to address the Board; therefore, Chairman Carswell closed the public hearing.

Chairman Carswell asked if the self-imposed conditions should be included in the ordinance. J.R. Simpson, II, County Attorney said they will be a part of the restrictions in the zoning that is granted to him.

Additional discussion ensued regarding the wording of self-imposed condition number five (5).

**Motion: To adopt an Ordinance (No. 2019-15) amending the Burke County Zoning Map and related consistency statement.**

**Statement of Consistency - ZMA 2019-09**

**The proposed rezoning would be consistent with the 2016-2030 Burke County Strategic Land Use plan and considered reasonable and in the public interest because:**

- **The proposed rezoning is consistent with the Burke County 2016-2030 Strategic Land Use Plan as it recommends both residential and certain commercial uses within the Secondary Growth Area.**
- **The rezoning would limit the non-residential development to:**
  - a. **Taxidermy**
  - b. **Paint Studio (To including painting lessons to the public)**
  - c. **Wild Game Butchering/Processing (Limited to Deer Season)**
- **The proposed rezoning would require another level of site-specific requirements to help ensure a low impact with surrounding residences.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey C. Brittain, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Burke County  
North Carolina

Ord. No. 2019-15

An Ordinance Amending the Official Burke County Zoning Map

ZMA 2019-09

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

A two-acre portion of one (1) parcel of land corresponding to PIN#: **2713833337** is hereby re-zoned **from** the Residential One (R-1) and Residential Two (R-2) Districts **to** the General Business Conditional Zoning District (GB-CD) with the following conditions:

1. The work environment must be enclosed. No work is to take place outside of the building.
2. Whisnant's Deer would only process deer and bear (During State-wide Deer Season only).
3. Limit hours of operation from 8 a.m. to 9 p.m.
4. The lighting will be dusk to dawn LED security lighting. No flashing lights or neon signs allowed.
5. No outside dumpsters or trash cans allowed. Waste will be taken to the landfill at the end of every day the business operates. If the landfill is closed, the waste shall be taken to the landfill the next day.
6. The building will maintain a residential look with a natural buffer.

The rezoning would limit the non-residential development to:

- a. Taxidermy
- b. Paint Studio (To including painting lessons to the public)
- c. Wild Game Butchering/Processing (Limited to Deer Season)

Adopted this 17<sup>th</sup> day of December 2019.

/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

**INFORMAL PUBLIC COMMENTS – NONE.**

**CONSENT AGENDA**

As requested by the Chairman, Scott Carpenter, Deputy County Manager/Planning Director, reviewed the items on the consent agenda.

**BOC - 2020 COMMISSION APPOINTMENTS**

There are approximately 20 (+/-) boards or commissions that Commission members are appointed to serve on. The Chairman may wish to keep the appointments for 2020 as they were in 2019, or he may want to change them. Consideration of work schedules and prior commitments should be taken into consideration when making the appointments.

Authority, Board or Commission	2019 Appointee	2020 Appointee
Burke Development Inc.		

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Burke Co. BOC Chairman*	Carswell / Brittain	Brittain
Burke Co. Manager*	Steen	Steen
Board of Health	Carswell	Carswell
Burke County Cooperative Water Board	Carswell	Carswell
EMS Quality Management Committee	Brittain	Brittain
Foothills Regional Airport Authority	Abele	Abele
Juvenile Crime Prevention Council	Taylor	Taylor
JCPC - Oversight "Governance" Committee	Taylor	Taylor
Library Board of Trustees	Carswell	Carswell
Local Emergency Planning Committee	Carswell	Carswell
Partners Behavioral Health Management	Taylor	Taylor
Recreation Commission	Mulwee	Mulwee
Smart Start (Burke Partnership for Children)	Mulwee	Mulwee
Social Services Board	Brittain	Brittain
Tourism Development Authority	Mulwee	Mulwee
Transportation Advisory Committee	Taylor	Taylor
Transportation Coordinating Committee	Steen	Steen
Unifour Air Quality Committee	Taylor	Taylor
Unifour Air Quality Oversight Committee	Taylor	Taylor
WPCOG - Future Forward Economic Alliance	Abele	Abele
WPCOG - Policy Board: Alternate	Carswell	Carswell
WPCOG - Policy Board: Delegate	Abele	Abele

\*Based on BDI bylaws.

**Motion: To approve the slate of Commission appointments as presented for 2020.**

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Maynard M. Taylor, Commissioner

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**BOC - PROCLAMATION DECLARING JANUARY 2020 AS NATIONAL RADON ACTION MONTH**

This proclamation declares January 2020 as National Radon Action Month in Burke County. Radon is a natural result of uranium decaying in our rock and soil. Radon is undetectable without radon testing. Radon has no smell and is a colorless naturally occurring radioactive element. Radon is the leading cause of lung cancer among non-smokers and is responsible for more than 20,000 deaths annually in the United States. The NC Radon Program will be providing 3,000 free radon test kits through this website ([www.ncradon.org](http://www.ncradon.org) <<http://www.ncradon.org>>) beginning the first week of January 2020. NCDHHS is also working with the NC Cooperative Extension Service and a number of other partners in providing four (4) free webinars on radon during National Radon Action Month.

**Motion: To adopt Proclamation No. 2019-06.**

December 17, 2019 (Regular)

DRAFT

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Proclamation No. 2019-06 reads as follows:

Burke County  
North Carolina

Proclamation in Support of  
National Radon Action Month

WHEREAS, radon is a colorless, odorless, radioactive gas that may threaten the health of our citizens and their families; and

WHEREAS, radon is the second leading cause of lung cancer in the U.S. and is the leading cause of lung cancer in non-smokers; and

WHEREAS, the National Academy of Sciences estimates that up to 21,000 lung cancer deaths occur in the United States each year; and

WHEREAS, radon is found in one in 15 homes across the U.S. have elevated radon levels; and

WHEREAS, any home may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

WHEREAS, testing for radon is simple and inexpensive and radon problems can be fixed; and

WHEREAS, Burke County Board of Commissioners, the U.S. Surgeon General, the U.S. Environmental Protection Agency, the NC Department of Health and Human Services' NC Radon Program and the North Carolina Advisory Committee on Cancer Coordination and Control support efforts to encourage homeowners to test their homes for radon, have elevated levels of radon reduced; and

WHEREAS, many residents in Burke County don't know about radon, yet need to know, for the safety and health of their families and a proclamation of National Radon Action Month is an opportunity to educate individuals on the available measures to reduce radon.

NOW, THEREFORE, the Burke County Board of Commissioners do hereby proclaim:

JANUARY 2020 as National Radon Action Month in Burke County, North Carolina.

Adopted this 17<sup>th</sup> day of December 2019.

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

**CLERK - RESOLUTION ESTABLISHING THE BOC 2020 MEETING SCHEDULE**

In accordance with NCGS 153A-40, the following resolution sets the Board’s meeting schedule for 2020.

**Motion: To adopt Resolution No. 2019-24.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Resolution No. 2019-24 reads as follows:

**RESOLUTION**

**ESTABLISHING THE REGULAR MEETING SCHEDULE  
BURKE COUNTY BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2020**

WHEREAS, the Burke County Board of Commissioners’ pre-agenda meetings of are held on the first (1<sup>st</sup>) Tuesday of each month at 3:00 p.m. in the County Board Room, Burke County Services Building in Morganton, N.C., except in December as indicated below; and

WHEREAS, North Carolina General Statute 153A-39 requires that the Board hold an organizational meeting the first (1<sup>st</sup>) Monday in December for each even numbered year. As such, an organizational meeting will be held on Monday, December 7, 2020 at 2:00 p.m. in the County Board Room; and

WHEREAS, a reception for newly elected officials will be held on Monday, December 7, 2020 at 2:30 p.m. in the County Board Room and the December pre-agenda meeting will be held at 3 p.m. or immediately following the conclusion of the reception; and

WHEREAS, the regular meetings of the Board of Commissioners are held on the third (3<sup>rd</sup>) Tuesday of each month at 6:00 p.m. in the County Board Room, Burke County Services Building; and

WHEREAS, budget workshop meetings will be held in the County Board Room on the following dates:

Friday	May 22, 2020	2 p.m.
Thursday	May 28, 2020	2 p.m.
Thursday	June 4, 2020	2 p.m.

WHEREAS, the Board may attend the following conferences/gatherings and desires to give the public ample notice:

- NCACC County Assembly Day/Legislative Reception in Raleigh in May 20, 2020, Capitol Grounds.

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- NCACC Annual Conference in Cabarrus County, Concord Convention Center, August 13-15, 2020.

NOW, THEREFORE, BE IT RESOLVED, the Burke County Board of Commissioners, pursuant to North Carolina General Statute 153A-40(a), does hereby:

- (1) Establish the Board's regular pre-agenda meetings at 3:00 p.m. on the following dates:

January 7, 2020	County Board Room
February 4, 2020	County Board Room
March 3, 2020	County Board Room
April 7, 2020	County Board Room
May 5, 2020	County Board Room
June 2, 2020	County Board Room
July 7, 2020	County Board Room
August 4, 2020	County Board Room
September 1, 2020	County Board Room
October 6, 2020	County Board Room
November 3, 2020	County Board Room
December 7, 2020*	County Board Room

\*Monday

- (2) Establish the Board's regular meetings at 6:00 p.m. in the County Board Room on the following dates:

January 21, 2020	July 21, 2020
February 18, 2020	August 18, 2020
March 17, 2020	September 15, 2020
April 21, 2020	October 20, 2020
May 19, 2020	November 17, 2020
June 16, 2020	December 15, 2020

BE IT FURTHER RESOLVED that any recessed, special or emergency meeting will be held as needed with proper notice as required by North Carolina General Statute 153A- 40.

Adopted this the 17<sup>th</sup> day of December 2019.

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

Attest:

/s/ Kay Honeycutt Draughn  
 Kay H. Draughn, CMC, NCMCC  
 Clerk to the Board

**CLERK - APPOINTMENTS TO ADULT CARE & NURSING HOME CAC**

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December 17, 2019 (Regular)

DRAFT

An application to serve on the Adult Care / Nursing Home advisory board was received from Jon Cooke and Deloris Huffman. Both applicants have completed their training and orientation from the Regional Ombudsman and are recommended for appointment. The initial terms are for the remainder of 1-year terms.

**Motion: To appoint Jon Cooke to the Adult Care Nursing Home Community Advisory Committee (Seat 6) and Deloris Huffman (Seat 7) for the remainder of 1-year terms ending May 31, 2020.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**CLERK - REAPPOINTMENT TO THE BOARD OF EQUALIZATION AND REVIEW**

Betty Greer's term of appointment on the Board of Equalization and Review ends 12/31/2019. Ms. Greer is willing to sever another term and she occupies Seat No. 1.

**Motion: To reappoint Betty Greer (Seat No. 1) to the Board of Equalization and Review for a 3-year term ending December 31, 2022.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**CLERK - BOARD OF HEALTH REMOVAL, APPOINTMENT & REAPPOINTMENT**

The terms of appointment for Dr. Michael Gould (Seat 4 - Physician), Sam King (Seat 8, Engineer), and Adriana Morris (Seat 11, At-Large) on the Board of Health end December 31, 2019. Dr. Gould and Mr. King have served the maximum number of terms allowed and are not eligible for reappointment. An application from Dr. Anthony Frank was received for Seat 4 and Ms. Morris' application was received for Seat 11. Mr. King will remain on the Board until a replacement can be found.

Update: Mr. King is willing to serve another year while staff recruits an engineer to replace him. Mr. King is also recruiting.

**Motions: To remove Dr. Gould from the official roster for the BOH and thank him for his service.**

**To appoint Dr. Anthony Frank to the BOH, Seat 4, for a 3-year term ending December 31, 2022.**

**To reappoint Adriana Morris to the Board of Health, Seat No. 11, at-large, for a 3-year term ending December 31, 2022.**

**To reappoint Sam King to the BOH, Seat 8, for a 1-year term ending December 31, 2020.**

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December 17, 2019 (Regular)

DRAFT

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

### CA - TRANSFER OF DEEDS FOR SCHOOL PROPERTY

The North Carolina Department of Agriculture recently signed over to Burke County Public Schools the nearly 50 acres of land that Liberty Middle and North Liberty School sit on, as well as an additional 28 acres of land near the Liberty property and behind Patton High School. The property is deeded to the County and transferring the property to the school system is the next step.

School board celebrates deed presentation  
Posted on 10/28/2019



Morganton, NC – Friday, Oct. 25, 2019

The Burke County Board of Education celebrated a gift of land from the state on Friday during a special called meeting at Liberty Middle School. The North Carolina Department of Agriculture signed over to Burke County Public Schools the nearly 50 acres of land that Liberty Middle and North Liberty School sit on, as well as an additional 28 acres of land near the Liberty property and behind Patton High School.

Burke County Board of Education Chair Randy Burns said when he realized Burke County Public Schools had been leasing the land from the state for Liberty Middle and North Liberty, which opened in 1989, he sought the Board of Education's permission to pursue acquiring the land. Burns contacted Burke County Board of Commissioners Chairman Johnnie Carswell, who in turn reached out to Burke County's state legislators Rep. Hugh Blackwell and Sen. Warren Daniel. Carswell, Blackwell and Daniel were all at Liberty for Friday's meeting, as were North Carolina Department of Administration Deputy Secretary Mark Edwards, Assistant District Forester Nathan Gatlin, Burke County Board of Commissioners Vice Chairman Scott Mulwee, Commissioner Jeffrey Brittain, County Manager Bryan Steen and County Clerk Kay Draughn. In addition to Burns, Board of Education

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December 17, 2019 (Regular)

DRAFT

Vice Chair Buddy Armour and members Edna Weller, Dr. Don Hemstreet, Seth P. Hunt Jr. and Rev. Dr. RL Icard were present.

Burns said, "Today is a celebration. We have worked for a year and a half to two years on getting this land and today, we got it." Burns thanked all of those involved in transferring the land over to the schools and invited Blackwell and Carswell to speak.

Blackwell said, "This is a fun occasion." He thanked Sen. Daniel for his collaboration on the project, the Department of Agriculture for their willingness to donate the land and the North Carolina Department of Administration for processing the deed. The land was formerly part of a forestry education center in Morganton, and Blackwell read a letter from North Carolina Agriculture Commissioner Steve Troxler stating excitement for the opportunity for the land to continue to be used for education purposes.

Carswell said he is excited for the future. "This is what collaboration can do," Carswell said. "Mr. Burns and I talk daily about education and the needs of our students. Burke County Public Schools has one of the hardest working boards and collaboration between the boards of education and commissioners has never been better. We are looking to the future and are all about advancing. We don't know what Burke County will be like in 10 years, but this county is growing, the population is coming back, business is moving here, and I am excited to be a small part of the future. We are moving forward, and this is a great day for our county."

Burke County Public Schools Superintendent Dr. Larry Putnam recommended the Board of Education accept the donation of 77 acres of land from the Department of Agriculture in accordance with the board's policy on gifts, Following a motion from Armour on recommendation with "appreciation to all involved," and a second on the motion from Hunt, all school board members approved accepting the land as a gift from the state. Weller recognized Burns for his efforts in acquiring the land and said, "We are such a great team working together and working with the county and the state to get this done."

Burns shared his appreciation to all involved, including fellow school board members. He said, "I am blessed to work with an awesome board. It is a pleasure to serve the students of Burke County with them and all of this would not be possible without our teamwork and collaboration." Upon formally handing over the land deed to Burns, Administration Deputy Secretary Edwards said, "I can think of no better use of these resources than for the land to be put to use for educating the next generation."

Liberty Middle School student government representatives participated Friday by leading the group in the Pledge of Allegiance and leading those in attendance on a tour of the school following the meeting.

**Motion: To authorize the Chairman to execute the deeds on behalf of the Board.**

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<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**CM - BURKE-CATAWBA DISSOLUTION AGREEMENT**

The following dissolution agreement between Burke and Catawba Counties establishes the provisions for the termination of the Operating Agreement, the dissolution of the Regional Jail Agency, the disposition of the Regional Jail Facility, and the handling of the post-dissolution expenses.

NORTH CAROLINA

DISSOLUTION

AGREEMENT  
BURKE COUNTY

THIS AGREEMENT, made and entered into this the 16<sup>th</sup> day of December, 2019, by and between BURKE COUNTY ("Burke"), and CATAWBA COUNTY ("Catawba"), which are both bodies politic and corporate of the State of North Carolina;

WITNESSETH:

WHEREAS, the parties did, on March 19, 1996 (effective July 1, 1995) enter into an agreement entitled "Burke-Catawba Regional Jail Agency Operating Agreement (the "Operating Agreement") by which the parties agreed to form a Regional Jail Agency (the "Regional Jail Agency") to construct, finance and operate a Regional Jail Facility for the use of the two parties pursuant to N.C.G.S. §153A-19 (the "Regional Jail Facility"); and

WHEREAS, the parties have operated and financed the Regional Jail Facility since that date, and are currently operating the Regional Jail Facility; and

WHEREAS, the parties have both recently built facilities for their own counties so that effective January 1, 2020, the Regional Jail Facility will no longer be used by either County; and

WHEREAS, the parties wish to make provision for the termination of the Operating Agreement, the dissolution of the Regional Jail Agency, the disposition of the Regional Jail Facility, and the handling of the post-dissolution expenses relevant thereto;

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. REMOVAL: The parties agree that all prisoners will be removed from the Regional Jail Facility on or before December 31, 2019. The Regional Jail Facility will close when the last prisoner is removed, or on December 31, 2019,

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whichever first occurs. Until such time, the Regional Jail Facility will continue to operate as it is at present under the Operating Agreement, with each County paying 50% of all normal operating costs.

2. DISSOLUTION: The Regional Jail Agency will dissolve at 11:59 p.m. on December 31, 2019.

3. DIVISION OF EQUITY: Equity will be calculated as of December 31, 2019, with Burke's in-kind contribution for the first six-month period of the fiscal year 2019-2020 valued at \$23,300.00. Each County will accept its calculated percentage, which will be applied to any remaining cash balance. Each County's equity will be distributed after all bills for the Regional Jail Facility have been processed and paid, and all payables booked. Final distribution of these funds will be as soon as prudent, but in any event on or before June 30, 2020. Any funds received after dissolution will be divided by the same percentages as are in effect as of December 31, 2019.

4. FACILITY: The Regional Jail Facility, land and building, and all physical assets related thereto, shall become the sole property of Burke as of January 1, 2020. All utilities and other expenses related thereto incurred on or after January 1, 2020, shall be the responsibility of Burke.

5. FINAL AUDIT: Following dissolution, a final audit shall be performed. It will be submitted to, and accepted by, the County Managers of each County, and also presented to each County's Board of Commissioners for recordation in their minutes.

6. CONFLICT: Should any provision of this Agreement conflict with a provision of the Operating Agreement, the Lease Agreement by and between the Burke-Catawba Regional Jail Agency and Burke County dated October 1, 1995, the Burke-Catawba Regional Jail Agency Agreement dated July 31, 1995 or any other agreements, written or oral, related to this matter, then the provisions of this Agreement shall control.

7. NOTICE: Whatever notice shall or may be given to either of the parties by the other, each such notice shall be made by registered or certified mail with return receipt requested, at the respective addresses of the parties as contained herein or to such address as either party may from time to time designate in writing to the other. Any notice shall be deemed received upon evidence of receipt by certified mail return receipt requested. Notices shall be given to the following:

Burke County:  
Burke County Manager  
P. O. Drawer 219  
Morganton, NC 28680  
828-764-9353

Catawba County:  
Catawba County Manager  
P. O. Box 389  
Newton, NC 28658  
828-465-8201

8. SEVERABILITY: If any term or provision of this document/agreement shall be invalid or unenforceable, the remainder of this agreement shall not be affected thereby.

9. INTERPRETATION AND CONTROLLING LAW: Whenever used herein, the singular shall also apply to the plural and vice versa, and words of any gender shall also apply to the other gender, as the context may reasonable (sic) require. This Agreement shall be governed by the laws of the State of North Carolina.

10. MERGER: This Agreement represents the entire agreement and understanding of the parties, and supersedes all prior negotiations, representations, and agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both parties.

11. MULTIPLE COUNTERPARTS: This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original for all purposes.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, in duplicate, the day and year first above written.

Burke County  
/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

Catawba County  
/s/: C. Randall Isenhour  
C. Randall Isenhour, Chairman  
Catawba Co. Board of Commissioners

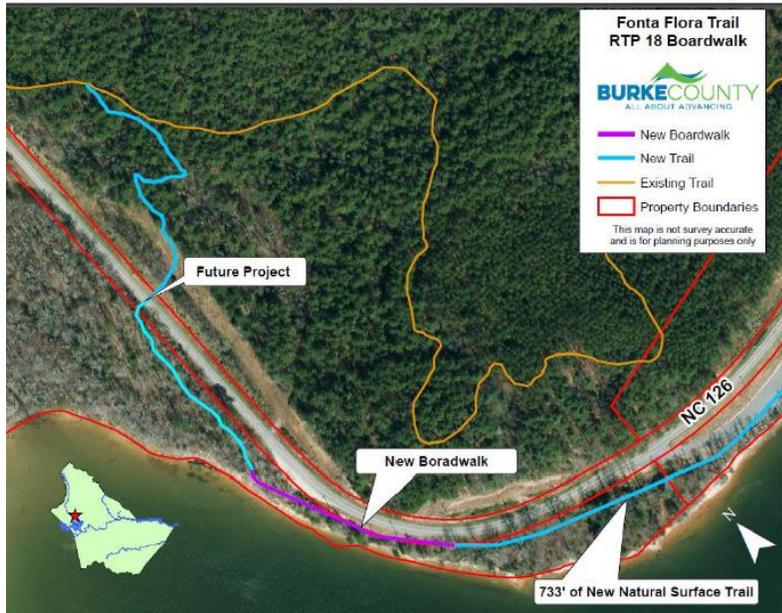
Attest:  
/s/: Barbara E. Morris  
Barbara E. Morris  
Clerk to the Board

**Motion: To approve the Dissolution Agreement as presented and authorize the Chairman to execute the agreement on behalf of the Board.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

**COM. DEV - AWARD CONTRACT FOR FONTA FLORA TRAIL - LINVILLE ACCESS BOARDWALK**



The Community Development Department applied for and received a \$100,000 Recreation Trails Program grant from North Carolina State Parks for trail construction on the Fonta Flora State Trail. This project is for the construction of a new section of trail and boardwalk near Linville Access Boat Launch at Lake James. A Request for Proposal was posted to the County Website on November 5, 2019 and sent directly to the following companies: Tri-State Company, Inc.; Trail Dynamics LLC; Singletrack Trails, and NHM Constructors, LLC. Bids were due

on November 25, 2019.

FFST Linville Access Boardwalk RFP Bid Opening 12/2/2019							
Contractor	Contact	Schedule	733 LF New Trail	Option A	Option B	TOTAL A	TOTAL B
Tri-State Company, Inc	Y	Y	\$ 3,665.00	\$56,226.00	\$ 93,145.50	\$ 59,891.00	\$96,810.50

Budget	\$ 125,000.00
Option B	\$ 96,810.50
Remainder	\$ 28,189.50

Budgetary Effect: None. Project is funded through RTP Grant and matched with Duke Energy CRA funds.

**Motion: To award the contract to Tri-State Company, Inc. for construction of a new boardwalk and trail on the Fonta Flora State Trail in the amount of \$96,810.50. Further, authorize the County Manager to execute the agreement on behalf of the Board, subject to review and/or revision by the County Attorney.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

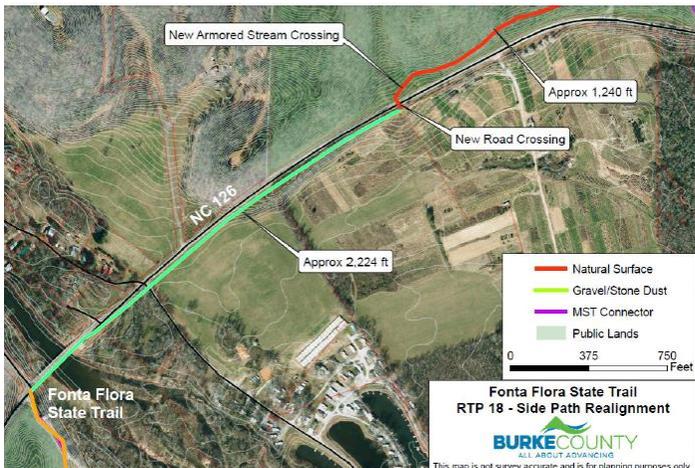
**COM. DEV. - AWARD CONTRACT FOR FONTA FLORA TRAIL - LINVILLE RIVER SIDE PATH**

The Community Development Department applied for and received a \$100,000 Recreation

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

Trails Program grant from North Carolina State Parks for trail construction on the Fonta Flora State Trail. This project is for the construction of a new section of trail near the Linville River Bridge at Lake James. A Request for Proposal was posted to the County Website on November 6, 2019 and sent directly to the following companies: Tri-State Company, Inc.; Trail Dynamics LLC; Singletrack Trails, Suttles Grading & Trucking, Inc. and NHM Constructors, LLC. Bids were due on November 25, 2019.

FFST Linville River Side Path RFP Bid Opening 12/2/2019								
Contractor	Contact	Schedule	Natural Trail	Gravel Trail	Wall	Stream	Road X-ING	TOTAL
Suttles Trucking and Grading	N	N	\$ 22,400.00	\$ 39,800.00	\$32,800.00	\$ 1,600.00	\$ 1,600.00	\$98,200.00
Tri-State Company, Inc	Y	Y	\$ 4,960.00	\$ 24,929.04	\$49,105.00	\$ 2,500.00	\$ 8,840.00	\$90,334.04



Budget	\$ 125,000.00
Cost	\$ 90,334.04
Remainder	\$ 34,665.96

Budgetary Effect: None. Project is funded through RTP Grant and matched with Duke Energy CRA funds.

**Motion: To award the contract to Tri-State Company, Inc. for construction of a new section of trail on the Fonta Flora State Trail in the amount of \$90,334.04. Further, authorize the County**

**Manager to execute the agreement on behalf of the Board, subject to review and/or revision by the County Attorney.**

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

**FINANCE - FY 18-19 AUDIT CONTRACT AMENDMENT**

The audit contract listed the due date of October 31, 2019, however, due to extenuating circumstances within the Finance Office, this deadline was not met. The Local Government Commission gives an automatic grace period until December 1 but requires a contract amendment be approved if the audit will be submitted after December 1.

**Motion: To approve the FY 18-19 audit contract amendment as presented.**

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

### TAX DEPT. - TAX COLLECTION REPORT FOR NOVEMBER 2019

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2019 and November 30, 2019. 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	\$44,815,217	\$31,232,641.06	\$13,582,575.79	69.69%

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	\$33,260,418.89	\$14,809,581.11	69.19%
Delinquent Taxes	\$650,000.00	\$391,633.09	\$258,366.91	60.25%
Late List Penalty	\$250,000.00	\$138,546.44	\$111,453.56	55.42%

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	\$31,232,641.06	\$12,237,358.94	71.85%
Motor Vehicle Tax	\$4,600,000.00	\$2,027,777.83	\$2,572,222.17	44.08%

### Motion: To accept the Tax Collection Report for November 2019 as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

### TAX DEPT. - RELEASE REFUND REPORT FOR NOVEMBER 2019

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)	\$132,979.66	\$129,940.87	\$3,038.79	\$18.94

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$147.15

\*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 November 2019 as presented.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

The tax reports read as follows:

NCVTS PENDING REFUND REPORT OVER \$100  
DESC VTS: NOVEMBER 2019

Payee Name	Primary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Description	Tax Jurisd.	Levy Type	Change	Interest Change	Total Change
WINKLER'S GROVE BAPTIST CHURCH	WINKLER'S GROVE BAPTIST CHURCH	3320 9TH AVENUE DR NW	HICKORY, NC 28601	Adjustment >= \$100	0032926985	Refund Generated due to adjustment on Bill #0032926985-2019-2019-0000-00	01	Tax	(\$128.64)	\$0.00	(\$128.64)
							26	Tax	(\$18.51)	\$0.00	(\$18.51)
										Refund	\$147.15
										Refund	\$147.15
										Total	\$147.15

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TR-304 BILL RELEASE REPORT NOVEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Adjustment</b>								
000006581-2019-2019-0000-00-REG	SEIREN NORTH AMERICA, LLC	7/1/2019	LINDA WLBUR	11/22/2019	56,465.71	56,465.71	0.00	56,465.71
0000031648-2019-2019-0000-00-REG	CASE FARMS LLC	7/1/2019	LINDA WLBUR	11/8/2019	2,542.81	2,542.81	0.00	2,542.81
0000031670-2019-2019-0000-00-REG	SGL CARBON CORPORATION	7/1/2019	LINDA WLBUR	11/8/2019	4,593.95	4,593.95	0.00	4,593.95
0000031672-2019-2019-0000-00-REG	SGL CARBON, LLC	7/1/2019	LINDA WLBUR	11/8/2019	16,148.64	16,148.64	0.00	16,148.64
0000031674-2019-2019-0000-00-REG	SGL CARBON, LLC	7/1/2019	LINDA WLBUR	11/8/2019	86.88	86.88	0.00	86.88
0000031679-2019-2019-0000-00-REG	SGL CARBON, LLC	7/1/2019	LINDA WLBUR	11/8/2019	454.09	454.09	0.00	454.09
0000073962-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	5,685.34	18.57	5,666.77	0.00
0000077860-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	1,227.11	16.10	1,211.01	0.00
0000083072-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	2,606.85	11.02	2,595.83	0.00
0000083087-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	1,659.02	8.37	1,650.65	0.00
0000083767-2019-2019-0000-00-REG	SAFT AMERICA INC	7/1/2019	LINDA WLBUR	11/22/2019	10.27	10.27	0.00	10.27
0000084083-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	6,741.35	143.01	6,598.34	0.00
0000084085-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	299.40	299.40	0.00	315.05
0000084089-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	5,528.36	10.37	5,517.99	0.00
0000084100-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	42,375.80	42,375.80	0.00	42,388.06
0000084101-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	306.50	1.21	305.29	0.00
0000084106-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	2,956.41	2,956.41	0.00	2,974.51
0000084115-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	3,948.19	3,948.19	0.00	3,960.90

TR-304 BILL RELEASE REPORT NOVEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
0024024940-2019-2019-0000-00-REG	BELLSOUTH TEL COMPANY LLC	9/12/2019	RENEE AUSTIN	11/1/2019	104.64	7.35	97.29	0.00
<b>Subtotal</b>					<b>130,098.15</b>		<b>129,940.87</b>	
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Billing Correction</b>								
0024034068-2019-2019-0000-00-REG	WEST UNION ART STUDIO LLC	7/1/2019	RENEE AUSTIN	11/8/2019	2.89	2.89	0.00	0.00
<b>Subtotal</b>					<b>2.89</b>		<b>0.00</b>	
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Duplicate Billing</b>								
0024024728-2019-2019-0000-00-REG	WILLIAMS, ALBERT LEE SR	7/1/2019	BARBARA HARTLEY	11/12/2019	70.75	13.91	56.84	0.00
0024034056-2019-2019-0000-00-REG	LOWRY, CATHERINE C	7/1/2019	CONNIE HOLDER	11/27/2019	131.99	131.99	0.00	0.00
0024040908-2019-2019-0000-00-REG	MARTIN, JAMES FOSTER	7/1/2019	CONNIE HOLDER	11/14/2019	592.11	592.11	0.00	0.00
0024041108-2019-2018-0000-00-REG	KNOEBEL, LINDA SUE	8/9/2019	CONNIE HOLDER	11/15/2019	234.80	234.80	0.00	0.00
<b>Subtotal</b>					<b>972.61</b>		<b>0.00</b>	
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Exempt Property</b>								
0000037867-2019-2019-0000-00-REG	MALLARD POINT HOA	7/1/2019	AMANDA CONLEY	11/7/2019	16.68	16.68	0.00	0.00
<b>Subtotal</b>					<b>16.68</b>		<b>0.00</b>	
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Not in Burke County</b>								
0000044519-2019-2019-0000-00-REG	PEACOCK, KENNETH W	7/1/2019	LINDA WLBUR	11/14/2019	247.05	4.59	242.46	0.00
<b>Subtotal</b>					<b>4.59</b>		<b>0.00</b>	
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Sold/Traded</b>								
0000081239-2018-2018-0000-00-REG	LEDBETTER, BRENT ELLIOT	7/1/2018	CONNIE HOLDER	11/27/2019	30.32	25.73	4.59	0.00

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December 17, 2019 (Regular)

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## TR-304 BILL RELEASE REPORT NOVEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
0000081239-2019-2019-0000-00-REG	LEDBETTER, BRENT ELLIOT	7/1/2019	CONNIE HOLDER	11/27/2019	27.75	23.16	4.59	0.00
<b>Subtotal</b>						<b>48.89</b>		<b>0.00</b>
TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Value Change								
0000054350-2019-2019-0000-00-REG	ESPEY, DEBRA G	7/1/2019	AMANDA CONLEY	11/15/2019	1,150.35	919.71	230.64	0.00
0000054352-2019-2019-0000-00-REG	CRUMP, GARY S	7/1/2019	AMANDA CONLEY	11/15/2019	1,156.61	916.14	240.47	0.00
<b>Subtotal</b>						<b>1,835.85</b>		<b>0.00</b>
<b>Total</b>						<b>132,979.66</b>		<b>129,940.87</b>
<b>Net Release Amount</b>							<b>3,038.79</b>	

**ITEMS FOR DECISION****BOC - APPROVAL OF APPROPRIATION FOR VETERANS MONUMENT**

Chairman Carswell said in recent years the Commissioners received several requests from citizens and veterans' groups for funding to locate a killed in action memorial on the grounds of the Historic Courthouse, which are leased to the City of Morganton. In a letter to Mr. Jack Carroll and Mr. Champ Ray dated July 17, 2018, Burke County Commission Chairman Jeff Brittain outlined the following six (6) objectives to be achieved before the County would be involved with placing a killed in action memorial on the grounds of the current courthouse:

1. That an official spokesperson for the project is determined and communicated to the County, whom the County may deal with exclusively.
2. That the selected monument design be submitted by the spokesperson for the Board's prior approval along with three (3) written cost estimates good for 60 days.
3. That fifty percent (50%) of funding for the monument be raised by private donations first before the project proceeds further.
4. That the entire cost of the monument be raised before ground is broken or construction begins.
5. That you develop and present a plan for the future maintenance and repair of the monument.
6. That all concerned parties accept that the current location of the courthouse may change sometime in the future, and the County would have no obligation to move the monument.

The letter goes on to state that "nothing is agreed upon until all terms are set down in contract form and signed by both parties". As of December 2019, all conditions of the July 2018 letter have been met to include the KIA committee reporting that they have raised \$23,800.00 toward the project. Additionally, as of December 2019, the Courthouse Square Steering Committee has informed the Killed in Action Committee Chairman and Treasurer that they have been granted permission to construct the memorial on the grounds of the Old Historic Burke County Courthouse as soon as construction plans have been submitted for approval. The Board may wish to consider appropriating \$15,000 towards the completion of the killed in action memorial itself.

Budgetary Effect: \$15,000 - Funding is not included in the FY 19-20 budget and would require an appropriation of General Fund, Fund Balance to move forward.

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Chairman Carswell opened the floor for questions and comments from the Board. Vice Chairman Mulwee commended the members of the Killed in Action (KIA) Committee for their hard work and said they were given several benchmarks and they have met them all. Commissioner Taylor commended the members of the KIA Committee for their hard work and said the new location of the monument (the historic courthouse) is a better location than what was originally suggested. He thanked the committee members for their service and for all the freedoms America enjoys. Chairman Carswell remembered family friend and Valdese resident Lieutenant Commander Eric Cranford who died on September 11, 2001 when a hijacked plane crashed into the Pentagon. He said Lieutenant Commander Cranford's name will be on the monument.

In response to a question from Commissioner Taylor, J.R. Simpson, II, County Attorney, said a simple grant agreement will be needed in order to give funds to the KIA Committee.

**Motion: To appropriate \$15,000 of General Fund, Fund Balance to the Burke County Veterans Killed in Action Committee for a veteran's memorial on the grounds of the Historic Courthouse, subject to the execution of a standard grant agreement.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Chairman Carswell opened the floor for comments from the KIA Committee members in attendance. Gary Jennings, KIA Committee member, said this memorial goes back to World War I where Burke County lost five (5) men to today with approximately 178 Burke County veterans. This monument is for the families of those veterans to come and pay their respects and hallowed ground is the best place for the monument which is why the committee was so adamant about placing the monument on the historic courthouse square. Mr. Jennings further said the City of Morganton and the Courthouse Square Steering Committee came together to grant the Committee permission to place the monument on the courthouse square. He said now that the Board has granted them funding, the monument will be a reality and will be a tribute to those young men and their families. Champ Ray, KIA Committee member, thanked the Board for the appropriation.

### **BOC - ADOPTION OF RULES OF PROCEDURE FOR 2020**

Chairman Carswell said it is the Board's practice to review, amend as needed and adopt its Rules of Procedures (ROP) on an annual basis. The DRAFT 2020 ROP is largely based on the 4th Edition, 2017, Suggested Rules of Procedure for the Board of County Commissioners, which was published by the SOG (School of Government) and authored by Trey Allen.

**Motion: To adopt the 2020 Rules of Procedure for the Burke County Board of Commissioners as presented.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Wayne F. Abele, Sr., Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Note: The Rules of Procedure are hereby incorporated into the meeting minutes by reference.

### **BOC - REPORTS & COMMENTS**

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December 17, 2019 (Regular)

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Reports and comments from Commissioners and staff will be accepted at this time.

J.R. Simpson, II, County Attorney, listed the projects he has worked on since the Board's last meeting.

Chairman Carswell said he was informed in an email from Brian Nieft, Sheriff's Office Support Services Specialist, that when the original RFP (Request for Proposals) for the inmate food service contract was distributed, they incorrectly listed bulk packaging for drinks instead of prepackaged drink packets which they currently utilize. Chairman Carswell said Aramark Correctional Services, LLC quoted the Sheriff's Office the price of meals with bulk drink packaging (\$1.925 per meal) and not prepackaged drink packets, which would cost \$1.983 per meal. Chairman Carswell asked Attorney Simpson to explain where the county is at in the contract negotiation now that the price per meal has changed. Attorney Simpson said it is his understanding that Aramark is willing to keep the price per meal at \$1.925 if the County is fine with bulk drink packages instead of prepackaged drinks. However, Attorney Simpson said, if the Sheriff's Office wants to use prepackaged drink packets, then the price would go up, but there should be room for negotiation. Commissioner Taylor said because of close deadline to open the jail the Sheriff's Office should accept the contract and once the jail is open, adjust the contract as needed. Chairman Carswell asked Attorney Simpson to begin negotiations with Aramark to see if the price for the prepackaged drinks can be brought down.

Commissioner Abele said Burke County has had a wonderful year and this is a wonderful place to live.

Commissioner Taylor commended the Morganton Public Library for its event calendar and said the Hildebran and Valdese libraries would do well to model their calendars after Morganton's. Regarding audits from several fire departments included in the agenda's report section, he noted certain deficiencies and said the Board probably needs to hold a meeting to address those issues. He said his reports are in the agenda packet for review and further stated he attended the following events: toured the new jail with department heads, participated in the Morganton and Rutherford College Christmas Parades, attended the ribbon cutting for the new jail and attended the Hildebran Christmas Parade. He then distributed a report from the Western Piedmont Council of Governments and wished everyone a merry Christmas.

Commissioner Brittain wished everyone a merry Christmas.

Vice Chairman Mulwee said his reports are in the agenda packet for review. He commended the work that staff did behind the scenes to get the jail ready for the grand opening ceremony and commended Chairman Carswell for the work he did with the Oaks family for the Sheriff Oaks memorial located at the jail. Vice Chairman Mulwee wished everyone a merry Christmas.



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A grand opening / ribbon cutting ceremony for the Burke County Jail & Magistrates Office was held on December 12, 2019 at 10:30 a.m. Pictured left to right: Vice Chairman Mulwee, Commissioner Brittain, Chairman Carswell, Sheriff Whisenant, Commissioner Taylor, Major Banks Hinceman and Jail Administrator Huntley. Notable attendees/speakers: Tim Moore, House Speaker, NC House of Representatives, Warren Daniel, NC Senate, Hugh Blackwell, NC House of Representatives, Johnnie Carswell, Chairman, Board of Commissioners, Steve E. Whisenant, Sheriff, Greg Huntley, Jail Administrator, Ronnie Thompson, Mayor of Morganton, Frank Randel, Hemphill-Randel Architects, and Harry Twilley, Vannoy & Sons Construction Company.

Scott Carpenter, Deputy County Manager/Planning Director, presented updated pictures of the sally port project.

Chairman Carswell asked everyone to please keep Margaret Pierce, Deputy County Manager/Finance Director, in their prayers as her husband has been moved into hospice care. He said his reports are in the agenda packet for review and further stated the Board will have the following special meetings:

- January 10<sup>th</sup> - Special meeting to discuss the Tourism Development Authority (TDA).
- January 15<sup>th</sup> - Special meeting to discuss the "Nest" economic development project at Lake James.
- January 30<sup>th</sup> - Special meeting to review the animal shelter needs assessment.

Chairman Carswell asked everyone to please spay or neuter their pets and to pick up one (1) piece of trash to keep Burke County clean.

**RESULT: NO ACTION TAKEN.**

## VACANCY ANNOUNCEMENTS

### 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

**RESULT: NO ACTION TAKEN.**

**CLOSED SESSION**

**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).**

(Note: The Clerk and Deputy Co. Manager were not invited to join the Board in closed session.)

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

**Motion: To come out of closed session.**

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

**RETURN TO OPEN SESSION**

**RESULT: NO ACTION TAKEN.**

**ADJOURN**

**Motion: To adjourn at 7:42 p.m.**

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

Approved this 19<sup>th</sup> day of May 2020.

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

Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)

December 17, 2019 (Regular)

DRAFT

Attest:

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Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

**Minutes Acceptance: Minutes of Dec 17, 2019 6:00 PM (APPROVAL OF MEETING MINUTES)**

**MINUTES  
BURKE COUNTY BOARD OF COMMISSIONERS  
PRE-AGENDA MEETING**

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, January 7, 2020 at 3:00 p.m. They met in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E in Morganton, N.C. Those present were:

**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 3:00 p.m.

**APPROVAL OF THE AGENDA**

**Motion: To approve the agenda.**

**RESULT:** APPROVED [UNANIMOUS]  
**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 Animal Services staff will present a dog and cat in need of its "forever" home at the regular meeting. At the request of the Chairman, Ms. Settlemyre gave updates on holiday events at the Animal Services Center (ASC). She also reported that Caesar, a previous pet of the month, is still in the K9s for Warriors program and is awaiting sponsorship and a handler.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**SHERIFF - RECOGNITION OF DETECTIVE KIRSTIE PUCKETT FOR THE ADVANCED LAW ENFORCEMENT CERTIFICATE**

Information from the agenda packet:

Detective Kirstie Puckett has been awarded the prestigious "Advanced Law

Minutes Acceptance: Minutes of Jan 7, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

Enforcement Certificate" from the North Carolina Sheriff's Education and Training Standards Commission. This certificate is awarded in recognition of the attainment of training and educational objectives commensurate with the role of a professional law enforcement officer. Sheriff Whisenant will recognize and congratulate Detective Puckett for receiving this prestigious recognition.

Sheriff Whisenant said he will present the award to Detective Puckett at the regular meeting. Chairman Carswell said as a recipient of the certificate himself, he knows how difficult it is to achieve and commended Detective Puckett.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**BBBS - PROCLAMATION PROCLAIMING JANUARY 2020 AS NATIONAL MENTORING MONTH**

Dorian Palmer, Big Brothers Big Sisters of Western North Carolina Chairman, presented a proclamation proclaiming January 2020 as National Mentoring Month and called upon all citizens, businesses, public and private agencies, as well as religious and educational institutions, to join the mentoring movement and be a part of Big Brothers Big Sisters of Burke County and WNC (Western North Carolina).

Mr. Palmer said they served 3,016 total children in FY 18-19 and 40 were in Burke County. Mr. Palmer responded to a question from Commissioner Taylor.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**HEALTH DEPT. - PRESENTATION ON PROGRESS OF BURKE COUNTY RECOVERY COURT**

Lisa Moore, Health Education Supervisor, presented a summary of progress to date for the Burke County Recovery Court and included the collaborative efforts with Law Enforcement Assisted Diversion (L.E.A.D) and In-Jail services for Burke County. The presentation included participant data, social determinants of health assessment, information on individuals assisted through population health at Catawba Valley Behavioral Health (CVBH), and the progress moving forward.

Program Development 2019:

Goal 1: Hire Burke County Recovery Coordinator, ½ time peer support at 6-month mark and bring in another ½ time peer support after 1 year of operation.

Completed 2019

BCRC Staff Hired:

- Randi Huizenga – BCRC Coordinator
- Laura Clark – The Cognitive Connection Provider: Peer Support Specialist ½ time position
- Ricky Johnson Jr. - Burke Recovery Provider: Peer Support Specialist ½ time position

Goal 2: Program Development of Burke County Recovery Court Implemented Policy and Procedures, Participant Handbook, trained team members on roles and responsibilities, referral process and NC Drug Court best practices; court assisted in developed schedules for Judges; MOU's for partners completed and signed. Completed in January 2019-April 2019

BCRC Court began in May 2019. It is held at 2pm every other Tuesday at Burke County Court House Annex and is open to the public.

Developed a Burke County Recovery Court Management Committee to meet General Statutes.

Goal 3: Build community partnerships that enhance accountable care and promote relationships through warm handoff practices that best help BCRC participant's access resources.

Community Resource Infrastructure built to date: Burke Recovery, The Cognitive Connection, Burke County Sheriff's Office, Burke County Public Health, Burke County Department of Social Services, Burke County Courts, District Attorney office, Burke County Probation, Partners Behavioral Health, Catawba Valley Behavioral Health, L.E.A.D, A Caring Alternative, High Country Health, Burke Integrated Health, Med Assist, Good Samaritan Clinic, NC Works, Oxford House, Workforce Development, Western Piedmont Community College, Aspen Dental, Meeting Place Mission, Goodwill, Vocational Rehabilitation, Olive Hill, Blue Ridge Community Action, Greenway Health, Addiction Recovery Care Association (ARCA), SSI/SSDI Outreach, Access, and Recovery (SOAR), Behavioral Health/Law Enforcement Advisory Group, Burke Wellness Initiative, Burke Substance Abuse Network, Catawba Alliance for Recovery, and Safe Harbor.

Goal 4: Educate community about Recovery Court and services provided, Complete Outreach and Education with providers. Community outreach and education has been completed with the following:

- Burke Substance Abuse Network,
- Partners Behavioral Health Law Enforcement Crisis Intervention Training (CIT training),
- Narcan Awareness and training.

BCRC participated in resource fairs at Western Piedmont Community College for the students, Burke County Recovery Rally, spoke at the Regional Reentry Meeting at WPCOG with Partners DPS and Workforce Development and presented to local governments in Rutherford College and Morganton.

News Herald articles:

September 2019: [https://www.morganton.com/townnews/law/recovery-court-making-big-strides/article\\_6ca83e60-d40a-11e9-84a5-936f30fcd288.html](https://www.morganton.com/townnews/law/recovery-court-making-big-strides/article_6ca83e60-d40a-11e9-84a5-936f30fcd288.html)

December 13<sup>th</sup> 2019 [https://www.morganton.com/news/hope-change-abounds-in-recovery-court/article\\_29d8efc4-bfa4-50fb-9732-66ae4ea341e2.html](https://www.morganton.com/news/hope-change-abounds-in-recovery-court/article_29d8efc4-bfa4-50fb-9732-66ae4ea341e2.html)

Goal 5: Recruit 20 participants each fiscal year of remaining grant period for a total of 80 participants for full grant period. Increase access to Medication assisted treatment (MAT).

Burke County Recovery Court is currently serving 24 active participants with 2 individuals pending signatures of contracts. Current numbers reflect BCRC is on target for capacity of serving 20 participants per year up to 80 total. 10 participants have accessed and currently enrolled with the Medication Assisted Treatment (MA)T program.

BCRC participation personal impact:  
As of December 31, 2019,

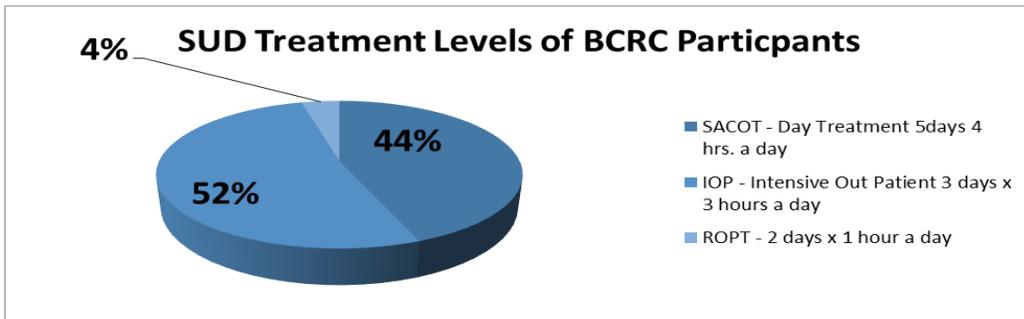
- 22 Participants are in phase 1
- 1 Participant is in phase 2
- 1 Discharged for medical reasons

SUD Treatment Levels:

11 are currently in highest level of outpatient care: SACOT (Substance Abuse Comprehensive Outpatient Treatment) (20 hours per week)

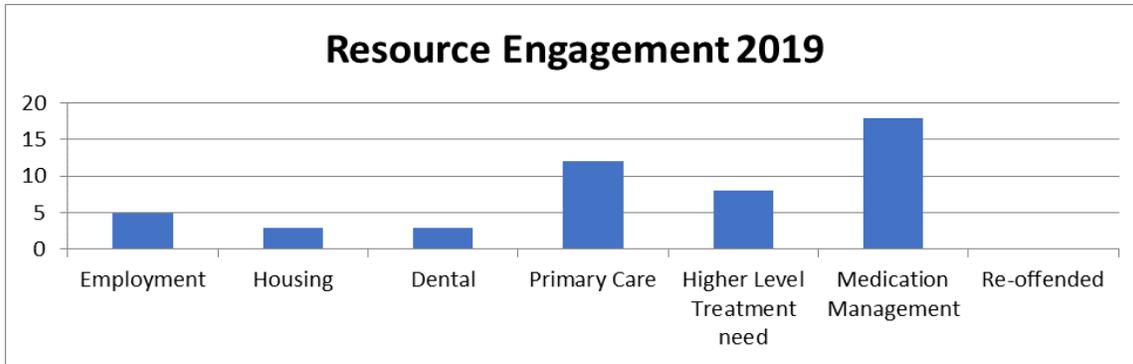
13 are currently in 2<sup>nd</sup> highest level of outpatient care: IOPT (Intensive Outpatient Treatment) (9 hours per week)

1 is currently in lowest level of outpatient care ROPT (Regular Outpatient) (2 hours per week)



To date: None have re-offended.

Burke County Recovery Court (BCRC) and its community partners have made great strides in program development, team training, building of resources, and implementation of the Recovery Court during the 2019 fiscal year. This also impacted resources available to participants and their families. The following chart shows services accessed due to these partnerships and the BCRC program.



2020 Goal: Contract with evaluator from local university to collect and report data quarterly to the Advisory Board and stakeholders

**Law Enforcement Assisted Diversion Program (LEAD)**

LEAD is law enforcement identifying those voluntary low-level offenders that would like to seek treatment avenue and move into long term sustained recovery instead of the drug charge. Approximately 12 participants are in the LEAD program currently.

**In Jail Services with Catawba Valley Behavioral Health**

September 2019 – December 5, 2019 report:

- They have seen 90 inmates
- 35 of them were accepted into the treatment program
- 10 of them were transported to inpatient facilities for inpatient treatment
- 24 of them were referred to outpatient treatment while incarcerated
- These in jail services has saved approximately \$55,000

The Population Health Grant at CVBH has also worked closely with the program coordinators of the programs mentioned above and have assisted a large portion of these offenders, 53 participants, with 24 of them active. These participants have been assisted with inpatient and outpatient treatment, mental health services, and other important social determinants of health such as; housing, food assistance, fuel assistance, transportation, clothing, social security disability, emergency shelter, employment, and many more services.

Chairman Carswell said drugs are a scourge in Burke County and the County has taken advantage of programs and opportunities to combat drug use such as becoming a part of the opioid lawsuit, and various local treatment programs. He requested that this item be moved to the consent agenda because Health Department staff will be in Raleigh on the regular meeting date and will be unable to make the presentation.

**RESULT: MOVED WITHOUT OBJECTION TO THE CONSENT AGENDA FOR THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**HEALTH DEPT. - PRESENTATION OF 2019 COMMUNITY HEALTH NEEDS ASSESSMENT**

Lisa Moore, Health Education Supervisor, presented the 2019 Community Health Needs Assessment for the Health Department. As required by state and national accreditation, every

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three (3) years a Community Health Needs Assessment has to be compiled and presented to stakeholders and the community at large. This assessment is a collaborative process through which community members gain insight into health concerns and resources within Burke County.

Ms. Moore said this was completed with approximately 59 community partners and 35 agencies and community members. She said as a part of the primary data collection process, 1,130 Burke County residents completed the survey or participated in focus groups. Of those respondents, Moore said, approximately 70 percent of ages 18-54 strongly agreed that Burke County is a good place to live and 60 percent of those 55 and older strongly agreed that Burke County is a good place to live, which is an overall increase from the 2016 assessment. Ms. Moore said the three (3) identified problems that they will be working on with the community health improvement plan are: heart disease and stroke, substance use disorder, and COPD. She said largely demographic and economic measures stayed the same from the 2016 to 2019 assessment. Ms. Moore then reviewed demographic and economic information from the assessment. She said since 2016 the County has received several large grants to address the substance use epidemic in Burke County, Ms. Moore then reviewed the programs/grants from the assessment. Moving forward, Moore said, some problems that will need to be addressed are homelessness, substance misuse, lack of housing/affordable housing, and Medicaid transformation.

Chairman Carswell commended the committee that helped to assemble the report and noted that overall, Burke County’s numbers are better this year than in the previous report.

**RESULT: MOVED WITHOUT OBJECTION TO THE CONSENT AGENDA FOR THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**SCHEDULED PUBLIC HEARINGS**

**COMM. DEV. - ZONING MAP AMENDMENT ZMA 2019-10 & PUBLIC HEARING - 6:00 P.M.**

Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding ZMA 2019-10 as follows:

**REQUEST**

Staff has received a rezoning application from Robert Parker to rezone approximately a two-acre portion of one (1) parcel of land totaling 11.35 acres. The request is to rezone that portion of property from its current zoning of Residential Three (R-3) to the General Business District (G-B). The property owner wishes to establish a furniture upholstery business at this location.

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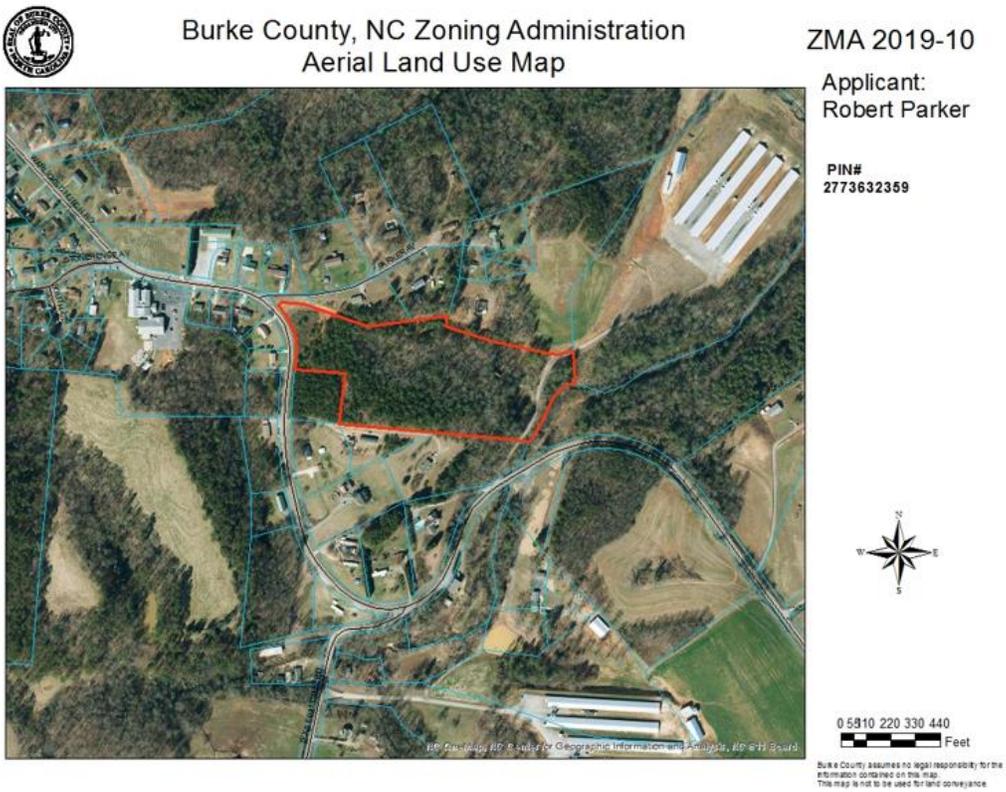
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Church Road is Residential two (R-2) zoning which is mainly occupied by single-family detached dwellings.

The following table indicates the existing land uses in the area:

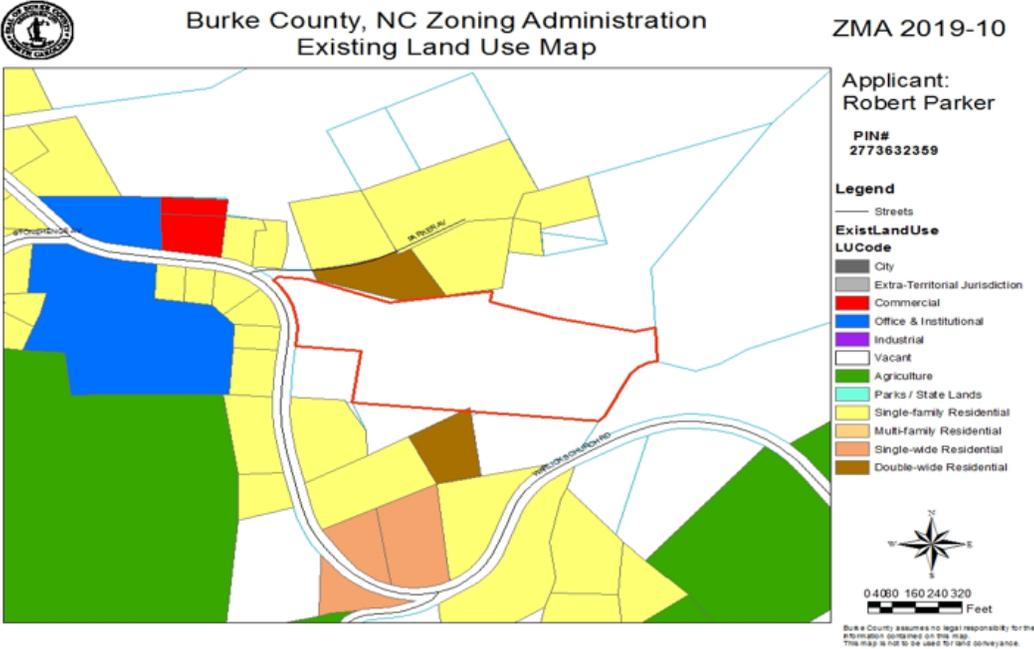
Existing Zoning and Land Uses within the Surrounding Area		
	Current	Existing Land Uses
North	R-3	Residences, Vacant Land, Agricultural (Poultry)
South	R-3, G-B	Residences, Retail, Warehousing
East	R-3	Vacant, Scattered residences
West	R-2, G-B	Residences, Church, Commercial/Warehouse



The 2018 Aerial photo (Above) and Existing Land Use Map (Below) also provide a visual representation of the existing land uses in the area. The current Zoning Map (shows where the current zoning districts are located).

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**CONFORMITY WITH THE COMPREHENSIVE PLAN**

The current land use plan for Burke County is the 2016-2030 Blueprint Burke Strategic Land Use Plan. Within that plan, this area of the county is designated as the "Secondary Growth Area". This area has many of the attributes of the Primary Growth Area (i.e. infrastructure, utilities, transportation corridors, mixed uses), or there is an expectation that those attributes will be available in the near future. Current residential densities in this area may be less than in the Primary Growth Area. Both residential and certain non-residential uses are recommended for this area where appropriate.

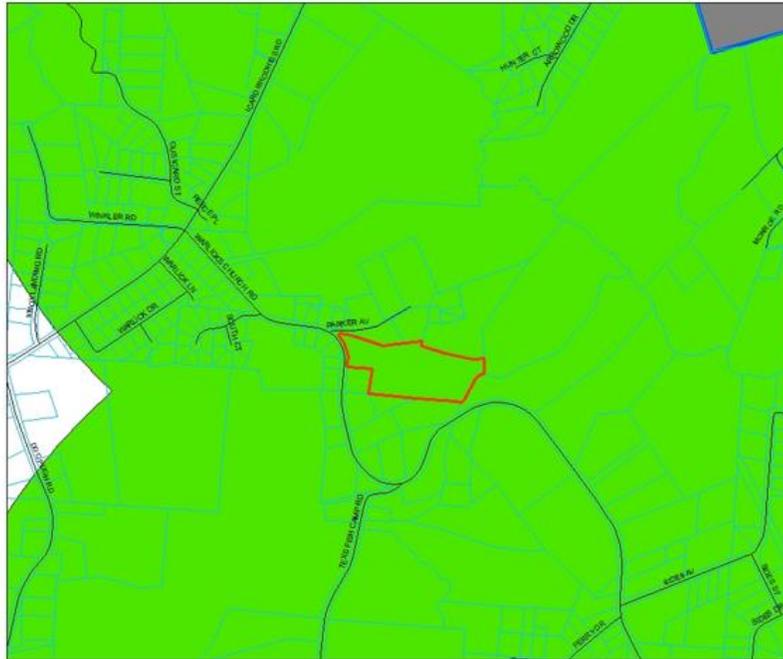
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Burke County, NC Zoning Administration  
Future Land Use Map

ZMA 2019-10



Applicant:  
Robert Parker

PIN#  
2773632359

Legend

- Streets
- parcel polygons
- Lakes & Rivers
- Industrial Focus Areas
- ED Focus Areas
- Lake James Special Planning Area
- South Mountain Special Planning Area
- Pilgrimage Special Planning Area
- Rural/Agricultural Home Business Area
- Primary Growth Area
- Secondary Growth Area



011820 440 660 880  
Feet

Burke County assumes no legal responsibility for the information contained on this map. This map is not to be used for land conveyance.

CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE

The "current" zoning district for this parcel is the Residential Three (R-3) District. The R-3 Residential District is a less restrictive medium density residential district that allows a broader range of residential uses including single and multi-section mobile homes and a greater variety of compatible non-residential uses in areas that may be less suburban in nature. Public water is available to this area through Icard Water Corp. There is no public sewer available. All waste-water disposal would be through onsite septic systems. Certain home occupations which are incidental and secondary to the residential use are permitted within these districts.

PROPOSED ZONING DISTRICT

The proposed zoning district is the General Business District. The G-B General Business District is established to provide suitable locations for those commercial activities which serve the general public, including those which function rather independently of each other.

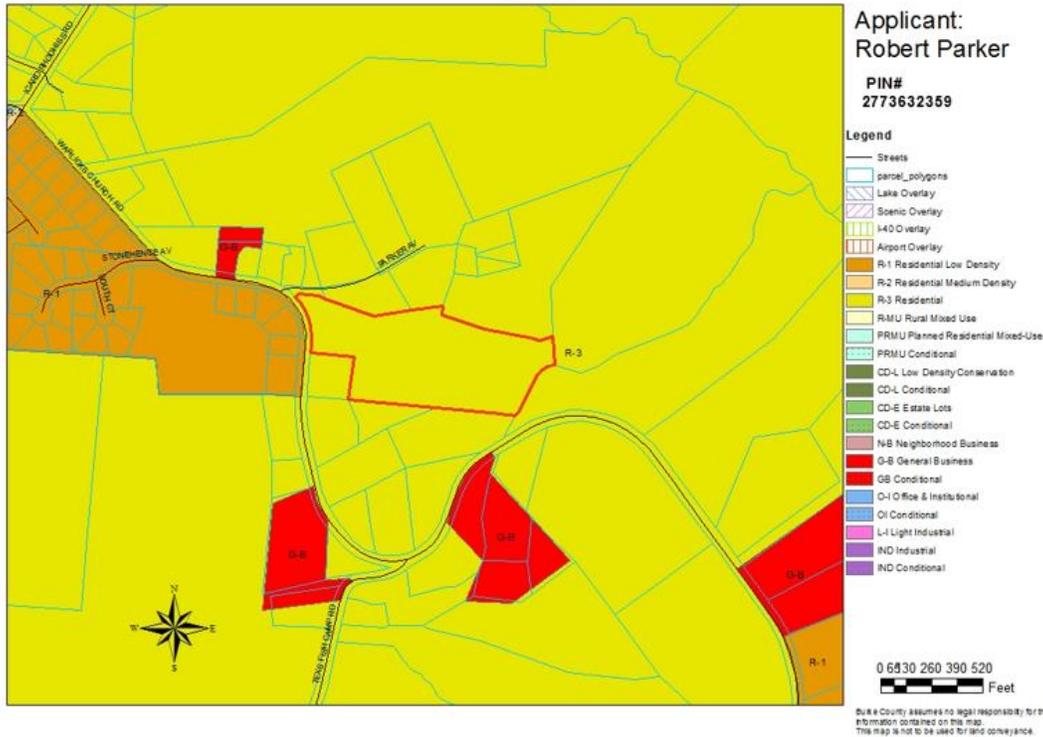
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Burke County, NC Zoning Administration  
Current Zoning Map

ZMA 2019-10



**STAFF COMMENTS**

This is essentially a residential community for the most part. The proposed zoning change to a non-residential zoning district can be considered due to the close proximity to existing General Business zoning. In staff’s opinion, this would not be considered a “spot” zoning. The location of the proposed zoning has both pros and cons. The proposed location of the non-residential zoning somewhat insulates it from the existing residential uses. However, access to the proposed location is via a private thirty-foot easement. This access road is currently not in place. The county does not have specific requirements for commercial access, therefore, if the rezoning is approved, there is no ordinance standard that would require them to construct the access road to a certain standard. Because this is a rezoning to a general zoning district, the county cannot put a condition on the rezoning which would require the property owner to construct the road to a specific standard. Unless the portion of property proposed to be rezoned adjoins the state road, there could be issues with accessing this area for commercial development. This may not affect the owner’s proposed commercial development, however, could affect any future development.

Staff’s comments are based on the facts of the case.

- The parcels adjacent to the subject parcel are all zoned Residential.
- The proposed zoning district can be considered because there is “General Business” zoning in close proximity to the subject parcel.
- The applicant has provided a description of the proposed business however, if the rezoning is approved, *all* uses within the General Business

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district would be permissible. (See Section 920 Table of Permitted and Permissible Uses).

- The existing access may not be appropriate for all the allowed uses within the Table of Uses. The Board cannot put a condition on the rezoning that the road must be brought up to a certain standard.
- The access to the proposed area to be rezoned could be problematic for a commercial district if extensive road construction is not undertaken. The Board cannot require the applicant to undertake this extensive road construction.

To assist the Board in their decision, staff has provided the following considerations:

- Is there a public need for additional land to be zoned to the requested classification?
- What is the impact on public services, facilities, infrastructure, fire and safety, and topography?
- What are the nearby development/zoning patterns?
- Is the rezoning request compatible with the character of the surrounding area and suitable with the property for certain uses?

#### PLANNING BOARD COMMENTS

The Burke County Planning Board met on December 5, 2019 to hear this rezoning request. The four (4) member Board heard from staff as the facts of the case were presented. The Board then heard from the applicant. The Board then opened the meeting up for Public Comments. There was no one present at the meeting to speak. The Board noted the written comments that were provided by a citizen.

The Board then asked questions of staff and the applicant before deliberating the rezoning request. A motion was made to "Approve" the rezoning request. The motion was taken to a vote and two (2) Board members voted to approve the rezoning. Because a majority of the present members did not vote to approve the rezoning request, the Planning Board's recommendation is to "deny" the rezoning request. The objecting members reasoning was that they did not feel that the majority of allowed uses within the General Business District would be suitable and appropriate for this area.

#### ADDITIONAL INFORMATION

Please refer to the application, driving directions, photos, and map(s) for more information.

This space is intentionally left blank.



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Mr. Carpenter said the applicant was asked and encouraged to seek a conditional general business rezoning. He noted that the state changed some laws this year so Burke County's conditional zoning will soon not be allowed. He said as Community Development is revising the zoning ordinance the conditional zoning will go away, and in its place, there will be standards and recommendations for certain types of uses. Mr. Carpenter said along with the Planning Board, Planning staff does not recommend approval of the rezoning request because of the lack of details on the rezoning and because of the surrounding area.

Chairman Carswell opened the floor for questions and comments from the Board. In response to a question from Commissioner Taylor, Mr. Carpenter said staff does not know what standards the applicant would use to build the road, it could be graveled, paved, the width of the road could vary, etc. Commissioner Taylor asked how large the building would be. Peter Minter, Senior Planner, who was also in attendance, said the applicant stated the building would be approximately 4,000 square-feet with three (3) people working inside. Commissioner Taylor asked what else could be done with the property. Mr. Carpenter said they still have 18 months to do conditional zoning districts and his recommendation is to do a general business conditional zoning district based on the specific business with protections in place. Mr. Carpenter responded to an additional question from Commissioner Taylor.

Vice Chairman Mulwee said in 18 months when conditional zoning goes away, will there still be controls in place. Mr. Carpenter said yes and noted staff will write specific standards as a part of the new zoning ordinance, and it will not allow for members of a board to come up with their own conditions on a rezoning case. Commissioner Brittain asked does the applicant know they can utilize a conditional use for their case. Mr. Minter said he was informed of that in the

beginning, but he decided to proceed with a straight general zoning request. Mr. Minter further said there are so many types of businesses that can be placed in the general zoning district, which is why staff had issues with this case. In response to a letter included in the agenda materials from Michael and Sheila Forster, adjacent property owners, that expressed concern that another commercial chicken house would be placed on the subject property and odors from other chicken houses in the neighborhood, Commissioner Taylor, who is a member of the NCACC Agriculture Steering Committee, reported the buffer was increased from 500 feet to 1,000 feet for new poultry houses. Due to the enlarged buffer requirement, he felt sure that the subject property was too small for a commercial chicken house. Mr. Minter then responded to a question from Commissioner Brittain concerning the rezoning process the applicant would undergo if he wanted to change the use of the property in the future. Commissioner Taylor asked is there anything the applicant can do to avoid repaying the \$650 rezoning fee if he reapplies for the conditional use district. Mr. Carpenter responded that the Board could refer the case back to the Planning Board for reconsideration of a conditional zoning request, but that would delay the process. Mr. Minter advised that the applicant would have to hold a community meeting and submit a site development plan as required by the conditional zoning process.

Chairman Carswell expressed his displeasure that the Planning Board, once again, did not make a motion to deny the rezoning request after the motion to approve failed and the fact that only four (4) of the seven (7) members were present. Mr. Minter advised that approving a motion to deny can be confusing for the advisory board. However, Director Carpenter stated that the Planning Board had been clearly instructed on this issue. Chairman Carswell replied that he feels like the Planning Board is "passing the buck" and is not doing their job. Director Carpenter, in response to another question from Chairman Carswell, stated he believes the Commissioners can refer the case back to the Planning Board for reconsideration and to get a clear recommendation (vote) from five (5) members. Chairman Carswell then opened the floor for feedback on the Board's preference on how to proceed with the agenda item. In response to questions, J.R. Simpson, II, County Attorney said the Board, at their regular meeting, can vote to send this case back to the Planning Board for a revote with five (5) members present. However, Vice Chairman Mulwee expressed support for having a specific plan for the property and for the conditional zoning classification. Commissioner Brittain asked if the case could be sent back to the Planning Board with a recommendation that the applicant consider changing his application to the conditional zoning. Commissioner Taylor interjected that every available option should be made known to the applicant and pointed out that the matter is between the Planning Board and the Commissioners, not the applicant. In response to a procedural question from the Chairman, the County Attorney said the Board, at their regular meeting, can vote to send this case back to the Planning Board, and include a set of recommendations for them to consider. Chairman Carswell requested that Mr. Carpenter meet with the Planning Board Chair to encourage him/her to have an odd number of members present to vote on the item for clarity. In response to an inquiry from the Clerk concerning the public hearing notice, Attorney Simpson said the Board will have to hold a public hearing at the regular meeting before making a decision.

<b>RESULT:</b>	<b>MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM</b>
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## CONSENT AGENDA

## **BLUE RIDGE COMMUNITY ACTION - COMMUNITY SERVICE BLOCK GRANT FOR FY 20-21**

Mary Wright, Blue Ridge Community Action (BRCA) presented information regarding BRCA – Community Service Block Grant as follows:

Blue Ridge Community Action intends to apply for funding provided by The North Carolina Department of Health and Human Services, Office of Economic Opportunity. The Office of Economic Opportunity helps low-income individuals and families achieve self-sufficiency. They work to improve the social and economic well-being of individuals, families and communities across North Carolina. Local agencies help individuals find jobs, locate housing, obtain shelter, have food, obtain access to health care and take care of children. The application deadline is February 2020.

July 1, 2020 - June 30, 2021

Funding level: \$490,821 (\$185,778 for Burke, \$169,615 for Caldwell and \$135,428 for Rutherford County)

Funding source: North Carolina Department of Health and Human Services Division of Social Services/Economic and Family Services.

Service area: Burke, Caldwell and Rutherford Counties

Families to be served: 185

Long Range Goal: To reduce barriers that adversely affect living conditions of low-income families by providing information, referral and access to needed human services by 6/30/21.

One Year Objective:

1. To conduct intake, assessment, eligibility and referral for 300 low-income families regarding local human services assistance programs and providing assistance in applying for services.
2. To assure 150 low-income families receive identified human service by 6/30/21. (60 in Burke, 60 in Caldwell and 30 in Rutherford County)
3. To provide to 40 families comprehensive case management service to assist them to move above the poverty level. (20 - Burke, 10 - Caldwell, 20 - Rutherford)
4. Move 5 families out of poverty by 6/30/21.

Information and Referral Activities:

1. Provide outreach and intake through door-to-door canvassing, intra-agency referrals, agency referrals, walk-ins and through the family support center.
2. Assess family needs and make appropriate referrals for needed services.
3. Provide follow up activities to assure services are received.
4. Coordinate a cross referral system for services for the poor.
5. Families will receive information on how to make better choices in their lives by

attending scheduled workshops and presentations at the family support center. This includes understanding why choices are made, the procedures that lead to change, financial awareness and planning, and achieving and maintaining good health.

#### Self-Sufficiency Outcomes

- Provide outreach and recruitment through door-to-door canvassing, inter-agency referrals, walk-ins and through the BRCA family support center.
- Secure documents for eligibility determination and record-keeping.
- Complete a family assessment to identify family strengths and resources needed.
- Make appropriate referrals for needed services.
- Monitor family plans for progress and/or adjustments.
- Provide direct assistance to families as needed.
- Assure 10 families receive employment.

BRCA Community Services Block Grant employs 1 Community Service Worker II and 1 Case Manager that are responsible for the following:

1. Providing support and services as a response to the poor.
2. Serving as liaisons between clients and available service providers.
3. Reaching out into the community to determine what services are available to low-income families; what needed services are lacking in the community; how available services are obtained; and what sources can be utilized to obtain services which are not immediately within the community/county.
4. Providing case management services.
5. Providing a centralized intake and application process.
6. Maintaining centralized agency filing system.
7. Coordinate and or conduct training sessions as needed.

Note: The Board received a copy of the partial grant application by email on December 20, 2019.

Ms. Wright said in order for BRCA to submit the grant, the Board must acknowledge receipt of the application and it will go before the BRCA Board on January 27, 2020. Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor noted an error on the application for the total funding amount (the correct amount is shown above) and said he hopes BRCA is awarded the grant because they do a good job.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

#### **BOC - REFUSAL OF REAL PROPERTY AT EAST BURKE MIDDLE SCHOOL FOR FIRE & RESCUE SUBSTATION**

Chairman Carswell presented information regarding the refusal of real property at East Burke Middle School for fire & rescue substation as follows:

As indicated in the following resolution and accompanying exhibit, before real property located at the East Burke Middle School can be leased to Icard Fire &

Rescue Inc. for a substation to provide fire protection, the County must officially refuse the property.

(NCGS 115C-518 Extract: The board of education shall offer the property to the board of commissioners at a fair market price or at a price negotiated between the two boards. If the board of commissioners does not choose to obtain the property as offered, the board of education may dispose of such property according to the procedure as herein provided.)

The County does not have a need for the property and believes that situating a fire and rescue substation on the property would be in the public's best interest.

The resolution passed by the Burke County Board of Education reads as follows:

**RESOLUTION OF THE BURKE COUNTY BOARD OF EDUCATION  
DECLARING A PORTION OF THE SCHOOL PROPERTY ADJACENT TO EAST BURKE  
MIDDLE SCHOOL SURPLUS IN ORDER TO LEASE THE PROPERTY TO ICARD  
TOWNSHIP FIRE RESCUE INC.**

**WHEREAS**, Icard Township Fire Rescue Inc. ("Department") has requested to lease a portion of the East Burke Middle School Property (the "Property") from the Burke County Board of Education (the "Board of Education") for the purpose of constructing a substation thereon to provide fire protection to the area including East Burke Middle School;

**WHEREAS**, the Property is specifically described on a survey attached hereto as Exhibit A;

**WHEREAS**, the Board of Education is of the opinion that the property is unnecessary for school purposes and proposes to lease said portion of the Property to the Department for a term of 50 years and without monetary consideration therefor;

**WHEREAS**, the Burke County Board of Commissioners must be offered the Property pursuant to G.S. §115C-518 as a precondition of the effectiveness of any such lease; and

**WHEREAS**, as required by G.S. § 160A-277, the Board of Education shall provide 10 days' public notice of its intent to consider a lease. Said notice shall include the property description, the fact that consideration other than fire protection is not being requested by the Board, and the intent of the Board to act on the lease at its regular Board meeting scheduled for February 3, 2020.

**NOW THEREFORE**, the Board of Education hereby resolves as follows:

**Section 1.** Pursuant to G.S. § 115C-518 and G.S. § 160A-277, the Property is hereby declared surplus.

**Section 2.** The Board Chair and Superintendent are authorized to seek the County's rejection of the Property, finalize a lease with the Department to be advertised prior to final Board approval, and execute other documents necessary to effect the lease, after Board approval, in the name of and as the act of the Board of Education. Furthermore, the Superintendent is authorized to take such actions as he shall deem necessary to carry out the purposes of this Resolution.

**Section 3.** This Resolution shall be effective immediately upon its approval.

**READ AND APPROVED**, this the 2<sup>nd</sup> day of DECEMBER 2019.

  
Larry Putnam, Superintendent &  
Ex Officio Secretary

  
Board Chair

Chairman Carswell asked Keith Lawson, BCPS Finance Officer, to come to the table and opened the floor for questions and comments from the Board. Commissioner Brittain asked is BCPS going to lease or sell the property. Mr. Lawson said the intent is to enter into a 50-year lease with Icard Township Fire & Rescue, Inc. (Fire Department) Commissioner Brittain asked why is BCPS leasing the property instead of selling it. Mr. Lawson said he is not sure. In response to a question from Commissioner Brittain, J.R. Simpson, II, County Attorney, said for the purposes of the Board's decision, it does not matter if it is a 50-year lease or if they sold the property. Doug Setzer, Axillary Services Director, who was also in attendance, said this was recommended to them by their attorney and this has been done in other parts of

the state. Commissioner Taylor asked if the Fire Department already owns a second property for a fire station. Brand Lingerfelt, Icard Township Fire & Rescue, Inc, Chief, said yes, but due to the potential wastewater perking problem and where the current property is located, there are approximately 12 houses that would be outside of their six (6) mile response limit. He said the property that they will lease from BCPS will bring those houses into fire insurance coverage. Commissioner Taylor said there is no plan and no cost estimate to build this station and noted that only the citizens of Icard will be paying the fire tax to build the station. Mr. Lingerfelt said

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he has a cost estimate but will not pay for an architect or engineer until they have a piece of property. Commissioner Taylor said there has been no needs assessment to see if this station is needed and noted that he believes the County has enough fire coverage from the other fire departments. Commissioner Taylor said he does not believe Burke County can agree to this without knowing any detailed plans and noted he is trying to protect the taxpayers. Mr. Lingerfelt said while there are various fire departments on Highway 70, each one is rated by the NC Department of Insurance as a mile and a half from a fire engine, or a mile and a half credit. He said if there is not a fire station within a mile and a half of another station, they do not get that credit, which impacts Insurance Services Office (ISO) ratings, which affects homeowner's insurance rates. Mr. Lingerfelt said the location of the property is in proximity of Interstate 40 and other high-volume locations and noted that he hopes the cost of the station would be similar to the recently constructed EMS base 6. Commissioner Taylor said knowing how much a station would cost would help with his decision-making process. Mr. Setzer advised that having the fire department substation near three (3) schools is very advantageous to the School Board.

Chairman Carswell asked the County Attorney if the only item in front of the Board today is does Burke County wish to acquire the property or to decline the property. County Attorney Simpson said that is correct and noted if Burke County does not want the property, then there is no need to do anything. Discussion ensued regarding the Board's role in the agreement between BCPS and the Fire Department. Attorney Simpson said the property must be offered to the County before anything can be done with it and the County can either accept the property or decline it. Chairman Carswell asked Commissioner Taylor if he is comfortable leaving this item on the consent agenda. Commissioner Taylor said no because it could be considered an endorsement of future plans for the property without the Board having all the information.

Due to the objection from Commissioner Taylor, this item was pulled from the consent agenda and moved to items for decision for the regular meeting.

**RESULT: MOVED TO ITEMS FOR DECISION FOR THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

#### **CLERK - REAPPOINTMENT TO LIBRARY BOARD OF TRUSTEES**

Clerk Draughn reported the term of appointment for Jennie Cook (Seat No. 8, Hildebran - City) on the Library Board of Trustees ended December 31, 2019. Ms. Cook is willing to serve another 3-year term, which would end December 31, 2022. Clerk Draughn said a recent application from Browning Rochefort was received (Seat No. 1 – City of Morganton Resident) to complete the remainder of the three (3) year term December 31, 2021.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

#### **COMM. DEV. - FONTA FLORA TRAIL - ACCEPT EASEMENT - LAKE JAMES CAMPING RESORT**

Shane Prisby, Community Development Operations Manager, presented information regarding the acceptance of an easement at Lake James Camping Resort as follows:

The Burke County Community Development has been working with the owners of Lake James Camping Resort on an easement for the Fonta Flora State Trail

and Overmountain Victory National Historic Trail. The easement is approximate 1.28 acres and is being given to the County at no cost.

Mr. Prisby said this is in the Benfield’s Landing area of Lake James and ties into the easements that were purchased a few months ago. He said since that time, this parcel has changed hands to Lake James Camping Resort, LLC and they are excited for the Fonta Flora State Trail to come through the property as an amenity for campers and residents. Mr. Prisby said the funds will come from the Overmountain Victory National Historic Trail funds from Duke Energy and the Comprehensive Relicensing Agreement.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**DSS - APPOINTMENT/REAPPOINTMENT TO CHILD PROTECTION CHILD FATALITY TEAM**

Korey Fisher-Wellman, DSS Director, reported Julie Causby was reappointed to the CPCF (Seat No. 5, at-large) in June of 2019. However, due to an employment conflict, Ms. Causby resigned in September. An application was received from April Pope, a DSS Supervisor and member of the LEPC (Local Emergency Planning Committee). The term is for three (3) years.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**FM - APPOINTMENTS TO THE LOCAL EMERGENCY PLANNING COMMITTEE**

Mike Willis, Fire Marshal/Emergency Management Director, presented information regarding the appointments to the Local Emergency Planning Committee as follows:

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

The LEPC is required to have a certain cross section of representation with fifteen (15) members serving according to the by-laws. Five (5) seats are up for reappointment and membership changes are requested for Seats 3, 6 and 9, removal of Charlie Watts, Matt Gupton and Mike Long respectively who have requested to be removed. Further, the addition of a new at-large seat (No. 16), is requested and an application from Steve Jenkins, SAFT America was received. The term is for three (3) years.

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Note: Pending approval of Seat No. 16, the bylaws will be updated at the LEPC's February meeting.

Discussion ensued regarding the residency requirements for the LEPC. Clerk Draughn said exceptions can be made regarding residency requirements. Chairman Carswell request that Mr. Willis look at the bylaws to see if they need to be changed going forward.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**FM - NC VIPER AND BURKE CO. EMERGENCY MANAGEMENT AGREEMENT**

Mike Willis, Fire Marshal/Emergency Management Director, presented information regarding the NC VIPER and Burke County Emergency Management agreement as follows:

This agreement will serve as a mutual benefit to and enhance the partnership between NC VIPER and Burke County Emergency Management. Burke County currently shares communication equipment locations with NC VIPER. The space they are requesting to utilize is minimal and will not have a negative impact on our facilities capabilities. There will be no additional costs to Burke County as a result of this agreement. The space will assist them with securing maintenance equipment that is used to maintain VIPER sites. NC VIPER has always been very supportive to Burke County's communication issues and timely to respond to issues when they arise. The term is for 10 years.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**SHERIFF'S OFFICE – APPROVAL OF AUTHORIZED SIGNERS FOR INMATE TRUST BANK ACCOUNT**

Sheriff Whisenant presented information regarding the approval of authorized signers for the Inmate Trust Account as follows:

The Account Signature Card for the Inmate Trust Account needs to be updated in accordance with NCGS 159-25 (7)(b) to reflect personnel changes at the Burke County Sheriff's Office. Sue Hensley has been hired as the Administrative Technician for the Jail and needs to be added as an authorized signer to the account. Captain Greg Huntley and Brian Niefert will remain as authorized signers since their respective duties of overseeing the jail and the Sheriff's Office finances have not changed. Captain Jeff Robinson needs to be removed as an authorized signatory since his duties no longer include supervision of the Burke County Jail.

Commissioner Brittain asked what types of funds are in the Inmate Trust Accounts. Margaret Pierce, Deputy County Manager/Finance Director, said they are considered fiduciary funds that are held in trust for the inmates. She said when an inmate enters the jail, any money they have is transferred to the account and used to purchase items from the commissary, phone time, etc. When they are released, Pierce said, they are returned to the individual.

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January 7, 2020 (Pre-Agenda)

DRAFT

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**TAX DEPT. - TAX COLLECTION REPORT FOR DECEMBER 2019**

Danny Isenhour, Tax Administrator, presented the tax collection report for December as follows:

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	\$44,886,848.00	\$36,025,772.60	\$8,861,075.25	80.26%

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	\$38,380,202.90	\$9,689,797.10	79.84%
Delinquent Taxes	\$650,000.00	\$448,023.92	\$201,976.08	68.93%
Late List Penalty	\$250,000.00	\$167,128.61	\$82,871.39	66.85%

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	\$36,025,772.60	\$7,444,227.40	82.88%
Motor Vehicle Tax	\$4,600,000.00	\$2,354,430.30	\$2,245,569.70	51.18%

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**TAX DEPT. - RELEASE REFUND REPORT FOR DECEMBER 2019**

Danny Isenhour, Tax Administrator, presented the release refund report for December 2019 as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$3,202.35	\$172.64	\$3,029.71	\$37.64

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.

Mr. Isenhour responded to a question from Commissioner Taylor.

The tax reports read as follows:

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TR-304 BILL RELEASE REPORT DECEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Adjustment</b>								
0000073466-2018-2018-0000-00-REG	DAVIS, HARVEY RAY	7/1/2018	LINDA WILBUR	12/9/2019	44.49	44.49	0.00	0.00
0000081695-2019-2019-0000-00-REG	SORRELLS, NELDA	7/1/2019	LINDA WILBUR	12/27/2019	103.87	103.87	0.00	0.00
0000105373-2005-2005-0011-00-REG	MAXWELL, JACK	7/1/2005	LINDA WILBUR	12/17/2019	38.23	38.23	0.00	37.71
0000107189-2006-2006-0000-00-REG	MAXWELL, JACK	7/2/2006	LINDA WILBUR	12/17/2019	34.42	34.42	0.00	33.95
0000109092-2007-2007-0000-00-REG	MAXWELL, JACK	6/30/2007	LINDA WILBUR	12/17/2019	27.27	27.27	0.00	26.94
0000114395-2009-2009-0000-00-REG	MAXWELL, JACK	7/2/2009	LINDA WILBUR	12/17/2019	22.09	22.09	0.00	21.82
0000118879-2010-2010-0000-00-REG	MAXWELL, JACK	7/1/2010	LINDA WILBUR	12/17/2019	19.86	19.86	0.00	19.62
0000124476-2011-2011-0000-00-REG	MAXWELL, JACK	7/1/2011	LINDA WILBUR	12/17/2019	17.37	17.37	0.00	17.16
0000140945-2012-2012-0000-00-REG	MAXWELL, JACK	7/1/2012	LINDA WILBUR	12/17/2019	15.63	15.63	0.00	15.44
<b>Subtotal</b>						<b>323.23</b>		<b>172.64</b>

<b>TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Amended Listing</b>								
0000073466-2013-2013-0000-00-REG	DAVIS, HARVEY RAY	7/1/2013	LINDA WILBUR	12/30/2019	109.06	109.06	0.00	0.00
0000073466-2014-2014-0000-00-REG	DAVIS, HARVEY RAY	7/1/2014	LINDA WILBUR	12/30/2019	108.48	108.48	0.00	0.00
0000073466-2015-2015-0000-00-REG	DAVIS, HARVEY RAY	7/1/2015	LINDA WILBUR	12/30/2019	109.88	109.88	0.00	0.00
0000073466-2016-2016-0000-00-REG	DAVIS, HARVEY RAY	7/1/2016	LINDA WILBUR	12/30/2019	112.88	112.88	0.00	0.00
0000073466-2017-2017-0000-00-REG	DAVIS, HARVEY RAY	7/1/2017	LINDA WILBUR	12/30/2019	118.94	118.94	0.00	0.00
0000073466-2018-2018-0000-00-REG	DAVIS, HARVEY RAY	7/1/2018	LINDA WILBUR	12/9/2019	120.94	76.45	44.49	0.00

TR-304 BILL RELEASE REPORT DECEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
0000073466-2019-2019-0000-00-REG	DAVIS, HARVEY RAY	7/1/2019	LINDA WILBUR	12/9/2019	115.41	115.41	0.00	0.00
0000081695-2019-2019-0000-00-REG	SORRELLS, NELDA	7/1/2019	LINDA WILBUR	12/27/2019	186.26	82.39	103.87	0.00
<b>Subtotal</b>						<b>833.49</b>		<b>0.00</b>

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

0000085674-2013-2013-0011-00-REG	HODGE, CHRISTINE ADAMS	10/1/2013	CONNIE HOLDER	12/27/2019	8.37	8.37	0.00	0.00
<b>Subtotal</b>						<b>8.37</b>		<b>0.00</b>

**TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Duplicate Billing**

0000074656-2019-2019-0000-00-REG	RADER, BRIAN MCDOWELL	7/1/2019	LINDA WILBUR	12/16/2019	12.62	12.62	0.00	0.00
0024009952-2015-2015-0000-00-REG	RANDLE, KIM	8/12/2015	LINDA WILBUR	12/19/2019	84.15	7.65	76.50	0.00
0024009952-2015-2015-0000-00-REG	RANDLE, KIM	8/12/2015	LINDA WILBUR	12/19/2019	76.50	76.50	0.00	0.00
0024009952-2016-2016-0000-00-REG	RANDLE, KIM	7/1/2016	LINDA WILBUR	12/19/2019	75.74	75.74	0.00	0.00
0024009952-2017-2017-0000-00-REG	RANDLE, KIM	7/1/2017	LINDA WILBUR	12/19/2019	69.68	6.33	63.35	0.00
0024009952-2017-2017-0000-00-REG	RANDLE, KIM	7/1/2017	LINDA WILBUR	12/19/2019	63.35	63.35	0.00	0.00
0024043400-2019-2019-0000-00-REG	GATES, DERRICK JUSTIN	12/5/2019	LINDA WILBUR	12/30/2019	17.36	17.36	0.00	0.00
0024044607-2019-2019-0000-00-REG	SUTHERLAND, JOHN OTIS JR	12/5/2019	CONNIE HOLDER	12/18/2019	5.56	5.56	0.00	0.00
<b>Subtotal</b>						<b>265.11</b>		<b>0.00</b>

**TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Not in Burke County**

0000080151-2019-2019-0000-00-REG	WILLIAMS, ANDY	7/1/2019	BARBARA HARTLEY	12/11/2019	43.16	43.16	0.00	0.00
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TR-304 BILL RELEASE REPORT DECEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
0000084003-2013-2013-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2013	CONNIE HOLDER	12/2/2019	5.45	5.45	0.00	0.00
0000084003-2014-2014-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2014	CONNIE HOLDER	12/2/2019	5.39	5.39	0.00	0.00
0000084003-2015-2015-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2015	CONNIE HOLDER	12/2/2019	4.86	4.86	0.00	0.00
0000084003-2016-2016-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2016	CONNIE HOLDER	12/2/2019	4.86	4.86	0.00	0.00
0000084003-2017-2017-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2017	CONNIE HOLDER	12/2/2019	4.48	4.48	0.00	0.00
0000084003-2018-2018-0000-00-REG	HARTLEY, KIRK DOUGLAS	7/1/2018	CONNIE HOLDER	12/2/2019	4.59	4.59	0.00	0.00
0000118827-2010-2010-0000-00-REG	JOKE, GEORGE	7/1/2010	LINDA WILBUR	12/5/2019	8.58	8.58	0.00	0.00
0000141189-2012-2012-0000-00-REG	JAMES, FLOYD MACKEY	7/1/2012	LINDA WILBUR	12/5/2019	9.52	9.52	0.00	0.00
0024041851-2019-2019-0000-00-REG	LINDSEY, ASHLEY HOOTS	12/5/2019	CONNIE HOLDER	12/11/2019	88.22	88.22	0.00	0.00
0024042059-2019-2019-0000-00-REG	ROARK, GUST ALBERT	12/5/2019	LINDA WILBUR	12/16/2019	82.47	82.47	0.00	0.00
0024042098-2019-2019-0000-00-REG	ROARK, ARIEL YODER	12/5/2019	LINDA WILBUR	12/16/2019	40.95	40.95	0.00	0.00
0024042751-2019-2019-0000-00-REG	ROGERS, BETH GILJAMES	12/5/2019	BARBARA HARTLEY	12/11/2019	818.22	818.22	0.00	0.00
<b>Subtotal</b>					<b>1,120.75</b>		<b>0.00</b>	

TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Release LFUF

0000009383-2019-2019-0000-00-REG	WILBUR, BURTON F	7/1/2019	AMANDA CONLEY	12/9/2019	278.03	72.00	206.03	0.00
<b>Subtotal</b>					<b>72.00</b>		<b>0.00</b>	

TR-304 BILL RELEASE REPORT DECEMBER 2019

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
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TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Sold/Traded

0000086276-2019-2019-0000-00-REG	BRACKETT, DANETTE WILLIS	7/1/2019	BARBARA HARTLEY	12/18/2019	33.33	33.33	0.00	0.00
0000088783-2018-2018-0000-00-REG	MAYLE, BRYAN A	7/1/2018	CONNIE HOLDER	12/18/2019	26.26	26.26	0.00	0.00
0024010235-2018-2018-0000-00-REG	WHISNANT, DANIEL L	7/1/2018	RENEE AUSTIN	12/18/2019	14.38	14.38	0.00	0.00
0024041930-2019-2019-0000-00-REG	STEPHENS, SAMUEL EMORY	12/5/2019	CONNIE HOLDER	12/11/2019	18.99	18.99	0.00	0.00
<b>Subtotal</b>					<b>92.96</b>		<b>0.00</b>	

TAX DISTRICT: BURKE COUNTY      RELEASE REASON: Value Change

0000039470-2019-2019-0000-00-REG	MOSTELLER, DAVID M	7/1/2019	AMANDA CONLEY	12/20/2019	796.55	290.68	505.87	0.00
0000044218-2019-2019-0000-00-REG	MCDONALD, REBECCA P	7/1/2019	AMANDA CONLEY	12/23/2019	276.46	195.76	80.70	0.00
<b>Subtotal</b>					<b>486.44</b>		<b>172.64</b>	
<b>Total</b>					<b>3,202.35</b>		<b>172.64</b>	
<b>Net Release Amount</b>					<b>3,029.71</b>			

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<b>RESULT:      MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 1/21/2020 AT 6:00 PM</b>
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## ITEMS FOR DECISION

### SHERIFF - INMATE FOOD SERVICES CONTRACT PRICE REVISION

Sheriff Whisenant and Brian Nieft, Support Services Specialist, presented information regarding the inmate food services contract price revision as follows:

After the approval of Aramark Correctional Services, LLC as the provider for inmate food services at the Burke County Jail at the November 19, 2019 County Commissioners meeting, the Sheriff's office began to meet with Aramark to finalize a contract and begin planning for opening the jail. During discussions about the planned menu, it was determined that the menu Aramark had submitted with their proposal to win the contract was based on providing inmates with bulk juice. The Sheriff's Office asked about making a change to the menu to switch from using bulk juice to individual juice to make meal service more efficient and less time consuming for staff. Aramark informed the Sheriff's Office that making the change would not be an issue, however the change would result in a price change per meal.

	<u>Proposed Menu</u>	<u>Revised Menu</u>
<u>Breakfast</u>	"Bulk" Orange Juice	"Individual Carton" of Orange Juice
<u>Lunch</u>	"Bulk" Punch Fruit Drink	"Individual Packet" of Punch Fruit Drink
<u>Dinner</u>	"Bulk" Sweetened Iced Tea	"Individual Packet" of Punch Fruit Drink

**Budgetary Effect:** Changing from bulk juice per meal to individual juice will result in a \$.058 price increase per meal, the price per meal will increase from \$1.925 to \$1.983.

**County Manager's Recommendation:** Approval was granted by the County Manager and ratification of the price increase is requested. As you may recall, the contract was approved in November and begins January 1, 2020; half of the contract will be paid from funds allocated in the FY 2019-20 budget and the remaining half of the contract will be budgeted in the FY 2020-21 budget.

Sheriff Whisenant said utilizing bulk juice instead of individual packets would be more time consuming and less efficient for staff.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked if other jails use individual juice packets instead of bulk packaging. Sheriff Whisenant said the majority of jails use individual juice packets. Commissioner Brittain asked if each meal has to be brought to the cells or do inmates eat in a common area. Sheriff Whisenant responded that each meal is brought to a cell and he noted how difficult it would be to pour bulk juice for inmates in the cells. Sheriff Whisenant responded to a question from Vice

January 7, 2020 (Pre-Agenda)

DRAFT

Chairman Mulwee. County Manager Steen said inmates are in their cells approximately 22 hours per day which is one of the reasons why inmates are fed in their cells. Chairman Carswell said even with the cost increase, the updated price is still cheaper than the next lowest responsible bidder. Commissioner Taylor suggested the item be moved to the consent agenda.

**RESULT: MOVED WITHOUT OBJECTION TO THE CONSENT AGENDA FOR THE NEXT MEETING: 1/21/2020 AT 6:00 PM**

**REPORTS – NONE.**

**OTHER DISCUSSION ITEMS**

Chairman Carswell reminded everyone that there is a special meeting on January 10<sup>th</sup> in the Board room at 3:00 p.m. regarding the Tourism Development Authority (TDA).

**ADJOURN**

**Motion: To adjourn at 4:47 p.m.**

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Johnnie W. Carswell, Chairman

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Approved this 19<sup>th</sup> day of May 2020.

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

Attest:

\_\_\_\_\_  
Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

Minutes Acceptance: Minutes of Jan 7, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

January 10, 2020 (Special)

DRAFT

**MINUTES  
BURKE COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING**

The Burke County Board of Commissioners held a special meeting on Friday, January 10, 2020 at 3:00 p.m. The special meeting notice, executed by Chairman Carswell, was published on December 31, 2019. The purpose of the meeting was to discuss matters related to tourism and the Tourism Development Authority. The Board met in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E in Morganton, N.C. Those present were:

**COMMISSIONERS:**

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 3:07 p.m.

**APPROVAL OF THE AGENDA**

<b>RESULT: NO ACTION TAKEN.</b>
---------------------------------

**ITEMS FOR DISCUSSION****BOC - TOURISM DEVELOPMENT AUTHORITY**

Information from the agenda packet:

The TDA (Tourism Development Authority) was created in 2007 by Session Law 2007-265 (HB 78). Due to the age of the current tourism model, new tourism related trends and ongoing LGC (Local Government Commission) findings, a comprehensive review of the Authority is necessary.

Background: On September 5, 2019, the TDA received a "corrective action" letter from Sharon G. Edmundson, Director, Fiscal Management Section, N.C. Department of State Treasurer. After analyzing the TDA's financial statements for the year ended June 30, 2018, the State identified the following areas of concern:

1. Violations of NCGS 159-31(b): The Authority's bank deposits were not properly collateralized in excess of the FDIC limit and the amounts exceeded the FDIC limit during the year.
2. Violations of NCGS 159-28(d)(1): The Authority's checks did not have the required signed certificate on them stating that "This disbursement has been approved as

required by the Local Government Budget and Fiscal Control Act.”.

3. The Authority’s procedure to spend the occupancy tax collected is not in accordance with Session Law 2007-265 House Bill 78.

Another concern mentioned in the letter was the Authority’s failure to submit its required IRS 941 forms by the due dates. The agenda packet also contained an email from Margaret M. Pierce, Deputy Co. Manager/Finance Director and an ex-officio member of the TDA dated November 19, 2019 to the County Manager, Commission Chair and Vice Chair, outlining several financial issues: Director’s failure to understand that all agreements/contracts must be pre-audited, material errors in the Authority’s balance sheet and profit/loss statement, the Authority’s audit firm failure to acknowledge two (2) key weaknesses in the internal controls of the TDA, segregation of duties and financial statements being written by the audit firm, not the TDA.

Chairman Carswell said this meeting has been called to discuss reports from the Local Government Commission (LGC) regarding the Tourism Development Authority (TDA), and any oversight responsibilities the County may or may not have. Chairman Carswell then turned the meeting over to Vice Chairman Mulwee, who represents the Commissioners on the TDA Board. Commissioner Abele has served on the TDA Board for many years representing the restaurant industry and is a current member of that Board. Vice Chairman Mulwee said a restructuring of the TDA may be in order at a later date, but for today, they are trying to clarify what the TDA should have been doing since its creation in 2007, such as presenting financial reports to the Board. He said in the past, there was probably some miscommunication between the County and the TDA and it was decided that reporting was not needed. He advised that this is not an indictment of anyone and reiterated that the Board is seeking clarity in moving forward with the TDA and to make sure any questions are answered today. Vice Chairman Mulwee commended the TDA, expressed pride in being a member of that Authority and said that TDA Director Ed Phillips does a good job. Going forward, he said some aspects of the TDA may need to be changed to make things easier for the TDA, its Board and the Commissioners to work together. He asked if any of the Commissioners had questions. Commissioner Taylor reviewed the documentation included in the agenda packet and questioned why there has not been more communication from the TDA board on the issues outlined in the LGC letter and what steps/recommendations are they making to address them. He said the Board has done nothing but praise the success of the TDA and tourism in Burke County and that should be kept in mind moving forward. He said he is pleased that no major decisions are being made today and said this meeting could be called a fact-finding session. Commissioner Brittain said as he looked through the information, he is not sure the TDA has been operating in the manner prescribed in the 2007 legislation. He asked if the funds that are supposed to go into three (3) separate accounts for Burke County, Morganton, and Valdese are being allocated and spent as legislated. Commissioner Abele said, referencing page 12 of the agenda packet, that he was never involved in the 2007 “request to approve a resolution to authorize Burke County to levy an additional three (3) percent occupancy tax and to make other administrative changes”, the City of Morganton tried to secretly have the three (3) percent occupancy tax directed to them. He said he and other officials had to travel to Raleigh to amend the potential legislation. Margaret Pierce, Deputy County Manager/Finance Director, answering Commissioner Brittain’s question, said the County remits the total of the funds net of the three (3) percent administrative fee for tax collection to the TDA monthly. She said the TDA director receives the fund distribution information and as she understood prior to the audit findings, worked with the municipalities to distribute the funds. However, the audit stated the funds were not being handled correctly. Ms. Pierce clarified that the County is not involved in the distribution of funds, the County sends the

TDA one (1) check (monthly) and the TDA is supposed to ensure the funds are distributed to the municipalities. In response to a question from Commissioner Brittain, Vice Chairman Mulwee said the accounting has been corrected. Discussion ensued regarding the proper distribution of the TDA funds, as statute requires, to the municipalities. It was noted that any change to the distribution formula would require legislative action. Commissioner Brittain asked what are the duties of the Burke County finance officer which serves as the ex-officio finance officer on the TDA Board. J.R. Simpson, II, County Attorney, stated the finance officer is entitled to any requested information, can have his/her questions answered, and could come to the Board if any problems arise. In response to a question from Commissioner Brittain concerning management of the TDA funds, Attorney Simpson said the County has a responsibility to ensure the funds are utilized as the local legislation prescribes. Chairman Carswell asked how the County is supposed hold the TDA to the local legislation requirements and reiterated his earlier point that he wants to make sure the County has completed its due diligence. Attorney Simpson said once the errors were brought to the County's attention, they were addressed. Commissioner Brittain asked how far the County's responsibility goes in ensuring the LGC's recommendations are met. Attorney Simpson advised that the County has the ability to dictate action, especially once issues are made known by the LGC and that the County is responsible for ensuring that the TDA is addressing the findings in the audit. When asked if the revenues could be withheld from the TDA, Attorney Simpson said the County could withhold funds, although that is not stated in the local legislation, because it would be the County's only recourse for dealing with violations of the local legislation and he would recommend the County do so. Next, Commissioner Brittain asked about the appointment of the TDA chair. Chairman Carswell reported the Board did appoint Ms. Polly Leadbetter as the chair of the TDA Board and asked the Clerk to provide the date. Meanwhile, Attorney Simpson said the main control the County has over the TDA is the appointment of members to their Board and if the County is aware of issues that are occurring that should not be, then the County can withhold funds until the issues are corrected. He further stated it would be in the County's best interest to obtain additional local legislation specifically stating the County can withhold funds if there are uncorrected problems within the TDA. Commissioner Taylor made several comments on financial compliance requirements of the TDA and the County and Chairman Carswell commented that several of the old letters from the LGC went to former TDA Board members that he did not know. Chairman Carswell then asked what is the LGC's role as it relates to tourism authorities. Attorney Simpson said TDAs are local government organizations (a public authority) by enactment of the local legislation and is therefore subject to the Local Government Budget and Fiscal Control Act, subject to Chapter 159, Local Government Finance, and enforcement from the LGC. In reference to an earlier question, Chairman Carswell reported the Board appointed Polly Leadbetter to the TDA and made her chair on August 19, 2014.

Vice Chairman Mulwee reiterated that some of these problems have been caused by miscommunication and noted that some LGC letters were mailed to the wrong address and never made it to the County or the TDA. Further, he said the TDA Board has had problems with having enough members present for a quorum and suggested the membership and scope of the TDA be expanded in the future, which would require a legislative change. Another concern Vice Chairman Mulwee mentioned was the findings in the 2019 LGC letter. As a possible solution, he recommended the County consider handling the TDA's bookkeeping at the same cost as the CPA firm. Information from the agenda packet identified the following services to be provided by the County:

- Vendor check processing including required annual 1099 reporting
- Payroll processing including employee payments, Federal and State quarterly and annual reporting, retirement reporting, and W-2s
- Financial data entry including deposits and other journal entries as needed
- Bank reconciliation on all accounts held by the TDA
- Annual state required escheat reporting and processing
- Investment recommendations for idle funds to meet NCGS requirements
- Financial reports for Board meetings and as needed by staff
- Annual financial report creation and working with auditor as needed
- Communication as needed with the NC State Treasurer's Office/LGC and other state agencies on financial matters

By utilizing the County staff, the following audit deficiencies would be alleviated:

- Segregation of duties
- Significant audit adjustments
- Timely filing of payroll reports including Federal 941
- Auditor drafting of financial statements
- Issues with non-compliance of NC General Statutes related to financial matters

However, Vice Chairman noted that the County has no desire to take over the TDA. Commissioner Brittain asked if the County did the accounting for the TDA, would that eliminate their audit and combine it with the County's. Ms. Pierce said no because the TDA is a separate entity from the County, however, they are pulled into the County's audit because they are considered a discrete component unit of the County because the Board appoints the TDA Board. In reference to the numerous letters from the LGC over the years, Commissioner Taylor questioned how many times, if any, have potential solutions/recommendations been discussed or acted on by the TDA Board. He also addressed the TDA's quorum issues and their attendance policy. Vice Chairman Mulwee commented on how difficult it is to find members that meet the restrictive criteria set forth in the enabling legislation. Commissioner Abele said he would like to see the TDA resume giving grants to small communities, a practice which has not occurred in many years. Chairman Carswell asked if any applications were received for seats that have been vacant since 2018. Clerk Draughn said there are a number of applications on file now, which were received recently. Discussion ensued on the number of seats on the TDA Board with seven (7) regular seats being identified in the legislation, plus two (2) ex-officio seats. A general discussion ensued. Topics addressed included the appointment of the TDA chair, whether additional legislation is needed and what the County's fiduciary and oversight role is. Commissioner Taylor suggested before any legislation is changed the Board and the TDA Board need to meet to discuss any changes and get their input. Vice Chairman Mulwee concurred with Commissioner Taylor. Commissioner Abele said it is time to rewrite the legislation and expand the TDA Board membership. Commissioner Brittain suggested researching how other county TDAs operate. Chairman Carswell said Clerk Draughn has already completed that research and the Board should have that information. Chairman Carswell commended Mr. Phillips for his work at the TDA but with the recent financial concerns he wanted to have this meeting to get clarity on the situation and to see how the Board wants to proceed. Chairman Carswell and Commissioner Taylor said they do not want to see another letter from the LGC regarding TDA financial deficiencies. Additional discussion ensued regarding how many members are on the TDA Board. Attorney Simpson said from the legislation it is seven (7) members and two (2) ex-officio members, which are the county finance director and the TDA director. At the request of Chairman Carswell, the TDA Director who was in the

audience, confirmed that the TDA Board has seven (7) members. However, Clerk Draughn said for many years the county has appointed nine (9) members plus the two (2) ex-officio members for a total of 11 members. Note: After the meeting, a resolution adopted by the Commissioners on October 20, 2009 increasing the membership of the TDA to nine (9) was located and provided to the Board as well as the TDA Director. It is included in the meeting minutes for reference.

**A RESOLUTION CLARIFYING THE APPOINTMENT AND MEMBERSHIP OF THE BURKE COUNTY TOURISM DEVELOPMENT AUTHORITY**

WHEREAS, on October 16<sup>th</sup>, 2007, the Burke County Board of Commissioners adopted a Resolution creating the Burke County Tourism Development Authority, AND

WHEREAS, that Resolution provided for the Appointment and Membership of the Authority, AND

WHEREAS, the Burke County Board of Commissioners desires to clarify that Resolution as it relates to the appointment and membership of the Authority;

NOW THEREFORE BE IT RESOLVED, The Burke County Tourism Development Authority shall consist of nine (9) members. One-third must be individuals who are affiliated with businesses that collect occupancy tax in the County, and at least one-half must be individuals that are currently active in the promotion of Travel and Tourism in the County. Of the total membership, one (1) member must represent the City of Morganton, one (1) member must represent the Town of Valdese, and one (1) member must be a County Commissioner, AND

BE IT FURTHER RESOLVED, THAT, the appointment of Authority members shall be made by the Board of County Commissioners in such a manner as to create a system of staggered terms whereby either four (4) members terms or five (5) members terms will expire in any given year. All Terms shall expire on December 31<sup>st</sup>.

In order to establish such a staggered schedule, the Board of Commissioners shall appoint four (4) individuals to terms expiring December 31, 2010 and five (5) individuals to terms expiring December 31, 2011. Subsequent appointments shall be for two (2) year periods, except for the County Commissioner member whose term shall always be one (1) year. All other provisions of the October 16, 2007 resolution remain unchanged and continue in full force and effect.

Duly adopted this 20<sup>th</sup> day of October, 2009

Signed Ruth Ann Suttle  
Ruth Ann Suttle, Chair of the Burke County Commissioners

Attest: Doris S. Smith  
Doris S. Smith, Clerk to the Board



Minutes Acceptance: Minutes of Jan 10, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

In response to a question from Chairman Carswell, Clerk Draughn reported all the seats have

January 10, 2020 (Special)

DRAFT

one (1) application on file. County Manager Steen reminded the Board that if someone is not meeting expectations and not doing their job, then the Board does not have to reappointment them to the TDA Board. Attorney Simpson suggested making the appointments at the next regular Board meeting which would allow for more time for additional applications to be submitted. Discussion ensued on how quickly a meeting with the TDA would be needed and what the timeline would be for any legislative changes. Chairman Carswell asked the Clerk to add the TDA appointments or reappointments to the January agenda. Vice Chairman Mulwee said if the Board made the appointments at the next regular Board meeting (January 21, 2020), and then the legislation was re-written, could the Board then appoint a completely new TDA Board. Attorney Simpson said as long as that was stated in the legislation. Chairman Carswell asked Vice Chairman Mulwee to lead the effort to work with the TDA and find the language that both parties can agree to moving forward.

<b>RESULT:</b> <b>NO ACTION TAKEN.</b>
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**ADJOURN****Motion: To adjourn at 4:10 p.m.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Maynard M. Taylor, Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

Approved this 19<sup>th</sup> day of May 2020.

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

Attest:

\_\_\_\_\_  
 Kay Honeycutt Draughn, CMC, NCMCC  
 Clerk to the Board

Minutes Acceptance: Minutes of Jan 10, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

January 15, 2020 (Special)

DRAFT

**MINUTES  
BURKE COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING**

The Burke County Board of Commissioners held a special meeting on Wednesday, January 15, 2020 at 3:00 p.m. They met in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E in Morganton, N.C. The special meeting notice, executed by Chairman Carswell, was published on January 9, 2020 and the purpose of the meeting was to discuss matters related to a concept for a public / private partnership for a wedding and conference venue at the Fonta Flora County Park . Those present were:

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

**COMMISSIONERS ABSENT:** Scott Mulwee, Vice Chairman (Unable to attend.)

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

**DEVELOPERS PRESENT:** Isaac Hoff  
George Milner

**CALL TO ORDER**

Chairman Carswell called the meeting to order at 3:05 p.m.

**APPROVAL OF THE AGENDA**

**Motion: To approve the agenda.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Wayne F. Abele, Sr., Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor
<b>ABSENT:</b>	Scott Mulwee

**ITEMS FOR DISCUSSION / DECISION**

**THE NEST - A PUBLIC / PRIVATE PARTNERSHIP FOR A WEDDING & CONFERENCE VENUE AT FONTA FLORA COUNTY PARK**

Information from the agenda packet:

Over the past three (3) years Community Development has sought a partner to work with the County in the development of a wedding and conference venue at

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

Fonta Flora County Park. The venue will be located on a ridge overlooking Lake James and will have views of the South Mountains, Black Mountains, Shortoff and Grandfather Mountains. The venue is anticipated to cost approx. \$4.5 million and will help fulfill one of the top goals in the development of tourism for Burke County. The venue will be utilized for weddings, conferences, retreats, music and art festivals and can host family gatherings. The venue will serve as a unique and iconic destination to draw guests to Burke County and to assist in building the "Fonta Flora Brand" for the Lake James area. Please see attached documents for additional information.

Scott Carpenter, Deputy County Manager/Planning Director, said for three (3) years Community Development has been looking for a partner to develop a portion of the County Park area of the Fonta Flora State Trail. He said they had a potential partner at one point, but the County Park land was not developed then. However, since that time a lot of progress has been made and now the property has an access road, provided by Duke Energy for a future deep water boat launch, and electricity, provided by Rutherford Electric Membership Corporation (REMC), but public water is still not available. Mr. Carpenter introduced the potential developers of the project, George Milner and Isaac Hoff, residents of the Lake James area with a real love for the Lake. He said before the Board today is a two (2) phased proposal, the first phase is a public-private partnership for a wedding and conference venue with a commercial kitchen at the County Park, and the second phase is for construction of nearby yurts, treehouses, and cabins that would support the venue. Mr. Carpenter advised that the project would cost approximately \$10 million, with the first phase (wedding and conference venue) estimated to cost approximately \$4.5 million. He further said the venue will be utilized for weddings, conferences, retreats, music and arts festivals, and family gatherings. Mr. Carpenter said, originally a lodge was going to be constructed across the Lake on Long-Arm, but the terrain was more mountainous than anticipated, making it very expensive to develop, so no one ever developed the land and it was later purchased by the NC State Parks system. The location of the proposed venue, the "Nest", would be across the Lake from where the lodge was going to be developed, and this property has some advantages such as a paved road, great views, electricity, and a 250 feet deep well for restrooms. He noted that this is the only property on Lake James where this venture / venue could feasibly work and it would compete with Atlanta, Charlotte, Raleigh, and Asheville because of the quality of the proposed venue and the scenic views and attractions. Mr. Carpenter then outlined some of the provisions of the public-private partnership agreement: A 200-300-person venue would be constructed, construction of the Eagle's Nest structure (a 360 degree viewing platform) which would be separate from the main venue, the developers have the first option to construct cabins, treehouses, or yurts on adjoining county-owned land (subject to a separate agreement), a 30-year ground lease with four (4) five (5) year options to renew, 25-acres+/- of land for a septic system, a local tax incentive grant (8-years at 50 percent) on the infrastructure and the building, the lease would be transferable to a third party, the County would provide road access down Eagle's Nest Way between NC Hwy. 126 and Venue Drive, as well as electricity, the County would provide a 180-space parking lot, the County would construct a 1,500 ft. driveway to the venue off of Eagle's Nest Way, and provide the site location and 25 acres for the venue. Mr. Carpenter reviewed the benefits the County will receive from the project: 12,000+/- estimated clients annually (70% out-of-County) spending an estimated \$150 a day generating \$8.4 to \$12.5 million annually, weekday events priced similarly to the Morganton Community House and plans for music and art festivals, cooking classes, etc.

Mr. Hoff then reviewed the following PowerPoint presentation.



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Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

# THE NEST Lakeside Venue

## Advancing Burke County's Hospitality Economy

### Background

- Long Term Goal of Burke County

### Today's Topics

- Opportunity
- Design Review
- What We Have / What We Need
- The Why

### Goal for Today

- Receive support from County
- Funding of necessary infrastructure



## Opportunity



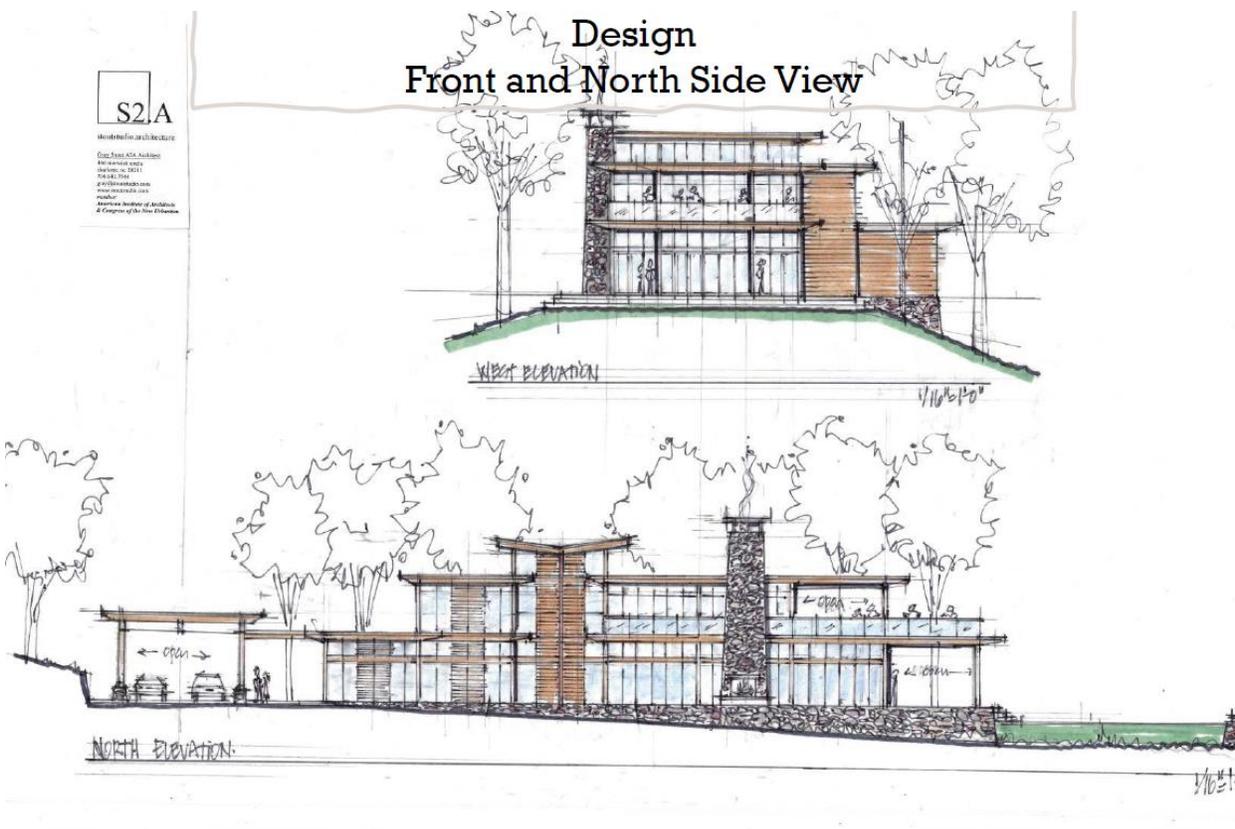
- **A County** with foresight and vision to see how to "Advance" Our Beautiful County
- **Local investor** who shares this vision and commitment to advance Burke County's hospitality economy
- **Unmatched land** that has the potential to be a iconic draw for people from far away
- **The people** to make this happen

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

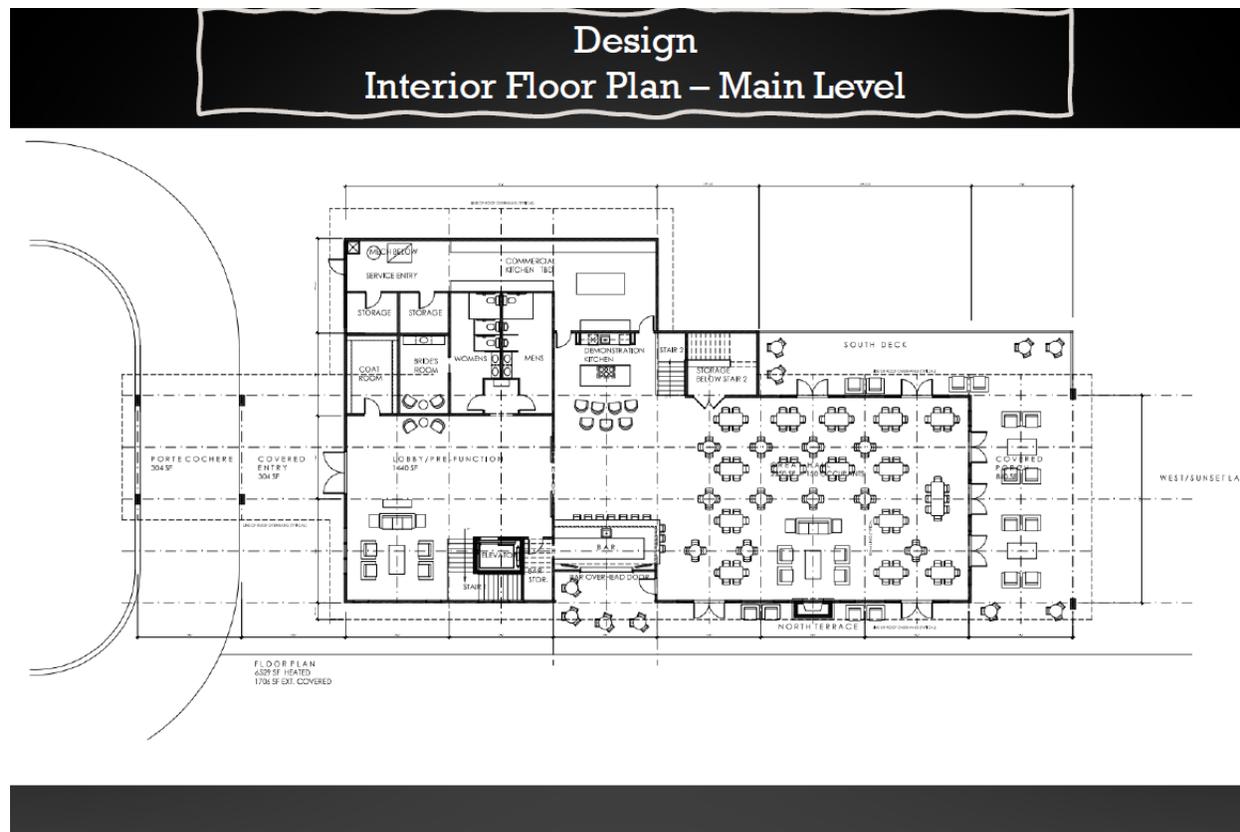
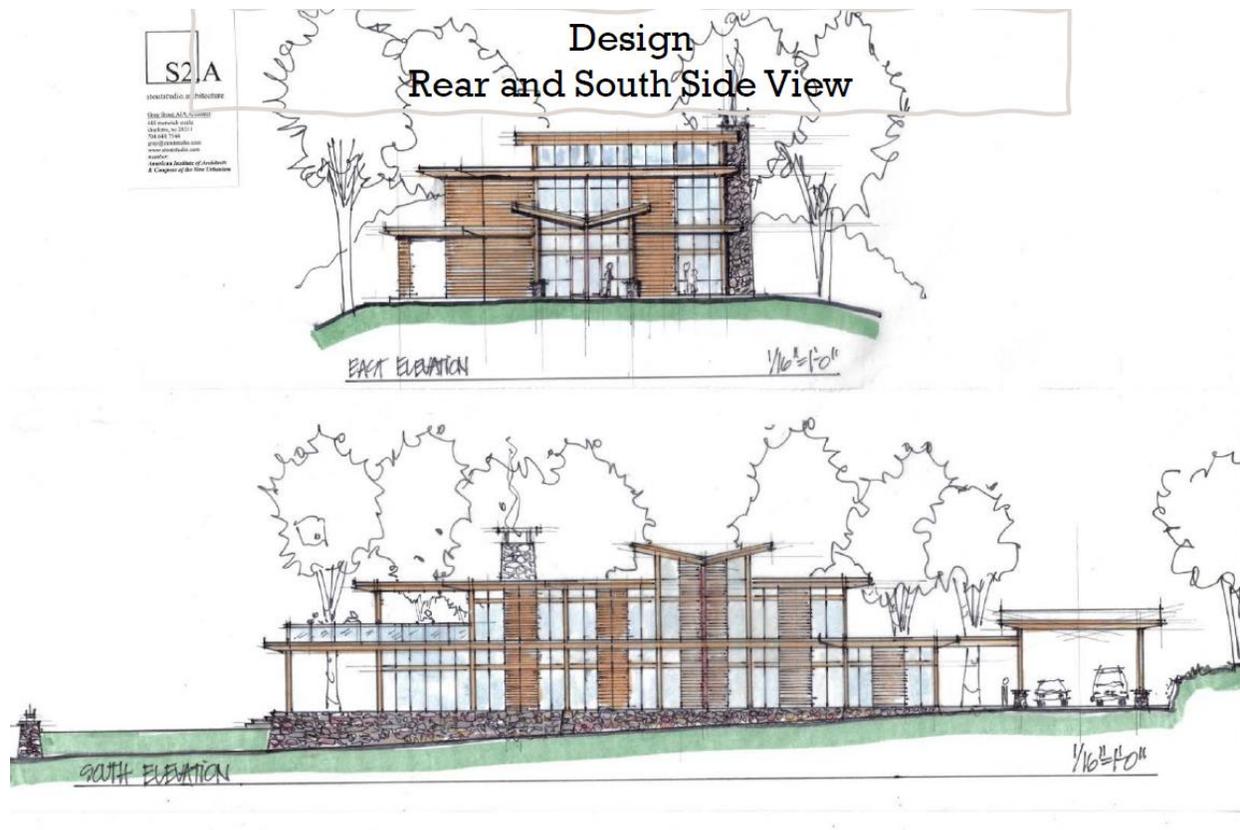
# THE NEST Lakeside Venue



## Design Front and North Side View

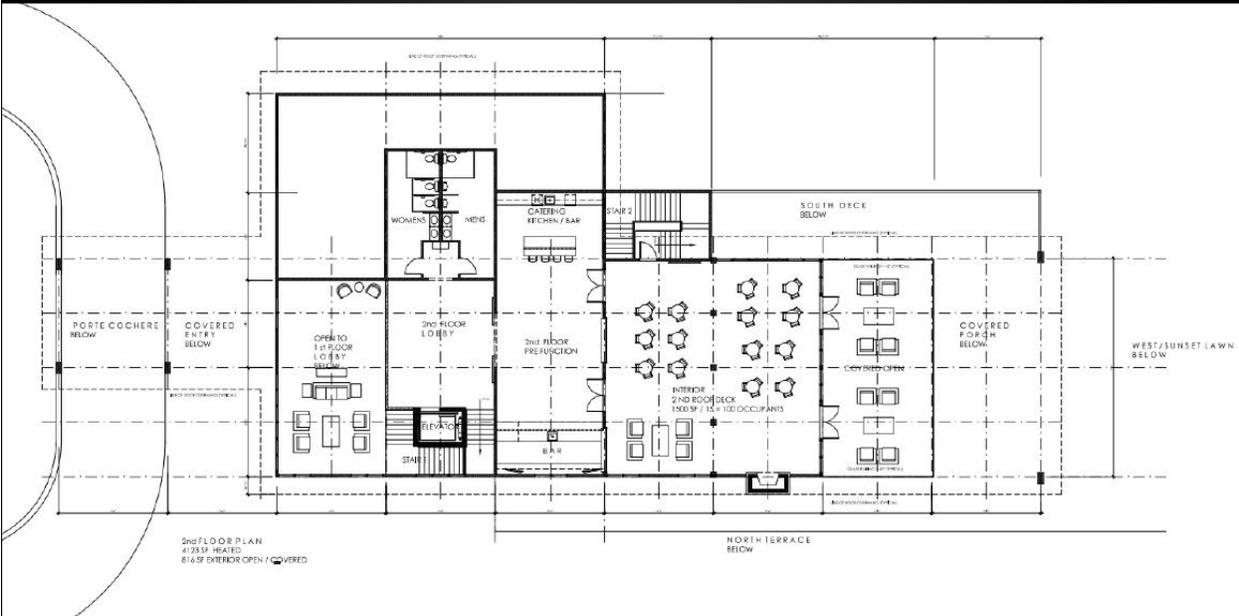


Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)



Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

# Design Interior Floor Plan – Upper Level



# What We Have



- Land
- Local Private Investor with funds available for building
  - \* Funds will not be available indefinitely
- Desire for project from County
- Design and Plan

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

### What We Have Accomplished to Date



- Site Clearing
- Worked with Equinox a planning and design firm to create layout
- Septic Preliminary layout
- Structure Design with Stout Studio
- Consulting with local event professionals
- Worked with Burke County Fire Chief, and Burke County Building Department
- Currently \$40,000 of private money invested to get to this point

### What Is Needed from the County

#### **What Is Need From the County:**

- Paved Driveway – approximately 2000’ long
- Parking lot to accommodate 170 spaces (on county land)
- Power to the Venue Building/Site



Estimated Cost of Installation: \$400,000  
(10% of total investment that will be spent to create the venue)

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

## Future Potential

**PROGRAM ELEMENTS**

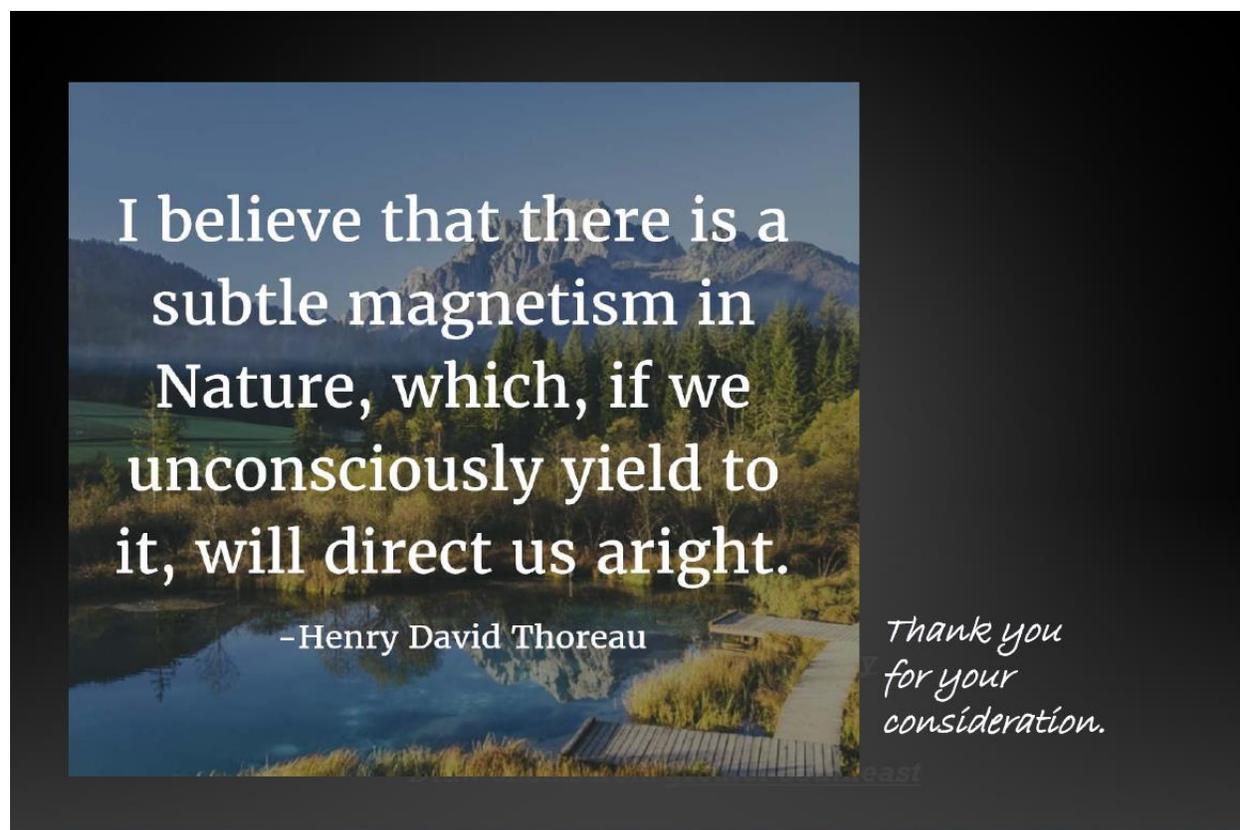
- A- Off property parking; overflow (120 spaces)
- B- On property parking (45 spaces)
- C- Shelter for picnic area accessible from home base & marina
- D- Turn-around and pull-off parking for check-in and cart rental
- E- Reception building with office/store/ rental space and large deck (800sf)
- F- Golf cart storage (35-40)
- G- Cart path to Luxurious beachside treehouses
- H- Decorative turn-around and grand entrance to event venue and attraction overlook
- I- Climate controlled event space (1,200sf) with birds nest on top and grand overlook cantilevered over the trees
- J- Tree houses off the slope (5, 1 ADA)
- K- Boat house and rental
- L- Medium sized cabins (5, 2 ADA)
- M- Luxury cabins (4)
- N- Picnic shelters (2- 20x30, 1- 15x15)
- O- Boat-in access (2)
- P- Fire pit and refined beach access
- Q- Restrooms
- R- Tree houses (3 Individual and cluster with elevated walkways)
- S- Fenced graveyard with signage
- T- Beach Access

## Propelling the legacy of Burke County becoming a destination

Why is this a good idea?

- ROI For the investor
- ROI For Burke County
- Benefits for County
  - 8000 out of town guest a year, spend \$200 each we have \$1.6 M a year into local businesses
  - Sales Tax
  - Hotel Tax with lodging
- The main reason

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)



Mr. Hoff offered to respond to questions from the Board. Commissioner Abele asked when will the cabins be constructed and who will build them. Mr. Hoff said the goal is for he and Mr. Milner to develop the cabins which will support the main venue. Regarding the timeline, Mr. Hoff said the sooner the better, discussion ensued. In response to a question from Commissioner Taylor, Mr. Carpenter said the land that the venue would be built on belongs to Burke County and is part of the Fonta Flora County Park. Commissioner Taylor noted that there are references to a memorandum of understanding and agreement and questioned, due to any potential legal ramifications, which one is needed. J.R. Simpson, II, County Attorney, said at this point in the process, a letter of intent would be best for Burke County because it is non-binding. Mr. Carpenter clarified that what the developers are asking for today is to approve a conceptual agreement for the "Nest" project by way of a letter of intent and to instruct the County Attorney to draft a formal lease and partnership agreement with the private partner's attorney for consideration by both parties. Mr. Carpenter responded to additional questions from Commissioner Taylor on the road and utility requirements. Discussion ensued on the cost of the project and Mr. Carpenter said he does not have exact cost figures because engineering and design work would need to be completed first in order to know the true cost of the project. Mr. Carpenter said this project is different than many others because it will eventually pay itself back by, if nothing else, property taxes and other revenues generated by tourism and visitor spending, discussion ensued. Commissioner Taylor said before committing County funds to the project, he would like to have more detailed cost information. In response to another question from Commissioner Taylor, Mr. Carpenter said the County would most likely be responsible for the Eagle's Nest structure, but at this point with regard to the letter of intent, it is uncertain. Mr. Carpenter answered additional questions about the viewing platform. Mr. Milner said with many

projects, one party owns the land and the other party owns the building and there is some additional negotiation that needs to occur. He said the County would provide 25 acres and while the opportunity cost may be unknown, and noted the land is challenging to build on and get to, but it is a beautiful piece of property once you get there. Mr. Milner said he does not know the value of the land, but he is going to use approximately \$4 million for this project, and noted the County will get returns from sales tax associated with income that is generated from the project. He said this is a partnership with each party having their own streams of income, discussion ensued. In response to a question from Commissioner Brittain concerning the location of the parking lot and topographic concerns, Mr. Carpenter said the venue would most likely use a shuttle system to bus people to and from the parking lot, there would also be a walking path from the parking lot to the venue. Additional discussion ensued regarding parking and Mr. Hoff noted that approximately eight (8) spaces could be added at the venue for key personnel during events. Commissioner Brittain said if taxpayer funds are going to be used for this project, then he needs to be able to tell taxpayers how they are going to get their money back. County Manager Steen said he along with Mr. Carpenter, Deputy County Manager/Finance Director, Margaret Pierce, and the County Attorney can try to refine the cost figures to get a clearer estimate. Chairman Carswell asked what is the timeline for this project in regards to next steps for the County. Mr. Carpenter said Mr. Milner cannot hold his (\$4 million) investment indefinitely and they are hoping to move forward in the spring. Mr. Milner said he cannot proceed without an agreement in place and noted the next step is creating the detailed plans/designs, estimated to cost \$150,000. Attorney Simpson reported the proposed letter of intent says the County is obligated to purchase the venue at the termination of the lease and that the County is required to maintain the road and parking. Discussion ensued about the disbursement of profit from the venue as outlined in the letter of intent. In response to a question from Attorney Simpson, Mr. Carpenter said the venue and septic system would utilize approximately 25 acres, discussion ensued regarding the commercial septic system for the venue which could cost \$1 million or more. The cabins in phase 2, would require their own septic system. In response to a question from Commissioner Brittain concerning the process going forward, Attorney Simpson said staff can work together to get more detailed cost information for inclusion in the letter of intent that both parties can agree on. Chairman Carswell asked if the Board votes to do a letter of intent today, do they also have to agree to a lease and formal partnership agreement. Attorney Simpson said the Board can proceed with a modified letter of intent and staff can also work on a lease agreement with more details and cost estimates. Commissioner Abele said he believes the Board is rushing the letter of intent and while it is non-binding, the decision should not be rushed because there are a lot of unanswered financial questions. Mr. Milner responded to a question from Commissioner Brittain concerning the timeline and noted a financial gap exists that must be closed before he commits the funds for the detailed design plans. Commissioner Abele reiterated his desire to not rush the process. County Manager Steen said staff can work on the letter of intent, get more detailed cost information and present it at the Board's February meeting. He reminded the Board that if the numbers do not work, then the County will not proceed with the project and noted that other projects will arise at some point in the future. Chairman Carswell said he does not believe the Board is ready to vote on any motion today and directed Attorney Simpson to work with Mr. Milner's attorney as quickly as possible to draft a new letter of intent. Chairman Carswell also directed Mr. Carpenter to work with the developers to get more detailed cost information, and noted he wants the full Board to vote on this item. Commissioner Taylor expressed support for moving forward with the project and the letter of intent.

**RESULT: NO ACTION TAKEN.**

**REMINDERS**

Chairman Carswell announced that on February 20 and 21 the Board will hold a budget retreat in Blowing Rock, N.C. and that on March 31, the North Carolina Association of County Commissioners' (NCACC) district meeting will be held at the Foothills Higher Education Center in Morganton.

**ADJOURN**

**Motion: To adjourn at 4:21 p.m.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Wayne F. Abele, Sr., Commissioner
<b>AYES:</b>	Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor
<b>ABSENT:</b>	Scott Mulwee

Approved the 19<sup>th</sup> day of May 2020.

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

Attest:

\_\_\_\_\_  
Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

Minutes Acceptance: Minutes of Jan 15, 2020 3:00 PM (APPROVAL OF MEETING MINUTES)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**PRESENTATIONS**

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**Subject Title:** AS - Pet of the Month

**Presented By:** Kaitlin Settlemyre

**Summary of Information:** Animal Services staff will present a dog and cat in need of its “forever” 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: May 19, 2020**



**PRESENTATIONS**

---

**Subject Title: TDA - Financial Update for the Period Ending March 31, 2020**

**Presented By: Ed Phillips**

**Summary of Information:** 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motion: To accept the report as presented.**

Burke County Tourism Development Authority  
110 East Meeting Street  
Morganton, NC 28655



Date: April 24, 2020

From: Burke County Tourism Development Authority

### **Operational Update #4**

The Burke County Tourism Development Authority has implemented several plans to mitigate the impact of the COVID-19 virus and the impact on our ability to operate.

- NEW: The Burke TDA has created a “Burke Treasures” campaign on social media. These are posted every morning at 6:30 am, 7 days a week with inspiring stories about Burke County People and Places who represent the Tourism Economy here. The goal is to bring awareness to these special treasures and get people to think about activities they may consider once the travel restrictions are lifted. This campaign will continue for the foreseeable future. Other Advertising and marketing campaigns continue to be paused.
- Tourism Staff continue to answer calls from travel writers and publishers who are interested in Burke County stories for their publications. Staff have provided photos and other information for upcoming stories.
- The TDA is sharing information for hospitality and tourism workers in Burke County of which more than 2,000 may be unemployed due to restaurant closures and diminished hours. Hotels in Burke have also reduced staff to the bare minimums.
- All TDA non-essential spending has been cut to preserve our Fund Balance for operational costs and **Recovery Marketing** once this crisis is over.
- Staff- We continue to work shifts in the Burke Visitor Center and remotely whenever possible. Staff health and safety are of the utmost importance.
- The Burke Visitor Center is **Closed to Visitors**. We are answering phone calls and directing inquiries to the appropriate resources.

We will communicate weekly through this Operational Update unless an urgency occurs. Please feel free to contact me by email if you have any questions.

[director@discoverburkecounty.com](mailto:director@discoverburkecounty.com)

Sincerely,

Ed Phillips

C.E.O., Burke County Tourism Development Authority

## TDA YTD ACTUAL VS. FULL YEAR BUDGET

	<u>Jul '19 - Mar 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Income</b>				
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%
<b>Total Income</b>	<u>369,107.95</u>	<u>662,000.00</u>	<u>-292,892.05</u>	<u>55.76%</u>
<b>Expense</b>				
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%
<b>Total 5150 · Insurance</b>	<u>12,921.68</u>	<u>20,000.00</u>	<u>-7,078.32</u>	<u>64.61%</u>
5180 · Office Supplies	3,896.40	4,000.04	-103.64	97.41%
5190 · Payroll Shared Staff Reimburse	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%
<b>Total 5200 · Payroll Expenses</b>	<u>130,367.85</u>	<u>211,000.00</u>	<u>-80,632.15</u>	<u>61.79%</u>
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%
<b>Total 5300 · Travel/Training</b>	<u>9,602.02</u>	<u>22,000.00</u>	<u>-12,397.98</u>	<u>43.65%</u>
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			
<b>Total Expense</b>	<u>415,967.92</u>	<u>662,000.00</u>	<u>-246,032.08</u>	<u>62.84%</u>
<b>Net Income</b>	<u><u>-46,859.97</u></u>	<u><u>0.00</u></u>	<u><u>-46,859.97</u></u>	<u><u>100.0%</u></u>

Attachment: TDA ACT. VS YTD BUDGET (3041 : TDA Financial Update)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**SCHEDULED PUBLIC HEARINGS**

**Subject Title: BDI - Building Reuse Grant and Local Economic Development Grant for Project Refresh and Public Hearing - 6:00 PM**

**Presented By: Alan Wood or Hope Hopkins**

**Summary of Information:** 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 704 (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.**

**Budgetary Effect:** 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.

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motions:**

1. Receive presentation.
2. Hold a public hearing & announce that written comments on the proposed incentive grant will also be accepted through May 20, 2020 by the Board's Clerk by email, facsimile, US Mail, or hand delivery in accordance with HB 730.
3. To table this item until 2 p.m. on May 22, 2020.

**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 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 19<sup>st</sup> day of May 2020.

\_\_\_\_\_  
Johnnie W. Carswell, Chairman

Burke Co. Board of Commissioners

**CERTIFICATE OF RECORDING OFFICER**

The undersigned duly qualified Clerk to the Board of Commissioners, Kay Honeycutt Draughn, does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the NC Department Rural Economic Development Division, as adopted at a legally convened meeting of Burke County duly held on the 19<sup>th</sup> day of May 2020; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 19<sup>th</sup> day of May 2020.

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Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

**NOTICE OF VIRTUAL PUBLIC HEARING  
ECONOMIC DEVELOPMENT INCENTIVE  
PROJECT REFRESH  
MAY 19, 2020 – 6:00 P.M.**

Notice is hereby given that the Burke County Board of Commissioners will hold a VIRTUAL public hearing at 6:00 p.m. (or as soon thereafter as persons may be heard) on Tuesday, May 19, 2020, to give consideration and approval of expending public funds to assist with rehabilitating the location of Project Refresh, which is located in Burke County (Morganton) via a Building Reuse grant and a local economic development grant which will be the matching funds for a proposed OneNC 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. 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. Also, BDI proposes a grant equivalent to 60% of the property taxes paid on the new tax base generated for a period of five (5) years. The Board of Commissioners and the Morganton City Council believe the project will stimulate economic activity, will result in the creation of new jobs, help stabilize and increase the tax base and create additional revenues for both entities. Citizens may express their opinion(s) during the virtual public hearing by joining the virtual meeting at 5:45 p.m. Please contact the Clerk for connection credentials prior to the meeting. Or citizens may submit a written statement to the Clerk by **4 p.m.** on Tuesday, **May 19, 2020** in one of the following ways:

- Email: [kay.draughn@burkenc.org](mailto:kay.draughn@burkenc.org)
- Hand-deliver: Burke County Governmental Offices, 200 Avery Avenue, (2<sup>nd</sup> Floor) in Morganton
- US Mail: Burke County, Attn: Kay Draughn, P.O. Box 219, Morganton, NC 28680.

Comments received by the deadline will be read aloud by the Clerk during the virtual public hearing.

THE NEWS HERALD  
VOL. 134 PUB NO. 109  
MAY 7, 2020

**NOTICE OF VIRTUAL PUBLIC HEARING**  
**ECONOMIC DEVELOPMENT INCENTIVE**  
**PROJECT REFRESH**  
**MAY 19, 2020 - 6:00 P.M.**

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- Email: [kay.draughn@burkenc.org](mailto:kay.draughn@burkenc.org)
- Hand-deliver: Burke County Governmental Offices,  
200 Avery Avenue, (2nd Floor) in Morganton
- US Mail: Burke County, Attn: Kay Draughn, P.O. Box 219,  
Morganton, NC 28680.

Comments received by the deadline will be read aloud by the Clerk during the virtual public hearing.

**Publish: May 7, 14, 2020.**

Attachment: 2020 Project Refresh PHN (2994 : Project Refresh)

AGREEMENT BETWEEN THE  
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND  
BURKE COUNTY  
FOR THE PROVISION OF  
ADMINISTRATIVE ASSISTANCE  
N.C. COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION  
REUSE GRANT  
JULY 28, 2020 – JUNE 18, 2021

This AGREEMENT, entered into on this the \_\_\_\_ day of July, 2020 by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and Burke County, North Carolina (hereinafter referred to as the "Local Government"); WITNESSETH THAT:

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provision of services as described in Attachment A, which is herein made a part of this Contract;

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to the Local Government; and

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Personnel.** That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.
2. **Travel/Printing.** The Local Government will pay for expenses related to conferences, conventions, seminars, local travel, etc. of the personnel when the Local Government requests or approves travel related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio. The Local Government will also pay for expenses related to printing of report(s), mailings to advisory boards, and other costs not related to normal travel and staffing costs associated with personnel furnished by the Planning Agency.
3. **Compensation.** The Local Government will pay the Planning Agency an amount of \$25,000 (twenty-five thousand dollars) for the satisfactory performance of all services related to administration of the project as defined in the attached Scope of Services. It is expressly understood and agreed that total compensation shall not exceed the sum specified without prior approval of both agencies.

4. **Termination/Modifications.** The Local Government may terminate this Contract by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written approval of the other.
5. **Time of Performance.** The Planning Agency shall ensure that all service required herein should be completed and all required reports, maps, and documents submitted during the period beginning July 28, 2020 and ending June 18, 2021.
6. **Interest of Members, Officers, or Employees of the Planning Agency Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercise any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.
7. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded.
8. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
9. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified disabled person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
10. **Access to Records and Record Retainage.** All official project records and documents must be maintained during the operation of this project and for a period of three years following closeout.

- 11. **Liquidated Damages Clause.** If the project fails to be carried out within the time frame outlined in the administrative proposal due to activities attributed to the Planning Agency, the Local Government may assess the Planning Agency a sum in the amount of \$100 per week for any subsequent weeks until completion.
- 12. **Termination of Agreement for Cause.** If, through any cause, the Planning Agency shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or violate any of the covenants, conditions, or stipulations of this Agreement, the Local Government shall thereupon have the right to terminate this Agreement by giving written notice of such termination and specifying the effective date thereof. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared under this Agreement shall, at the option of the Local Government, become its property, and the Planning Agency shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials in direct proportion to the extent of services actually completed.
- 13. **Grantee Assurances.** In the performance of this Agreement, the Planning Agency shall comply with all applicable federal rules and procedures outlined on the attached pages as E.O. 11246 Clause, the Section 3 Clause and Lobbying Clause (Attachments B, C and D).

IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of the date first above written.

LOCAL GOVERNMENT:  
BURKE COUNTY

PLANNING AGENCY:  
WESTERN PIEDMONT  
COUNCIL OF GOV'TS.

By: \_\_\_\_\_  
County Manager

By: \_\_\_\_\_  
Executive Director

LOCAL GOVERNMENT:

PLANNING AGENCY:

By: \_\_\_\_\_  
Chairman

By: \_\_\_\_\_  
Chairman

Attachment: Burke County Project Refresh Matching Funds - WPCOG Contract\_Redacted (2994 : Project Refresh)

Preaudit statement:

This instrument has been pre-audited in the manner prescribed by the Local Government Budget and Fiscal Control Act.

By: \_\_\_\_\_  
Local Government Finance Officer

Attachment: Burke County Project Refresh Matching Funds - WPCOG Contract\_Redacted (2994 : Project Refresh)

ATTACHMENT A  
SCOPE OF SERVICES

BURKE COUNTY  
NORTH CAROLINA RURAL CENTER  
WORK PROGRAM/BUDGET  
JULY 28, 2020 – JUNE 18, 2021

Introduction

The Western Piedmont Council of Governments (WPCOG) has worked with Burke County on the receipt of a NC Department of Commerce Building Reuse Grant for Project proposing to rehabilitate the property located at

The NC Department of Commerce is scheduled to award a \$500,000 Building Reuse Grant in June 2020 for the up fit of the building in order for to manufacture and distribute goods in Burke County and create 151 new, full-time positions within two years.

The Scope of Services proposal is intended to describe the various administrative activities the WPCOG will provide as related to the NC Commerce Rural Economic Development Division grant funds.

WPCOG Services

Paul Teague will serve as the Project Administrator and will provide the following specific activities:

- Assistance with development of Burke County's Award Package.
- Development and management of the overall project filing system.
- Preparation of all pay request recommendations for the County.
- Requisition of the grant funds.
- Preparation of all required reports during the project construction.
- Update Manager on status of project.

The County will be responsible for the following:

- Adequate office space including utilities.
- Direct payment of legal and audit services and general administrative costs.
- All administrative costs not specifically identified as WPCOG responsibilities.

Administrative Fee

The WPCOG proposes to provide the above-described services for a fee not to exceed contract of \$25,000.

Amendments and Termination

Burke County can terminate this contract by giving a one-month written notice. Should there be the need to amend this proposal during the term of the project, either party may do so with the approval of the other.

Assurances

Assurances are attached as a part of the Agreement

## ASSURANCES OF COMPLIANCE

## ATTACHMENT B

Executive Order 11246

During the performance of this Contract, the contractor agrees as follows:

- 1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, age, or national origin. Such action shall include, but not be limited to the following: recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, or national origin.
- 3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, notice advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- 4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.
- 5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- 7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract

or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

## ATTACHMENT C

Section 3 Clause

"Section 3" Compliance in the Provision of Training, Employment, and Business Opportunities

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.
- b. The parties to this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment and training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. The contractor will not subcontract with any subcontractor where it has notice of knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued hereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors or assigns to those sanctions specified by the grant or loan agreement of contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

**ATTACHMENT D**Lobbying Clause

No Federal appropriated funds have been paid or will be paid, by or on behalf of the Planning Agency or the Local Government, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative, agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Planning Agency and/or the Local Government shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

**NOTICE OF 24-HOUR EXTENSION TO SUBMIT WRITTEN COMMENTS  
ON AN ECONOMIC DEVELOPMENT INCENTIVE PACKAGE FOR  
PROJECT REFRESH**

**Session Law 2020-3 (HB 704), allows written comments on the subject of the public hearing held at a remote (electronic) meeting to be submitted between the publication of any required notice (May 14, 2020) and 24 hours after the public hearing (May 19, 2020). As such, written statements on the proposed economic development incentive package for Project Refresh referenced below, will be accepted until May 21, 2020 at 8 a.m. Statements received by the Clerk between May 14 and May 19 (4 p.m. cutoff) will be presented at the Commissioners' May 19<sup>th</sup> meeting at 6 p.m. Written statements received by the Clerk after 4 p.m. on May 19<sup>th</sup> through May 21<sup>st</sup> (8 a.m. cutoff), will be presented at the Commissioners' May 22, 2020 remote meeting which begins at 2 p.m. Statements must be submitted to the Clerk in the manner prescribed below.**

Notice is hereby given that the Burke County Board of Commissioners will hold a VIRTUAL public hearing at 6:00 p.m. (or as soon thereafter as persons may be heard) on Tuesday, May 19, 2020, to give consideration and approval of expending public funds to assist with rehabilitating the location of Project Refresh, which is located in Burke County (Morganton) via a Building Reuse grant and a local economic development grant which will be the matching funds for a proposed OneNC 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. 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. Also, BDI proposes a grant equivalent to 60% of the property taxes paid on the new tax base generated for a period of five (5) years. The Board of Commissioners and the Morganton City Council believe the project will stimulate economic activity, will result in the creation of new jobs, help stabilize and increase the tax base and create additional revenues for both entities. Citizens may express their opinion(s) during the virtual public hearing by joining the virtual meeting at 5:45 p.m. Please contact the Clerk for connection credentials prior to the meeting. Or citizens may submit a written statement to the Clerk by 4 p.m. on Tuesday, May 19, 2020 to be read aloud during the public hearing in one of the following ways:

- **Email:** [kay.draughn@burkenc.org](mailto:kay.draughn@burkenc.org)
- **Hand-deliver:** Burke County Governmental Offices, 200 Avery Avenue, (2<sup>nd</sup> Floor) in Morganton
- **US Mail:** Burke County, Attn: Kay Draughn, P.O. Box 219, Morganton, NC 28680.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

**Subject Title: BCPS - Presentation of Financial Data for the Period Ending March 31, 2020**

**Presented By: Keith Lawson**

**Summary of Information:** 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%
<b>Total</b>	<b>\$ 109,702,255</b>	<b>\$ 109,924,618</b>	<b>\$ 81,491,679</b>	<b>\$ 80,934,362</b>	<b>-0.7%</b>	<b>73.6%</b>

BCPS										
Local Financials by Purpose & Function Level										
2019/2020										
Expenses		'16/17	'17/18	'18/19	'19/20					Total
					Budget	1st	2nd	3rd	4th	
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									

**Budgetary Effect:** NA

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motion:** To accept the report as presented.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: BOC - Resolution Regarding Rules of Procedure for Electronic Meetings During COVID-19 State of Emergency**

**Presented By: Johnnie W. Carswell**

**Summary of Information:** The following resolution establishes the rules of procedure for electronic meetings during the 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motion:**

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

## **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 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. 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.

#### 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 19<sup>th</sup> day of May 2020.

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

Attest:

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Kay Honeycutt Draughn, CMC, NCMCC  
Clerk to the Board

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: Clerk - Appointment to Planning Board**

**Presented By: Kay Draughn**

**Summary of Information:** 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

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



**BURKE COUNTY  
APPOINTMENT APPLICATION  
BOARDS AND COMMITTEES**

Name: Shanon Stanbury Date: 5/7/2020

Address: 1839 Tucker St.

City: Hickory State: NC Zip: 28601

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

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

Occupation: Business Owner / Business Consultant

Retired from: N/A

How did you hear about this opportunity? Johnnie Caswell

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

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

Community interest and activities:

Church - Community Chapel Church - music director / financial committee chairperson; sports w/ kids; Civic groups / political groups

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

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

1. Planning Board
2. Board of Adjustment
3. \_\_\_\_\_

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

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

Attachment: Shanon Stanbury App (3059 : Clerk - Appointment to Planning Board)

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

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

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

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

Remarks: Thank you for your consideration!  
(OPTIONAL)

Signature: Shanon Stanbury 5-7-2020  
(ORIGINAL SIGNATURE REQUIRED)  
(SIGNING INDICATES AGREEMENT TO ABIDE BY THE BURKE COUNTY CODE OF ETHICS.)

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

Attachment: Shanon Stanbury App (3059 : Clerk - Appointment to Planning Board)

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

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

Attachment: PB Roster (3059 : Clerk - Appointment to Planning Board)

Thru 9-30-2020 East

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
- Smoky Creek Township

West:

- Jonas Ridge Township
- Upper Creek Township
- Lower Creek Township
- Linville Township
- Silver Creek Township
- Quaker Meadows Township
- Morganton Township

Attachment: PB Roster (3059 : Clerk - Appointment to Planning Board)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal**

**Presented By: Kay Draughn**

**Summary of Information:** 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 31<sup>st</sup>. 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

**Suggested 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.**

East Burke Senior Center  
7 Members  
3-Year Terms  
4 Term Maximum (1984 Ord.)

Seat No.	Position	Name-Address	Term	
1	At-Large +55	Norma Cline* 4199 Countryside Drive Hickory NC 28602	A	5/4/2010
			R	1/24/2017
			R	7/18/2017
			TE	5/31/2020
2	At-Large +55	Larry Abernathy 8538 Old NC 10 Hickory, NC 28602	A	1/24/2017
			R	5/15/2018
			TE	5/31/2021
3	At-Large +55	Virginia Whisnant 2935 Shell Avenue Valdese NC 28690	A-UT	7/16/2019
			TE	5/31/2022
4	At-Large +55	Karen Robinson P.O. Box 1787 Hildebran, NC 28637	A	1/24/2017
			R	7/18/2017
			TE	5/31/2020
5	At-Large +55	Col. Thomas Taylor 106 La Colline Avenue Morganton, NC 28655	A	4/19/2011
			R	1/24/2017
			R	5/15/2018
			TE	5/31/2021
6	At-Large +55	Sharon Thornton 3451 River Road Morganton NC 28655	A-UT	7/16/2019
			R	
			TE	5/31/2022
7	At-Large +55	Gale Fulbright P.O. Box 728	R	1/24/2017

Attachment: EBSC Roster (3048 : Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal)

		Hildebran NC 28637	R	7/18/2017
			TE	5/31/2020

8	At-Large +55	Paula Huffman 6906 Huffman Hill Road Connelly Springs NC 28612	A-UT TE	7/16/2019 5/31/2021
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9	At-Large +55	Marie Speagle 4825 Laurel Creek Street Connelly Springs NC 28612	A TE	5/15/2018 5/31/2021
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Senior Ctr. Rebecah Bova  
Site Mgr.

\*President

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

Attachment: EBSC Roster (3048 : Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal)

**BURKE COUNTY  
APPLICATION  
APPOINTMENT TO BOARDS AND COMMITTEES**



Name: Norma Cline Date: 1-15-2020

Address: 4199 Countryside Dr

City: Hickory State: N.C. Zip: 28602

Telephone: Home: 828-397-7148 Business: \_\_\_\_\_

Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Occupation: Retired

Retired from: Burke County Schools

How did you hear about this opportunity? Presently serving

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

If so, please identify the board or committee: East Burke Advisory Council

Community interest and activities:  
Volunteering

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. ~~Council On Aging~~
- ② East Burke Advisory Council
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?

No

Attachment: Cline and Robinson Apps (3048 : Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal)

**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?

Currently serving on board  
To enhance our local board

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: Volunteer on  
Tuesdays

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

Remarks: \_\_\_\_\_  
(OPTIONAL)

Signature: Norma Cline  
(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](mailto:kay.draughn@burkenc.org)  
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Cline and Robinson Apps (3048 : Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal)



**BURKE COUNTY  
APPOINTMENT APPLICATION  
BOARDS AND COMMITTEES**

Name: Karen C. Robinson Date: 1/16/20

Address: P. O. Box 1787

City: Hildebran State: NC Zip: 28637

Telephone: Home: 828-322-2845 Business: N/A

Cell: 828-381-2187 Email: kjcr@charter.net

Occupation: Retired

Retired from: Burke County Schools

How did you hear about this opportunity? Serving on council now

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

If so, please identify the board or committee: EBCSAC

Community interest and activities:

Burke County Delegate to the STHL

Friends of the Burke County Library Board Member

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. East Burke Senior Center Advisory Council
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?

I presently serve a chair of this council. I am the past chair of Burke County Council on Aging. I currently sever of the RACC committee.

\_\_\_\_\_  
\_\_\_\_\_

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

I have supported the senior center in the past and would like to continue to serve the seniors of Burke County.

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: \_\_\_\_\_  
(OPTIONAL)

Signature: Karen C. Robinson  
(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](mailto:kay.draughn@burkenc.org)  
Phone: 828-764-9354 Fax: 828-764-9352

Attachment: Cline and Robinson Apps (3048 : Clerk - East Burke Senior Center Advisory Committee - Reappointments / Removal)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: Finance - Audit Contract for FY 19-20**

**Presented By: Margaret Pierce**

**Summary of Information:** 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.

**Budgetary Effect:** None. Funding for the audit will be included in the FY 20-21 budget.

**County Manager's Recommendation:** Approval is recommended.

**Suggested 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.**

The	Governing Board Board of Commissioners
of	Primary Government Unit (or charter holder) Burke County
and	Discretely Presented Component Unit (DPCU) (if applicable)

*Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)*

and	Auditor Name Lowdermilk Church & Co., LLP
	Auditor Address 121 North Sterling Street, Morganton, North Carolina 28655

*Hereinafter referred to as Auditor*

for	Fiscal Year Ending 06/30/20	Audit Report Due Date 10/31/20
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*Must be within four months of FYE*

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

Attachment: Burke County Audit Contract 2020 (3034 : Audit Contract for FY 19-20)

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.
- If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.
14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.
15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.

29. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).

30. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.

31. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

32. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

**FEEES FOR AUDIT SERVICES**

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by:  Auditor  Governmental Unit  Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

<b>Name:</b>	<b>Title and Unit / Company:</b>	<b>Email Address:</b>
Margaret Pierce	Deputy County Manager/Finance	margaret.pierce@burkenc.org

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year billings. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

**PRIMARY GOVERNMENT FEES**

Primary Government Unit	Burke County
Audit Fee	\$ 41,700
<b>Additional Fees Not Included in Audit Fee:</b>	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
<b>75% Cap for Interim Invoice Approval</b> <i>(not applicable to hospital contracts)</i>	\$ 31,275.00

**DPCU FEES (if applicable)**

Discretely Presented Component Unit	
Audit Fee	\$
<b>Additional Fees Not Included in Audit Fee:</b>	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
<b>75% Cap for Interim Invoice Approval</b> <i>(not applicable to hospital contracts)</i>	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Lowdermilk Church & Co., LLP	
Authorized Firm Representative (typed or printed)* Phillip E Church	Signature* 
Date* 4-2-20	Email Address* phil.church@lowdermilkchurchcpa.com

GOVERNMENTAL UNIT

Governmental Unit* Burke County	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* Johnnie Carswell, Board Chair	Signature*
Date	Email Address johnnie.carswell@burkenc.org

Chair of Audit Committee (typed or printed, or "NA") NA	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).  
Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Primary Governmental Unit Finance Officer* (typed or printed) Margaret Pierce	Signature*
Date of Pre-Audit Certificate*	Email Address* margaret.pierce@burkenc.org

**SIGNATURE PAGE – DPCU  
(complete only if applicable)**

**DISCRETELY PRESENTED COMPONENT UNIT**

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

**DPCU – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).  
Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.

**PRINT**

**Lowdermilk Church & Co., L.L.P.**  
*Certified Public Accountants*

121 N. Sterling Street  
 Morganton, North Carolina 28655  
 Phone: (828) 433-1226  
 Fax: (828) 433-1230

To the Board of Commissioners  
 Burke County  
 Morganton, N. C. 28655

March 31, 2020

We are pleased to confirm our understanding of the services we are to provide for Burke County for the year ended June 30, 2020. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of Burke County as of and for the year ended June 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as Management's Discussion and Analysis (MD&A), to supplement Burke County's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Burke County's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Information.
- 3) Law Enforcement Officers' Special Separation Allowance Schedules of Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll.
- 4) Local Government Employees' Retirement System Schedule of the Proportionate Share of Net Pension Liability (Asset) and Schedule of Contributions.
- 5) Register of Deeds' Retirement System Schedule of the Proportionate Share of Net Pension Liability (Asset) and Schedule of Contributions.
- 6) Other Post Employment Benefits Schedule of Changes in the Total Liability and Related Ratios.

We have also been engaged to report on supplementary information other than RSI that accompanies Burke County's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements, and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements, or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

- 1) Schedule of Expenditures of Federal and State Awards.
- 2) Combining and Individual Fund Financial Statements.
- 3) Budgetary Schedules.
- 4) Other Schedules.

## Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control over financial reporting and compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with Government Auditing Standards.
- Internal control over compliance related to major programs and an opinion (or a disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

The Government Auditing Standards report on internal control over financial reporting, and on compliance and other matters, will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance, and the results of that testing, based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Commissioners of Burke County. We will make reference to the Component Auditor's audit of Burke County Tourism Development Authority in our report on your financial statements. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit, or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets which, in our professional judgement, prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

## Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, Government Auditing Standards do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and Government Auditing Standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or any misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of inventories and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. Our procedures will also include (1) an overview of the type of work to be performed on the financial information of components, including the basis for a decision to make reference to a component auditor in the auditor's report and (2) an overview of the engagement team's planned involvement in the work of component auditors on the financial information of significant components. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; the schedule of expenditures of federal and State awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

## Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Government Auditing Standards.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, Government Auditing Standards, and the Uniform Guidance.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Burke County's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to Government Auditing Standards.

The Uniform Guidance also requires that we plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of Burke County's major programs. The purpose of these procedures will be to express an opinion on Burke County's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

### **Other Services**

We will also prepare the following based on information provided by you: Data Collection Form and Unit Data Input Worksheet. These nonaudit services do not constitute an audit under Government Auditing Standards, and such services will not be conducted in accordance with Government Auditing Standards. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, the Schedule of Expenditures of Federal and State awards, and the related notes services previously defined. We, in our sole judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for (1) designing, implementing, establishing and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal and State awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management is reliable and the financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, the schedule of expenditures of federal and State awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information, of which you are aware, that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud, or suspected fraud, affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal and State awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and State awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal and State awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal and State awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal and State awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and State awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal and State awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and State awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the financial statements, the schedule of expenditures of federal and State awards, and the related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal and State awards and the related notes, and that you have reviewed and approved the financial statements, the schedule of expenditures of federal and State awards, and the related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; to evaluate the adequacy and results of those services; and to accept responsibility for them.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for the interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

#### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations and schedules we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including the financial statements, the schedule of expenditures of federal and State awards, the summary schedule of prior audit findings, the auditors' reports, and the corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the County; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Lowdermilk Church & Co., L.L.P. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request, and in a timely manner, to the Local Government Commission or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Lowdermilk Church & Co., L.L.P. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Local Government Commission. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Phillip E. Church is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

To ensure that Lowdermilk Church & Co., L.L.P.'s independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

Our fee for these services will be at our standard hourly rates, plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$41,700. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. We are required to inform you that we charge interest at a rate of 18% per annum on all invoices over 30 days old.

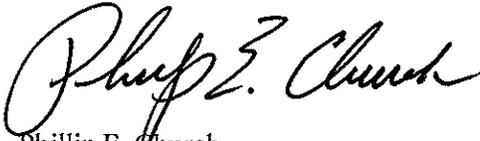
You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

We are providing you with a copy of our 2018 external peer review report which accompanies this letter.

We appreciate the opportunity to be of service to Burke County and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Phillip E. Church  
Partner

RESPONSE:

This letter correctly sets forth the understanding of Burke County.

Management signature: \_\_\_\_\_

Title: \_\_\_\_\_

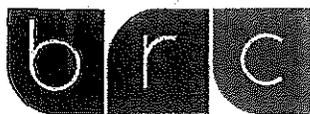
Date: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: Burke County Audit Contract 2020 (3034 : Audit Contract for FY 19-20)



Bernard Robinson & Company, L.L.P.

## Report on the Firm's System of Quality Control

October 30, 2018

To the Partners of Lowdermilk Church & Co., L.L.P.  
and the Peer Review Committee of the North Carolina  
Association of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Lowdermilk Church & Co., L.L.P. (the firm) in effect for the year ended May 31, 2018. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

### Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

### Required Selections and Considerations

Engagements selected for review included an engagement performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

1501 Highwoods Blvd., Ste. 300 (27410)  
P.O. Box 19608 | Greensboro, NC 27419  
P: 336-294-4494 • F: 336-294-4495

[brccpa.com](http://brccpa.com)

Lowdermilk Church & Co., L.L.P.  
October 30, 2018  
Page 2

### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Lowdermilk Church & Co., L.L.P. in effect for the year ended May 31, 2018, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Lowdermilk Church & Co., L.L.P. has received a peer review rating of *pass*.

*Bernard Robinson & Company, L.L.P.*

BERNARD ROBINSON & COMPANY, L.L.P.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: JCPC - Approval of County Plan for Burke County & Funding Allocation**

**Presented By: Rebecca McLeod**

**Summary of Information:** 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

**Suggested 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 20-21 Plan administratively and to authorize the Chairman to execute the Allocation on behalf of the Board.



NC Department of Public Safety
Juvenile Crime Prevention Council Certification

Fiscal Year: 2020 - 2021

County: BURKE Date: 4/8/2020

CERTIFICATION STANDARDS

STANDARD #1 - Membership

- A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? Yes
B. Is the membership list attached? Yes
C. Are members appointed for two year terms and are those terms staggered? Yes
D. Is membership reflective of social-economic and racial diversity of the community? Yes
E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.S. §143B-846? No

If not, which positions are vacant and why?

One Student under 18 has applied to Commissioners for appointment. Recruitment is ongoing for a non-profit representative and a District Attorney representative.

STANDARD #2 - Organization

- A. Does the JCPC have written Bylaws? Yes
B. Bylaws are [ ] attached or [X] on file (Select one.)
C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. Yes
D. Does the JCPC have written policies and procedures for funding and review? Yes
E. These policies and procedures [ ] attached or [ ] on file. (Select one.)
F. Does the JCPC have officers and are they elected annually? Yes
JCPC has: [X] Chair; [X] Vice-Chair; [ ] Secretary; [X] Treasurer.

STANDARD #3 - Meetings

- A. JCPC meetings are considered open and public notice of meetings is provided. Yes
B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? Yes
C. Does the JCPC meet bi-monthly at a minimum? Yes
D. Are minutes taken at all official meetings? Yes
E. Are minutes distributed prior to or during subsequent meetings? Yes

STANDARD #4 - Planning

- A. Does the JCPC conduct an annual planning process which includes a needs assessment, monitoring of programs and funding allocation process? Yes
B. Is this Annual Plan presented to the Board of County Commissioners and to DPS? Yes
C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? Yes

Attachment: Signed 20 21 Annual Certification (3045 : JCPC Annual Plan FY 21)

**STANDARD #5 - Public Awareness**

- A. Does the JCPC communicate the availability of funds to all public and private non-profit agencies which serve children or their families and to other interested community members? ( RFP, distribution list, and article attached) Yes \_\_\_\_\_
- B. Does the JCPC complete an annual needs assessment and make that information available to agencies which serve children or their families, and to interested community members? Yes \_\_\_\_\_

**STANDARD #6 – No Overdue Tax Debt**

- A. As recipient of the county DPS JCPC allocation, does the County certify that it has no overdue tax debts, as defined by N.C.G.S. §105-243.1, at the Federal, State, or local level? Yes \_\_\_\_\_

Briefly outline the plan for correcting any areas of standards non-compliance.

Vacancies for membership are being addressed.

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. *Form JCPC/OP 002 (b) JCPC Certification Budget Pages* detailing the expenditure budget must be attached to this certification.

The JCPC Certification **must be received by June 30, 2020.**

**JCPC Administrative Funds  
SOURCES OF REVENUE**

<b>DPS JCPC</b>	
<small>Only list requested funds for JCPC Administrative Budget.</small>	
<b>Local</b>	\$14,500
<b>Other</b>	_____
<b>Total</b>	\$14,500

Rebecca McLeod 4/8/2020  
 JCPC Chairperson Date

\_\_\_\_\_  
 Chairman, Board of County Commissioners Date

\_\_\_\_\_  
 DPS Designated Official Date

Attachment: Signed 20 21 Annual Certification (3045 : JCPC Annual Plan FY 21)

**Juvenile Crime Prevention Council Certification (cont'd)**

**Burke**

**County**

**FY 2020/21**

Instructions: N.C.G.S. § 143B-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	Mike Swan	Community Liaison	<input checked="" type="checkbox"/>	W	M
2) Chief of Police	Ryan Lander	MDPS	<input checked="" type="checkbox"/>	W	M
3) Local Sheriff or designee	Steve Whisenant	BCSD	<input type="checkbox"/>	W	M
4) District Attorney or designee			<input type="checkbox"/>		
5) Chief Court Counselor or designee	Ronn Abernathy	Chief Court Counselor	<input type="checkbox"/>	W	M
6) Director, AMH/DD/SA, or designee	Tara Conrad	Community Engagement Dir	<input checked="" type="checkbox"/>	W	F
7) Director DSS or designee	Hillary Biggerstaff	DSS Supervisor	<input checked="" type="checkbox"/>	W	F
8) County Manager or designee	Jennifer Forney	County Planner	<input checked="" type="checkbox"/>	B	F
9) Substance Abuse Professional	Joseph Martinez	FIRST Exec Dir		H	M
10) Member of Faith Community	Jasper Hemphill	Minister		B	M
11) County Commissioner	Maynard Taylor	Commissioner		W	M
12) Two Persons under age 18 (State Youth Council Representative, if available)	Willow Conrad	Student		W	F
13) Juvenile Defense Attorney	Brooke Mills	Attorney		W	F
14) Chief District Judge or designee	Clifton Smith	Dist. Court Judge	<input checked="" type="checkbox"/>	W	M
15) Member of Business Community	Doug Hartjes	Consultant		W	M
16) Local Health Director or designee	Rebecca McLeod	Director BCPH	<input type="checkbox"/>	W	F
17) Rep. United Way/other non-profit					
18) Representative/Parks and Rec.	Doug Knight	Director		W	M
19) County Commissioner appointee	Steven Moody	Assistant Principal		W	M
20) County Commissioner appointee					
21) County Commissioner appointee	David Bridges	Minister		W	M
22) County Commissioner appointee	Nicki Carpenter	Agricultural Extension Serv.		W	F
23) County Commissioner appointee	Dorian Palmer	Community Rep.		B	M
24) County Commissioner appointee	Brandon Collins	Juvenile Court Supervisor		W	M

Attachment: Signed 20 21 Annual Certification (3045 : JCPC Annual Plan FY 21)

**Juvenile Crime Prevention Council Certification (cont'd)**

9.6.a

23) County Commissioner appointee					
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Attachment: Signed 20 21 Annual Certification (3045 : JCPC Annual Plan FY 21)

# Juvenile Crime Prevention Council Annual Plan for Burke County

**FY 2020-2021**

## **Table of Contents**

- A. Executive Summary
- B. County Funding Plan
- C. Juvenile Crime Prevention Council Organization
- D. Risk and Needs Assessment Summary
- E. Continuum of Services
- F. RFP for Raise the Age and FY 2020/21
- G. Funding Decision Summary
- H. Funded Program Descriptions
- I. Program Enhancement Plans

The Burke County Juvenile Crime Prevention Council (JCPC), in fulfillment of the duties and responsibilities as set forth in the General Statutes of the State of North Carolina, has completed the activities required to develop this County Plan for FY 2020/21

The JCPC has identified the issues and factors which have an influence and impact upon delinquent youth, at-risk youth and their families in Burke County. Further, the JCPC has identified the strategies and services most likely to reduce/prevent delinquent behavior.

Priorities for Funding: Through a risk & needs assessment and a resource assessment, the JCPC has determined that the following services are needed to reduce/prevent delinquency in Burke County.

- 1) Sex Offender Treatment
- 2) Substance Abuse Treatment
- 3) Restitution / Community Service
- 4) Interpersonal Skill Building
- 5) Mediation
- 6) Teen Court
- 7) Group Home
- 8) Psychological Assessments
- 9) Mentoring
- 10) Counseling
- 11) Vocational Skill Building
- 12) Parent Family Skill Building
- 13) Experiential Skill Building
- 14) Temporary Foster Care
- 15) Specialized Foster Care
- 16) Temporary Shelter

Monitoring and Evaluation: Each program funded in the past year by the JCPC has been monitored by members of the Council's Governance Committee. The monitoring results and program outcomes evaluations were considered in making funding allocation decisions.

Funding Recommendations: Having published a Request for Proposals (RFP) for these needed services for a minimum of thirty (30) days, the JCPC has screened the submitted proposals and determined which proposals complied with the requirements of the RFP and best met the advertised needed services. As required by statute, the JCPC recommends allocation of the NC Department of Public Safety, Division of Juvenile Justice (DJJ) funds in the amount of \$287,074 to the following Programs in the amounts specified below for FY2020/2021 (See JCPC Funding Allocations page for details of the 30% match):

*Burke Council on Alcoholism and Chemical Dependency - \$25,663; Conflict Resolution Center - \$55,915; Project Challenge - \$67,241; Repay, Psychological Services - \$11,589; Repay, Just Girls - \$24,892; Repay, SAIS - \$43,676; and Kids at Work - \$43,598.*

The JCPC further recommends that the following amount be allocated from the NC DJJ funds for the administrative costs of the Council for FY 2020/21: *\$14,500.*

**The Burke County JCPC respectfully requests the following recommendations be considered by the *Commissioners of the County of Burke:***

- That our Commissioners continue to petition our legislators to increase JCPC funding to alternative court disposition programs for youth, in particular to assist in addressing the changes in the law which require additional local interventions for youth under the supervision of the Burke County Juvenile Court Counselors.
- That our Commissioners petition our legislators to leave authority for distribution of JCPC dollars with the individual counties rather than individuals or departments in Raleigh.

**The Burke County JCPC makes the following additional recommendations to NC Department of Public Safety, Division of Adult Correction and Juvenile Justice:**

- That the Division of Adult Correction and Juvenile Justice initiate a change in the reimbursement process. The State of North Carolina has long encouraged programs to be sustainable via blended funding models. Programs using a blended model of funding that includes fee for service revenue from state and federal sources cannot accurately predict fee for service revenues because not all Juvenile Court youth are eligible for fee for service reimbursement. Therefore, JCPC funds should not be considered “last dollars in” but rather should be paid irrespective of a program’s excess or deficit. If this is allowed, local Councils can adjust funding levels based on a program’s long-term history of fee for service reimbursements.
- That the Division of Adult Correction and Juvenile Justice support in the legislature, the continued funding of Juvenile Court Services at the highest feasible rate, regardless of caseload fluctuations. The justification is the recent shift in age of onset for delinquency to younger youth; the increase in female delinquency; the legislation which raises the age of those considered youth and the substantial increase in the risk and needs level of the youth being served. As these issues create a new paradigm in the field of youth services it will require a similar increase in services and resources to address this population of progressively more endangered youth.

**The Burke County JCPC also asks for the following assistance from the NC Department of Public Safety, Division of Adult Correction and Juvenile Justice as well as the Commissioners of the County of Burke:**

- Any assistance possible in creating a robust *substance abuse continuum of care* to meet the needs of identified youth in Burke County.
- Any assistance possible in creating programs to educate parents and juveniles to limit technological access to pornography which has resulted in an alarming rise in sex offenses. This service to parents and juveniles could be instrumental in reducing and preventing delinquent behavior in our county.



Rebecca McLeod, Board Chair,  
Burke County Juvenile Crime Prevention Council

Date: April 08, 2020

Attachment: A2 of 2) Signed 20 21 Executive Summary (3045 : JCPC Annual Plan FY 21)



# Juvenile Crime Prevention Council Organization

Current Fiscal Year: 2019/2020

	Name	Organization	Title
Chairperson	Rebecca McLeod	Burke County Health Department	Health Director
Vice-Chairperson	Jasper Hemphill	Olive Hill Economic Development	Director of Operations
Secretary			
Treasurer	Joseph Martinez	FIRST	Executive Director
Assessment Committee Chairperson	Jennifer Forney	County of Burke	Outreach Chair
Funding Committee Chairperson	Joseph Martinez	FIRST	Executive Director

Number of members: 1 as of 04/1/2020

List meeting dates during the current fiscal year and identify the number of JCPC members in attendance for each.

Meeting Date	Number of Members in Attendance	Quorum Present? Yes/No
<b>2019/20</b>		
July 10	11 of 19	YES
September 11	17 of 20	YES
November 13	13 of 21	YES
December 11	15 of 21	YES
January 8	18 of 21	YES
February 12	14 of 21	YES
March 11	16 of 21	YES
April 8		
May 13		

Attachment: C) JCPC Organization and Schedule (3045 : JCPC Annual Plan FY 21)

**BURKE COUNTY FY 18/19 ELEVATED RISK ASSESSMENT OBSERVATION SUMMARY****FOR FY 2020/21 ALLOCATION DECISIONS**

[ Items numbered in red were not deemed sufficiently elevated to address ]

**Overall Risk Level** - 94% of assessed youth have a risk level of 3-5 of future delinquent behavior. This is a decrease from the previous year. 56% have a risk level for future delinquent behavior range from 4 to 5 (3 years increase trend and higher than the state's rate the past 4 years).

**R1. Age for First Delinquent Offense Alleged in a Complaint** - 27% of assessed youth are under the age of 12 for their first Delinquent Offense (2-year increase trend and higher than the state's rate the past 2 years).

**R2. Number of Undisciplined or Delinquent Referrals at Intake** - 54% of assessed youth have no Undisciplined or Delinquent Referrals at Intake. This is an increase from the previous year's rate, but lower than the state's rate. 26% of the assessed youth have one prior referral. (3 years increase trend and higher than the state's rate). 14% of the assessed youth have 2 or 3 prior referrals. (Decrease from previous year's rate, but higher than the state's rate).

**R3. Most Serious Prior Adjudication** - 51% of assessed youth have no prior adjudications. This is a decrease from the previous year's rate, and it is lower than the state's rate. 11% of the assessed youth have prior undisciplined adjudications. This is a decrease from the previous year's rate, but it is higher than the state's rate. 28% of the assessed youth have prior class 1-3 misdemeanors. This is the same rate as the previous year's rate, but it is higher than the state's rate for the past 4 years.

**R4. Prior Assaults** – 20% of the assessed youth have prior assaults. This is a decrease from the previous year's rate, but higher than the state's rate for the past 4 years. 78% of the assessed youth have no assaults. This is an increase from the previous year's rate, but lower than the state's rate.

**R5. Runaway from Home or Placement** - 91% of the assessed youth did not run away from home or placement. This is an increase from the previous year's rate and is higher than the state's rate. 9% of the assessed youth have ran away from home or placement. This is a decrease from the previous year's rate and is lower than the state's rate.

**R6. Known Use – Alcohol, Illegal Drugs (prior 12 months)** - \*\*\*25% of the assessed youth have known use of alcohol, illegal drugs and need further assessment or treatment. This is an increase from the previous year's rate but is lower than the state's rate.

**R7. School Behavior Problems (prior 12 months)** - 86% of the assessed youth have moderate to serious school behavior problems. This is a 2-year increase trend and is higher than the state's rate.

**R8. Relationships with Peers** - 49% of the assessed youth have relationships with peers that are good support and influence. This is a 3-year increase trend and is higher than the state's rate for the past 4 years.

**R9. Parental Supervision** - 6% of the assessed youth have parents and/or guardians that are willing but unable to supervise. This is an increase from the previous year's rate, but lower than the state's rate. 92% of the assessed youth have parents and/or guardians that are willing and able to supervise. This is a decrease from the previous year's rate, but higher than the state's rate.

**BURKE COUNTY FY 18/19 ELEVATED NEEDS ASSESSMENT OBSERVATIONS SUMMARY**  
**FOR FY 2020/21 ALLOCATION DECISIONS**

[ Items numbered in red were not deemed sufficiently elevated to address ]

**Y0. Overall Needs Level** - 43% of the assessed youth have medium to high needs. This is the same as the previous year's rate, but higher than the state's rate for the past 4 years. 57% of the assessed youth have low needs. This is the same as the previous year's rate, and lower than the state's rate for the past 4 years.

**Y1. Peer Relationships** - 40% of the assessed youth have some to regular association with delinquent peers. This is an increase from the previous year's rate, and the same as the state's rate. 48% of the assessed youth have positive peer relationships. This is a 3-year increase trend and is higher than the state's rate.

**Y2. School Behavior/Adjustment** - 87% of the assessed youth have moderate to serious school behavior problems. This is a 3-year increase trend, and it is higher than the state's rate for the past 3 years.

**Y3. Academic Functioning** - 96% of the assessed youth are at grade level. This is an increase from the previous year's rate and is higher than the state's rate for the past 4 years.

**Y4. Substance Abuse Within Past 12 Months** - 74% of the assessed youth have no known substance abuse. This is a decrease from the previous year's rate, but it is higher than the state's rate.

**Y5. Juvenile Parental Status** - 99% of the youth assessed are not in parental status. This is an increase from the previous year's rate and is the same as the state's rate.

**Y6. Abuse/Neglect History** - 66% of the assessed youth have no evidence of abuse/neglect. This is the same as the previous year's rate and is lower than the state's rate.

**Y7. Sexual Behaviors During Past 12 Months** - 81% of the assessed youth have no sexual behavior problems. This is an increase from the previous year's rate but is lower than the state's rate.

**Y8. Mental Health Needs** - 27% of the assessed youth have mental health needs that are addressed. This is a decrease from the previous year's rate, and lower than the state's rate. 46% of the youth assessed need more mental health assessment. This is an increase from the previous year's rate (3-year increase trend) and is higher than the state's rate for the past 4 years.

**Y9. Basic Physical Needs/Independent Living** - 92% of the youth assessed are living with a parent/guardian and their needs are being met. This is an increase from the previous year's rate and is higher than the state's rate.

**Y10. Health & Hygiene (Exclude Mental Health Conditions)** - 98% of the assessed youth have no health or hygiene problem. This is an increase from the previous year's rate and is higher than the state's rate for the past 3 years.

**F1. Conflict in the Home Within Past 12 Months** - 13% of the assessed youth have domestic discord in the home. This is a year 2 year decrease and is lower than the state's rate. 7% of the assessed youth have domestic violence in the home. This is an increase from the previous year's rate and is higher than the state's rate.

**F2. Family Supervision Skills** - 54% of the assessed youth had adequate family supervision skills. This is an increase from the previous year's rate and is higher than the state's rate.

**F3. Disability of Parent/Guardian** - 86% of the assessed youth had a parent/guardian with no disabilities. This is a decrease from the previous year's rate and is lower than the state's rate.

**F4. Family Substance Abuse Within Past 3 Years By Household Member** - 78% of the assessed youth have no alcohol/drug abuse in the family. This is the same as the previous year's rate. 22% of the assessed youth have a household family member with an alcohol/drug abuse issue. This is the same as last year's rate and is higher than the state's rate.

**F5. Family Criminality** - 21% of the assessed youth have a family member with active court supervision or gang involvement. This is an increase from the previous year's rate and is higher than the state's rate for the past 4 years.

**Instructions: Adjust arrows to cover target populations**

-  1) JCPC funded
-  2) Available in Community
-  3) Needed - not available
-  4) Available-difficult to access
-  5) Services need to be expanded
-  6) Available - Funded by DPS

**Comprehensive Strategy**

Prevention

Graduated Sanctions

**Target Populations**

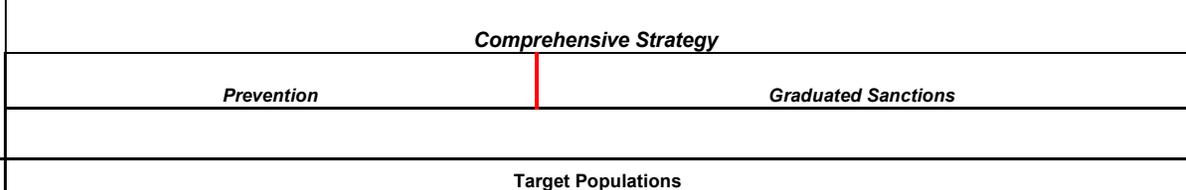
Program Services & Structures Categories	Programs	All Youth	Youth at Greatest Risk	Pre-Adjudicated Youth	Delinquent- Level I / Prot. Supervision	Delinquent- Level II Youth	Delinquent- Level III Youth	Post Release Youth
		<b>Structured Activities</b>						
	<b>Mentoring</b>							
	Big Brothers & Big Sisters							
	TOC - Mentoring							
	<b>Parent/Family Skills</b>							
	Futures							
	ACP/Childrens Hope Alliance - PPP Online							
	<b>Interpersonal Skills</b>							
	Boys & Girls Scouts							
	ROTC							
	Recreational Programs							
	Kids at Work							
	<b>Experiential Skills</b>							
	Burke 4-H							
	ROTCJ							
	Boys & Girls Scouts							
	<b>Tutoring/Academic Enhancement</b>							
	Burke Literacy Council							
	Fresh Start - Outreach Center							
	BCPS ELL							
	<b>Vocational Skills</b>							
	Vocational Rehab							
<b>Restorative Services</b>								
	<b>Mediation</b>							
	Conflict Resolution Center							
	<b>Restitution</b>							
	Project Challenge							
	<b>Teen Court</b>							

Attachment: E) CONTINUUM OF SERVICES FY 19 20 (3045 : JCPC Annual Plan FY 21)

**BURKE COUNTY: Continuum of Services - At a Glance FY 2019/20 Process for FY 2020/21**

Instructions: Adjust arrows to cover target populations

-  1) JCPFC funded
-  2) Available in Community
-  3) Needed - not available
-  4) Available-difficult to access
-  5) Services need to be expanded
-  6) Available - Funded by DPS



Program Services & Structures Categories	Programs	All Youth	Youth at Greatest Risk	Pre-Adjudicated Youth	Delinquent- Level I / Prot. Supervision	Delinquent- Level II Youth	Delinquent- Level III Youth	Post Release Youth
Community Day Programming	<b>Structured Day</b>							
	FOCUS -Day Treatment							
	Hallyburton Academy							
	BATS - BCPS							
Assessment Services	<b>Assessment</b>							
	Repay Sex Offender							
	Repay Psych Evaluation							
	BCOA Substance Abuse Eval							
	Private Providers							
Clinical Treatment	<b>Counseling</b>							
	Repay /Just Girls/Group							
	Private Providers							
	Alexander Youth Network							
	<b>Home Base Family Counseling</b>							
	SPARC/Family Centered Counseling							
	Barium Springs/Home Remedies							
	AMIKIDS/FFT							
	Private Providers (FOCUS/Caring Alt.,etc)							
	Burke Intergrated Care							
	Mobile Crisis Services							
	<b>Substance Abuse Treatment</b>							
	Burke Council on Alcoholism							
<b>Sexual Offender Treatment</b>								
Repay SAIS								
Residential	<b>Group Home</b>							
	Short Term Female/West Care Residential							
	Male Short Term/Eckerd Residential							
	Buncombe Crisis & Assessment Multi-Purpose							
	Group Home - Local							
	<b>Temporary Shelter</b>							
	Local Temporary Shelter -							
	Rapid Response Beds							
	<b>Runaway Shelter</b>							
	Trinity Place							
	<b>Specialized Foster Care</b>							
Therapeutic Foster Care / Sex Offender Treatment								
<b>Temporary Foster Care</b>								
Alexander Youth Network								

Attachment: E) CONTINUUM OF SERVICES FY 19 20 (3045 : JCPFC Annual Plan FY 21)

**County Juvenile Crime Prevention Council  
Request for Proposals 2020/21**

<b>\$287,074</b>	<b>30%</b>	<b>December 27, 2019</b>															
Anticipated County Allocation	Required Local Match Rate	Date Advertised															
<p>The Juvenile Crime Prevention Council (JCPC) has studied the risk factors and needs of Juvenile Court involved youth in this county and hereby publishes this Request for Proposals. The JCPC anticipates funds from the Division of Adult Correction &amp; Juvenile Justice (DACJJ) in the amount stated above to fund the program types specified below. Such programs will serve delinquent and at-risk youth for the <b>fiscal year 2020-2021</b> beginning on, or after, <b>July 1, 2020</b>. The use of DACJJ funds in this county <b>requires a local match</b> in the amount specified above.</p>																	
<p><b>The JCPC will consider proposals for the following needed Programs:</b></p> <table border="0"> <tr> <td>1) Sexual Offender Treatment</td> <td>7) Group Homes</td> <td>12) Parent/Family Skill Building</td> </tr> <tr> <td>2) Substance Abuse Treatment</td> <td>8) Psychological Assessments</td> <td>13) Experiential Skill Building</td> </tr> <tr> <td>3) Restitution/Community Service</td> <td>9) Mentoring</td> <td>14) Temporary Foster Care</td> </tr> <tr> <td>4) Interpersonal Skill Building</td> <td>10) Counseling</td> <td>15) Specialized Foster Care</td> </tr> <tr> <td></td> <td>11) Vocational Skill</td> <td>16) Temporary Shelter</td> </tr> </table>			1) Sexual Offender Treatment	7) Group Homes	12) Parent/Family Skill Building	2) Substance Abuse Treatment	8) Psychological Assessments	13) Experiential Skill Building	3) Restitution/Community Service	9) Mentoring	14) Temporary Foster Care	4) Interpersonal Skill Building	10) Counseling	15) Specialized Foster Care		11) Vocational Skill	16) Temporary Shelter
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4) Interpersonal Skill Building	10) Counseling	15) Specialized Foster Care															
	11) Vocational Skill	16) Temporary Shelter															
<p><b>Proposed Program Services should target the following Risk Factors for Delinquency or Repeat Delinquency:</b>  *Age at First Offense Alleged in a Complaint * Number of Undisciplined or Delinquent Referrals at Intake * Most Serious Prior Adjudication * Prior Assaults *Known use of alcohol or illegal drugs * Serious school behavior problems *History of Abuse or Neglect *Sexual behavior problems *Mental Health Needs *Youth who have parents who are unwilling or unable to supervise * Family criminality or Conflict in the home</p>																	
<p><b>Programs should address the following concerns as reported in the Needs Assessments for Adjudicated Youth:</b></p> <p>Peer Domain:</p> <p>Individual Domain: Known use of alcohol/illegal drugs; known substance abuse issues; or in need of sex offender or mental health assessment &amp; treatment.</p> <p>Family Domain: Parents with marginal to inadequate supervision skills, family members with alcohol or drug issues, criminality or conflict in the home.</p> <p>School Domain: Serious school behavior problems.</p>																	
<p><b>Applicants are being sought that are able to address the legislatively mandated items below:</b></p> <ol style="list-style-type: none"> <li>1. Program services compatible with research that is shown to be effective with juvenile offenders.</li> <li>2. Program services are outcome-based.</li> <li>3. The program has an evaluation component.</li> <li>4. Program services detect gang participation and divert individuals from gang participation.</li> <li>5. Programs that can have a demonstrable impact on the following success factors: a. reduce the use of alcohol or controlled substances; b. reduce subsequent complaints; c. reduce violation of terms of community supervision; d. reduce convictions from subsequent offenses; e. fulfill restitution to victims; and f. increase parental accountability.</li> </ol>																	
<p>Local public agencies, 501(c)(3) <b>non-profit</b> corporations and local housing authorities are invited to submit applications (Program Agreements) for programs addressing the above elements. Application processing and other necessary information may be obtained from:</p> <p align="center">A. J. Coutu, Designee <span style="margin-left: 200px;">at</span> <span style="margin-left: 200px;">828-403-1427</span>  JCPC Chairperson or Designee <span style="margin-left: 400px;">Telephone #</span></p>																	
<p><b>To apply for FY 2019-2020 JCPC funding, you must complete and submit your application online by accessing NC-ALLIES. Please read and follow all instructions at the following link: <a href="http://cp.ncdjjdp.org/CP">http://cp.ncdjjdp.org/CP</a>. After submitting the application electronically, print copies as indicated below. Private non-profits are also required to submit No Over Due Tax forms, Conflict of Interest Disclosure Statement, proof of 501(c)(3) status, Board of Directors list. Programs not funded at the time of the RFP deadline are required to submit three letters of support from outside their agency and an annual audit or financial statement. APPLICANTS MUST ALSO ATTEND: MONDAY, JANUARY 27, 2020 STATE PROGRAM ORIENTATION at the Foothills Higher Education Center, Room 131. REGISTRATION REQUIRED by 12 Noon Thursday, January 23: RSVP to <a href="mailto:jcpcbcc@gmail.com">jcpcbcc@gmail.com</a> or call A.J. Coutu: 828-403-1427.</b></p>																	
<p><b>NOTE:</b> For further information, technical assistance, or inquiring about mandatory program orientation workshops in your area, contact the DPS/DACJJ/Community Program Western Area Office by calling Megan Webster, Area Consultant at 828-296-4744</p>																	
<p><b>Deadline for Application is:</b> <u>Enter into NCALLIES: 02/19/2019</u> <b>BY</b> <u>5:00</u> P.M.</p>																	
Mail or deliver applications to:	<u>Hardcopies to: Nicki Carpenter</u> <u>Burke Co. Agricultural Center, 130 Ammons Drive, Suite 2, Morganton, NC 28655</u> <u>BY 5:00 P.M. on Wednesday, February 19, 2020</u>																
	Number of copies to submit: <u>2 originals 5 copies</u>	Telephone: <u>828-764-9480</u>															

**REQUEST FOR PROPOSALS FY 2020/2021:  
Burke County Juvenile Crime Prevention Council (JCPC) & N.C. Dept. of Public  
Safety Division of Adult Correction and Juvenile Justice (DACJJ)**

Burke County JCPC requests from local non-profits, proposals to serve delinquent and at risk youth, ages 6 to 18. Programs must have a SPEG service type, an "evidence based" model or a service requested by the DACJJ. Programs must have an evaluation component which can demonstrate impact on the risk factors below. Approximately \$287,074 will be available [dependent on availability of funds] for July 1-June 30, Fiscal Year 2020/21. Local match of 30% required. **Deadline for applications: Wednesday, February 19, 2020 - 5:00 P.M.**

Burke Co. priority risk and needs factors compatible with legislative mandates:

- Age for First Delinquent Offense Alleged in a Complaint
- Number of Undisciplined or Delinquent Referrals at Intake
- Most Serious Prior Adjudication
- Prior Assaults
- Known use of Alcohol or Illegal Drugs by Youth or Family
- Serious School Behavior Problems
- Sexual Behavior Problems
- Mental Health Needs
- Youth who have Parents Willing but Unable to Supervise
- Family Criminality or Conflict in the Home.

Funding priority will go to following service types: 1) Sex Offender Treatment 2) Substance Abuse Treatment 3) Restitution / Community Service 4) Interpersonal Skill Building 5) Mediation 6) Teen Court 7) Group Home 8) Psychological Assessments 9) Mentoring 10) Counseling 11) Vocational Skill Building 12) Parent Family Skill Building 13) Experiential Skill Building 14) Temporary Foster Care 15) Specialized Foster Care 16) Temporary Shelter

Programs are required to submit two copies of the following application attachments:

- Management letter with a form stating "No Overdue Taxes are Due"
- Conflict of Interest Statements
- Proof of 501(c)(3) status
- Current list of Board of Directors and
- Programs not funded at the time of the RFP deadline are required to submit three letters of support from outside their agency and their most recent annual audit or financial statement.

To apply, complete the online application by accessing NCALLIES through an NCID registration. Follow instructions at: <http://cp.ncdjjdp.org/CP> for the program agreement application. New programs will need to complete NCID registration first.

After submitting the NCALLIES application, print, sign and deliver 2 complete hard copy packets of the entire proposal packet and 5 modified hard copy packets of the NCALLIES application (without Section V or attachments) to: Nicki Carpenter at the Burke Co.

Agricultural Center, 130 Ammons Drive SE Suite 2, Morganton, NC 28655; phone (828) 764-9480.

**Also Required: State Mandatory Program Orientation for New Programs** – (Registration required by Thursday January 23<sup>rd</sup> at 12:00 Noon). Orientation will be held on Monday, January 27, 2020 from 9:00 A.M. to 12:00 Noon at the Foothills Higher Education Center, 2128 South Sterling Street, Morganton, NC Room 131. **Mandatory Attendance for All Programs** is required at the Burke JCPC Funding Allocation meeting: Wednesday, February 26, 2020 at the Collett Street Recreation Center, Morganton, NC. For further information contact Megan Webster at the DACJJ Area Office: 828-296-4744 e-mail: [megan.webster@ncdps.gov](mailto:megan.webster@ncdps.gov) or Burke JCPC Administrator, A.J. Coutu at [jcpcbcc@gmail.com](mailto:jcpcbcc@gmail.com) Phone: 828-403-1427. Or visit: <http://www.burkenc.org/2295/Juvenile-Crime-Prevention-Council>.

## Burke County Juvenile Crime Prevention Council Request for Proposals - RTA Expansion Funds

**\$36,505**

**0%**

**November 15, 2019**

Anticipated County Allocation for  
Expansion Funds

Required Local Match Rate

Date Advertised

The **Juvenile Crime Prevention Council (JCPC)** has studied the risk factors and needs of Juvenile Court involved youth in this county and hereby publishes this Request for Proposals. The JCPC anticipates Raise the Age Expansion funds from the NC Department of Public Safety, Division of Adult Correction and Juvenile Justice, Community Programs section, in the amount stated above to fund and/or expand the program types specified below. Such programs will serve delinquent and at-risk youth for the state during **fiscal year 2019-2020** beginning on, or after, **July 1, 2019**. The use of these Raise the Age Expansion funds in this county do not require a **local match for the first year ONLY**. These expansion funds are an addition to the funds previously allocated in the amount of \$230,294.

**The JCPC will consider proposals for the following needed programs:**

- |                                    |                      |                                  |
|------------------------------------|----------------------|----------------------------------|
| 1) Psychological Assessments       | 6) Mediation         | 11) Counseling                   |
| 2) Sex Offender Treatment          | 7) Teen Court        | 12) Temporary Foster Care        |
| 3) Substance Abuse Treatment       | 8) Group Homes       | 13) Specialized Foster Care      |
| 4) Restitution / Community Service | 9) Temporary Shelter | 14) Parent/Family Skill Building |
| 5) Interpersonal Skills            | 10) Mentoring        | 15) Experiential Skill Building  |

**Proposed Program Services should target the following Risk Factors for Delinquency or Repeat Delinquency:**

- |  |  |
|--|--|
| *Age at First Offense Alleged in a Complaint         | *Number of Undisciplined or Delinquent Referrals           |
| *Most Serious Prior Adjudication                     | * Prior Assaults   |
| * Serious School Behavior Problems                   | * Known use of Alcohol or Illegal Drugs by Youth or Family |
| * Sexual Behavior Problems                           | * Association with Delinquent Peers                        |
| * Mental Health Needs                                | *History of Abuse or Neglect                               |
| * Youth with Parents Willing but Unable to Supervise | * Family Criminality                                       |

**Programs should address the following concerns as reported in the Needs Assessments for adjudicated youth:**

- Peer Domain: Regular association with delinquent youth.
- Individual Domain: Known use of alcohol or illegal drugs; or in need of sexual offender or mental health assessment & treatment.
- Family Domain: Parents with marginal to inadequate supervision skills; family members with drug issues or criminality.
- School Domain: Serious school behavior problems.

**Applicants are being sought that are able to address items below:**

1. Program services compatible with research that are shown to be effective with juvenile offenders.
2. Program services are outcome-based.
3. The program has an evaluation component.
4. Program services detect gang participation and divert individual, if applicable.

Local public agencies, 501(c)(3) non-profit corporations and local housing authorities are invited to submit applications to provide services addressing the above elements.

A. J. Coutu, Designee

at

828-403-1427

JCPC Chairperson or Designee

Telephone #

**In order to apply for FY 2019-2020 JCPC funding, you must complete and submit your application online by accessing NCALLIES.**

**Please read and follow all instructions at the following link (directions accessible prior to logging in):**

**<https://cp.ncdjjdp.org/CP>**

**After submitting the application electronically, print and submit hard copies as indicated below. Private non-profits are also required to submit No Over Due Tax forms, Conflict of Interest Statements, and, if requested, proof of 501(c)(3) status.**

**NOTE:** For further information, or technical assistance about applying for JCPC funds in this county, contact your Area Consultant, Megan Webster at 828-296-4744.

Deadline for Application is: Monday, December 16, 2019 by 5:00 P.M.

Mail or deliver applications to: Nicki Carpenter c/o Burke County Agricultural Center  
130 Ammons Drive, Suite 2  
Morganton, NC 28655

Number of original copies to submit: 2+5Copy

Telephone: 828-403-1427

**REQUEST FOR PROPOSALS for Raise the Age Legislation from the  
Burke County Juvenile Crime Prevention Council (JCPC) & N.C. Dept. of Public Safety  
Division of Adult Correction and Juvenile Justice (DACJJ)**

Burke County JCPC requests from local non-profits, proposals to serve delinquent and at risk youth, ages 6 up to 18. Programs must have a SPEP service type, an "evidence based" model or a service requested by the DACJJ. Programs must have an evaluation component which can demonstrate impact on the risk factors below. For FY 2019/20 approximately \$36,505 will be available, dependent on availability of state funds. Local match is not required for Raise the Age expansion funds for the first year only. **Deadline for applications: Monday, December 16, 2019 - 5:00 P.M.**

Burke Co. priority risk and needs factors FY2019/2020 compatible with legislative mandates:

- Age for First Offense Alleged in a Complaint
- Number of Undisciplined or Delinquent Referrals at Intake
- Most Serious Prior Adjudication
- Prior Assaults
- Known use of Alcohol or Illegal Drugs by Youth or Family
- Serious School Behavior Problems
- Association with Delinquent Peers
- Sexual Behavior Problems
- Mental Health Needs
- Youth who have Parents Willing but Unable to Supervise
- Family Criminality.

Funding priority will go to following service types: 1) Psychological Assessments 2) Sexual Offender Treatment 3) Substance Abuse Treatment 4) Restitution/ Community Service 5) Interpersonal Skill Building 6) Mediation 7) Teen Court 8) Group Homes 9) Temporary Shelter 10) Mentoring 11) Counseling 12) Temporary Foster Care 13) Specialized Foster Care 14) Parent/Family Skill Building 15) Experiential Skill Building.

Programs not currently funded are required to submit two copies of the following application attachments:

- Management letter with a form stating "No Overdue Taxes are Due"
- Conflict of Interest Statements
- Proof of 501(c)(3) status
- Current list of Board of Directors
- Three letters of support from outside their agency and their most recent annual audit or financial statement.

To apply, complete the online application by accessing NCALLIES through an NCID registration. Follow instructions at: <http://cp.ncdjidp.org/CP> for the **program agreement application**. New programs will need to complete NCID registration first. After submitting the NCALLIES application, programs not currently funded must print, sign and deliver 2 complete hard copy packets of the entire proposal packet and 5 modified hard copy packets of the NCALLIES application (without Section V or attachments) to: Nicki Carpenter at the Burke Co. Agricultural Center, 130 Ammons Drive SE Suite 2, Morganton, NC 28655; phone 828-764-9480. Currently funded programs should provide 7 printouts of the NCALLIES application without Section V or any attachments previously provided.

Also required is a **Mandatory State Program Orientation** for new programs only. For an appointment contact Megan Webster, DJJ State Consultant. **Mandatory attendance** is also required at the Burke JCPC Funding Allocation and Council meeting: Wednesday, January 8, 2020 at the Collett Street Recreation Center, Morganton, NC at 8:10 A.M. [Snow date: Friday, January 10<sup>th</sup>]. For further information contact Megan Webster at the DACJJ Area Office: 828-296-4744 or Burke JCPC Administrator, A.J. Coutu at [jcpcbcc@gmail.com](mailto:jcpcbcc@gmail.com), Phone: 828-403-1427. Or visit: <https://www.burkenc.org/2295/Juvenile-Crime-Prevention-Council>.

## Juvenile Crime Prevention Council Funding Decisions Summary

Program Funded	Reason for Funding (Check all that apply)
2020/21 Burke Recovery	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input checked="" type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Conflict Resolution Center	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input checked="" type="checkbox"/> Addresses use of alcohol/controlled substances <input checked="" type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Kids at Work	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Project Challenge	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input checked="" type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Repay - Just Girls	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input checked="" type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input checked="" type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Repay - Psychological Assessments	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Repay - SAIS	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
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Attachment: G) Decisions Summary 02 26 2020 (3045 : JCPC Annual Plan FY 21)

### Juvenile Crime Prevention Council Funding Decisions Summary

	<input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Would increase funding to this service if funds were available
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Program Not Funded	Reason for Not Funding (Check all that apply)
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other Less Demand for Service <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
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Attachment: G) Decisions Summary 02 26 2020 (3045 : JCPC Annual Plan FY 21)

## BURKE COUNTY JCPC FUNDED PROGRAM DESCRIPTIONS

FY 2020 / 2021

**Burke Recovery - Assessment:** The Adolescent Assessment Services provides a comprehensive clinical assessment for youths between the ages of 12 and 17 who are considered at risk for involvement in alcohol or other drug use. The assessment process is to identify the level of risk for a substance use disorder and make appropriate referrals which may include education-prevention, substance abuse treatment and/or behavioral health interventions. Priority is given to youth involved with the juvenile justice system.

**Burke Recovery – Treatment:** The treatment component of this program serves youth between the ages of twelve to seventeen who have received a substance use assessment and have been recommended to complete a low intensity outpatient treatment program. Adolescents served will meet criteria for a substance use disorder according to DSM-V. They will also have met ASAM program placement criteria for Level One outpatient treatment.

**Conflict Resolution Center – Juvenile Mediation:** Program provides School Resource Officers and School Administrators with victim-offender mediation services that allows youth to discuss issues that are leading to their delinquency. Goals are to increase effective communication, collaborative problem solving and implementing an agreement between two or more parties.

**Conflict Resolution Center - CRC Education -** Program provides victim-offender mediation services-allows youth to discuss issues that are leading to their delinquency. Goals: increase of effective communication/collaborative problem solving/implementing an agreement between 2 plus parties. Classes build skills by identifying problematic attitudes/beliefs/thinking patterns leading to delinquency. Contextual instruction/related experience focusing on pro-social decision making/anger management techniques/conflict resolution interpersonal skills.

**Conflict Resolution Center – Restorative Sentencing Circles:** Sentencing Circles encompasses the 3 main ideas of restorative justice; to repair, encounter and transform by involving everyone that was most harmed by the criminal activity. In the Circle process, participants discuss the circumstances and impacts that the offense has had on the community, offender and victim. Parties try to come to a complete census as to the best way to resolve the conflicts that have been created because of the crime, leading to transformations of the offender and victim.

**Kids at Work:** Kids At Work is an interpersonal skills development program based around the culinary arts. Youth are a part of the program for 16 weeks and meet for three hours once a week for instruction. The curriculum consists of 24 hands-on lessons that are designed to meet the clients' unique learning styles and help them apply the skills in a work environment. Youth ages 15-17 also receive ServSafe food safety training leading to a nationally recognized certification sought by employers.

**Project Challenge:** Project Challenge is a dispositional option to juvenile court allowing participants to repay or give back to their community. Participants are given the opportunity to fulfill their obligation to the courts by completing community service and provide victims repayment of monetary loss. Project Challenge's Mission Statement is: To help youth become confident, productive members of their community through the offering of their time and talents and through challenging recreational activities.

**Repay, Inc – Just Girls:** The Just Girls program provides a safe, gender specific, group counseling environment where at risk girls can learn self-esteem, build positive relationships with peers, adults, and the community. The goals of the program are to increase self- management and awareness, positive bonding and relationship skills, and reduce risk behaviors.

**Repay, Inc. - Psychological Services:** This component provides comprehensive psychological and diagnostic assessments for court involved youth in order to provide risk data and treatment recommendations.

**Repay, Inc. – SAIS Evaluation and Assessment:** Sex offender specific evaluation and assessment for children with sexually reactive behavior, youth displaying sexually aggressive behavior or who have been charged with a sex offense in order to evaluate risk and make treatment recommendations.

**Repay, Inc. – SAIS Treatment:** Sex offender specific treatment for children and youth displaying sexually aggressive behavior, inappropriate sexual conduct or who have been charged with a sex offense. The treatment balances accountability, rehabilitation and community safety.

### Program Enhancement Plan (PEP)

**Program/Component:** Adolescent Substance Abuse (SA) Treatment

**Brief Description:** The Adolescent SA Treatment component serves youth between the ages of 12 and 17 who have received an SA assessment and been recommended to complete a low-intensity outpatient treatment program. Adolescents served will meet criteria for a substance use disorder according to DSM-V. They will also have met ASAM program placement criteria for Level One treatment.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report : Describe progress made, include date, what has been completed, in process or no progress
Primary Service	25				
Qualifying Supplemental Service	5				
Quality of Service Delivery	16	Protocol, Staff Training, Program Evaluation	Protocol: Continue to revise protocol manual to meet the highest standards; Staff Training: Improve staff training plan and policy to include expected benefits to JCPC programs; Program Evaluation: Improve program evaluation to include expected benchmarks and client improvement.	Program Manager and Clinical Staff	In process of revising the policy and procedures manual for JCPC which includes the "protocol" and "staff training" improvements previously noted. In addition, the program evaluation is also being revised by the clinical team.
Amount of Service: Duration and Contact Hours	2				
	2				
Risk Level of Youth	23				
<b>Total SPEP Score</b>	73				
<b>POP</b>	77%				



This Plan is approved by: \_\_\_\_\_

12/2/2019

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

(Above) Kim James  
Program Manager Signature

Date

Rebecca McLeck  
JCPC Chair Signature

Date

2/11/2020



### Program Enhancement Plan (PEP)

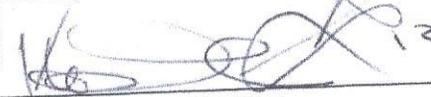
**Program/Component:**  
**Brief Description:**

Kids at Work-Burke County 2018-2019

Kids At Work is an interpersonal skills development program based around the culinary arts. Youth are a part of the program for 16 weeks and meet for three hours once a week for instruction. The curriculum consists of 24 hands-on lessons that are designed to meet the clients unique learning styles and help them apply the skills in a work environment.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report: Describe progress made, include date, what has been completed, in process or no progress
Primary Service	15				Maximum Points received
Qualifying Supplemental Service	5				
Quality of Service Delivery	12	Staff Retention Area.	1. To assess the reasons and factors regarding staff turnover. 2. Develop a plan based on the assessment. 3. Implement the plan. 4. Evaluate outcomes. 5. Developing a Continuity plan for filling vacancies.	District Leader	
Amount of Service: Duration and Contact Hours	10		These factors are out of the programs control.		
Risk Level of Youth	25		Program is serving appropriate level of risk score for the type of service.		
<b>Total SPEP Score</b>	67				
<b>POP</b>	79%				

This Plan is approved by:


12/12/18

12/5/18

Program Manager Signature
Date
JCPC Chair Signature
Date

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

## Program Enhancement Plan (PEP)

**Program/Component:** Project Challenge-Burke

**Brief Description:** Project Challenge is a dispositional option to juvenile court allowing participants to repay or give back to their community as part of their probation requirements. Participants are given the opportunity to fulfill their obligation to the courts by completing community service and provide victims repayment of monetary loss.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report: Describe progress made, include date, what has been completed, in process or no progress
Primary Service	10				
Qualifying Supplemental Service	5				
Quality of Service Delivery	17		1-Protocol Manual needs to include a dailey flow and client flow of activities. 2- Staff training individualized training plan for positions. 3-Program Evaluation, Monitoring and Corrective Action - Needs description on how to improve or inform staff.	1-2-3 Project Challenge Program Manager	1-Continue to follow added summary to Program Manual. 2-Continue to follow added summary to Program Manual. 3-Continue to follow added summary to Program Manual.
Amount of Service: Duration and Contact Hours	16	Improve % of juvenile receiving optimal duration	1. Schedule participants for 12 weeks in all possible cases adhering to frequency requirements in JCPC policy. 2. Communicate change and rationale to referral sources, clients, and families	1. Project Challenge Program Coordinator 2. Project Challenge Program Coordinator	1-Continue monitoring that length of stay extends the 12 weeks and frequency requirements are met. 2-Continue open communication with all involved.
Risk Level of Youth	23				
<b>Total SPEP Score</b>	<b>71</b>				
<b>POP</b>	<b>89%</b>				

This Plan is approved by: Charles C. Rensler 12-23-2019 Rebecca McLeavel 1/8/2020

Program Manager Signature
Date
JCPC Chair Signature
Date

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

## Program Enhancement Plan (PEP)

**Program/Component:**

Just Girls

**Brief Description:**

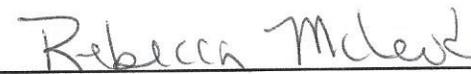
The Just Girls program provides a safe, gender specific, group counseling environment where at risk girls can learn self-esteem, build positive relationships with peers, adults, and the community. The goals of the program are to increase self management and awareness, positive bonding and relationship skills, and reduce risk behaviors.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report: Describe progress made, include date, what has been completed, in process or no progress
Primary Service	15				
Qualifying Supplemental Service	0				No enhancements needed.
Quality of Service Delivery	17	Staff Evaluation and Protocol Manual	Add additional information to the protocol manual including staff qualifications service delivery, treatment benchmarks and additional information. Increase staff training and evaluations with complete documentation; Staff development plans for each staff member	Executive Director	The manual needs to be expanded to include these areas as well as evaluation tools put into place for the program. We are still developing the schedule and tools. Expected date of completion is June 2020.
Amount of Service: Duration and Contact Hours	4				Some of the terminations reflected were unsuccessful which affected this number.
Risk Level of Youth	25				Just Girls has no control over the risk level.
<b>Total SPEP Score</b>	61				
<b>POP</b>	72%				

This Plan is approved by:

  
 Program Manager Signature

12/10/19  
 Date

  
 JCPC Chair Signature

12/11/19  
 Date

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

Program Enhancement Plan

Program:

Psychological Services- Burke

Brief Description:

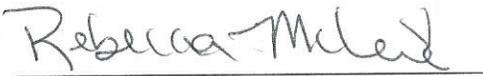
This component provides comprehensive psychological and diagnostic assessments for court involved youth in order to provide risk data and treatment recommendations.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Comments:
Primary Service Supplemental Services					Does not have a SPEP
Quality of Service Delivery	16	Expanding current Protocol Manual	Add additional information to the protocol manual to reflect the use of contractors, qualifications and additional information.	Executive Director	Protocol manual is still being expanded. Estimated date of completion is June 2020
Amount of Service: Duration and Contact Hours					
Risk Level of Youth					
Total	16				

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

This Plan is approved by:

 Renee Lewis 12/10/20  
Program Manager Name & Signature Date

 Rebecca McLeod 12/16/19  
JCPC Chair Name & Signature Date

## Program Enhancement Plan (PEP)

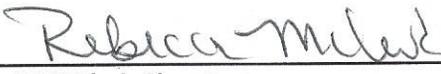
**Program/Component:** Sex Offender Evaluation- Burke  
**Brief Description:** Sex offender specific evaluation and assessment for youth displaying sexually aggressive behavior or who have been charged with a sex offense in order to evaluate risk and make treatment recommendations.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report: Describe progress made, include date, what has been completed, in process or no progress
Primary Service					
Qualifying Supplemental Service					
Quality of Service Delivery	18	Expanding current Protocol Manual	Add additional information to the protocol manual including staff qualifications service delivery, treatment benchmarks and additional information.	Executive Director	We have not completed the Protocol manual expansion at this time. Estimated date of completion is June 2020.
Amount of Service: Duration and Contact Hours					
Risk Level of Youth					
<b>Total SPEP Score</b>	18				
<b>POP</b>					

This Plan is approved by:

  
 Program Manager Signature

12/10/19  
 Date

  
 JCPC Chair Signature

12/11/19  
 Date

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

## Program Enhancement Plan (PEP)

**Program/Component:** Sex Offender Treatment- Burke

**Brief Description:** Sex offender specific treatment for youth displaying sexually aggressive behavior, inappropriate sexual conduct or who have been charged with a sex offense. The treatment balances accountability, rehabilitation and community safety.

Category	SPEP Score	Enhancement Opportunity	Action Steps	Responsible Party	Progress Report: Describe progress made, include date, what has been completed, in process or no progress
Primary Service Qualifying Supplemental Service	15				
Quality of Service Delivery	18	Expanding current Protocol Manual to include more program evaluation.	Add additional information to the protocol manual including staff qualifications, service delivery, treatment benchmarks and additional information.	Executive Director	We have not completed the Protocol manual expansion at this time. Estimated date of completion is June 2020.
Amount of Service: Duration and Contact Hours	18				No enhancements needed.
Risk Level of Youth	0				Most sex offenders have a low risk score because of the nature of the offense
<b>Total SPEP Score</b>	<b>51</b>				
<b>POP</b>	<b>60%</b>				

This Plan is approved by:


12/16/19
Rebecca Meluk
12/11/19  
 Program Manager Signature                      Date                      JCPD Chair Signature                      Date

Attachment: I) PEP signed 2020 21 Annual Plan (3045 : JCPC Annual Plan FY 21)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

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**Subject Title: PBHM - PBHM Amended Bylaws**

**Presented By: Tara Conrad**

**Summary of Information:** 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.

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

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

**PARTNERS BEHAVIORAL HEALTH MANAGEMENT  
BOARD BY-LAWS**

**ARTICLE I: PURPOSE**

The purpose of Partners Behavioral Health Management is to be the Local Management Entity (LME) and Managed Care Organization (MCO) for community mental health services of the highest possible quality within the available resources to serve the populations of Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties (“Partners Catchment Area”). Managed services shall include, but not be limited to, services for mental health disorders, intellectual/developmental disabilities, and substance use.

**ARTICLE II: DESCRIPTION**

Partners Behavioral Health Management is a public authority created effective July 1, 2012 by the combined Boards of Commissioners of Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Surry, and Yadkin Counties and expanded effective July 1, 2019 to include Rutherford County. The commissioners, in collaboration with the North Carolina Department of Health and Human Services (DHHS), have established a partnership with the State for the delivery of community mental health services in Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties. As a public authority, Partners Behavioral Health Management receives financial support from the following sources: federal government, state government, local government, grants, contracts, donations and other sources of revenue consistent with the above Purpose and any Statement of Mission and Vision.

**ARTICLE III: BOARD COMPOSITION AND RESPONSIBILITIES**

The membership of the Board shall comply with requirements for representation as specified by North Carolina Statutes.

**A. Board Composition**

The Board of Directors will consist of up to twenty-one (21) voting members along with the President of the MCO Provider Council or the President’s designee (non-voting) and an administrator of a hospital providing mental health, developmentally disabled and substance abuse emergency services (non-voting) for a total Board of twenty-three (23) members. The two (2) non-voting members shall also participate only in Board activities open to the public.

Three (3) of the twenty-one (21) voting members will be filled by the recommendation of the local Consumer/Family Advisory Committee (CFAC) as follows: (1) the chair of CFAC or the chair’s designee; (2) one family member of the local CFAC (*family member means an individual who is either (a) a relative by blood/marriage, (b) representative/guardian of an individual with disabilities or (c) lives in the same household as the individual with disabilities and has a substantial interest in the well-being of the individual*); and (3) one openly declared consumer member of the local CFAC. Of these three (3) members, the recommendations of the local CFAC and the appointing commissioners shall ensure that there is at least one member representing the interests of each of the following: (a) individuals with mental illness; (b) individuals

Partners BHM Board By-Laws

in recovery from addiction; or (c) individuals with intellectual or other developmental disabilities.

The remaining eighteen (18) members will be comprised of one County Commissioner or designee from each county in the catchment area not to exceed nine (9) members. The remainder of the members will fulfill the requirements set forth in NCGS § 122C-118.1 utilizing the suggestions of the Board’s Nominating Committee.

In all instances, there shall be a minimum of one Board member from each county in the catchment area. There shall also be a maximum number of members from each county as listed below in order to reflect approximately a proportional population composition of the Board. There shall be an examination of the distribution every ten (10) years to coincide with the Census commencing in 2020.

Burke	2
Catawba	3
Cleveland	2
Gaston	4 (5 thru 6/30/19)
Iredell	4
Lincoln	2
Rutherford	1 (effective 7/1/19)
Surry	2
Yadkin	1
	21

The appointments of the three (3) Board members filled by the recommendation of the local CFAC shall be counted as part of the maximum numbers per county as delineated above. If a board member’s occupation or county residency changes, it will be brought to the attention of the appointing commissioner(s) by that board member and/or the Clerk to the Board.

B. **Appointment**

Members of the Partners Behavioral Health Management Board will be appointed by the nine (9) Boards of County Commissioners, with each Board of Commissioners responsible for appointing the allotted number of Board members to represent their respective counties. Board members may fill concurrently no more than two categories of membership if the member has the qualifications or attributes of the two categories of membership. The County Commissioners serving on the Partners Behavioral Health Management Board will have voting privileges. Each member of the Partners Behavioral Health Management Board shall serve at the pleasure of the appointing Boards of County Commissioners. The Nominating Committee of the Board will meet throughout the year and compile names of potential appointees that possess the qualifications needed as specified by statute and as needed for the Board. These names and

Commented [TP1]: This section included by the board at 19-20 board meeting.

## Partners BHM Board By-Laws

biographies of the potential nominees shall be shared with the appointing Boards of Commissioners for consideration for positions as such positions become available.

Should a Board member choose to resign, the Board member will do so by letter to the appointing commissioners with copies to the Board Chair and Chief Executive Officer.

C. **Term of Office**

Any member of the Partners Behavioral Health Management Board who is a County Commissioner shall be deemed to be serving on the Board in an ex-officio capacity to his/her public office. The terms of commissioners are concurrent with their respective terms as public officials unless the Board of Commissioners reassigns a representative. The term of the CFAC representatives shall be concurrent with their respective term on the Advisory Committee. Terms of the other members on the Board shall be for three (3) years, with members eligible for reappointment for an additional three (3) years. Members appointed to fill an unexpired term shall serve the remainder of the original term and be eligible for reappointment for two (2) additional three (3) year terms. A one (1) year lapse in Board membership must occur before an individual is eligible for subsequent appointments to the Board.

For the initial formation of the Board, one-third of the members will be appointed for a one-year term (Class I); one-third for a two-year term (Class II); and all remaining members for a three-year term (Class III) to ensure that all terms do not expire at once. Thereafter, all Board members shall hold office for a term of three (3) years, whether or not initially appointed to Class I, Class II or Class III terms and shall serve for such term until the appointment and qualification of a successor, or until such Board member's death, resignation or removal. If for any reason the terms of the Board cease to be staggered by thirds as hereby intended, one or more terms of sitting Board members may be adjusted by up to one year by affirmative vote of a two-thirds majority of those members present at a single Board meeting, provided a copy of the proposed change in term(s) shall have been sent to each Board member before the meeting took place.

D. **Officers**

1. A Chair, Vice Chair, and Treasurer shall be elected by the Board. The terms of office shall be for one (1) year. The Board Chair need not always rotate counties. The Chair shall preside at all meetings of the Board and perform such other duties as may be directed by the Board. The Chair is authorized to sign all legal documents on behalf of the Board after the documents have been approved by resolution of the Board. The Chair shall appoint all committees and the Chair of each, except the Finance Committee. The Chair shall chair the Executive Committee and serve as an ex-officio member of all standing committees with no voting privileges except at the Board, Executive Committee, and standing committees-of-the-whole meetings. In the event the Chair is absent, without notice, for two consecutive meetings, submits

## Partners BHM Board By-Laws

a resignation, or is removed from the Board, the Board will elect a new Chair.

The Vice Chair shall serve in the absence of the Chair and perform such other duties as may be directed by the Board. The Vice Chair also serves on the Executive Committee.

The Board Treasurer will serve as Chair of the Finance Committee.

The Board Secretary will be either the Chief Executive Officer or the Clerk to the Board and has no voting privileges.

2. **Installation and Term of Office**

The Nominating Committee shall present a slate of nominees at the May meeting for action at the June meeting. Additional nominations can be made from the floor, provided the consent of the nominee to serve, if elected, has been secured. Officers shall be elected and installed at the June meeting to serve for a term of one (1) year. Terms of the officers shall begin at the close of the meeting at which they are elected. No officer may serve in the same office for more than two (2) consecutive terms.

3. **Vacancies**

An officer vacancy shall be filled through nomination and election of the replacement at the next regularly scheduled meeting of the Board provided that the agenda will include that the vacancy exists. The Nominating Committee shall recommend potential Board members to County Commissioners, for appointment to the Board, when Board vacancies occur.

E. **Committees**

1. There shall be five (5) standing committees of the Board:

- Executive Committee
- Finance Committee
- Nominating Committee
- Human Rights Committee
- Regulatory Compliance Committee

Duties of each committee are outlined in the committee description, as adopted by the Board, as amended from time to time.

2. **Ad Hoc Committees**

Ad Hoc Committees will be appointed by the Chair from time to time.

3. **Committee Membership**

The Chair and a majority of each committee shall be Partners Behavioral Health Management Board members except Human Rights which shall be as defined in

## Partners BHM Board By-Laws

10A North Carolina Administrative Code 27G .0504 (f).

4. **Executive Committee**

The membership of the Executive Committee will be the current Board Chair, current Vice Chair, current Treasurer, Immediate Past Chair, and two (2) other Board members appointed by the Chair, provided that no county shall have more than two representatives on the Executive Committee. The Executive Committee will be responsible for hearing personnel matters of the Area Authority, meeting and acting for the full Board in the months the full Board does not convene and for handling other significant events needing decisions prior to the meeting of the full Board.

5. **Quorum**

A majority of appointed Committee members shall constitute a quorum.

F. **County Commissioner Advisory Board**

Pursuant to N.C. Gen. Stat. § 122C-118.2, LME/MCOs have an advisory board to ensure advice is available to LME/MCO board and chief executive officer (CEO) from all boards of commission for the counties of that LME/MCO. Partners has a county commissioner, or designee, from all boards of commission of the counties in Partners Catchment Area represented on the Board. To efficiently comply with the statute, every regularly scheduled meeting of Partners' Board shall include an opportunity for each county commissioner or their designee on the Board to report and advise on matters relevant to its county and Partners.

G. **Board Meetings**

Regular meetings shall be held at least six (6) times per year at a location and time designated by the Board Chair. Notice of the date, place, and time of the meeting shall be sent to each Board member in the form of an agenda. Information concerning Board meetings shall also be made available to the local news media. Each Board member is responsible for contacting the Clerk to the Board in the event of their unavailability for a meeting.

H. **Special Meetings**

Special meetings may be called by the Chair of the Board or by three (3) or more members of the Board after notifying the Board Chair in writing. Notice of the date, place, and time of the called meeting shall be sent to each Board member and the local news media in the form of an agenda, as well as a special telephone call to the Board members prior to the date of the meeting.

I. **Conduct of Meetings**

Conduct of business at Board meetings shall, in general, follow procedures outlined in the current edition of Roberts Rules of Order except where specified otherwise in these

## Partners BHM Board By-Laws

by-laws.

J. **Minutes**

A complete and accurate record of Board meetings shall be maintained in the form of minutes. These minutes shall be made available for inspection upon request of members of the community and employees of Partners Behavioral Health Management. Copies of the minutes shall be sent each month to the Boards of Commissioners via the County Managers.

K. **Quorum**

A majority of appointed Board members shall constitute a quorum.

L. **Majority for Action**

Any action of the Board requires a vote of greater than 50% of those voting. Participation in a Board meeting shall be allowed via conference call. Proxy voting will not be allowed at any meetings of this body.

M. **Attendance**

The Area Board may declare vacant the office of an appointed member who does not attend three (3) consecutive scheduled meetings without justifiable excuse. The Chair of the Area Board shall notify the appropriate appointing authority of any vacancy. Vacancies on the Board shall be filled by the initial appointing authority before the end of the term of the vacated seat or within ninety (90) days of the vacancy, whichever occurs first, and the appointments shall be for the remainder of the unexpired term.

**ARTICLE IV: CHIEF EXECUTIVE OFFICER (CEO)**

The Chief Executive Officer is an employee of the Board and shall serve at the pleasure of the Board. Duties of the Chief Executive Officer are as described in the job description for the Chief Executive Officer, as adopted by the Board, as amended from time to time.

**ARTICLE V: AMENDMENTS**

These by-laws may be amended after having been approved at one (1) Board meeting by affirmative vote of a two-thirds majority of those members present, provided a copy of the proposed amendment shall have been sent to each Board member before the meeting took place.

**ARTICLE VI: ADOPTION**

The Partners Behavioral Health Management By-Laws, as contained herein, were reviewed and adopted by the Partners Behavioral Health Management Board in regular session on July 2, 2012 with a quorum present, and as prescribed by Article III (Majority for Action); and properly amended from time to time as reflected below.

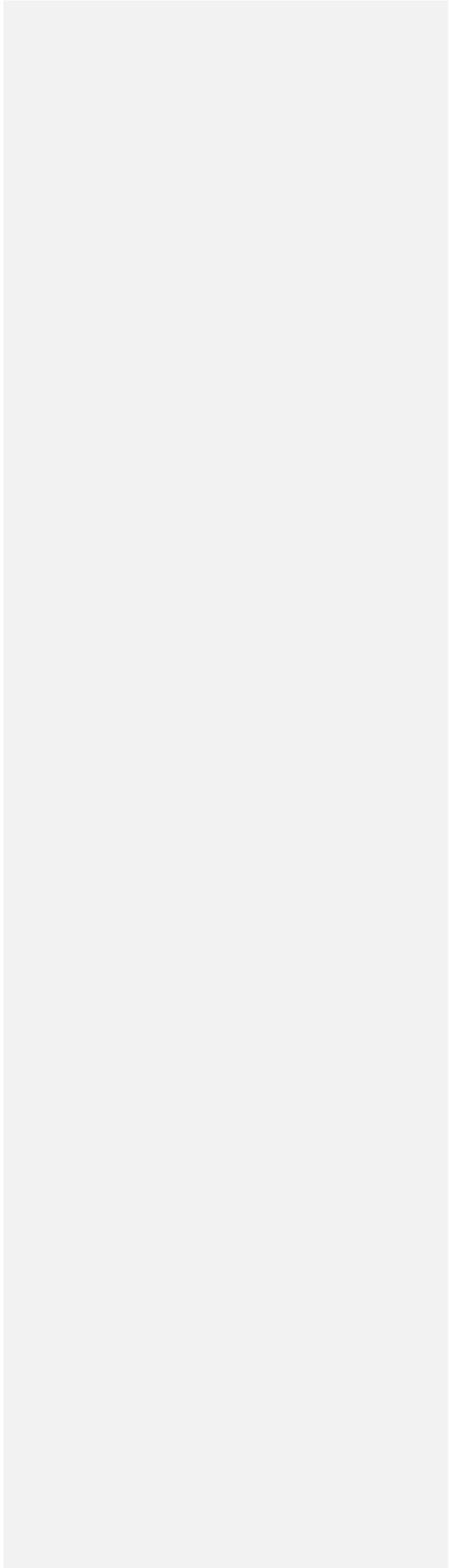
Partners BHM Board By-Laws

\_\_\_\_\_  
Partners Behavioral Health Management Board Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Date



Attachment: Partners Board Bylaws Actual Changes 3.12.20 (3043 : PBHM - PBHMAmended Bylaws)

Partners BHM Board By-Laws

### AMENDMENTS

AMENDED-August 16, 2012

Reference: Article III, Section E.5. (Committee quorum requirement change)

AMENDED-November 15, 2012

Reference: Article III, Section E.1. (Audit Committee and Finance Committee combined into one committee – Finance Committee)

AMENDED-February 21, 2013

Reference: Article III, Sections A and B was revised to reflect the changes in board composition and requirements as specified by *NCGS § 122C-118:1 Structure of Area Board*.

AMENDED-March 21, 2013

Reference: Article III, Section L *Attendance* was revised to reflect that the Area Board may declare vacant the office of an appointed member who does not attend three consecutive scheduled meetings without justifiable excuse, as stated in *NCGS § 122C-118:1 Structure of Area Board*.

AMENDED – August 15, 2013

Reference: Article III. Section A *Board Composition*, second paragraph was revised to provide definition of “a family Member.”

AMENDED – November 16, 2017

Reference: Article I updated to reflect Partners is both an LME and MCO; to alphabetize the counties; and to reflect modern parlance for intellectual/developmental disabilities and substance use. Article III updated to reflect Board Chair may vote in committees of the whole; to memorialize the creation in March 2017 of a Regulatory Compliance Committee required by new law and contract; to change “job description” to “committee description”; and to ensure statutory compliance as to an established county commissioner advisory board.

AMENDED – April 18, 2019

Reference: Updated to include Rutherford County effective July 1, 2019, and to adjust Board composition accordingly. Minor typographical and format changes. Deleted language unique to the initial creation of the Board and no longer necessary. Added language to ensure the Board member terms remain staggered by thirds over time, including the addition of Rutherford County.

**PARTNERS BEHAVIORAL HEALTH MANAGEMENT  
BOARD BY-LAWS**

**ARTICLE I: PURPOSE**

The purpose of Partners Behavioral Health Management is to be the Local Management Entity (LME) and Managed Care Organization (MCO) for community mental health services of the highest possible quality within the available resources to serve the populations of Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties (“Partners Catchment Area”). Managed services shall include, but not be limited to, services for mental health disorders, intellectual/developmental disabilities, and substance use.

**ARTICLE II: DESCRIPTION**

Partners Behavioral Health Management is a public authority created effective July 1, 2012 by the combined Boards of Commissioners of Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Surry, and Yadkin Counties and expanded effective July 1, 2019 to include Rutherford County. The commissioners, in collaboration with the North Carolina Department of Health and Human Services (DHHS), have established a partnership with the State for the delivery of community mental health services in Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties. As a public authority, Partners Behavioral Health Management receives financial support from the following sources: federal government, state government, local government, grants, contracts, donations and other sources of revenue consistent with the above Purpose and any Statement of Mission and Vision.

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The membership of the Board shall comply with requirements for representation as specified by North Carolina Statutes.

**A. Board Composition**

The Board of Directors will consist of up to twenty-one (21) voting members along with the President of the MCO Provider Council or the President’s designee (non-voting) and an administrator of a hospital providing mental health, developmentally disabled and substance abuse emergency services (non-voting) for a total Board of twenty-three (23) members. The two (2) non-voting members shall also participate only in Board activities open to the public.

Three (3) of the twenty-one (21) voting members will be filled by the recommendation of the local Consumer/Family Advisory Committee (CFAC) as follows: (1) the chair of CFAC or the chair’s designee; (2) one family member of the local CFAC (*family member means an individual who is either (a) a relative by blood/marriage, (b) representative/guardian of an individual with disabilities or (c) lives in the same household as the individual with disabilities and has a substantial interest in the well-being of the individual*); and (3) one openly declared consumer member of the local CFAC. Of these three (3) members, the recommendations of the local CFAC and the appointing commissioners shall ensure that there is at least one member representing the interests of each of the following: (a) individuals with mental illness; (b) individuals

## Partners BHM Board By-Laws

in recovery from addiction; or (c) individuals with intellectual or other developmental disabilities.

The remaining eighteen (18) members will be comprised of one County Commissioner or designee from each county in the catchment area not to exceed nine (9) members. The remainder of the members will fulfill the requirements set forth in NCGS § 122C-118.1 utilizing the suggestions of the Board's Nominating Committee.

In all instances, there shall be a minimum of one Board member from each county in the catchment area.

**B. Appointment**

Members of the Partners Behavioral Health Management Board will be appointed by the nine (9) Boards of County Commissioners. Board members may fill concurrently no more than two categories of membership if the member has the qualifications or attributes of the two categories of membership. The County Commissioners serving on the Partners Behavioral Health Management Board will have voting privileges. Each member of the Partners Behavioral Health Management Board shall serve at the pleasure of the appointing Boards of County Commissioners. The Nominating Committee of the Board will meet throughout the year and compile names of potential appointees that possess the qualifications needed as specified by statute and as needed for the Board. These names and biographies of the potential nominees shall be shared with the appointing Boards of Commissioners for consideration for positions as such positions become available.

Should a Board member choose to resign, the Board member will do so by letter to the appointing commissioners with copies to the Board Chair and Chief Executive Officer.

**C. Term of Office**

Any member of the Partners Behavioral Health Management Board who is a County Commissioner shall be deemed to be serving on the Board in an ex-officio capacity to his/her public office. Terms of the members on the Board shall be for three (3) years, with members eligible for reappointment for an additional three (3) years. Members appointed to fill an unexpired term shall serve the remainder of the original term and be eligible for reappointment for two (2) additional three (3) year terms. A one (1) year lapse in Board membership must occur before an individual is eligible for subsequent appointments to the Board.

For the initial formation of the Board, one-third of the members will be appointed for a one-year term (Class I); one-third for a two-year term (Class II); and all remaining members for a three-year term (Class III) to ensure that all terms do not expire at once. Thereafter, all Board members shall hold office for a term of three (3) years, whether or not initially appointed to Class I, Class II or Class III terms and shall serve for such term

## Partners BHM Board By-Laws

until the appointment and qualification of a successor, or until such Board member's death, resignation or removal. If for any reason the terms of the Board cease to be staggered by thirds as hereby intended, one or more terms of sitting Board members may be adjusted by up to one year by affirmative vote of a two-thirds majority of those members present at a single Board meeting, provided a copy of the proposed change in term(s) shall have been sent to each Board member before the meeting took place.

**D. Officers**

1. A Chair, Vice Chair, and Treasurer shall be elected by the Board. The terms of office shall be for one (1) year. The Board Chair need not always rotate counties. The Chair shall preside at all meetings of the Board and perform such other duties as may be directed by the Board. The Chair is authorized to sign all legal documents on behalf of the Board after the documents have been approved by resolution of the Board. The Chair shall appoint all committees and the Chair of each, except the Finance Committee. The Chair shall chair the Executive Committee and serve as an ex-officio member of all standing committees with no voting privileges except at the Board, Executive Committee, and standing committees-of-the-whole meetings. In the event the Chair is absent, without notice, for two consecutive meetings, submits a resignation, or is removed from the Board, the Board will elect a new Chair.

The Vice Chair shall serve in the absence of the Chair and perform such other duties as may be directed by the Board. The Vice Chair also serves on the Executive Committee.

The Board Treasurer will serve as Chair of the Finance Committee.

The Board Secretary will be either the Chief Executive Officer or the Clerk to the Board and has no voting privileges.

**2. Installation and Term of Office**

The Nominating Committee shall present a slate of nominees at the May meeting for action at the June meeting. Additional nominations can be made from the floor, provided the consent of the nominee to serve, if elected, has been secured. Officers shall be elected and installed at the June meeting to serve for a term of one (1) year. Terms of the officers shall begin at the close of the meeting at which they are elected. No officer may serve in the same office for more than two (2) consecutive terms.

**3. Vacancies**

An officer vacancy shall be filled through nomination and election of the replacement at the next regularly scheduled meeting of the Board provided that the agenda will include that the vacancy exists. The Nominating Committee shall

## Partners BHM Board By-Laws

recommend potential Board members to County Commissioners, for appointment to the Board, when Board vacancies occur.

**E. Committees**

1. There shall be five (5) standing committees of the Board:
  - Executive Committee
  - Finance Committee
  - Nominating Committee
  - Human Rights Committee
  - Regulatory Compliance Committee

Duties of each committee are outlined in the committee description, as adopted by the Board, as amended from time to time.

2. **Ad Hoc Committees**

Ad Hoc Committees will be appointed by the Chair from time to time.

3. **Committee Membership**

The Chair and a majority of each committee shall be Partners Behavioral Health Management Board members except Human Rights which shall be as defined in 10A North Carolina Administrative Code 27G .0504 (f).

4. **Executive Committee**

The membership of the Executive Committee will be the current Board Chair, current Vice Chair, current Treasurer, Immediate Past Chair, and two (2) other Board members appointed by the Chair, provided that no county shall have more than two representatives on the Executive Committee. The Executive Committee will be responsible for hearing personnel matters of the Area Authority, meeting and acting for the full Board in the months the full Board does not convene and for handling other significant events needing decisions prior to the meeting of the full Board.

5. **Quorum**

A majority of appointed Committee members shall constitute a quorum.

**F. County Commissioner Advisory Board**

Pursuant to N.C. Gen. Stat. § 122C-118.2, LME/MCOs have an advisory board to ensure advice is available to LME/MCO board and chief executive officer (CEO) from all boards of commission for the counties of that LME/MCO. Partners has a county commissioner, or designee, from all boards of commission of the counties in Partners Catchment Area represented on the Board. To efficiently comply with the statute, every regularly scheduled meeting of Partners' Board shall include an opportunity for each county commissioner or their designee on the Board to report and advise on matters relevant to its county and Partners.

## Partners BHM Board By-Laws

G. **Board Meetings**

Regular meetings shall be held at least six (6) times per year at a location and time designated by the Board Chair. Notice of the date, place, and time of the meeting shall be sent to each Board member in the form of an agenda. Information concerning Board meetings shall also be made available to the local news media. Each Board member is responsible for contacting the Clerk to the Board in the event of their unavailability for a meeting.

H. **Special Meetings**

Special meetings may be called by the Chair of the Board or by three (3) or more members of the Board after notifying the Board Chair in writing. Notice of the date, place, and time of the called meeting shall be sent to each Board member and the local news media in the form of an agenda, as well as a special telephone call to the Board members prior to the date of the meeting.

I. **Conduct of Meetings**

Conduct of business at Board meetings shall, in general, follow procedures outlined in the current edition of Roberts Rules of Order except where specified otherwise in these by-laws.

J. **Minutes**

A complete and accurate record of Board meetings shall be maintained in the form of minutes. These minutes shall be made available for inspection upon request of members of the community and employees of Partners Behavioral Health Management. Copies of the minutes shall be sent each month to the Boards of Commissioners via the County Managers.

K. **Quorum**

A majority of appointed Board members shall constitute a quorum.

L. **Majority for Action**

Any action of the Board requires a vote of greater than 50% of those voting. Participation in a Board meeting shall be allowed via conference call. Proxy voting will not be allowed at any meetings of this body.

M. **Attendance**

The Area Board may declare vacant the office of an appointed member who does not attend three (3) consecutive scheduled meetings without justifiable excuse. The Chair of the Area Board shall notify the appropriate appointing authority of any vacancy. Vacancies on the Board shall be filled by the initial appointing authority before the end of the term of the vacated seat or within ninety (90) days of the vacancy, whichever occurs first, and the appointments shall be for the remainder of the unexpired term.

## Partners BHM Board By-Laws

**ARTICLE IV: CHIEF EXECUTIVE OFFICER (CEO)**

The Chief Executive Officer is an employee of the Board and shall serve at the pleasure of the Board. Duties of the Chief Executive Officer are as described in the job description for the Chief Executive Officer, as adopted by the Board, as amended from time to time.

**ARTICLE V: AMENDMENTS**

These by-laws may be amended after having been approved at one (1) Board meeting by affirmative vote of a two-thirds majority of those members present, provided a copy of the proposed amendment shall have been sent to each Board member before the meeting took place.

**ARTICLE VI: ADOPTION**

The Partners Behavioral Health Management By-Laws, as contained herein, were reviewed and adopted by the Partners Behavioral Health Management Board in regular session on July 2, 2012 with a quorum present, and as prescribed by Article III (Majority for Action); and properly amended from time to time as reflected below.

Partners BHM Board By-Laws

ARTICLE VI

ADOPTION

The Partners Behavioral Health Management By-Laws, as contained herein, were reviewed and adopted by the Partners Behavioral Health Management Board in regular session on July 2, 2012 with a quorum present, and as prescribed by Article III (Majority for Action).

Pamela B. Peteat

Partners Behavioral Health Management Board Chair

7/6/12

Date

Anita B. Lenzfelt

Clerk to the Board

7/6/12

Date

Attachment: Partners Board Bylaws Amended 3-19-2020 Final (3043 : PBHM - PBHMAmended Bylaws)

## Partners BHM Board By-Laws

**AMENDMENTS**

AMENDED-August 16, 2012

Reference: Article III, Section E.5. (Committee quorum requirement change)

AMENDED-November 15, 2012

Reference: Article III, Section E.1. (Audit Committee and Finance Committee combined into one committee – Finance Committee)

AMENDED-February 21, 2013

Reference: Article III, Sections A and B was revised to reflect the changes in board composition and requirements as specified by *NCGS § 122C-118:1 Structure of Area Board*.

AMENDED-March 21, 2013

Reference: Article III, Section L *Attendance* was revised to reflect that the Area Board may declare vacant the office of an appointed member who does not attend three consecutive scheduled meetings without justifiable excuse, as stated in *NCGS § 122C-118:1 Structure of Area Board*.

AMENDED – August 15, 2013

Reference: Article III. Section A *Board Composition*, second paragraph was revised to provide definition of “a family Member.”

AMENDED – November 16, 2017

Reference: Article I updated to reflect Partners is both an LME and MCO; to alphabetize the counties; and to reflect modern parlance for intellectual/developmental disabilities and substance use. Article III updated to reflect Board Chair may vote in committees of the whole; to memorialize the creation in March 2017 of a Regulatory Compliance Committee required by new law and contract; to change “job description” to “committee description”; and to ensure statutory compliance as to an established county commissioner advisory board.

AMENDED - April 18, 2019

Reference: Updated to include Rutherford County effective July 1, 2019, and to adjust Board composition accordingly. Minor typographical and format changes. Deleted language unique to the initial creation of the Board and no longer necessary. Added language to ensure the Board member terms remain staggered by thirds over time, including the addition of Rutherford County.

AMENDED – March 19, 2020

Reference: Article III – Section A, *Board Composition*, fourth paragraph, deleted language pertaining to proportional population composition of the Board and reference thereof at the end of the first sentence in Section B, *Appointment*. Article III – Section C, *Term of Office*,

## Partners BHM Board By-Laws

deleted the language defining terms of commissioners as concurrent with their respective terms as public officials to assure statutory compliance as specified by *NCGS § 122C-118:1 Structure of Area Board*, with compliance to the Amended Section C by July 1, 2020.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

**Subject Title: Tax Dept. - Tax Collection Report for April 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, 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.

<b>Category</b>	<b>Tax Levy</b>	<b>Amount Collected YTD</b>	<b>Balance to Collect</b>	<b>% Collected</b>
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.

<b>Category</b>	<b>Annual Budget</b>	<b>Amount Collected YTD</b>	<b>Balance to Collect</b>	<b>% Collected</b>
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.

<b>Category</b>	<b>Annual Budget</b>	<b>Amount Collected YTD</b>	<b>Balance to Collect</b>	<b>% Collected</b>
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%

**Budgetary Effect:** None.

**County Manager's Recommendation:** Approval is recommended.

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

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

**Subject Title: Tax Dept. - Release Refund Report for April 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.

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

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes and Rebilled Amount
<b>TAX DISTRICT: BURKE COUNTY    RELEASE REASON: Business Closed</b>								
0000081719-2015-2015-0000-00-REG	HAMILTON & COVELLI	7/1/2015	LINDA WILBUR	4/15/2020	18.70	18.70	0.00	0.00
<b>Subtotal</b>						<b>18.70</b>		<b>0.00</b>
<b>TAX DISTRICT: BURKE COUNTY    RELEASE REASON: Deceased</b>								
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
<b>Subtotal</b>						<b>9.67</b>		<b>0.00</b>
<b>TAX DISTRICT: BURKE COUNTY    RELEASE REASON: Duplicate Billing</b>								
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
<b>Subtotal</b>						<b>629.55</b>		<b>0.00</b>
<b>TAX DISTRICT: BURKE COUNTY    RELEASE REASON: Not in Burke County</b>								
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
<b>Subtotal</b>						<b>2,314.70</b>		<b>0.00</b>
<b>TAX DISTRICT: BURKE COUNTY    RELEASE REASON: Sold/Traded</b>								
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
<b>Subtotal</b>						<b>8.72</b>		<b>0.00</b>
<b>Total</b>						<b>2,981.34</b>		<b>0.00</b>
<b>Net Release Amount</b>							<b>2,981.34</b>	

<b>VTS Refunds Over \$100</b>	
	<b>Refund Amount</b>
VTS Adjustments	<b>\$135.35</b>

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

\*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 April 2020 as presented.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CONSENT AGENDA**

**Subject Title: WPCC – Presentation of Financial Data for the Period Ending March. 31, 2020**

**Presented By: Sandy Hoilman**

**Summary of Information:** An overview of the College’s financial data will be presented for the period ending March 31, 2020

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

Summary of Revenues	STATE			COUNTY			INSTITUTIONAL		
	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	
<b>Total Budgeted Revenues</b>	<b>14,816,687</b>	<b>10,703,317</b>	<b>4,113,370</b>	<b>2,613,155</b>	<b>1,936,822</b>	<b>676,333</b>	<b>5,416,497</b>	<b>4,954,480</b>	<b>462,017</b>
<b>Summary of Expenditures</b>									
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%						
<b>Total Budgeted Expenditures</b>	<b>14,816,687</b>	<b>10,578,076</b>	<b>4,238,611</b>	<b>2,613,155</b>	<b>1,695,287</b>	<b>917,868</b>	<b>5,416,497</b>	<b>4,878,146</b>	<b>538,351</b>
		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	15,000
Carryforward	24,018
Longevity	158,219
<b>Total Other</b>	<b>859,200</b>

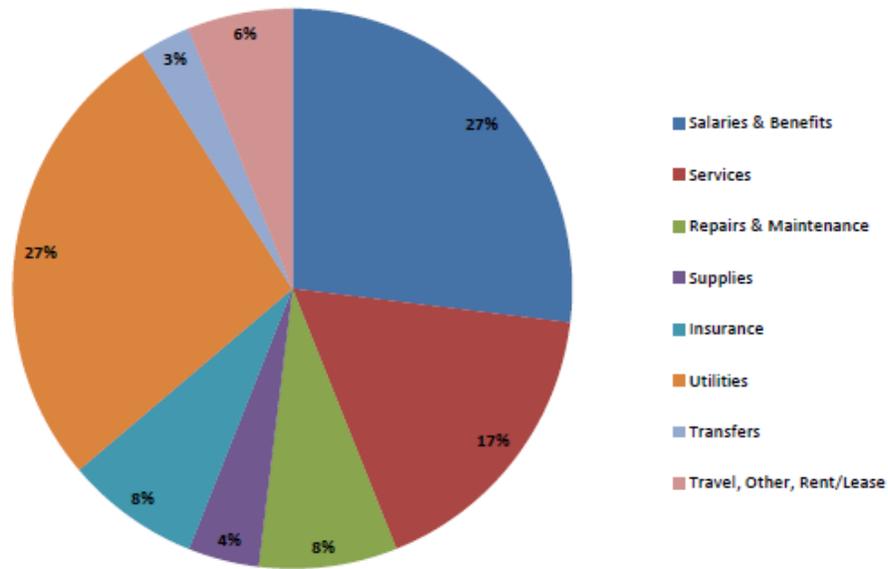
As of March 30, 2020	
Total College Budget	\$ 22,846,339
Total Expenditures	\$ 17,151,509 <u>75.1%</u>

Fund Balance: County Funds	
Fund Balance, Beginning July 1, 2019	626,111
Current Operating Cash	241,534
<b>Current Fund Balance</b>	<b>867,645</b>
	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%
	<u>1,695,287</u>	<u>100%</u>

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



**Budgetary Effect:** NA

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motion:** To accept the report as presented.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**ITEMS FOR DECISION**

**Subject Title: Co. Mgr. - Presentation of Recommended Budget for FY 20-21 and Scheduling of Public Hearing**

**Presented By: Bryan Steen**

**Summary of Information:** 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.

**Budgetary Effect:** N/A

**County Manager's Recommendation:** Approval is recommended.

**Suggested Motions:**

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

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**ITEMS FOR DECISION**

**Subject Title: CM - Coronavirus Relief Fund Direct County Allocation**

**Presented By: Bryan Steen**

**Summary of Information:** 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 local municipalities to receive a portion of the allocation based on eligible expenses if they choose to participate.

**Budgetary Effect:** 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's Recommendation:** Approval is recommended.

**Suggested 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.**

## Coronavirus Relief Fund (CRF) Direct County Allocation

### HOUSE BILL 1043

Allocates \$150 million to the 97 counties that did not receive direct CRF funding from the CARES Act. All counties will receive a base allocation of \$250,000, with the remaining funds distributed on a per capita basis.

Authorizes counties, 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.

Requires quarterly reporting to OSBM, beginning Oct. 1, 2020, on the use of funds.

Unspent and misspent funds are subject to federal recoupment. 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."

Also places \$150 million in 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. It will be extremely important that any funding counties receive is expended according to the requirements of the CARES Act and corresponding [U.S. Treasury guidance](#). Unspent or misspent funds are subject to federal recoupment after December 30, 2020.

See Section 2.3 and Section 3.3(2) in [House Bill 1043](#)



**STATE OF NORTH CAROLINA**  
**OFFICE OF STATE BUDGET AND MANAGEMENT**  
**Employment First State for Individuals with Disabilities**

ROY COOPER  
GOVERNOR

CHARLES PERUSSE  
STATE BUDGET DIRECTOR

May 6, 2020

Dear County Leader,

This letter is to inform you about funding for North Carolina local governments from the Coronavirus Relief Fund (CRF) established under the CARES Act. In total about \$4.07 billion will be allocated to the State of North Carolina. The four largest local governments (with populations in excess of 500,000) have already received a direct distribution from the U.S. Treasury of about \$481 million; the remaining funds have been received by the State of North Carolina to be used on behalf of the State and the remaining local governments. The State share of the remaining funds is estimated to be approximately \$3.585 billion.

[HB 1043/S.L. 2020-4](#) has appropriated \$150 million to be distributed to county governments based on their population according to 2019 Vintage Year Census Bureau estimates. Each county will receive a minimum distribution of \$250,000. Counties can choose to share with municipalities in their county if the transfer qualifies as a necessary expenditure incurred due to the coronavirus public health emergency. The law also reserved an additional \$150 million for local governments for future use if the U.S. Treasury approves revenue replacement as an acceptable use of these funds.

At this time, the State expects to award the entire local share to counties for COVID-19 health-related expenditures at one time. Attached is a chart that shows each county's share of the \$150 million.

[Guidance](#) and [FAQs](#) received from the federal government suggests that eligible spending must be directly related to expenditures incurred to address the COVID-19 pandemic. The broad categories include:

- Medical expenses including the COVID-19 related expenses of public hospitals and clinics, establishment of temporary medical facilities, COVID-19 testing, and public telemedicine capabilities.
- Public health expenses such as the acquisition of personal protective equipment and other medical supplies, disinfection of public areas and other facilities such as nursing homes, and expenses for public safety measures, including expenses for quarantining.
- Payroll expenses for public safety or healthcare employees whose services are substantially dedicated to responding to the COVID-19 emergency.

- Expenses of actions that facilitate compliance with COVID-19 related public health measures such as teleworking, distance learning, food delivery, paid sick and family and medical leave for public employees, expenses for maintaining prisons, and expenses for protecting the homeless population.
- Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency.

Treasury guidance also states that these funds must be used or obligated by December 30, 2020. These funds may not be used for damages covered by insurance, payroll or benefits for employees not substantially dedicated to responding to or mitigating the COVID-19 health emergency, or to reimburse for revenue losses.

Please contact the NC Pandemic Recovery Office if you have questions about allowable uses of federal funding at [ncpro@osbm.nc.gov](mailto:ncpro@osbm.nc.gov). The federal government requires reporting on the use of these funds according to the Federal Funding Accountability and Transparency Act (FFATA). The State will require quarterly reporting of funds to the NC Pandemic Recovery Office beginning on October 1, 2020 and report on your behalf to the federal government. Please fill out the attached information form to ensure accurate reporting and complete the W-9 form so that OSBM has the information needed to disburse your allotment and return to [ncpro@osbm.nc.gov](mailto:ncpro@osbm.nc.gov). The receipt of these forms is required before the State will disburse funds. The State requests each county to submit a plan to the State on how the county proposes to use its share of the funds. We would like to receive this plan by June 1, 2020. Plans will be available to view on the [ncpro.osbm.gov](http://ncpro.osbm.gov) website.

All expenditures must be consistent with federal rules and regulations promulgated by the U.S. Treasury. Please know that S.L. 2020-4 states “Counties and municipalities are liable to the State for any misuse or mishandling of these funds, and subject to clawback and other appropriate measures, including the reduction or elimination of other State funds. 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.”

Thank you for everything you are doing on behalf of North Carolina’s residents during this pandemic. Please feel free to contact me if you have any questions.

Sincerely,



Charlie Perusse

Local Government Coronavirus Relief Fund County Allocations

Alamance	3,007,967	Franklin	1,383,798	Orange	2,665,753
Alexander	860,089	Gaston	3,903,161	Pamlico	457,056
Alleghany	431,203	Gates	438,118	Pasquotank	897,950
Anson	647,744	Graham	387,338	Pender	1,276,007
Ashe	692,602	Granville	1,233,427	Perquimans	469,047
Avery	535,658	Greene	592,800	Person	892,515
Beaufort	1,014,608	Guilford*	-	Pitt	3,190,732
Bertie	558,274	Halifax	1,063,679	Polk	587,186
Bladen	782,398	Harnett	2,462,374	Randolph	2,587,509
Brunswick	2,573,728	Haywood	1,263,918	Richmond	979,383
Buncombe	4,499,663	Henderson	2,160,413	Robeson	2,375,312
Burke	1,722,221	Hertford	635,233	Rockingham	1,730,763
Cabarrus	3,771,761	Hoke	1,148,675	Rowan	2,561,818
Caldwell	1,587,063	Hyde	330,327	Rutherford	1,340,584
Camden	426,810	Iredell	3,208,043	Sampson	1,283,670
Carteret	1,380,349	Jackson	964,886	Scotland	816,582
Caswell	617,775	Johnston	3,656,014	Stanly	1,271,874
Catawba	2,845,947	Jones	403,250	Stokes	991,781
Chatham	1,461,651	Lee	1,255,165	Surry	1,417,933
Cherokee	715,527	Lenoir	1,160,309	Swain	482,194
Chowan	476,857	Lincoln	1,651,054	Transylvania	809,455
Clay	432,732	Macon	994,465	Tyrrell	315,342
Cleveland	1,843,630	Madison	833,421	Union	4,152,585
Columbus	1,153,133	Martin	603,961	Vance	974,599
Craven	1,911,835	Mcdowell	615,106	Wake*	-
Cumberland	5,708,842	Mecklenburg*	-	Warren	571,030
Currituck	701,713	Mitchell	493,469	Washington	438,410
Dare	852,149	Montgomery	692,114	Watauga	1,164,018
Davidson	2,977,053	Moore	1,891,351	Wayne	2,253,382
Davie	947,118	Nash	1,784,259	Wilkes	1,363,086
Duplin	1,205,735	New Hanover	4,064,953	Wilson	1,580,929
Durham	5,480,715	Northampton	566,995	Yadkin	862,854
Edgecombe	1,087,466	Onslow	3,470,516	Yancey	543,989
Forsyth	6,470,065				

Attachment: Coronavirus Relief Fund Documentation (3058 : CM - Coronavirus Relief Fund Direct County Allocation)

**Coronavirus Relief Fund**  
**Guidance for State, Territorial, Local, and Tribal Governments**  
**April 22, 2020**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>1</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

<sup>1</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

***Nonexclusive examples of eligible expenditures***

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
  - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
  - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
  - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
  - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

***Nonexclusive examples of ineligible expenditures<sup>2</sup>***

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>3</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

<sup>2</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>3</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**ITEMS FOR DECISION**

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**Subject Title: HR - Creation of Animal Services Enforcement Positions**

**Presented By: Rhonda Lee**

**Summary of Information:** 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.

**Budgetary Effect:** The actual cost of these positions will be outlined in the County Manager's FY 20-21 recommended budget.

**County Manager's Recommendation:** Approval is recommended.

**Suggested 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.



## Burke County Government Class Specification

CLASS TITLE:	<b>ANIMAL SERVICES ENFORCEMENT SUPERVISOR</b>	CLASS CODE:
DEPARTMENT:	Animal Services	FLSA STATUS: Non-exempt
REPORTS TO:	Animal Services Director	ESTABLISHED: April, 2020
CATEGORY:		REVISED: April, 2020
PAY GRADE:	22	

### **GENERAL STATEMENT OF DUTIES:**

Performs specialized work for the County in the administration and enforcement of ordinances and statutes related to the control of animals.

### **DISTINGUISHING FEATURES OF THE CLASS:**

An employee in this class is responsible for:

- directing the activities of the animal control program and the supervision and training of animal control staff
- sharing responsibilities for reception and kennel work, as needed
- receiving and responding to citizen requests for service, which includes capturing and/or confining diseased, bothersome, unlicensed or apparently dangerous animals
- assisting in the maintenance of an online animal database of currently impounded animals
- escorting visitors through the kennel and helping potential adopters find a good match within the kennel population
- implementing and administering educational programs, low-cost spay/neuter programs, and fundraising programs.

Work is performed in accordance with related County and State laws. Employee is subject to the common risks of animal control enforcement and care. Work is performed under the general supervisor of the Animal Services Director and is evaluated in terms of program effectiveness. Will be placed on an after-hours on-call schedule with other employees.

### **DUTIES AND RESPONSIBILITIES:**

- Responds to citizen requests for services and captures stray, diseased, and bothersome animals.
- Investigates cases of reported animal bites and cruelty to animals.
- Trains, supervises and directs Animal Control Officers and staff in the animal services operation
- Teaches humane animal collection, care and disposal methods.
- Picks up injured animals and assures proper care.
- Maintains records of locations where animals were picked up.
- Checks dog licenses and issues citations for violations of State/County ordinances.
- Testifies in court against owners who disregard ordinance violations.
- Takes injured animals or animals in violation of applicable regulations to the Animal Services facility.
- Explains County and State laws and ordinances to the general public.
- Conducts tours of the Animal Services facility.
- Participates in public educational programs.
- Informs the Animal Services Director of needed supplies.
- Prepares and maintains accurate records and reports.
- Assists with the preparation and monitoring of the budget.

- Sets schedules for Animal Control Officers to ensure adequate coverage.
- Maintains cleaning/disinfection, vaccination and deworming protocols.
- Operates County vehicles in carrying out enforcement duties.
- Schedules animals for low-cost spay/neuter program
- Educates the public on the importance of spay/neuter and pet overpopulation.
- Escorts visitors through cattery and kennel.
- Monitors work and reports of Animal Control Officers under their supervision.
- Maintains communication with Animal Services Director.
- Works in cooperation with rescue organizations.
- Performs related duties as assigned.

### **RECRUITMENT AND SELECTION GUIDELINES**

#### **KNOWLEDGE, SKILLS AND ABILITIES:**

- Tact and courtesy in explaining animal control regulations to animal owners and the general public
- Independent judgment and initiative in application of the law
- Working knowledge of laws and ordinances related to animal control
- Working knowledge of laws of animal collection, care, and disposal
- Working knowledge of, or the ability to learn, the geography of Burke County
- Adequate knowledge of safety practices concerning the handling of animals
- Ability to use the equipment and physical means necessary for the purpose of capturing and caring for animals
- Ability to maintain accurate records concerning daily activities, calls and investigations
- Ability to explain and enforces State and local regulations pertaining to animal control operations
- Ability to communicate effectively in oral and written forms
- Ability to establish and maintain effective working relationships with coworkers and the public
- Ability to lead/supervisor and train Animal Control Officers.

#### **DESIRABLE EDUCATION AND EXPERIENCE:**

Graduation from high school and four (4+) experience in the animal control field, including one (1+) year of supervisory experience; or an equivalent combination of education and experience. Ideal candidate will reside within 20 minutes of Burke County.

#### **PHYSICAL REQUIREMENTS:**

- Physically able to operate a variety of machinery and equipment including two-way radios, hand tools, animal traps, etc.
- Able to operator a motor vehicle.
- Able to exert up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or a small amount of force constantly to lift, carry, push/pull or otherwise move objects. Work may involve walking, standing, running, and physical confrontations. Physical demands are those for heavy work.

#### **SPECIAL REQUIREMENTS:**

- Possess and maintain a valid driver's license, and
- Certified Rabies Vaccinator certification, and
- Certified Euthanasia Technician, and
- Completion of course(s) related of basic animal control functions Or an equivalent combination of education and experience.



## Burke County Government Class Specification

CLASS TITLE:	<b>ANIMAL SERVICES ENFORCEMENT OFFICER</b>	CLASS CODE:
DEPARTMENT:	Animal Services	FLSA STATUS: Non-Exempt
REPORTS TO:	Animal Services Supervisor	ESTABLISHED: April, 2020
CATEGORY:		REVISED: April, 2020
PAY GRADE:	19	

### **GENERAL STATEMENT OF DUTIES:**

Performs specialized work for the County in the enforcement of local and State ordinances and statutes related to the control of animals.

### **DISTINGUISHING FEATURES OF THE CLASS:**

An employee in this class is responsible for:

- Performing tasks associated with enforcement of animal control regulations.
- Receiving and responding to citizen requests for animal control service(s), including but not limited to the capturing and confining of stray, diseased, bothersome, unlicensed or apparently dangerous animals.
- Assisting in maintaining records of animals impounded by Animal Services Enforcement Officers.
- Providing assistance to the Animal Services Enforcement Supervisor in implementing various programs.

The employee is subject to the common risks of animal control enforcement and care. Work is performed in accordance with County and State laws. Work is performed under the general supervision of the Animal Services Enforcement Supervisor and is evaluated through observation and discussions concerning the efficiency and effectiveness of performed duties. Will be placed on an after-hours on-call schedule.

### **DUTIES AND RESPONSIBILITIES:**

- Responds to citizen requests for services and captures stray, sick/injured, diseased, and bothersome animals.
- Maintains records of various impounds, road activities, investigations, etc.
- Checks rabies certificates and issues citations for violations of State and County ordinances.
- Treats all animals humanely, properly and with compassion at all times.
- Testifies in court against owners who disregard or violate ordinances.
- Operates a County vehicle in carrying out enforcement duties.
- Educates the public on the importance of spay/neuter, animal welfare, County and State laws regarding animals.
- Responds to calls received by the 911 Communications Center involving animal related incidents.
- Maintains all assigned equipment to ensure proper functioning.
- Performs related duties as assigned.

### **RECRUITMENT AND SELECTION GUIDELINES**

#### **KNOWLEDGE, SKILLS AND ABILITIES:**

- Tact and courtesy in explaining animal control regulations to animal owners and the general public
- Ability to remain pleasant and calm in stressful situations
- Independent judgment and initiative in application of the law
- Working knowledge of laws and ordinances related to animal control, collection, care and disposal
- Working knowledge of breeds and temperaments of animals

- Ability and willingness to learn about and understand wild and domesticated animals
- Ability to work with animals of unknown disposition and animals who may exhibit medical and/or other problems, including aggressive tendencies
- Working knowledge of, or the ability to learn, the geography of Burke County
- Adequate knowledge of safety practices concerning the handling of animals
- Ability to use the equipment and physical means necessary for the purpose of capturing and caring for animals
- Ability to maintain accurate records concerning daily activities, calls and investigations
- Ability to explain and enforces State and local regulations pertaining to animal control operations
- Ability to communicate effectively in oral and written forms
- Ability to establish and maintain effective working relationships with coworkers and the public
- Exercises good judgment and initiative
- Works with minimal supervision and direction

**DESIRABLE EDUCATION AND EXPERIENCE:**

Graduation from high school and one (1+) experience in the animal control field; or an equivalent combination of education and experience. Ideal candidate will reside within 20 minutes of Burke County.

**PHYSICAL REQUIREMENTS:**

- Physically able to operate a variety of machinery and equipment including two-way radios, hand tools, animal traps, etc.
- Able to operator a motor vehicle.
- Able to exert up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or a small amount of force constantly to lift, carry, push/pull or otherwise move objects. Work may involve walking, standing, running, and physical confrontations. Physical demands are those for heavy work.

**SPECIAL REQUIREMENTS:**

- Possess and maintain a valid driver's license, and
- Certified Rabies Vaccinator certification, or obtaining such within 6 months of employment, and
- Certified Euthanasia Technician, or obtaining such within 6 months of employment, and
- Completion of course(s) related of basic animal control functions, or  
Or an equivalent combination of education and experience.

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**REPORTS AND COMMENTS**

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**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



## **-BURKE COUNTY PARKS & RECREATION COMMISSION**

### **Tuesday March 10, 2020 MINUTES**

The Burke County Parks and Recreation Commission met Tuesday February 11, 2020 at 12pm at the Foothills Higher Education Center.

**Members Present:** Mo Beam (OakHill) Brandon Clontz (Salem) Justin Weidner (Ray Childers), Jason Black (W A Young), Doug Knight( Valdese), Jessica Whisenant (Mountain View)

**Members Not Present:** Tim Limbo (East Burke), Scott Mulwee (Commissioner)

**Advisory Present:** No

**Staff Present:** *Treg McGee*, Recreation Director,

*Wesley Hasson*, Athletic Director,

*Deana Gates*, Program Coordinator

Commission Vice Chairman Brandon Clontz opens the meeting up and asked for approval of minutes from last meeting. Minutes were approved.

Mr. Clontz then turned the floor over to Recreation Director Treg McGee. Mr. McGee stated that the shade structure over the front concession area is completed. We are working on the new playground equipment at Reep park also the fitness trail at Parker Rd Park. A purchase Order has been submitted for the new playground equipment at Parker Rd Park.

Mr. McGee stated that Tony and his crew have been cutting lots of trees at Fonta Flora getting them ready to burn.

Mr. Clontz turns the meeting over to Athletic Director Wesley Hasson. Mr. Hasson gave the sports report (see attached sheet)

Mr. Clontz then turned the meeting over to Program Coordinator Deana Gates. Ms. Gates stated that Conference Center 2020 rentals are going great! We just held Gun Show Event and it was a success.

Ms. Gates stated she is in the process of hiring more concession workers. Reep is also being cleaned for inspection.

Ms. Gates is also working on background checks for Indoor Soccer.



The next commission meeting will be 12pm Tuesday April 14th, 2020

Respectfully Submitted,

*Treg McGee*

Burke County Parks & Recreation Director

<b>APRIL 2020</b>	
<b>BUILDING INSPECTIONS</b>	
20% COMMERCIAL REMODEL/SHELL	9
NEW SINGLE FAMILY HOME	22
NEW DOUBLE WIDE MOBILE HOME	7
NEW RESIDENTIAL POOL	4
RESIDENTIAL BUILDING ONLY	32
RESIDENTIAL ELECTRICAL ONLY	28
RESIDENTIAL MECHANICAL ONLY	19
RESIDENTIAL PLUMBING ONLY	4
RESIDENTIAL ALL TRADES MINIMUM	3
<b>ZONING</b>	
RESIDENTIAL ZONING PERMIT	61
COMMERCIAL ZONING PERMIT	8
MINOR SHORELINE PERMIT	8
MAJOR SHORELINE PERMIT	1
MINOR SITE PLAN REVIEW	2
MINOR SUBDIVISION REVIEW	6
EXEMPT SUBDIVISION REVIEW	6
CONDITIONAL USE PERMIT APP	1
<b>TOTAL PERMITS</b>	<b>221</b>

Attachment: April Building Permits (3054 : BOC Reports & Comments)



## Nantahala and Pisgah Forest Plan Comment Period Extended

**Asheville, NC, May 5, 2020** - The USDA Forest Service is extending the comment period for the proposed Nantahala and Pisgah forest plan and draft Environmental Impact Statement (EIS) by an additional 45 days.

The public review and comment period, which was previously scheduled for February 14 through May 14, will now end on June 29, 2020.

“Since we released the plan in February, we’ve had to make some changes to the ways that we engage with the public,” said Allen Nicholas, Forest Supervisor for the National Forests in North Carolina. “Most of our March open houses were canceled, so we’ve created new opportunities to ensure that everyone can learn more about the plan and ask us questions.”

Beginning May 18 and continuing through the end of the comment period, the forest website will feature a virtual open house. Similar to an open house meeting, information will be organized by topics such as recreation, wildlife, timber, and wilderness. In addition to the proposed plan and analysis, a full suite of supporting materials is already online, including a 2-minute introductory video, a visual Readers Guide, an overview presentation, detailed presentations, questions and answers on multiple topics, and interactive maps.

The planning team will answer public questions through conference calls. These do not require internet access to attend. To join, call 888-251-2949 or 215-861-0694 using access code 3889103# at the following times:

- May 28, 6:30-8 p.m.
- June 2, 7:30-9 a.m.
- June 4, 5:30-7 p.m.
- June 8, noon-1:30 p.m.

Questions may be submitted in advance by email to [SM.FS.NFsNCQandAs@usda.gov](mailto:SM.FS.NFsNCQandAs@usda.gov). This email address is exclusively for submitting questions for the telephone question and answer sessions. Comments on the proposed plan must be submitted through the online commenting system or by mail. For more information, including how to submit a question or comment, please visit [www.fs.usda.gov/goto/nfsnc/nprevision](http://www.fs.usda.gov/goto/nfsnc/nprevision).



**PARTNERS**  
Improving Lives. Strengthening Communities.

**Partners BHM Board of Directors**  
**Regular Meeting Minutes**  
**March 19, 2020 - 6:00 PM**

The Partners Behavioral Health Management Board of Directors met by means of a conference call for its regular monthly meeting.

**Board Member Attendance**

Commissioner Susan Allen	P	Commissioner Anita McCall	P
Barbara Anderson	P	Linda McCrary	P
Commissioner Kitty Barnes	P	Henry Morphis	P
Beth Brown (non-voting)	P	Wil Neumann – <i>Chair</i>	P
Debra Cheek - <i>Treasurer</i>	A	Commissioner Marvin Norman	P
Ben Coggins	P	Russ Perkins – <i>Vice Chair</i>	P
Daryl Cook	P	Pam Poteat	P
Steve Garrison	P	Joseph Ramey	P
Commissioner Bill Goins	P	Commissioner Maynard Taylor (6:22 p.m.)	P
Jane Hinson	A	Commissioner Frank Zachary	P
Mike Hoffman	P		

**Partners Staff Present**

Rhett Melton	CEO
Jane Harris	Chief Clinical Officer
Susan Lackey	Chief Financial Officer
Jessica Pape	Chief Development Officer
Andrew Walsh	Chief Legal Officer
Libby McCraw	Director, Human Resources
Tammy Pyles	Clerk to the Board
Kim Powell	Deputy Clerk to the Board

**Others Present**

Yvonne French	DHHS Liaison
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**I. Call to Order**

- A. Chair Wil Neumann called the meeting to order at 6:00 p.m. A roll call was conducted, and a quorum was acknowledged. Mr. Neumann acknowledged Partners executives and other staff members present.

**II. AGENDA REVISIONS – Wil Neumann**

- A. There were no agenda revisions.

**III. CITIZEN RECOGNITION – Wil Neumann**

A. There were no citizens in attendance.

#### IV. CONSENT AGENDA – Wil Neumann

##### A. Previous Board Meeting Minutes for Approval

The January 16, 2020 meeting minutes were included in the board meeting agenda packet for approval. Chair Wil Neumann asked for a motion to approve. Barbara Anderson made a motion to approve the previous meeting minutes, and Ben Coggins seconded. The floor was opened for discussion. There being no discussion, the motion carried unanimously.

Steve Garrison joined the meeting at 6:07 p.m.

#### V. REPORTS – Wil Neumann

##### A. Finance Committee Report – In the absence of Debra Cheek, Russ Perkins presented the Finance Committee Report.

1. Approval of Previous Meeting Minutes – The February 13, 2020 Finance Committee meeting minutes were included in the board meeting agenda packet for approval. In Debra Cheek's absence, Russ Perkins set forth for board approval. Chair Wil Neumann called for a vote. There being no discussion, the motion carried unanimously.
2. Budget Revision #6FY20 - Susan Lackey reviewed the budget revision which received prior approval from Finance Committee. Russ Perkins set forth for board approval. Chair Wil Neumann called for a vote. The motion carried unanimously.
3. January 2020 Financial Statements – The January 2020 financial statements, along with a detailed summary, were included as part of the board meeting agenda packet. Ms. Lackey provided an overview of the Balance Sheet and Year-to-Date Income Statements, including Medicaid and non-Medicaid. Russ Perkins requested time with Susan Lackey for review to gain a better understanding of the report.

##### B. CFAC Report – Ben Coggins reported that the CFAC met on February 10, 2020 and provided the following information:

- Patty Schaeffer, Diane Krisanda, and Michael Lennon were recognized for their attendance at the Annual Legislative Breakfast on Mental Health on February 1, 2020.
- Stacy Hayward of the NC DHHS Community Engagement and Empowerment Team was in attendance and provided updated events from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Disorders.
- A review from the previous meeting for suggestions for meetings, housekeeping and ground rules was provided.
- David Taylor of the Go Voter Project provided a presentation on the Self-Advocates Becoming Empowered (SABE) project, an organization which provides training and voting assistance for people with disabilities.
- Committee reports were provided to address CFAC vacancies in the following counties: Lincoln (SA) Yadkin (MH and one other) Catawba (SA) Surry (MH and IDD) and Rutherford (IDD).
- The March 14, 2020 CFAC retreat has been canceled due the coronavirus.

##### C. CEO Report – Rhett Melton

1. COVID-19 Response – Mr. Melton reported that Partners executive leadership team began planning efforts last week and put the corona virus response plan into action on Friday, March 13, 2020. He explained that several staff work remotely routinely and some work remotely intermittently. The response plan moves all staff members who can, to work remotely. He explained that leadership addressed four major categories concurrently in planning the response: 1) Get Partners staff settled with necessary equipment, technology, and supplies to enable them to carry on and execute business operations; 2) To work with our provider network to support funding, staffing, and changes to the care environment to help them continue to provide care to our members; 3) To address the impact on our members and provide communication and guidance about changes to services, access to care, and to support them through dramatic changes to the way they receive care; and 4) Community

stakeholders, who we routinely work with including departments of social services, health departments, first responders, law enforcement and many other organizations. He reminded the board of the importance of the strong relationships that have been established in and through these four categories in the way we have conducted business all along. Currently, there are not many staff on site and where telework is not possible, staff members have been redeployed to other necessary duties. The next phase of development is a response to a shelter in place order should that occur. Of major concern is Partners network of providers. As restrictions for face to face encounters with patients are implemented, Partners is working with the state to develop creative avenues of support for our providers related to alternative delivery of care, payments for services, and special exemptions when required so that members get the care they need, and people are safe in the process. He stated that Partners employees, members, providers, and stakeholders will rise to that challenge and come through this crises with a renewed dedication to creativity and alternative means of preparation and delivery systems.

Maynard Taylor joined the meeting at 6:17 p.m.

## VI. DISCUSSION AGENDA – Wil Neumann

### A. County Commissioner Advisory Committee – Behavioral Health Focused Updates

1. **Burke County** – Commissioner Maynard Taylor provided the following report:
  - a. There are no cases of COVID-19 and the virus is the county’s current focus.
2. **Catawba County** – Commissioner Kitty Barnes provided the following report:
  - a. The county has taken steps daily to deal with the pandemic in response to calls from DHHS, the governor’s directives, and what we have received from the federal government.
  - b. There is concern by parents of special needs children regarding services that are usually provided at school.
  - c. Food has been an issue and all three schools have tried to provide pick up for daily breakfast and lunch.
  - d. Five meals per week are being delivered to the elderly population through the Meals on Wheels program
  - e. The county has started work on the new budget.
  - f. The acting Health Director, Jennifer McCracken, has been named director and is doing an excellent job coordinating the COVID-19 response and has reached out to the community and stakeholders.
3. **Cleveland County** – Commissioner Susan Allen provided the following report:
  - a. Our community has stepped up and is doing its part in response to measures enacted to contain the spread of the virus. So far 38 tests have been conducted; 22 tests are awaiting results; no positive tests reported. She noted more testing will probably show additional positive results.
4. **Gaston County** – Commissioner designee Joseph Ramey provided the following report:
  - a. There has been one positive corona virus test result in the county. As in other counties, Gaston County is operating under a state of emergency: established 16 food drop-off locations in conjunction with the school system, with a drive-thru set up on site at the local hospital; and establishing response plans, both internally for the department and externally for the public.
  - b. The new animal shelter is close to being eligible to open.
  - c. Work on the new public safety radio program continues.
  - d. Work on the new budget has begun.
5. **Iredell County** – Commissioner Marvin Norman provided the following report:
  - a. Just as other counties, Iredell is dealing with the corona virus.
  - b. The new jail recently opened which provides increased security with single and double cells.
6. **Lincoln County** – Commissioner Anita McCall provided the following report:
  - a. The county has one confirmed case of the virus; tested 37 no other positives reported. We are moving forward and trying to keep community positive and calm.

7. **Rutherford County** – County Manager Steve Garrison provided the following report:
    - a. The county, as most other counties, is dealing with the corona virus and at the same time preparing a new fiscal year budget.
    - b. The county is creating a community-based incident response team and has scheduled two calls or webinar conferences per week that will include physical and mental healthcare and health and human services professionals, town representatives from EMS, tourism, education, and justice systems, as well as nonprofit, faith-based and philanthropic organizations, public utility service providers, and state and local elected officials in effort to open channels of communication and develop a coordinated response to the corona virus.
    - c. The community hospital is small which could present additional challenges and that emergency operations plans are underway.
  8. **Surry County** – Commissioner Bill Goins provided the following report:
    - a. Like other counties, the county is dealing with the corona virus. Sixteen food service sites for children up to 16 years of age have been set up and today served five or six thousand meals.
    - b. The county is beginning plans for the new fiscal year budget.
    - c. Plans for a new jail continue.
    - d. In effort to prevent the spread of the virus, the board of commissioners will not meet again until April due to corona virus.
  9. **Yadkin County** – Commissioner Frank Zachary provided the following report:
    - a. Yadkin County is dealing with the corona virus, just as all the other counties have shared. The board of commissioners met on Monday night and we have not adjourned that meeting yet. We reconvened yesterday at 2:00 p.m. for about 1 ½ hours, and we will meet again tomorrow morning at 9:00 a.m. and then will recess until Tuesday at 9:00 a.m. We stay connected through our response team. To date, 20 corona virus tests have been conducted; two negative results have been reported and we are waiting on the results of the remaining tests.
- B. Executive Dashboard Report – November 2019 - The report was included as part of the board meeting agenda packet. In Selenna Moss’s absence, Rhett Melton explained that in the interest of the board’s time, it was Selenna’s intent to not review individual sections of the report but to be available to answer any questions the board may have. Wil Neumann asked if there were any questions concerning the report or if anyone would like to discuss the report individually with Selenna or Rhett at a later time. There were no questions or comments by the board.
- C. Changes to Partners Bylaws – The proposed and legally required changes to the bylaws were emailed to the board on March 18<sup>th</sup>. Andrew Walsh explained that upon review of Partners bylaws it was determined there is an area required by law to be changed and another area that is a recommendation for change. He directed the board to Article III - Section A, Board Composition, the fourth paragraph highlighted in blue. He explained the 13 representation/classification requirements that are currently restricted by Partners bylaws to a specific county with an open seat on the board. He clarified that the county restriction is not required by NCGS 122-C118.1 and has become problematic when considering the need for expertise such as managed care and healthcare attorney experience which will be important as we move toward July 2021, and Tailored Plan operations. Discussion ensued regarding meeting the representations required by statute with the challenge of the restriction to specific counties, as well as balanced representation on the board for each county. Andrew confirmed that one county commissioner or designee from each county in the catchment area, not to exceed nine (9) members, remains intact in the bylaws. Wil Neumann called for a motion. Russ Perkins made a motion to strike the language highlighted in blue from Partners bylaws and Linda McCrary seconded. The motion carried unanimously. Andrew explained that currently, commissioners serve on the board at the same length of term as their term as a commissioner and that technically, that is not what the statute requires. The statute requires that a commissioner serve a term of three years, or the length of time as a commissioner, whichever is earlier. He explained the structure of two three-year terms, followed by a required one-year lapse in serving, and that language remains intact. The language being stricken from the bylaws is only that which is contrary to the statute, which states, “The commissioners terms are concurrent with their respective

terms as public officials unless the Board of Commissioners reassigns a representative. The term of the CFAC representatives shall be concurrent with their respective term on the Advisory Committee.” In addition, in the next sentence the word, “other” is stricken as the three-year term applies to all members of the board, whether you are a commissioner, CFAC representative, or other. Discussion ensued about election cycles, limitation of commissioners availability or willingness to serve, staggered terms at the time of formation of the board, review of terms with county clerks related to commissioner appointments to boards which occur in December versus Partners fiscal year end on June 30th, the challenge of filling vacant seats and required representation with county restrictions, the possibility for flexibility of board appointments from outside the catchment area, as well as the likelihood of legal consequences for non-compliance to state statute. Wil commented that this change brings Partners bylaws into compliance with the statute as required, and he discussed the charge and activities of the Nominating Committee. Andrew provided guidance on the timing which requires that the changes to the bylaws be effective immediately, with transition to compliance by July 1, 2020.

During discussion it was determined that the end of the first sentence in Article III Section B – Appointment, which reads, “...with each Board of Commissioners responsible for appointing the allotted number of Board members to represent their respective counties” refers to the language in Section A which has been approved by the board to be stricken from the bylaws. The board agreed that this language be included with the section highlighted in blue and be stricken from the bylaws.

Wil Neumann called for a motion. Kitty Barnes made a motion to amend the previous motion to also strike the language in Section B “with each Board of Commissioners responsible for appointing the allotted number of Board members to represent their respective counties” and delete the section of the bylaws highlighted in pink to bring Partners bylaws into compliance with the requirements of the state statute, and Frank Zachary seconded. The motion carried unanimously.

- D. Tailored Plan Readiness – Rhett Melton stated the information he had for this topic falls under the discussion item for the Closed Session. He requested to share his comments in Closed Session and the board agreed.

#### **VII. Closed Session**

At 7:26 p.m. Susan Allen motioned to enter into Closed Session pursuant to NC General Statute, Section 143-318.11, (a)(1) to prevent disclosure of Information that is confidential or not considered a public record; (a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an individual employee or to hear an investigative complaint or grievance or charge against an individual employee; and Section 122C-126.1 to preserve competitive healthcare information and Bill Goins seconded. The motion carried unanimously. Except for Rhett Melton, Libby McCraw and Tammy Pyles, all remaining Partners staff members, guests and non-voting board members were excused from the meeting. Rhett Melton reminded the voting members of the call-in instructions for Closed Session.

#### **VIII Open Session**

At 8:32 p.m. Pam Poteat entered a motion to go back into Open Session. Joe Ramey seconded, and the motion carried unanimously. In Open Session, Pam Poteat made a motion to approve the revised Partners Board of Directors Compensation Philosophy for the Chief Executive Officer as presented by Libby McCraw in Closed Session.

#### **IX. Adjournment**

With there being no further discussion, Chair Wil Neumann asked for a motion to adjourn. At 8:33 p.m. Joe Ramey entered a motion and Marvin Norman seconded. The motion carried unanimously.

**Board Members**

Rev. 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  
 March 17, 2020

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

Staff Present: Korey Fisher-Wellman, DSS Director  
 Kathy Craig, Child Welfare Program Administrator  
 Amanda Grady, Eligibility Program Administrator

Sharon Honeycutt, Clerk to the Board

### CALL TO ORDER

Rev. Jolly called the meeting to order at 8:33 am.

### INVOCATION

Rev. Jolly gave the invocation.

### APPROVAL OF AGENDA

The agenda was unanimously approved with a motion from Mr. Brittain and a second from Mr. Martinez.

### APPROVAL OF MINUTES

The minutes from the February 18, 2020 meeting were unanimously approved with a motion from Mr. Brittain and a second from Mr. Martinez.

## **PUBLIC COMMENTS**

### **OLD OR NEW BUSINESS**

#### **ADULT AND CHILDREN SERVICES UPDATE**

Ms. Craig said the department has not received any significant guidance from the State as far as what tasks can be put on hold. Safety kits have been made for county vehicles that include masks, gloves, hand sanitizer, wipes, disinfectant spray, and towels. When having face to face contact with clients screening questions are asked such as has anyone in the home been sick in the past two weeks, and if so, what are their symptoms. If the answer is yes, staff will put on a mask and gloves. When the contact is complete the mask and gloves are put in a disposable bag and disposed of in an outside trash receptacle. When staff gets back in the car, they are to use hand sanitizer. Ms. Craig said after transporting, staff is to disinfect anywhere that has been touched in the car. Ms. Craig mentioned that all toys have been taken out of the visitation room and it has been sanitized very well. The staff is trying to contact clients ahead of time for visitations and ask the screening questions. If the answer is yes, the visitation is asked to be postponed. If they do come in for a visit, the children are allowed to pick one or two toys to play with. After the visit, the toys and the room are disinfected. Ms. Craig said social workers are to staff with her if they have to have contact with a medically fragile child in the high-risk category in foster care. Staff is going to the home and looking through the windows at the children. Staff has also been instructed if weather permits to have visits outside where they can spread out and have conversations. Ms. Craig said she is hoping to get more directions from the State with the Director's call this today. Ms. Craig said all the facilities have rules in place where visits are prohibited and are hoping there will not be new reports from Broughton. Ms. Craig said the department is trying to have as many staff work from home as possible. Staff working from home will talk to their supervisor each morning and give them the tasks that they will be working on for the day. Staff will also check in at the end of the day to report what they completed during the day. Because of childcare issues, one supervisor is working from 5:30 am to 2:00 pm. Ms. Craig said the department is trying to be creative with being flexible with time and still get the job done as well as limit the number of people in the building.

#### **ECONOMIC SERVICES PROGRAM AND CHILD SUPPORT UPDATES**

Ms. Grady said for economic services the main concern is for the staff at the front desk and people in the lobby. Front desk staff is wearing gloves and keeping the window barely open because people do lean into the window. Ms. Grady mentioned that application procedures have changed, and the department is encouraging clients to fill out applications, drop it off and a worker will call them by phone to go over the information with them. If it is required to see someone face to face, screening questions are asked. Each supervisor is given masks, sanitation wipes, gloves, and disinfectant spray. The lobby has been cleaned and chairs have been moved 6' apart. The couches will be removed from the lobby.

**DEPARTMENT UPDATES**

Mr. Fisher-Wellman said the agency is encouraging people that do not have to be here, to not be here and work from home. Some counties have asked the State if personal computers can be used and was told no. Mr. Fisher-Wellman mentioned that the agency was not at the point yet of taking desk top computers home. There is not a supply of laptops for everyone to work from home. He said the department was continuing to try to keep everything as clean as possible and to keep as few people as possible in the building. Mr. Fisher-Wellman also mentioned the possibility of doing foster visits by facetime. There are changes happening everyday and the department is trying to continue to be up to date on those changes.

Mr. Martinez said that his facility has a process to wipe down doorknobs, etc. twice a day. After each vehicle run the drivers wipe down the steering wheel, seats, and most importantly the back of seats.

Rev. Jolly said there was some talk of daycares shutting down. Ms. Dean said their daycare is still open but foresees that they may close at some point. Rev. Jolly said the downtown churches are talking about a mechanism to step into that gap if that should happen. Ms. Dean said they would be looking into some options as well. Rev. Jolly said there were a lot of employees out there that are required by law to work. Ms. Dean said her staff has seen with home visits is people are not prepared for being home for several weeks and are used to running out and picking up meals. It is difficult for families because they now have three meals a day to prepare instead of one.

**ADJOURNMENT**

The meeting adjourned at 8:52 with a motion from Mr. Brittain.

Submitted by: Sharon Honeycutt, Clerk to the Board

Approved by: \_\_\_\_\_  
Rev. Marshall Jolly, Chair

\_\_\_\_\_  
Date

Attachment: DSS Board of Director's Meeting 3-21-2020 (3054 : BOC Reports & Comments)



**BURKE DEVELOPMENT INC**  
A PRIVATE/PUBLIC CORPORATION

**BOARD OF DIRECTORS**  
March 20, 2020

**Business Conducted via Email**  
**MORGANTON, NORTH CAROLINA**

In response to the global pandemic, COVID-19, BDI cancelled the regularly scheduled Board of Directors meeting on Friday, March 20<sup>th</sup> at the BDI office. This included cancellation of a conference call for the meeting.

Approval of minutes and financial documents, were conducted via email for the approval of the January 17, 2020 minutes and January and February 2020 financial reports. Each Board member was asked to reply to the email providing documentation for any corrections or deletions and for approval of these documents for our files.

**Approval of the January 17, 2020 Minutes**

No corrections or deletions were noted for the January 17, 2020 minutes. A quorum of eight Board members voted to approve the minutes as presented. Those approving were Sally Sandy, Bryan Beam, Kathy Bailey, Kenneth Geathers, Lamar Smitherman, Sherri Bradshaw, Jeff Brittain and Seth Eckard.

**Approval of the January and February 2020 Financial Reports**

The January and February 2020 checking summaries consisted of normal activity for operations. The January 2020 Operational Fund reflects 58% of the fiscal year with expenditures at 49% and revenues at 72% while February reflects 67% of the fiscal year with expenditures at 58% and revenues at 78%. The Burke Business Park Summary reflects normal activity for the Bank of America and Morganton Federal accounts for both January and February. Kathy Bailey noted she was listed as approving the January financials when she was in fact, not in attendance. This error occurred due to a copy and pasting of information and has been corrected. The November and December 2019 financials were approved by Chip Black and Bryan Beam. The January and February 2020 financial reports were approved by a quorum of eight members including Sally Sandy, Bryan Beam, Kathy Bailey, Kenneth Geathers, Lamar Smitherman, Sherri Bradshaw, Jeff Brittain and Seth Eckard.

There was no further business conducted via the email communication.

Respectfully Submitted,

Peggy Byrd

Attachment: BDI March 2020 Board Minutes.Final (3054 : BOC Reports & Comments)

# Burke County Public Library

bcpls.org

May 2020



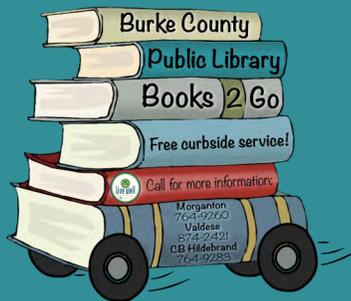
## Libraries to Reopen



Under Phase 1 of Governor Cooper's reopening plan, all locations of the Burke County Public Library will open to the public on a limited, appointment only basis on Wednesday, May 13. The number of people allowed into the libraries will be limited and social distancing will be required.

Beginning Tuesday, May 12, you may call the library at 764-9261 (Morganton), 874-2421 (Valdese), or 764-9283 (C.B. Hildebrand) to schedule an appointment. Appointments may be made to use computers (non-recreational use), browse the stacks for books, read the newspaper or a magazine in the reading areas, use a study room, or to research in the North Carolina room. Appointments are time limited so more people can have access to the libraries.

If you have materials to return, the book boxes are open at each library location. Materials should not be returned inside. All returned materials are quarantined for 72 hours before going back on the shelves. Under Phase 1 the library will not be accepting donations of materials.



More resources are available online at bcpls.org!

Once phase 1 is over, the library will begin to provide limited in-person programs for adults and young adults. Since social distancing is not practical with young children no in-person children's programming will be done until social distancing is relaxed or discontinued.

For those wanting books but not wanting to come inside, the Books2Go curbside service will resume on May 13.

During the one week the libraries were able to offer the curbside service more than 1,700 items were circulated at the Morganton, Valdese, and C.B. Hildebrand Public Libraries to almost 300 patrons.

## Living Well by the Numbers

Monthly statistics for  
all Burke County Public  
Library locations.

Item	April FY 18/19	April FY 19/20	Change
Circulation	14,926	0	NA
Library Cards – New and Renewed	373	47	-87.4%
Library Visits	8,029	0	NA
Programs – Number Held	124	0	NA
Programs – Number Attending	2,331	0	NA
Computer Sessions	2,800	0	NA
Ebooks Checked Out	2,683	3,456	+28.8%
Items Added to the Collection	895	165	-81.6%
Items Removed from the Collection	430	934	+117%
Items in the Collection	140,271	140,213	-0.041%

**All Burke County Public Libraries  
are open by appointment starting May 13.**



Packet Pg. 268

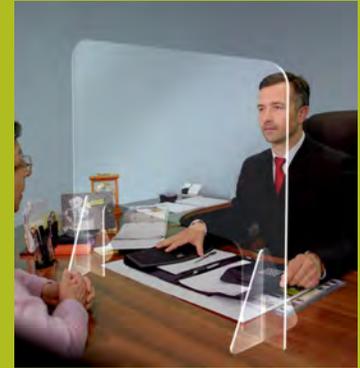
## COVID-19 Grant from the State Library

The Burke County Public Library received a \$2,000 grant for the State Library of North Carolina to purchase items related to the mitigation and prevention of the COVID-19 virus.

The library has used the funds to order disinfectant and sanitizing solutions to be used to keep areas of the library safe for staff and the public. Other items ordered include disposable gloves and reusable masks for library staff.

Plexiglass guards are also on the way that will be used at service desks to screen staff and patrons from one another to lessen the likelihood of exposure to the virus. The library is waiting to receive non-contact thermometers to screen staff as they come to work each day.

The use of these items along with other measures taken by the library such as quarantining returned materials for 72 hours and relocating library furniture to provide for social distancing should provide a safe environment for the public when the library reopens on a limited basis May 13.



## Programming for Teens During a Pandemic



Lizzie Whisnant

Programming for teens is challenging under normal circumstances but more so during trying times such as those we face now with the COVID-19 pandemic.

Burke County Public Library Young Adult Program Coordinator Lizzie Whisnant is up to the challenge. Rather than be restricted by the circumstances of stay-at-home orders and social distancing, Lizzie has searched out opportunities to provide unique programs and activities to the library's young adults.

For example, Lizzie is using "subscription boxes" as a way to engage teens to read and maintain their connection to the library during the COVID-19 restrictions. Subscribers to the program don't know what's the "Wrapped Up! @ your library" boxes and are always surprised at what they find inside. The subscription boxes have been a big hit and the library may start doing these for other age groups too.

Some of the other digital programs and activities she has planned include: Virtual meeting with the library's Young Adult Advisory Board to talk about programming ideas for the fall, at-home scavenger hunts, digital book discussions, online YA café for teens to meet and chat virtually, and a virtual game night.



Young Adult Subscription Box

Attachment: Newsletter -- May 2020 (3054 : BOC Reports & Comments)

All Burke County Public Libraries are open by appointment starting May 13.





**Western Piedmont Regional Transit Authority**  
**MINUTES OF REGULAR BOARD MEETING**  
**Western Piedmont Regional Transit Authority (WPRTA) Board of Directors**  
**Thursday, March 19, 2020 at 10:00 a.m.**  
**Location: Greenway Conference Room,**  
**1515 4th St. SW, Conover, NC 28613**

**Members Present:** Rick French (Chair), Donald Duncan, Mary Furtado, Sean Hovis, John Marshall, Bryan Steen

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

1. **Call to Order** – Mr. French called the meeting to order at 10:00 AM and welcomed all present.

2. **Finance**

- a. **Public Hearing for FY 2021 Budget-** Mr. Blalock provided an overview of the proposed budget for next fiscal year (FY 2021). Mr. French called for a motion to open the public hearing. Upon a motion by Mr. Hovis and second by Mr. Duncan, the Board unanimously approved opening the public hearing for the FY 2021 Budget. No public was present. Ms. Furtado asked about the decrease in fares and increase in grants. Mr. Blalock replied that projected fares for FY 21 had been revised down to similar levels of FY 19, in light of recent reductions in ridership. Mr. French asked if there were any more questions, and hearing none, called for a motion to close the public hearing. Upon a motion by Mr. Duncan and a second by Ms. Furtado, the Board unanimously approved closing the public hearing. Mr. French then called for a motion to approve the FY 2021 Budget and Capital Ordinance. Upon a motion by Ms. Furtado and a second by Mr. Steen, the Board unanimously approved the FY 2021 Operating Budget and Capital Ordinance.
- b. **Financial Report-** Mr. Blalock gave a brief overview of the WPRTA Operating Income/Expense Report for February. Total cash, as of March 16, 2020, is \$1,990,617.13. No board action was required.
- c. **Continuity of Operations Plan-** Mr. Blalock presented the proposed payroll preparations for continuity of operations. Mr. Blalock explained two new time charge codes would be added to account for both reduced operations and actual sick time related to COVID-19. Mr. Blalock elaborated that this would allow WPRTA to both comply with pending legislation and apply for future reimbursements. Mr. Blalock noted that demand-response ridership had declined by half in the early part of this first week following the national emergency declaration. Mr. French called for a motion to approve the payroll proposal. Mr. Steen asked if the policy should be for 30 days or 60 days. Upon a motion by Ms. Furtado to adopt the policy for 60 days and a second by Mr. Duncan, the Board unanimously approved the payroll plan for continuity of operations for 60 days.

3. **Authority Update**

- a. **Monthly Report-** Ms. Sterling provided a status update on the Triennial Review, where WPRTA will submit revised EEO Plan and Title VI Statement, as requested by NCDOT. Ms. Furtado asked if vacancies would go unfilled, in light of COVID-19. Ms. Sterling responded that the training of new hires would take time, such that labor levels could be maintained. No action was required by the board.

- b. Remote Participation Policy-** Ms. Sterling presented the proposed remote participation policy. Mr. French asked if there were any more questions, and hearing none, called for a motion to adopt the policy. Upon a motion by Ms. Furtado to adopt the policy and a second by Mr. Steen, the Board unanimously adopted the Remote Participation Policy.
- 4. Consent Agenda-** Mr. French called for a motion to approve the February 20, 2020, Board Minutes. Upon a motion by Ms. Furtado and a second by Mr. Duncan, the Board unanimously approved the Minutes.
- 5. Discussion of Items removed for the Consent Agenda-** None
- 6. Public Comment-** None
- 7. Other Business-** None
- 8. Adjournment** – The next board meeting will tentatively be Thursday, April 16, 2020 at 10:00 am. Mr. Hovis moved to adjourn the meeting, with a second by Mr. Marshall. The motion to adjourn was approved unanimously by the board, and they adjourned at 10:25 AM.

Respectfully Submitted,

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Brian Horton, Clerk

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Rick French, Chairman

**April 2020 Report****Intake:****Cats: 20****Dogs: 51****Adopted (includes transferring to rescue)**

Cats: 16

Dogs: 24

**Return to Owner:**

Cats: 0

Dogs: 18

**Euthanized:**

Cats: 3

Dogs: 4

**Live Release Rate:****Cats: 84%****Dogs: 91%****Our goal is to achieve a 90% live release rate**

Johnnie W. Carswell, Chair  
 Scott Mulwee, Vice Chair  
 Wayne F. Abele, Sr., Commissioner  
 Jeffrey C. Brittain, Commissioner  
 Maynard M. Taylor, Commissioner



Kenneth B. Steen, County Manager  
 Kay H. Draughn, Clerk to the Board  
 J. R. Simpson, II, County Attorney  
 Kania Law Firm, P.A., Tax Attorney

May 14, 2020

MEMO: Budget Report Summary

Please see the attached report and these accompanying notes:

General Fund revenues are at 77.66% collected for a total of \$73,019,868. All are on target for the fiscal year. Miscellaneous revenues are over budget primarily due to interest income above projections.

General Fund expenditures are 71.2% for a total of \$66,946,592. All are on target for the fiscal year. Debt service is 99.98% as all payments are made by the end of March on loans. General Services Maintenance/Operations is below budget with several projects to be completed in the coming months. Some overall savings may occur due to the stay at home orders but may not be significant.

Water and Sewer operations revenues are \$1,160,932 (62.6%) with expenditures of \$880,653 (47.5%). These are both under for the year to date and this is related to projects to be completed primarily.

Solid Waste operations revenues are \$4,546,066 (78.1%) and expenditures are \$3,907,769 (67.1%). Revenues are up somewhat as a portion is collected with the tax bills at the first of the fiscal year.

Please let me know if you have any questions.

Thank you,

Margaret M Pierce  
 Deputy County Manager/Finance Director  
 Burke County

Attachment: Financial report notes (3054 : BOC Reports & Comments)

GENERAL FUND AS OF MARCH 31, 2020

PERCENT 11.1.k

	BUDGET	ACTUAL	BALANCE	PERCENT RECEIVED / EXPENDED
<b>REVENUES:</b>				
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%

<b>TOTAL</b>	<b>\$94,021,085</b>	<b>73,019,868</b>	<b>\$21,001,217</b>	<b>77.66%</b>
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<b>EXPENDITURES:</b>				
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%

<b>TOTAL</b>	<b>\$94,021,085</b>	<b>\$66,943,592</b>	<b>\$27,077,493</b>	<b>71.20%</b>
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REVENUE OVER / (UNDER) EXPENDITURES \$6,076,276

<b>SALES TAX SUMMARY BY ARTICLE</b>				
	<i>7 months reporting</i>			
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%
<b>TOTAL</b>	<b>\$15,200,000</b>	<b>9,334,019</b>	<b>\$5,865,981</b>	<b>61.41%</b>

Attachment: County Budget Report March 31, 2020 (3054 : BOC Reports & Comments)

ENTERPRISE FUNDS AS OF MARCH 31, 2020

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

Attachment: County Budget Report March 31, 2020 (3054 : BOC Reports & Comments)

**Minutes**  
**Western Piedmont Council of Governments**  
**Bimonthly Policy Board Meeting**  
**Tuesday, January 28, 2020**  
**Mount Zion Baptist Church, Hudson NC**

**Members Present:**

Bob Floyd, Jr., Chair  
Jill Patton, Vice-Chair  
Johnny Berry, Secretary  
George Holleman, Treasurer  
Barbara Pennell, Past Chair  
Chip Black, At-Large  
Wayne Abele, At-Large  
Joseph L. Gibbons, At-Large  
Larry Yoder  
Johnnie Carswell, Alternate  
Ronnie Setzer  
Mike Labrose  
Donald Robinson  
Dale Sherrill  
Joie Fulbright  
Kyle Hayman, Alternate  
Dennis Anthony  
Ron Lackey, Alternate  
Sheila Perkins  
Dr. Caryl Burns  
Larry Knight, Alternate  
Ben Honeycutt  
Larry Chapman  
Marla Thompson  
Ronnie Williams  
Trina Michael, Alternate  
Jerry Hodge  
Gary McClure  
Johnnie Greene, Alternate  
Jack Simms, Alternate  
Amparo Alfaro  
Tommy Luckadoo  
Malla Vue  
Helen Chestnut  
Jeanna Price

**Local Government/Agency:**

Cedar Rock  
Hickory  
Connelly Springs  
Taylorsville  
Gamewell  
Valdese  
Burke County  
Lenoir  
Alexander County  
Burke County  
Cajah’s Mountain  
Caldwell County  
Catawba  
Claremont  
Conover  
Conover  
Drexel  
Gamewell  
Glen Alpine  
Granite Falls  
Granite Falls  
Hildebran  
Hudson  
Long View  
Maiden  
Maiden  
Newton  
Rutherford College  
Sawmills  
Taylorsville  
Appointed  
Appointed  
Appointed  
Appointed  
Appointed

**Attachment: PB Minutes 01282020 (3054 : BOC Reports & Comments)**

Minutes: WPCOG Policy Board  
 Tuesday, January 29, 2020  
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Randy Burns

Appointed

**Members Absent:**

Kitty Barnes, At-Large

Catawba County

James Weaver

Brookford

Chris Jernigan

Morganton

Rick Justice

Rhodhiss

Casey Pope

Appointed

**Guests/Others Present:**

Donald Duncan, Conover

Mary Carter, Gamewell

Brad Moody, Catawba

Scott Hildebran, Lenoir

Todd Herms, Maiden

Tamara Brooks, Connelly Springs

Sherri Bradshaw, Drexel

Randy Feierabend, Cahah's Mountain

Barbara Harmon, Rhodhiss

Kenneth Geathers, Rutherford College

**WPCOG Staff Present:**

Anthony Starr, Executive Director

Sherry Long, Assistant Executive Director/Director of Community & Economic Development

Ashley Bolick, Director of Administrative Services and Human Resources

Andrea Roper, Finance Director

Tina Miller, Director of Area Agency on Aging

Mary Mitchell, Family Caregiver Support Specialist

Wendy Johnson, Director of Workforce Development

Jason Toney, Communications Specialist

Alison Adams, Director of Community & Regional Planning

Patrick DeMauro, Code Enforcement Officer

Todd Stroup, GIS Analyst

Taylor Dellinger, Senior Data Analyst/GIS Manager

Lori Dixon, Administrative Assistant

**Call to Order/Welcome**

A regular meeting of the WPCOG Policy Board was called to order at 6:46 pm by Chair Bob Floyd. Chair Floyd thanked the Town of Sawmills for hosting the meeting. Sawmills Mayor Johnny Greene welcomed the board to Sawmills.

**Minutes of Previous Meeting**

Minutes of the previous meeting both regular and closed session were considered. Mr. Wayne Abele

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 Tuesday, January 29, 2020  
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made a motion to approve both regular and closed session minutes from the November 26, 2019 meeting and Mr. Johnny Berry offered a second. The motion passed unanimously.

### **Unfinished Business/Reports**

There was no unfinished business.

### **New Business**

#### Recognition of New Board Members

Chair Floyd asked the newly appointed Policy Board Delegates, Mr. Ronnie Williams representing Town of Maiden and Ms. Jeanna Price and Mr. Randy Burns, both of whom are Appointed Delegates, to come forward to receive a certificate of recognition.

#### FY Audit Update

Ms. Andrea Roper, Director of Finance, shared provided an update to the board on the status of the FY19 audit. On December 20, 2019 the Executive Committee approved to amend the FY19 audit contract with Martin Starnes & Associates, CPAs, P.A. The contract amendment reflected an audit report due date of February 28, 2020 as opposed to the original October 31, 2019 due date. The extension was necessary due to circumstances and unforeseeable set-backs, resulting from a change in auditors and an understaffed finance office. The audit process with Martin Starnes & Associates, CPAs, P.A. has been more comprehensive, with an emphasis placed on more testing than WPCOG experienced in past audits. The finance department staff & Martin Starnes & Associates' (MSA) staff have diligently been working together to prepare the FY19 audit report by the February 28, 2020 deadline.

To date, all accounts have been reclassified to be compatible with MSA software. The trial balances for all major funds are complete in MSA software. Preliminary financial statements have been created now that data has been classified correctly and uploaded to MSA software. Compliance testing is underway, but not complete.

#### Regional Job Flows

Mr. Taylor Dellinger, Senior Data Analyst/GIS Manager gave a detailed presentation on regional job flows. Overview of the presentation included Spring 2019 statics and the US Census Bureau migration data estimates for every county in North Carolina on "Census Flows Mapper" based on 2012-16 (5-year) American Community Survey (ACS) estimates. This dataset reveals how many persons (age one year and older) moved from one county to another during a year, as well as movers to counties in the US from abroad. Other areas of statistics included 2012-16 migration results for each county in the Hickory MSA.

#### 4<sup>th</sup> Amendment of the 2019-2020 Budget

Ms. Andrea Roper, Director of Finance, discussed the 4th Amendment of the 2019-2020 Budget which reflects a total budget of \$20,770,171 and an operating budget of \$7,349,834 which represents an increase of the total budget from the November 26, 2019 budget amendment of \$19,214.

Highlights of the 4th Amendment of the 2019-2020 Budget include:

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- Environmental Protection increased by \$15,000 due to additional revenue for the 319 Septic Tank project.
- An increase of \$4,214 in Area on Aging Services to account for additional revenues for aging special events.
- Salaries, Compensated Absences, Retirement, and Group Insurance increased due to the addition of a new finance position and additional compensated absence expenses.
- Contractual increased \$15,000 to cover expenses for the 319 Septic Tank project.
- Contingency decreased by \$32,725 due to the reallocation of these funds to cover the new finance position and normal program expenses.
- All other changes to the expenditure lines reflect normal program needs.

Staff requested that the Policy Board review and approve the fourth amendment of the 2019-2020 Budget.

Mr. Chip Black made a motion that the Board approve the fourth amendment of the 2019-2020 Budget as proposed. Ms. Jill Patton offered a second. The motion passed unanimously.

#### FY 20-21 WPCOG Assessments for Local Governments

Mr. Anthony Starr, Executive Director, presented the proposed assessments for local governments for FY 20-21. The proposed assessments for FY21 reflect a 0.6% increase in population and a total increase of assessments of 7.3%. The total increase is primarily attributed to the planned third and final phase of a general dues increase.

In summary, in 2018, the WPCOG Policy Board unanimously approved a 10-cent increase to 60 cents per capita for FY2018-19 with two additional increases anticipated. Last year, the Board approved the second 10-cent increase. One of the tables reflects the new general assessment rate of 80 cents per capita. Prior to 2018, the last assessment rate increase occurred in 1997. The increase in assessments provide additional funds for implementation of the Comprehensive Economic Development Strategy (CEDS), project development and grant writing, Regional Data Center services, and Area Agency on Aging administration. The FY2020-21 assessment rate increase will generate \$37,148 in additional revenues to serve the local governments in our region. Minor annual increases for inflation are anticipated after the third phase increase. This 3-phase set of increases to 80 cents per capita will restore the per capita value of WPCOG assessments when adjusted for inflation, back to 1997.

The assessments also include the required match for the MPO per federal and state requirements. The federal funding for the MPO is decreasing 20% for FY20-21 and thus reduces required match for local governments. A 5% decrease is proposed for the MPO assessments. Staff proposes only the 5% reduction so as to avoid significant fluctuations in local government assessments from year to year. It is likely no MPO assessment increases will be required for the next few years with this approach. Reducing the MPO assessments by 5% also maintains existing levels of transportation planning services to our local governments.

Staff requested that the Board review and approve the FY2020-21 assessments.

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Ms. Jill Patton made a motion that the Policy Board approve the assessments as presented. Mr. Larry Chapman offered a second. The motion was passed unanimously.

#### NADO Award Recognition

Mr. Anthony Starr provided an overview to the board of the three National Association of Development Organizations' (NADO) awards received during the 2019 Annual Training Conference, held October 19-22 in Reno, NA.

#### ***2019 Catawba Head Start Community Assessment***

The purpose of the 2019 Catawba Head Start Community Assessment is to present CCS-EHS Policy Board and staff with a thorough assessment of the current state of the physical, social, and economic welfare of families with very young children in Catawba County, and provide an understanding of factors affecting this population. The assessment includes a variety of maps to illustrate how various forms of hardships are experienced in communities throughout Catawba County. The assessment also compares changes in the demographic and economic makeup of very young children and their families in Catawba County over the last five years. One goal of the community assessment is to determine geographic areas of Catawba County in which to concentrate outreach and enrollment efforts of the Early Head Start Program. The assessment makes extensive use of WPCOG's Geographic Information Systems (GIS) analysis of various sources of data, including: US Census ACS Estimates 2005-09, 2008-12 and 2013-17, Birth Certificate Data (from NC DHHS SCHS), NC Department of Public Instruction school data, CDC, NC Department of Public Health, and many others. The results of the community assessment were given to the CCS-EHS board in June 2019.

Early Head Start staff is already using the data to develop strategies to improve the Early Head Start program. Other nonprofits, local governments, and the WPCOG, are using the results of the report to complete grant applications to improve the quality of life of young children in the County. The Catawba County School Board will use the information in the report to analyze kindergarten readiness of their future students.

WPCOG staff compiled the data and graphics used in the report. GIS staff generated over 20 maps for the report using data from a variety of sources. WPCOG staff also completed the Catawba Early Head Start parent survey that was used in the report. In total, over 75 tables and charts are included in the 100+ page report.

***Parenting the Second Time Around (P2TA) WPCOG Area Agency on Aging*** and Adrian L. Shuford YMCA collaborated to form the initiative "Parenting the Second Time Around" (P2TA) to provide a support group for families across Catawba County in which grandparents are taking the responsibility for raising their grandchildren.

P2TA initiative provides a monthly get-together (September-June) including dinner for families to enjoy as a group, followed by support group meeting for grandparents, and supervised playtime for their children at Shuford YMCA. The goal of this initiative is to strengthen families, promote fellowship, and help resolve the sense of isolation by providing support and encouragement for families. Additionally, grandparents gain coping strategies and the opportunity of sharing their experiences with one another

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and most importantly, meet new friends on the same journey. Also, the children are making new friends while enjoying their supervised playtime together.

### ***WPCOG Code Compliance Program***

The Western Piedmont Council of Governments created a regional code compliance program in July 2018 to serve its 24 local municipalities in the four county region of Alexander, Caldwell, Catawba, and Burke. This program incorporates municipal code enforcement, ADA compliance for local governments under Title II (US Access Board, DOJ, and NW Regional ADA), and Stormwater & Illicit Discharge Detection and Elimination process under NCDEQ and EPA. WPCOG designed the program goals, wrote the model ordinances, developed educational materials, created a special code compliance application, brought on thirteen municipalities, and hired a code compliance manager, a code compliance officer, an ADA coordinator, and a stormwater specialist.

This program has been running for approximately a year and has surpassed all expectations. Since January 2019 over five hundred notice of violations have been issued in the participating municipalities and have resolved over 35 percent of these violations following the model ordinances and utilizing WPCOG's in-house GIS web application. Vacant/dilapidated houses, manufactured homes, abandoned junk, motor vehicles, trash, debris, junk and other issues have been removed from properties improving the health and property values in each municipality.

### Workforce Development Board Appointment

Ms. Wendy Johnson, Workforce Development Director, shared a letter of recommendation for Gabrielle Sinclair along with her biography. Staff requests the Policy Board appoint Gabrielle Sinclair to the Workforce Development Board membership for a two-year term, beginning January 1, 2020.

Mr. Larry Yoder made a motion that the Policy Board approve Ms. Sinclair. Mr. George Holleman offered a second. The motion was passed unanimously.

### Financial Impact of Regional Code Enforcement Program

Ms. Alison Adams, Director of Community & Regional Planning presented a summary of the financial impact of the code enforcement program. In December of 2017, the Executive Committee directed staff to explore the creation of a regional code enforcement service for its local governments. In July of 2018, code enforcement services were initiated for Hudson, Cedar Rock, Maiden, Drexel, Hildebran and Rhodhiss. In July of 2019, Catawba, Cahah's Mountain, Brookford and Valdese contracted with the COG for code enforcement services.

### Staff Updates

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

### Adjournment

Mr. Joie Fulbright made a motion that the meeting adjourn at 8:16 pm and the motion was seconded by Mr. Larry Yoder. The motion passed unanimously.



Greetings Trusted Census Partners,

As you know, the 2020 Census is well underway, and Census partners nationwide are working to find new ways to expand awareness through virtual outreach and engagement amidst an unprecedented public health crisis. Now, more than ever, North Carolinians will need access to the data and many community programs and services that can help facilitate faster recovery from the impacts of COVID-19 – and we need your support.

**As of May, almost half of North Carolina’s households still need to be counted and our response rate is in the bottom third in the nation.** With more than \$1,823 in federal and state funds per person per year returning to our communities using Census data, even a modest undercount of 3% has a significant impact for North Carolina:

- \$1.8 Billion in rural communities
- \$400 Million for veterans
- \$333 Million for children under age 5
- \$930 Million for African American communities
- \$545 Million for Hispanic/Latino populations
- \$50 Million for Native Americans

### **HELP MAKE NC COUNT**

Within your role as leaders who represent the business, nonprofit, education and faith-based sectors, you serve as the local, trusted voices within your organizations and communities. As chair of the NC Complete Count Commission, I ask that you please join us in ensuring a complete and accurate count by encouraging participation in the 2020 Census. The [NC Census website](#) offers educational and outreach materials to share within your networks and organizations. We also encourage other ways to promote census participation:

- Share information on your websites and social media, in newsletters, at virtual meetings and events, in neighborhood apps or online groups.
- Create a participation campaign – place print or digital advertising, develop a text campaign, organize a phone bank, hang fliers at essential sites or place in delivery services.

- Use the [NC Census Outreach & Engagement Toolkit](#) which offers logos, awareness materials, posters/fliers, speech drops, talking points, media kit, and many other resources.
- Follow [@nccensus](#) on [Twitter](#), and [Facebook](#) and share posts on your social media. Please tag us and use the **#MakeNCCount** hashtag.
- Sign up for the North Carolina [2020 Census listserv](#) to receive important updates.

As community partners, you fully understand the bottom line, that numbers—and people—matter. A complete count matters for our state and its residents. Help North Carolina bring tax dollars *already paid* back to our communities to support critical infrastructure and planning for housing, roads, public transportation and schools, as well as community services and programs including healthcare, education and food assistance in our state.

It is critical that the people of North Carolina understand that the 2020 Census is SAFE, EASY and IMPORTANT. This is our once-per-decade opportunity to secure the resources and representation our communities deserve. With an all-important recovery effort in our immediate future, these resources are critical to our families, our cities and towns, our organizations, and all North Carolinians.

Remember, the Census survey takes less than 10 minutes to complete, yet has the power to shape our future for the next 10 years. Thank you for your continued leadership, time and effort on behalf of our great state. Together, I know we will make NC count.

Sincerely,



Secretary Machel Sanders  
NC Department of Administration  
Chair, NC Complete Count Commission



Saludos Socios del Censo de Confianza,

Como ustedes saben, el Censo del 2020 está en marcha, y líderes a nivel nacional están trabajando para encontrar nuevas formas de expandir conciencia a través del alcance y participación virtual en medio de una crisis de salud pública sin precedentes. Ahora más que nunca, la gente de Carolina del Norte necesita acceso a los datos y a muchos programas y servicios comunitarios que pueden facilitar una recuperación más rápida de los impactos de COVID-19, y necesitamos su apoyo.

**A partir de mayo, casi la mitad de los hogares de Carolina del Norte todavía tienen que ser contado y nuestra tasa de respuesta está en el tercio inferior de la nación.** Con más de \$1,823 en fondos federales por persona por año que regresan a nuestras comunidades utilizando los datos del Censo, un modesto error de 3% en el conteo puede tener un impacto significativo para Carolina del Norte:

- \$1.8 billones de dólares en comunidades rurales
- \$400 millones de dólares para veteranos
- \$333 millones de dólares para niños menores de 5 años
- \$930 millones de dólares para comunidades afroamericanas
- \$545 millones de dólares para comunidades hispanas/latinas
- \$50 millones de dólares para gentes indígenas

### AYUDA A HACER QUE CUENTA CAROLINA DEL NORTE

Dentro de sus papeles como líderes que representan negocios, organizaciones sin fines de lucro, educación, y sectores basados en la fe, ustedes sirven como voces confiables dentro de sus organizaciones y comunidades. Como presidenta de la Comisión de Conteo Completo de Carolina del Norte, les pido que se unan a nosotros para garantizar un recuento completo y preciso y animen a sus comunidades a completar el Censo del 2020. El [sitio web del NC Census](#) ofrece materiales educativos y de divulgación para compartir dentro sus contactos y organizaciones. También fomentamos otras maneras de promover la participación del censo:

- Compartan información en sus sitios web y redes sociales, en los boletines, a sus eventos y reuniones virtuales, y en aplicaciones de vecindario y grupos en línea.
- Creen una campaña de participación – coloquen publicaciones impresas y digitales, desarrollen una campaña de mensajes de texto, organicen un banco telefónico, coloquen boletines en sitios esenciales o en servicios de reparto.

- Usen el [NC Census Outreach and Engagement Toolkit](#) que ofrece logotipos, materiales de concientización, carteles/volantes, temas de discurso, puntos de conversaciones, kit de medios, y muchos más recursos.
- Sigan **@nccensus** en [Twitter](#) y [Facebook](#) y compartan nuestras publicaciones en sus redes sociales. Por favor etiquétanos y usen el hashtag **#MakeNCCount**.
- Inscríbanse en [la lista de distribución del Censo del 2020](#) para recibir actualizaciones importantes.

Como líderes de la comunidad, entienden completamente que los números y la gente son importantes. Un recuento completo es importante para nuestro estado y sus residentes. Ayuden a Carolina del Norte a traer fondos *que ya han sido pagados* a nuestras comunidades para apoyar a la infraestructura crítica y planificación de la vivienda, las carreteras, el transporte público y las escuelas y también servicios y programas comunitarios como la asistencia médica, la educación, y asistencia alimentaria en nuestro estado.

Es crítico que la gente de Carolina del Norte entienda que el Censo de 2020 es SEGURO, FÁCIL, E IMPORTANTE. Esta es nuestra oportunidad de una vez por década para asegurar los recursos y la representación que se merecen. Con un esfuerzo de recuperación muy importante en nuestro futuro inmediato, estos recursos son necesarios para nuestras familias, ciudades y pueblos, organizaciones, y todos los habitantes de Carolina del Norte.

Recuerden que la encuesta del censo dura menos de 10 minutos para completar, pero tiene el poder de dar forma a nuestro futuro para los próximos 10 años. De parte de nuestro gran estado, gracias por su liderazgo continuo, tiempo y esfuerzo. ¡Juntos, haremos que Carolina del Norte cuente!

Atentamente,



Secretaria Machel Sanders, Departamento de Administración de Carolina del Norte  
Presidenta, Comisión de Conteo Completo de Carolina del Norte

**Eckard Creek Pump Station Rehabilitation Project  
MINUTES -- Construction Progress Meeting No. 3**

Date: Thursday, April 2, 2020  
 Location: Commissioners Chambers (Door E)  
 Attendees: *see attached*

<b>Contract Summary</b>			
As of Change Order Number:	2	Calendar Days to Subs. Compl.:	300
Current Contract Price:	\$1,508,532.26	Calendar Days to Final Compl.:	330
Notice to Proceed Date:	10/1/19	Subs. Compl. Milestone:	7/27/20

<b>Contract Status</b>	<b>As of Application for Pmt. No. 4</b>	<b>Approved by Engineer?</b>	pending
Based on Cut Off Date:	3/31/20		
Work Completed & Stored:	\$813,191.52	53.9% of Contract Price	
Days Elapsed since NTP	182	which is 60.7% of Contract Time	

<b>Potential Change Orders</b>		Proposed Price Adjust.	Proposed Time Adjust.	Approval Status	Comments
1	Bore Relocation and unsuitable soils at the PS	\$ -		pending	Locke-Lane will provide pricing for review

<b>Change Orders</b>		Price Adjust.	Time Adjust.	Approval Status	Comments
1	Time Extension Only	\$ -	30	Approved	
2	2" FM Tie in from Ivester property	\$ 2,329.90	0	Approved	

<b>Outstanding Shop Submittals</b>		Approval Status	Comments
No.	Description		
	<i>submittals still needed: rebar AIS info</i>		John said he would check on this
	<i>injection grout: Locke-Lane proposes to use a Sherwin-Williams equivalent to the spec</i>		

<b>Requests for Information (RFIs)</b>		
No.	Description	Response

**Status Report from Contractor & Work Planned for Next 30 Days:**

*John reported that all force main pipe has been installed and is now being tested. He said that they plan to put a full crew on the pump station site next week. They will setup a temporary bypass pumping system. They plan to patch driveways next week (concrete & asphalt), will finish in one week.*

- Discussion Items:**
- Restoration of Nellie Moore property has taken place. She asked that they take up the matting and mow the grass. - **complete**
  - Revised drawings have been approved for the newly proposed bore location across Icard School Road. - **complete**
  - Status of utility pole relocation & grading for drainage in curve of access drive? - **John said he just got the invoice from Duke Energy, will pay and then expect relocation to happen 3 to 4 weeks later. It has been staked (will be behind the silt fence).**
  - Bypass pumping plan still to be submitted. - **Benjie said that the plan must include an alarm system.**
  - At least 2 hardcopies will be needed of all submittals for future reference. **Benjie said these are needed ASAP so that inspector can have in the field for reference.**
  - Schedule for paving driveways. - **see above**
  - Leak observable around outside of wet well influent pipe. Plan to inject grout to stop. May have to dewater outside of well (or schedule while also excavating/dewatering on opposite side of well for new pipe installations.)
  - Benjie asked why stakes were placed so close to the creek at the PS site and if these were for the chain link fence. The group agreed to set the fence back about 10 feet from the creek bank. Locke-Lane wil restake the location for review prior to installing the fence.

Attachment: Eckard Creek Project Progress Meeting #3 (3054 : BOC Reports & Comments)

9. Matthew, who joined the meeting via phone, explained DWI's procedures during the COVID-19 pandemic. He requested that AIS documentation, Davis-Bacon payrolls be emailed to him since he can't visit the project to review these documents. He also recommended that loan reimbursement requests be emailed to DWI since regular mail is slower to get to DWI staff who may be working from home.

Next Meeting will be:

June 4, 2020 , 11:00 a.m.





*Community & Economic Development*

TO: Burke County Chairman, Commissioners, Manager and Clerk  
FROM: Sherry Long, WPCOG Assistant Executive Director  
SUBJECT: Grant Status Update  
DATE: April 22, 2020

**CDBG-I Rhoney Road and Highway 18 South Water Project** – This \$2,000,000 grant was awarded by the N.C. Department of Environmental Quality (DEQ) to serve 41 households near Morganton on January 18, 2017. The construction project has mainly been completed, with taps and connections having been made. There are a few lingering issues with pressure reducing valves that are being addressed with residents. The project connected two dead-end lines. Not all households opted to be served for service, and there were three (3) residences identified in the initial survey that are now vacant and the structures are essentially uninhabitable. Due to COVID-19, the contact expiration date has been extended to June 5.

**Fonta Flora Building Reuse Project** – This \$150,000 grant was awarded by the N.C. Department of Commerce Rural Development Division on July 23, 2017, in support of Fonta Flora Brewery’s expansion to the Whippoorwill property. The company pledged to create 12 new jobs and has created 12 full-time jobs thus far. The building renovations are complete and all of the funds have been drawn down from Commerce. The contract will be closed out once the company has met the 6-month maintenance requirement for the jobs. The grant closeout date will be July 23, 2020.

**Critical Resources (Zrodelta) Building Reuse Project** – On December 14, 2017, the N.C. Department of Commerce Rural Development Division awarded a \$500,000 grant for a manufacturing facility in Rutherford College. All \$500,000 has been drawn from the Building Reuse program. To date, the company has created 45 of the 82 jobs pledged. The company indicated that all jobs should be created in 2020. NC Commerce has approved an extension until February 14, 2021.

**JP3 (Jackson Corrugated) Building Reuse Project** – This \$500,000 grant was awarded by the N.C. Department of Commerce Rural Development Division on August 23, 2018. The company created and maintained the 42 new jobs at the Morganton facility, and the project has been closed out.

Attachment: April 2020 Burke County Grant Update (3054 : BOC Reports & Comments)



**Marves Industries Building Reuse Project** – On April 18, 2019, the N.C. Department of Commerce Rural Development Division awarded a \$312,000 grant to Marves Industries, which is located in Hildebran. A manufacturer of non-woven products used in the automotive, furniture, construction and packaging industries, Marves Industries is building a 10,000-square-foot addition to its facility on Cline Park Drive in order to create a new production line. The company, which has grown from a handful of workers in 2009 to more than 80 full-time employees today, is creating 25 new, full-time jobs during the two-year grant period. The overall investment for the expansion is more than \$1.86 million. Construction is continuing at the facility, and \$238,031 have been drawn down. The contract expires April 18, 2021.

**Synergy Labs Building Reuse Project** – On June 20, 2019 the N.C. Department of Commerce Rural Development Division awarded a \$500,000 grant to Synergy Labs, a manufacturer of pet products that purchased a vacant 206,000-square-foot property in Hildebran. The company has been making renovations and is creating 42 new, full-time jobs by June 20, 2021 with an average annual pay of \$43,195.72. The total investment in the project is more than \$12.7 million. The building renovations are part of a larger relocation strategy in which the company ultimately will move its entire operations from Florida to Hildebran, creating more than 230 jobs by 2024 with an overall investment of nearly \$20 million. The company has hiring workers. Prior to COVID-19, the company expected have the 42 employees hired by the end of the first quarter. No grant money has been drawn down at this time.

Attachment: April 2020 Burke County Grant Update (3054 : BOC Reports & Comments)



## Nantahala and Pisgah Forest Plan Comment Period Extended

**Asheville, NC, May 5, 2020** - The USDA Forest Service is extending the comment period for the proposed Nantahala and Pisgah forest plan and draft Environmental Impact Statement (EIS) by an additional 45 days.

The public review and comment period, which was previously scheduled for February 14 through May 14, will now end on June 29, 2020.

“Since we released the plan in February, we’ve had to make some changes to the ways that we engage with the public,” said Allen Nicholas, Forest Supervisor for the National Forests in North Carolina. “Most of our March open houses were canceled, so we’ve created new opportunities to ensure that everyone can learn more about the plan and ask us questions.”

Beginning May 18 and continuing through the end of the comment period, the forest website will feature a virtual open house. Similar to an open house meeting, information will be organized by topics such as recreation, wildlife, timber, and wilderness. In addition to the proposed plan and analysis, a full suite of supporting materials is already online, including a 2-minute introductory video, a visual Readers Guide, an overview presentation, detailed presentations, questions and answers on multiple topics, and interactive maps.

The planning team will answer public questions through conference calls. These do not require internet access to attend. To join, call 888-251-2949 or 215-861-0694 using access code 3889103# at the following times:

- May 28, 6:30-8 p.m.
- June 2, 7:30-9 a.m.
- June 4, 5:30-7 p.m.
- June 8, noon-1:30 p.m.

Questions may be submitted in advance by email to [SM.FS.NFsNCQandAs@usda.gov](mailto:SM.FS.NFsNCQandAs@usda.gov). This email address is exclusively for submitting questions for the telephone question and answer sessions. Comments on the proposed plan must be submitted through the online commenting system or by mail. For more information, including how to submit a question or comment, please visit [www.fs.usda.gov/goto/nfsnc/nprevision](http://www.fs.usda.gov/goto/nfsnc/nprevision).

Burke County Tourism Development Authority  
110 East Meeting Street  
Morganton, NC 28655



April 30, 2020

## NEWS RELEASE

### **National Tourism Week Celebrated May 3-9**

By our estimates, more than 2,000 people in Burke County work full or part-time in the hospitality and tourism industry bringing home a payroll of nearly \$17 million a year. For the employees at area attractions, hotels, and restaurants, visitors are their life-blood.

Tourism has grown in Burke County to an industry that injects more than \$103 Million dollars a year into the local economy.\* This is a tremendous growth industry and it is visible in the community. Destination restaurants attract diners from miles away. Vacation rentals have tripled in 5 years to more than 140 locations throughout Burke County. New downtown retailers, craft breweries and distilleries as well as agri-tourism farms have increased; all of which are attractive to visitors. A new downtown hotel in Morganton opened in the Spring of 2020 and other plans include a new interstate hotel in the next few years.

Both state Parks in Burke County have had a combined count of nearly a million visitors in 2019. The Pisgah National Forest and Linville Falls have also seen healthy increases in visitors. Burke is, in fact, "Nature's Playground."

The citizens of Burke County benefit from tourism in other ways that directly impact their bank accounts. Over \$3 million\* in local taxes were generated from sales and property tax revenue from travel-generated and travel-supported businesses. This lessens the tax burden on Burke residents.

The COVID-19 Pandemic has certainly had a negative effect on Burke's Tourism Economy. The uncertainty of the spread of the virus and the economic challenges have not spared the tourism industry. But, it will come back and Burke County is poised to benefit tremendously. Burke is located in one of the fastest growing states in the country. This built-in market will be looking for places to visit once the travel restrictions are lifted and it is once again safe to travel.

Burke's Hospitality and Tourism Industry is strong and it will persevere.

Sincerely,



Ed Phillips

C.E.O.

Burke County Tourism Development Authority

\*North Carolina's tourism statistics are prepared annually by the U.S. Travel Association.

END



**Burke County Emergency Services  
Office of the Medical Director  
200 Avery Avenue, Morganton North Carolina 28655**

May 12, 2020

RE: 2019 EMS MEDICAL DIRECTOR ANNUAL REPORT

To Whom It May Concern:

The following is the annual report of my activities as Emergency Medical Services (EMS) medical director in Burke County. My Burke County contract states I “shall submit a yearly report to the Burke County Board of Commissioners and the Emergency Services Director.” My hospital stipend contract requires that I “submit a yearly report to Hospital’s President.” This document is intended to address those requirements. This year I’m also submitting this report to Wake Forest University, Western Piedmont Community College, and NC State Parks, to bundle all my EMS activities and annual reporting together.

Your suggestions for ways to make future versions of this report as useful as possible are welcome. This serves as a good opportunity to update system leaders on EMS medical director activities, and I’m happy to alter future versions as anyone sees fit to best serve the system’s needs.

Let me be clear from the outset that this is only a report of my activities as medical director. Burke EMS administration, officers, and staff have been extremely active in 2019, and I am not pretending to represent any of these impressive activities. I am confining this report simply to medical director activities.

### **2019 ACTIVITIES**

- 1) **NC State Parks.** In 2019 we continued our work with NC State Parks building out the first EMS Alternate Practice Setting (APS) in the state. Our newest efforts in 2019 focused on creating Emergency Medical Responder curricula and classes for all NCSP employees. There were lots of lessons learned and many staff trained, with the expectation that in

2020 our trainings will be more numerous, more sophisticated, and more specific to NCSP needs.

- 2) ***Appalachian Mountain Rescue Team (AMRT)***. In 2019 I continued as Chief of AMRT, originally founded in 2013. We now have over thirty team members who have met the stringent requirements for the team. The unique intent of the team is to specialize in mountain rescue services not routinely provided by any county-based rescue or EMS service in NC, including, for example, ice climbing rescue, multipitch climbing rescue, and ground-up climbing rescue. However, it also provides the full range of standard mountain rescue services, including search capability, carry-outs, and logistical and technical support. It is a regional team serving designed to respond within a 125-mile radius of Asheville and is administratively based in Morganton. One of the major disappointments of 2019 is that Burke County Emergency Management has continued to refuse to utilize this team. I acknowledge my potential conflict of interest as Chief for this team. However, speaking as a physician and subject matter expert specializing in mountain rescue and wilderness medicine, as well as an advocate and medical director for the care delivered to citizens and visitors in Burke County wilderness areas, I think not utilizing such a highly qualified team in our County is a misguided and erroneous decision that is not patient-centered. Having observed, participated in, and provided medical oversight for wilderness EMS and rescue operations in Burke County since 2003, I don't think we are in a position to turn down qualified, credentialed, and insured volunteers from any team without good reason. We frequently here incident debrief concerns about the number of responders to incidents being too low, suggesting that we should be embracing as many qualified responders as possible. In addition, it is worth noting that both Burke County Rescue Squad (the rescue team with contract to provide rescue services in Burke County) and Linville Central Rescue Squad (the closest state-identified Mountain Search & Rescue team) both have endorsed AMRT and requested it be available to assist them in Burke County wilderness operations. AMRT will be utilized by NCSP as well as other counties in our response region and is already frequently utilized in its response region in eastern Tennessee. Should non-utilization by Burke County continue, it is likely AMRT administrative operations would also eventually shift out of Burke County, correspondent with the lack of political support and interest in its operations here. This represents a major loss to Burke County if we are looking to enhance our positioning in wilderness access and safety in the tourism context, as well as

positioning as wilderness EMS leaders in the context of community college operations for WPCC.

- 3) ***Carolina Wilderness EMS Externship.*** The Carolina Wilderness EMS Externship (CWEMSE), an academic and field medicine program that is first of its kind in the nation, continues to be in full operation in Burke County. In 2019 we accepted one resident physician from the University of Texas-San Antonio (Bryan Everitt) and one medical student from UNC-Chapel Hill (John Allen) as the year’s Externs. Their qualifications were exceptional—biographies are attached to this letter—and I do believe we are continuing to train the national and international WEMS leaders of the future. We continued to get reviews identifying it as the best year of medical school/residency, as well as strong reviews from all the students benefiting from the EMS in-services run during the month. The 2019 Externship experience was covered by the Morganton News Herald in [this story](#). Also in 2019, the Association for Experiential Education (AEE) awarded me and the Externship its [Karl Rohnke Creativity Award](#), also covered by the Morganton News Herald [here](#). This award recognizes “outstanding commitment to experiential education principles evidenced through the design, creation, or production of experiential education resources”. The level of experiential education and actual field care that is delivered during the Externship month, in terms of credentials and intellectual resources, is truly astonishing for a rural community, especially as more and more Externs return to contribute to that in-county medical care. In 2019, the Wilderness Medical Society approved the Externship for a whopping 136.5 credit hours towards Fellowship in the Academy of Wilderness Medicine. More information about the Externship is always available on-line [here](#).
  
- 4) ***Carolina Wilderness EMS Summit.*** As is traditional, the Externship culminated in a 2-day training experience for EMS personnel in the region, the Summit, run in conjunction with Western Piedmont Community College. Reviews of the 2019 Summit were very strong, and was a great training experience for all involved, continuing a tradition present since the 1970s of Burke County serving as one of the top regions in the country for wilderness EMS education. More information about the Summit is always available on-line [here](#).
  
- 5) ***Carolina Wilderness EMS Seminar.*** The Seminar moved into its fifth year in 2019 and continued to be extremely successful. The target audience of this one-day training is

EMS Fellows, and this has the potential to emerge as the premier national training for this niche group needing a WEMS educational product. More information about the Seminar is always available on-line [here](#).

- 6) ***Wilderness Lifeguard Course.*** We ran our fourth Wilderness Lifeguard Course in Burke County in 2019 under the umbrella of the Carolina Wilderness EMS Externship. The course was hosted by Lake James State Park and received extremely positive reviews from all its students. This course is now the first open enrollment Wilderness Lifeguard course in the world taught under the auspices of Starfish Aquatics Institute (SAI). In 2019, we were particularly privileged to have the owners of SAI come and help us teach the course. This coursework patches a critical need for improved lifeguarding tools for wilderness environments.
  
- 7) ***National/International EMS Roles.*** In 2019 I served as a medical officer with the National Disaster Medical System, serving on a federal Disaster Medical Assistance Team (DMAT NC-1) and the joint NDMS-US Air Force Mobile Acute Care (MAC) Strike Team. In 2019 I also served on the Mountain Rescue Association Medical Committee (MedComm).
  
- 8) ***Burke EMS Quality Management Committee (QMC).*** I served as Chair of this committee throughout 2019, which is tasked with managing and improving the quality of field medical care delivered in Burke County.
  
- 9) ***Publications/Editing.***
  - a. In 2019 I served as lead author for the [Wilderness Medical Society clinical practice guidelines on spinal cord protection](#), published in the scientific, peer-reviewed medical journal *Wilderness and Environmental Medicine*. This publication represented the first professional society consensus guidelines to recommend discontinuation of rigid cervical collars for all EMS patients. The author group I lead included a board certified sports medicine physician, a board certified emergency physician, and a board certified EMS physician; a paramedic, a PhD, and multiple MDs; a military medicine expert; multiple Fellows and Master Fellows of the Academy of Wilderness Medicine; multiple orthopedists, including the Chair of Orthopedics at UT-San Antonio and the Hinchey Chair of Orthopedics; multiple former presidents of the Wilderness Medical Society;

multiple wilderness medicine, EMS, and military medicine instructors; and leaders from multiple EMS, wilderness medicine, and mountain medicine societies.

- b. In 2019 I also served as co-author of the [Wilderness Medical clinical practice guidelines on drowning](#), also published in *Wilderness and Environmental Medicine*.
- c. In 2019 I was the author of four popular press articles or book chapters with EMS significance:
  - “Suspension Syndrome: Separating Truth from Misinformation” in the Mountain Rescue Association’s magazine *Meridian* (Spring 2019)
  - “Foreword” in Aaron Billin’s *Emergency Care Guidelines for Wilderness First Response: A Field Guide*
  - “Foreword” in R. Bryan Simon’s *First Aid Kits for Home and Auto: Essential Gear to Survive*
- d. I continued in 2019 as executive editor of [Wilderness Medicine Magazine](#), where we continue to post cutting edge analysis of wilderness medicine topics.
- e. In 2019, David Fifer (Eastern Kentucky University faculty) and I continued the [RAW Medicine Podcast](#), the first podcast dedicated to rural, austere, and wilderness medical care. You can follow these episodes through our website above or on any major platform you use to access podcasts. These recordings have been very popular—we average 1,000 downloads per episode from IP addresses all over the world.

10) **Wake Forest University.** In 2019 I continued my faculty appointment as an assistant professor at Wake Forest University in the Department of Emergency Medicine. This has significant benefits for Burke County, NCSP, and WPC. Most universities have only a few, if any, board-certified EMS physicians. Wake Forest has on its faculty over half a dozen such EMS physicians, the state EMS medical director, the medical directors of ~5% of the counties in NC, and an entire Division of EMS within its emergency medicine department. The intellectual and operational support and expertise afforded me by this peer community is an immeasurable resource.

11) **Western Piedmont Community College.** In 2019 I continued to serve as medical director for the emergency services programming at Western Piedmont Community College. Their work includes many hundreds of hours of continuing education classes for Burke County’s EMS, emergency medical responder, and emergency medical dispatcher

programs.

- 12) ***CHS-Blue Ridge.*** In 2019 I continued to serve as an imbedded EMS physician within the CHS-Blue Ridge Department of Emergency Medicine. This is an innovative approach to configuring a role as an EMS medical director.
  
- 13) ***Burke County 911 Emergency Communications Center.*** In 2019 I continued to serve as medical director for the emergency medical dispatcher program at the Burke County 911 Emergency Communications Center. Currently I remain (to my knowledge and the state's knowledge) the only EMS medical director in NC to maintain current dual certification as an MD and an EMD, and it does help me provide medical oversight for the highly specialized EMD care we deliver in Burke County via the 911 Communications Center.
  
- 14) ***Teaching.***
  - a. In February I traveled to Rochester, NY to deliver a Grand Rounds lecture on "Wilderness EMS" at the University of Rochester Department of Emergency Medicine (and to visit the hospital where I was born for the first time!) In that month I also traveled to Missoula, MT, where I delivered four lectures to Aerie Backcountry Medicine and two lectures to Missoula Emergency Services in one day. I also delivered a Narcan training at Haw River State Park during this month for NC State Park superintendents.
  - b. In March I traveled to Uttarakhand, India, to deliver the keynote lecture at the 2019 Mussoorie Mountain Festival. That month I also lectured on "Rural EMS" at the Wake Forest University Emergency Medicine Residency, and on "Careers in Wilderness Medicine" to the University of New England Osteopathic School of Medicine. During that month I also traveled to Bhutan to discuss EMS innovations and initiatives in that country that I'm involved in helping develop.
  - c. In April I traveled to Albuquerque, New Mexico, to serve as a panelist on "Medical Needs of Archaeology Field Camps" at the Society for American Archaeology 84<sup>th</sup> Annual Meeting. This continues an expanding role I am serving building intellectual and curricular resources for field scientists to receive wilderness medical training in support of their remote field work operations.
  - d. In May I traveled to Nag's Head to lecture on drowning and submersion injuries at the 2019 EMS at the OBX Conference in a beachfront pier facility at the

Outer Banks. I also delivered all installments of the Burke EMS/WPCC/Burke Communications in-service “EMS Communications” (three separate three hour lectures), and epinephrine training on two separate days to NC Outward Bound School in Pisgah National Forest at the Cedar Rock Basecamp.

- e. In June I traveled to Portland, Oregon to lecture on orthopedics management and suspension syndrome at the Mountain Rescue Association Conference there. I also was an instructor at the Vertical Medicine Resources Wilderness First Responder Refresher course held as a preconference to the MRA Conference.
- f. In August I lectured on “Psychological First Aid in the Wilderness” at the Wilderness Medical Society Annual Meeting in Crested Butte, CO. I also served as a podcast guest on the Disaster Podcast in this month, [speaking on challenges in Australasian wilderness medicine](#).
- g. In October, I lectured on head injuries at the Wake Forest Baptist Health Trauma Symposium in Winston-Salem, NC. I also traveled back to Albuquerque in October to lecture on “Innovations in Wilderness Medicine” at the Wilderness Risk Management Conference there. During this month I also served as a guest on the iCubed Podcast, [speaking on “Do’s and Don’ts for Snakebites”](#).
- h. In September we ran our annual Wilderness Medicine Lake Day for UNC-Chapel Hill and Wake Forest medical students. Over forty students attended this class, held at Lake James State Park, with camping on the new accessible-only-by-boat peninsula campgrounds. Response was extremely enthusiastic from the students. During this month we also held our third community Wilderness Rescue Roundtable at CHS-Blue Ridge. In September, I supervise the Externs in delivering all the ALS and BLS EMS programming through WPCC for BCEMS. This represents eight lectures for a total of 24 hours of in-person programming.

15) ***Classes & Conferences.***

- a. In January I attended the NC State Parks Supervisors Conference at Haw River State Park.
- b. In February I attended the EMS Today Conference & Exposition in Baltimore, Maryland.
- c. In March I attended my mandatory annual installment of the NC Office of EMS Medical Director update in Wilmington, NC.

- d. In April I attended the Society for American Archaeology Annual Meeting in Albuquerque, NM, where I studied and taught on EMS/WM solutions for field scientists.
- e. In July I attended the Wilderness Medical Society Annual Meeting in Crested Butte, CO.
- f. In August I attended my mandatory annual NC Office of EMS Medical Director update in Asheville.
- g. In October I attended the 2019 American College of Emergency Physicians Annual Meeting in Denver, CO, and the 2019 Wilderness Risk Management Conference in Albuquerque, NM.

16) **Awards.** In 2019 I received the following awards:

- I was named one of the [Top 10 EMS Innovators of 2018](#) (awarded in 2019) from the *Journal of EMS*, delivered at the EMS Today Conference
- I received the Wilderness Medical Society Education Award at the 2019 Wilderness Medical Society Annual Meeting
- As noted above, the Association for Experiential Education (AEE) awarded me its [Karl Rohnke Creativity Award](#), also covered by the Morganton News Herald [here](#). This award recognizes “outstanding commitment to experiential education principles evidenced through the design, creation, or production of experiential education resources”.

17) **Standard Medical Director activities.** In 2019 I continued all the “standard” medical director duties originally negotiated in 2008. These include:

- a. technical scope of practice exams (“oral exams”) of EMS personnel
- b. case reviews
- c. use of my license for pharmacological and equipment needs
- d. field response to both traditional and wilderness EMS calls
- e. on-line and off-line medical direction
- f. in-service teaching of BLS, ALS, and EMD personnel
- g. chairing the quarterly Burke EMS Quality Management Committee
- h. two hours of dedicated office hour availability monthly
- i. informal training as requested
- j. annual attendance at the required NCOEMS Medical Director update (attended August 9, 2019)

- k. liaising with local hospitals and local, state, national, and international rescue/medical/public health organizations.

## 2020 GOALS

- 1) I have been in dialogue with personnel at CHS-Blue Ridge and in our EMS system to develop an EMS Grand Rounds program. The concept would be a Grand Rounds presentation every quarter on field medicine.
- 2) I would like to develop and refine a system to more formally configure sign-outs and reports between EMS and receiving hospital staff. I also need to do more work on interfacing EMS charts with area hospital electronic medical records (EMRs). This project was initiated in 2016 but is not yet completed.
- 3) As noted earlier, I hope to make the CWEMS Seminar a nationally-recognized course. Of note, prior annual reports have noted an ongoing goal to recruit an international Extern, but I have been advised by CHS-Blue Ridge that this would not be feasible due to credentialing complications.
- 4) I will continue dialogue with the Burke County Sheriff and Morganton Public Safety regarding and position support for Tactical EMS medical direction and law enforcement medical oversight. This is even more pressing as naloxone is being implemented by law enforcement.
- 5) I am exploring ways to insert physicians more directly into field medical operations in Burke County. We are making great progress in terms of inserting physicians into the Burke County Rescue Squad membership. In addition, we have set up a mechanism to have Externs and the Wake Forest EMS Fellow each year insured for an entire year as full rescue squad members in Burke County. There is also truly exciting work being done at Wake Forest University building the first fully credentialed wilderness EMS fellowship (a two-year model), which is including Burke County responses as an integral part of its programming. The first WEMS Fellow (Chris Davis, a 2013 CWEMS Extern) graduated in 2019 and now continues as Wake Forest faculty and a clinical emergency physician at Catawba Valley Medical Center. This continues my goal of building a very highly qualified cadre of EMS physician responders for Burke County. I also intend to continue increasing the frequency of my own scene responses.
- 6) Specific 2020 clinical goals:  
*Burke County*—discontinuation of rigid cervical collars (this was disallowed by NCOEMS in 2019, but we continue negotiations and may engage in research around this), further

integration of ketamine into County protocols, integration of AMRT into County operations

*WPCC*—further expand wilderness EMS programming,

*NCSP*—certification of maintenance personnel and rangers as EMRs, implementation of statewide park protocols, establishment of NCSP EMS Quality Management Committee

## **FINANCIAL SUMMARY**

These EMS medical direction and field physician operations continue to be built on a very small budget. My original vision was to build a viable EMS physician position that could eventually recruit fellowship-trained and board-certified EMS physicians via a tradition of cutting-edge field medical practices and innovative funding sources. This is proving possible with stipend support. Currently I have stipends specifically supporting the Burke EMS medical director role from Burke County and CHS-Blue Ridge (WPCC and NCSP provide a separate stipend for their separate positions). As noted in last year's report, in 2018 my hospital stipend was reduced, but my community college stipend was increased, resulting in no overall change to the stipend moving into 2019. The hospital stipend requires me to track my EMS hours, which helps quantify these activities. In 2019 I logged 1,132 hours, equating to about 94 hours per month (if anything, a conservative estimate). This is a slight increase from my 2018 average of 91 hours per month. For context, in 2017 I averaged 108 hours per month and in 2016 I averaged of 96 hours per month. The largest time commitment continues to be the Externship months of August-September, when I logged 464 hours on EMS activities alone—about 58 hours per week and 232 hours per month. Preliminary 2019 tax numbers would suggest that, after taxes and expenses, my combined hospital, county, NCSP, and WPCC stipends resulted in a net compensation rate of \$23 per hour. Looked at alternately, assuming a standard 40 hour/month commitment (much less than the time actually spent), and only counting the hospital and county stipends directed specifically at Burke EMS, I would be receiving a gross compensation rate of \$87.50/hour for my Burke EMS-specific work. I think all these figures represent a great bargain for the county in the delivery of physician-level medical professional services, which market rates would place at about \$200 per hour.

From the standpoint of protecting my hospital-based role (my main source of revenue), my contract with Wake Forest University contractually requires me to provide a minimum average of 108 hours/month at Catawba Valley Medical Center (CVMC). In 2019, I averaged 117 hours/month at CVMC, so this configuration of roles continues to be sustainable in terms of meeting my hospital-based contractual responsibilities there while also meeting my EMS-based obligations outside the hospital.

**2019 SUMMARY**

2019 was a successful year for Burke County EMS medical direction as well as medical oversight for NCSP and WPC. Many initiatives were launched and completed on local, regional, state, national, and international levels. Counterbalancing these successes were some concerns, most notably threats to stipend funding appearing in 2018 and inability to integrate AMRT into Burke County wilderness operations in 2018 and 2019. In total, 2019 achievements represent real and lasting enhancements to our EMS system, and to the quality of field medical care delivered to patients in our county.

Respectfully Submitted,



Seth C. Hawkins, MD



**APPALACHIAN  
REGIONAL  
COMMISSION**

*A Proud Past,  
A New Vision*

# PROJECT ANNOUNCEMENT

**Subject:** Burke County Industrial Park Access Road  
NC-19857-201-20

**Grantee:** Burke County  
Morganton, NC

**Local Contact:** Sherry Long **Congressional 11**  
828-485-4251 **District(s):**

**Funding:**

Other	\$1,500,000
Federal	
<b>Total</b>	<u>\$1,500,000</u>

## WASHINGTON, D.C.-

The Appalachian Regional Commission (ARC) today approved \$1,500,000 for Burke County, North Carolina to construct a new access road connecting the Burke County Industrial Park located near Morganton to Cathy Road and Interstate 40.

The project involves construction of approximately 0.57 miles of roadway and will be built as a 2-lane industrial access road linking five sites inside the 83-acre industrial park. It is estimated that the project will support the creation of approximately 400 new jobs and leverage \$100 million private investment. Burke County plans to target the advanced manufacturing sector as possible tenants in the industrial park, including automotive, aerospace, and medical devices manufacturers.

The North Carolina Department of Transportation (NCDOT) will administer the project and the Federal Highway Administration (FHWA) will serve as the basic federal agency for the project.

### About the Appalachian Regional Commission

The Appalachian Regional Commission (ARC) is an economic development agency of the federal government and 13 state governments focusing on 420 counties across the Appalachian region. ARC's mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia and help the region achieve socioeconomic parity with the nation.

1666 CONNECTICUT AVENUE, NW, SUITE 700 WASHINGTON, DC 20009-1068 (202) 884-7700 FAX (202) 884-7691 www.arc.gov

Alabama	Kentucky	Mississippi	North Carolina	Pennsylvania	Tennessee	West Virginia
Georgia	Maryland	New York	Ohio	South Carolina	Virginia	

More information is available at [www.arc.gov](http://www.arc.gov).

**Date Approved:**

4/28/2020

Attachment: Burke Industrial Park Road ARC ANNOUNCEMENT\_NC-19857\_55830\_65145 (3054 : BOC Reports & Comments)

## MINUTES

### BURKE COUNTY TOURISM DEVELOPMENT AUTHORITY

11 am/ January 30, 2020

Location: Morganton Community House

**PRESENT:** Board Members: Chair- Scott Mulwee, TDA C.E.O- Ed Phillips, Finance Officer-Margaret Pierce, Morrissa Angi, Mitch Kerce, Rob Winkler, Mike Watts, Rebecca Randolph, Dana Whisnant, Dianne Reihl (*arrived at 11:11 am*)

**OTHERS PRESENT:** Krissy Murphy, News Herald

- I. **CALL TO ORDER:**  
Meeting convened at 11:05am.
  
- II. **Approve Meeting Minutes**
  1. **December 4, 2019 Meeting Minutes**  
Approved December 4, 2019 meeting minutes with the below clerical edits:
    - Update closed session to include time meeting was called to order and adjourned.
    - Correct spelling of Morrissa Angi last name.**Minutes Approved 8/0 –Whisnant/Watts**
  
  2. **Financial Report**  
Financial reports were distributed. The budget remains flat for the fiscal year. There is \$198,000 available in the fund balance, to be reflected as a separate line item. Retirement payable will be updated to reflect paid monthly. The trolley deposit includes advance reservations. Trolley demand continues to grow. Projecting a national decline in hotel revenue.
  
- III. **Election of Officers**
  1. Vice Chair – Mike Watts nominated Morrissa Angi  
**All in favor – 8/0**
  
  2. Treasure- Mitch Kerce nominated Dana Whisnant  
**All in favor – 8/0**
  
- IV. **Establish meeting calendar for 2020**
  1. **2020 Meeting Calendar**  
Proposed to host Burke County Tourism Development Authority (TDA) Board meetings the 3<sup>rd</sup> Tuesday of every other month starting in January, with the exception of the March orientation meeting. The March meeting will be held March 31<sup>st</sup> and will be a 2-hour session. All meetings will be held at the Morganton Community House at 11am.  
**Motion made 8/0 Winkler/Watts**
  
  2. **Ridgeline Trolley**  
The current trolley was purchased in 2015 and only seats 20 people. The proposed new trolley is handicap accessible, lower miles, and more efficient with additional seating. Due to continued demand

it is proposed to declare current trolley as surplus and prepare for sale with a minimum bid floor. Authorize up to \$50,000 to purchase trolley #210 in Beaufort, NC.

**Motion made 9/0**

**NEW BUSINESS:**

**1. Conflict of Interest Policy/Attendance Policy**

Policies were distributed. **Action:** Board members to review, sign and return to Ed.

**2. Bookkeeping Services**

Booking keeping services will transition from a CPA firm to the county government finance office. This will allow government oversight and expertise and will occur once the new software is installed- within the next 2-3 weeks. Monthly book keeping service fees will initially be waved. The TDA will be responsible for the new software program and any additional expenses incurred during the conversion.

**3. Bylaws Committee**

Current bylaws need to be reviewed. Bylaws Committee members were assigned.

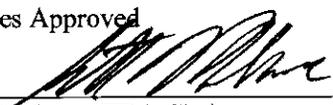
- Rebecca Randolph, Chair
- Mitch Kerce
- Dianne Reihl

**Action:** Ed Phillips to email current bylaws to the Bylaws Committee. Group will meet prior to March 31<sup>st</sup> TDA Board Meeting to review and prepare proposed changes.

**ADJOURNMENT:**

1. **Motion to Adjourn: 12:26 pm. Motion made and unanimously approved 8/0**
2. **Next meeting - March 31<sup>st</sup> -Board Orientation**

Minutes Approved

  
\_\_\_\_\_  
Scott Mulwee, TDA Chair

  
\_\_\_\_\_  
Date:

Attachment: TDA Board Minutes 1-30-2020 Approved (3054 : BOC Reports & Comments)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**VACANCY ANNOUNCEMENTS**

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**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.

**Juvenile Crime Prevention Council**

Applications are being accepted for a United Way/nonprofit seat and one (1) at-large 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.

### **Western Piedmont Regional Transit Authority - Transportation Advisory Board**

One (1) vacancy exists for an at-large seat. Unless otherwise noted, the TAB Board Meetings are held at the Greenway Public Transportation offices located at 1515 4<sup>th</sup> Street S.W., Conover N.C. 28613. For more information or to fill out an application regarding the Transportation Advisory Board contact Camille Sterling at 828-465-7642.

### **Partners Behavioral Health Mgmt.**

Advocates are needed for the Consumer and Family Advocacy Committee, Consumer and Family Advocacy Committee (Rep. Family Member of Consumer) and the Human Rights Committee. For more information, contact Shirley Moore at 704-884-2646 for the CFAC and Kim Maquire at 704-884-2504 for the HRC.

### **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.

### **Western Piedmont Community College Board of Trustees**

Applications are being accepted for one (1) seat on the Board of Trustees. The term is for four (4) years. Contact Kathy Durham at 828.448.3102 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?

\_\_\_\_\_  
\_\_\_\_\_

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

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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:

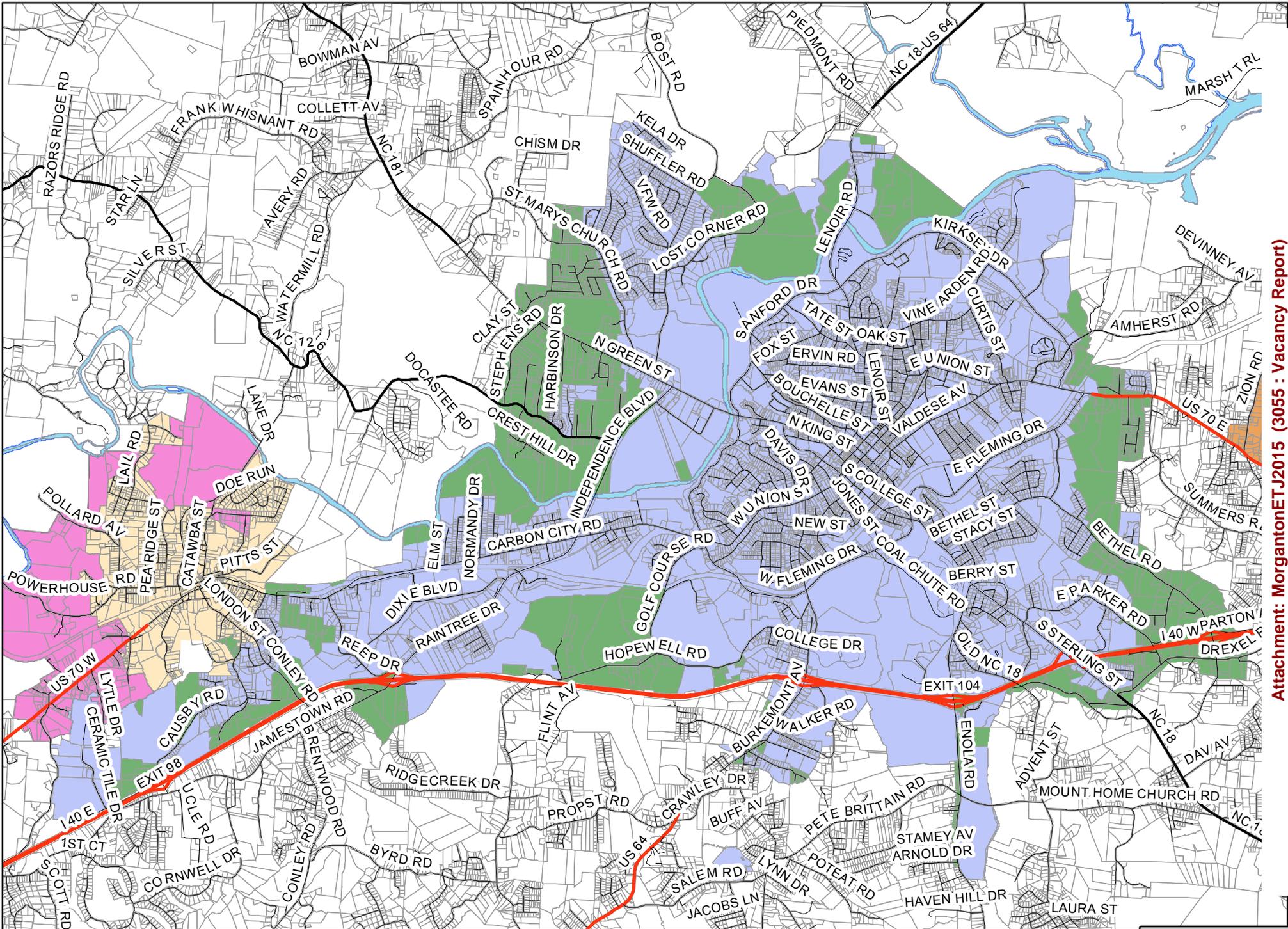
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Remarks: \_\_\_\_\_  
(OPTIONAL)

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

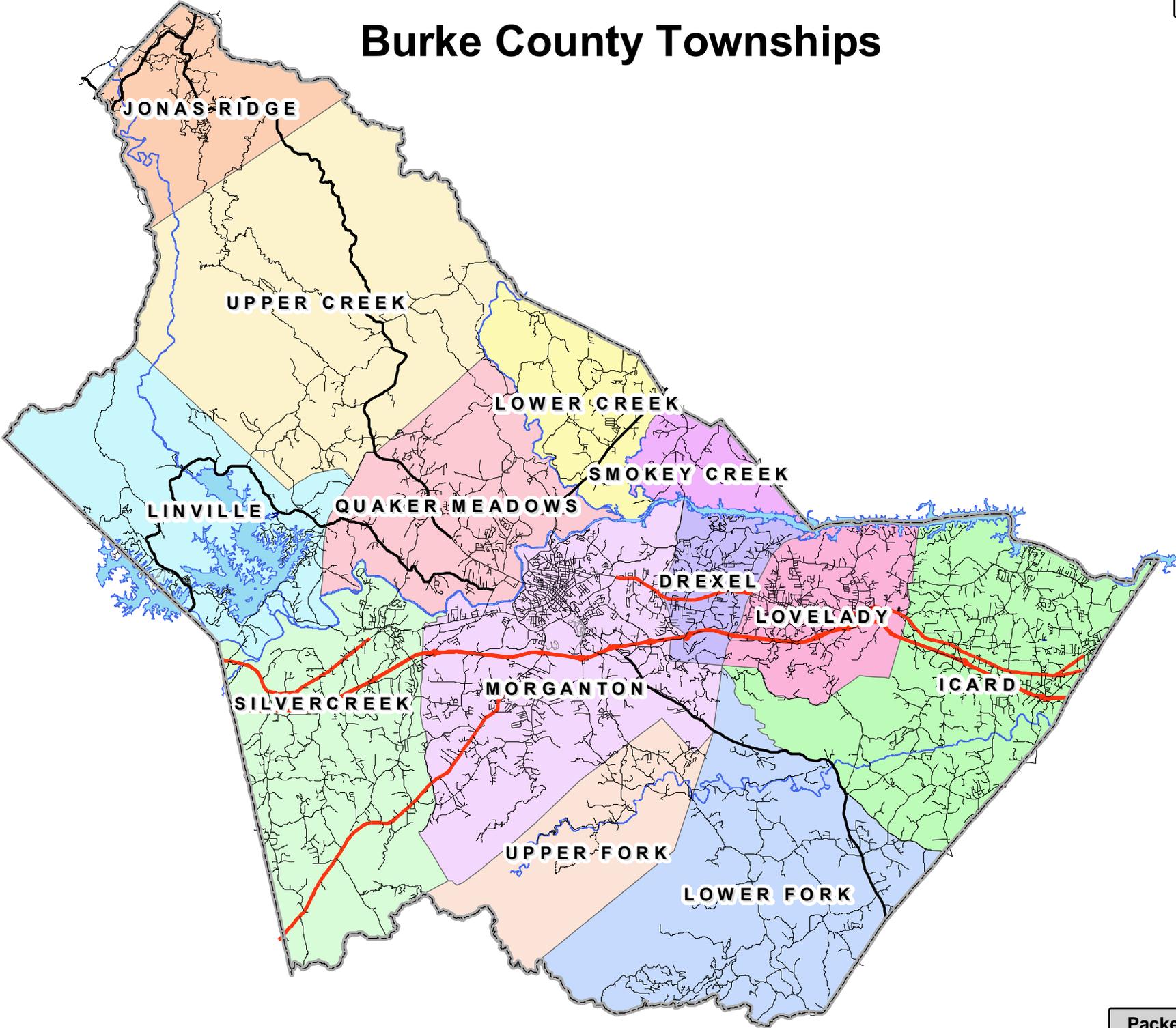
Return to:           Burke County  
                          Attn: Clerk to the Board  
                          P.O. Box 219  
                          Morganton NC 28680  
                          Email: [kay.draughn@burkenc.org](mailto:kay.draughn@burkenc.org)  
                          Phone: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

Attachment: 2018 Application to Serve on Boards and Committees V4 (3055 : Vacancy Report)



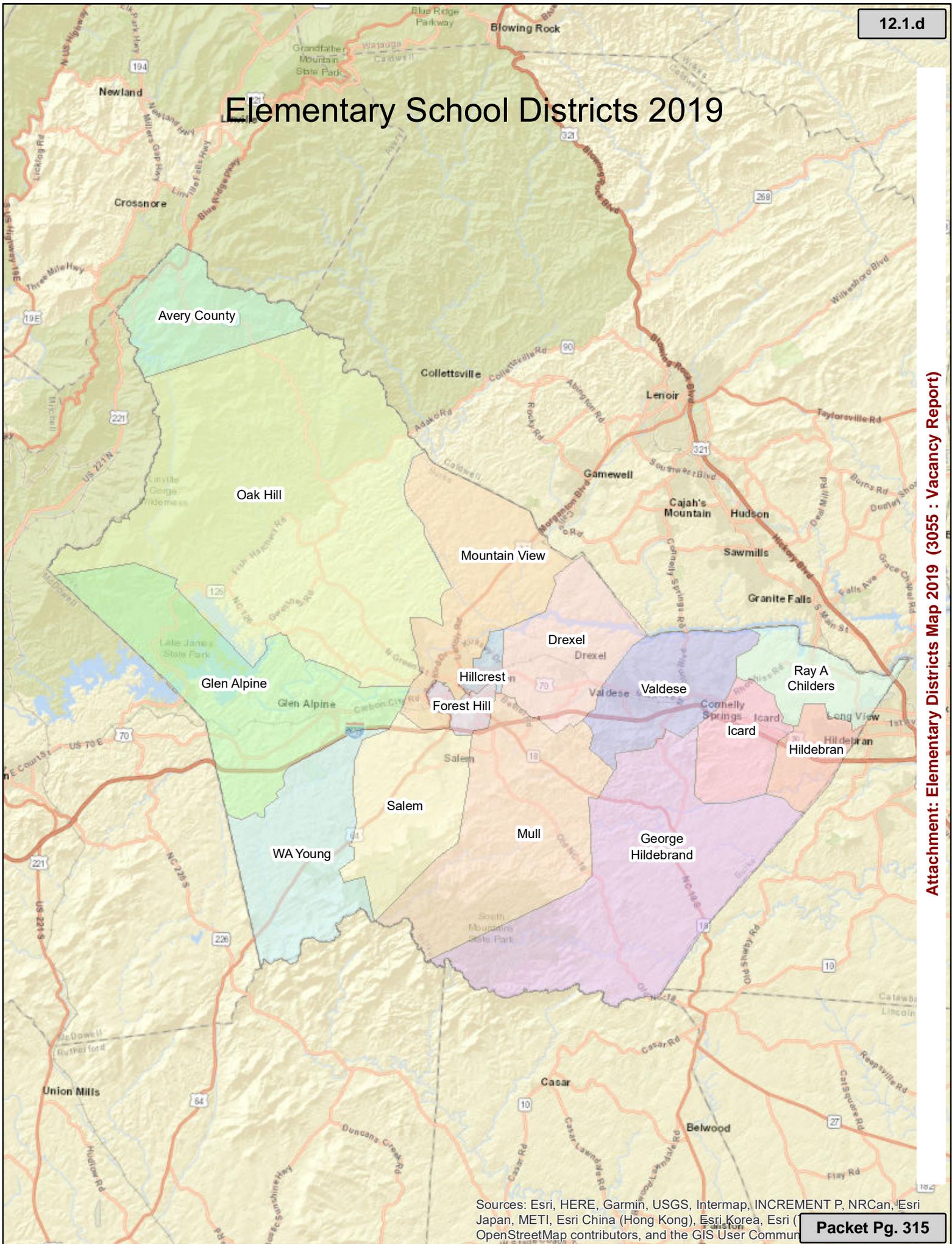
Attachment: MorgantonETJ2015 (3055 : Vacancy Report)

# Burke County Townships



Attachment: 2013 Township Map (3055 : Vacancy Report)

# Elementary School Districts 2019



Attachment: Elementary Districts Map 2019 (3055 : Vacancy Report)

**Burke County, North Carolina**  
**Agenda Abstract**  
**Meeting Date: May 19, 2020**



**CLOSED SESSION**

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**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.

- (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.)