MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
PRE-AGENDA MEETING

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, February 4, 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 3:02 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 "furever" home at the regular meeting. She said every pet of the month that has been presented has been adopted, except for Caesar, who is still in training for K9s for Warriors. Ms. Settlemyre gave an update on adoption rates and noted this month they have been able to achieve an 85 percent "move out" rate for cats and 88 percent for dogs. Chairman Carswell commended Director Settlemyre for her department's hard work.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

BCRS - UPDATE ON BURKE COUNTY RESCUE SQUAD
Chairman Carswell reported that due to illness, Chief Chris Brown has requested that this item be moved to the March agenda.

RESULT:	**MOVED WITHOUT OBJECTION TO MARCH MEETING AGENDA**

TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING DEC. 31, 2019
Information from the agenda packet:

> 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.

Chairman Carswell reported that the TDA Executive Director is out of town and unless anyone objects, the presentation will be made at the regular meeting.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

SCHEDULED PUBLIC HEARINGS - NONE

CONSENT AGENDA

BCPS - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING DEC. 31, 2019
Information from the agenda packet: In accordance with the Memorandum of Agreement approved by the County and the Board of Education, the Board of Education will provide to the County quarterly financial reports on the 2019-2020 budget year, showing the application of the County's local funding by the end of each fiscal quarter. These reports will be presented to the County's Board of Commissioners in November 2019, February 2020 and May 2020, respectively.

Keith Lawson, Burke County Public Schools Finance Officer, presented the following financial data for the period ending December 31, 2019.

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BCPS						
Estimated Revenues						
2019/2020						
	Annual		December YTD			% of Budget
	Previous	Current Fcst	Current	Previous	% Change	Received
State	80,597,443	80,600,000	38,345,892	38,768,137	-1.1%	47.6%
Federal	7,462,092	7,720,415	3,388,225	3,707,546	-8.6%	43.9%
Local	14,568,907	14,425,772	7,490,525	7,373,155	1.6%	51.9%
School Nurses	718,403	998,140	378,969	229,182	65.4%	38.0%
Charter Schools	412,143	450,291	143,106	147,370	-2.9%	31.8%
Fines & Forfeitures	430,149	380,000	164,955	239,619	-31.2%	43.4%
Special Revenue	5,513,118	5,350,000	3,274,558	2,764,478	18.5%	61.2%
Total	$ 109,702,255	$ 109,924,618	$ 53,186,230	$ 53,229,487	**-0.1%**	48.4%

As of this report we still have no state budget. We are operating on state funds at the previous year's funding level. We have adjusted to the new, anticipated state retirement and health insurance employer matching rates. Maintaining operations at the previous year's funding level will become increasingly difficult.

BCPS										
Local Financials by Purpose & Function Level										
					'19/'20					
	Expenses	'16/'17	'17/'18	'18/'19	Budget	1st	2nd	3rd	4th	Total
5XXX	Regular Instructional Sevices	4,912,851	5,164,868	5,324,653	5,426,911	822,802	1,957,952			2,780,754
6XXX	Support & Development Services	9,795,255	10,405,887	10,119,395	10,442,916	2,975,589	2,337,956			5,313,545
81XX	Payments to Other Governmental Units	655,442	625,363	702,226	617,763	57,823	155,247			213,070
49XX	Revenues Over/(Under) Expenditures	430,881	(98,431)	37,872	(188,387)	93,890	(231,620)			(137,730)
XXXX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ -	$ -	$ 8,169,639
	% of Annual Budget									50.1%
	Revenue									
4110	Burke County	14,264,035	14,599,358	14,448,211	14,416,272	3,745,262	3,745,263			7,490,525
4110	Timber Receipts	10,747	9,406	120,696	9,500	-	-			-
4490	School Nurses	653,750	726,095	718,403	998,140	89,557	289,412			378,969
4110	Charter Schools	370,618	372,286	412,143	450,291	1,529	141,577			143,106
4410	Fines & Forfeitures	430,126	330,570	430,149	380,000	70,933	94,022			164,955
4493	Individual Schools' Receivables	65,152	59,972	54,544	45,000	42,823	(50,739)			(7,916)
XXXX	Grand Total	$ 15,794,429	$ 16,097,687	$ 16,184,146	$ 16,299,203	$ 3,950,104	$ 4,219,535	$ -	$ -	$ 8,169,639
	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 usage due to lack of state budget									
	School Nutrition realized a profit of $489k before equipment and serving lines reinvestment of $218k									

Mr. Lawson reported the State hasn't adopted a budget yet and BCPS is absorbing the cost, approximately $700,000, of raises and employer benefit increases so they do not have to utilize a significant amount of fund balance. He said at this point last year, BCPS spent $17,000 in fund balance, and this year they have spent $137,000. Mr. Lawson noted that the state minimum wage has put a lot of strain on BCPS in retaining custodial staff, teacher assistants, exceptional children one-on-ones, etc.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor commended Mr. Lawson on the report. Mr. Lawson responded to a question from Commissioner Taylor about charter schools.

RESULT:	MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

WPCC – PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING DEC. 31, 2019

Sandy Hoilman, WPCC Chief Financial Officer, presented an overview of the College's financial data for the period ending December 31, 2019.

WESTERN PIEDMONT COMMUNITY COLLEGE
FY 2019-2020 SUMMARY AS OF DECEMBER 31, 2019

	STATE			COUNTY			INSTITUTIONAL		
Summary of Revenues	BUDGET	ACTUAL	REMAINING	PGLT	ACTUAL	REMAINING	BUDGET	ACTUAL	REMAINING
State Appropriations	13,729,630	7,068,865							
Add. Allocations (detail below)	345,801								
County Appropriations				2,560,155	1,280,078				
Rent & Interest Income				53,000	7,016				
Institutional Funds							5,416,497	2,713,170	
Total Budgeted Revenues	**14,075,431**	**7,068,865**	**7,006,566**	**2,613,155**	**1,287,093**	**1,326,062**	**5,416,497**	**2,713,170**	**2,703,327**
Summary of Expenditures									
Institutional Support	2,869,531	1,359,897	47%	258,380	185,312	72%	114,659	33,919	30%
Curriculum Instruction	6,626,563	3,237,555	49%				270,666	84,143	31%
Non Curriculum Instruction	1,443,912	745,165	52%				147,380	118,741	81%
Academic Support	1,375,619	688,675	50%				1,137	-	0%
Student Support	1,478,104	754,860	51%				370,000	174,253	47%
Plant Operations & Maint.				2,354,775	950,400	40%			
Proprietary / Other							988,202	678,361	69%
Student Aid							3,524,453	1,755,056	50%
Capital Outlay (excluding Capital Improvements)	281,702	44,091	16%						
Total Budgeted Expenditures	**14,075,431**	**6,830,244**	**7,245,187**	**2,613,155**	**1,135,712**	**1,477,443**	**5,416,497**	**2,844,472**	**2,572,025**
		48.5%	**51.5%**		**43.5%**	**56.5%**		**52.5%**	**47.5%**

ADDITIONAL FUNDING DESIGNATED FOR APPROVED PROJECTS	
Customized Training Projects	75,267
CTP Regional Trainer	128,614
Male Minority Grant - Aviso	45,130
Perkins Grant - Reserve Funds	25,386
Federal Portion - Basic Skills	47,386
NCWorks Career Coach	
Catalyzing CTE - Perkins	
Carryforward	24,018
Longevity	-
Total Other	**345,801**

As of December 31, 2019			
Total College Budget	$	22,105,083	
Total Expenditures	$	10,810,428	**48.9%**

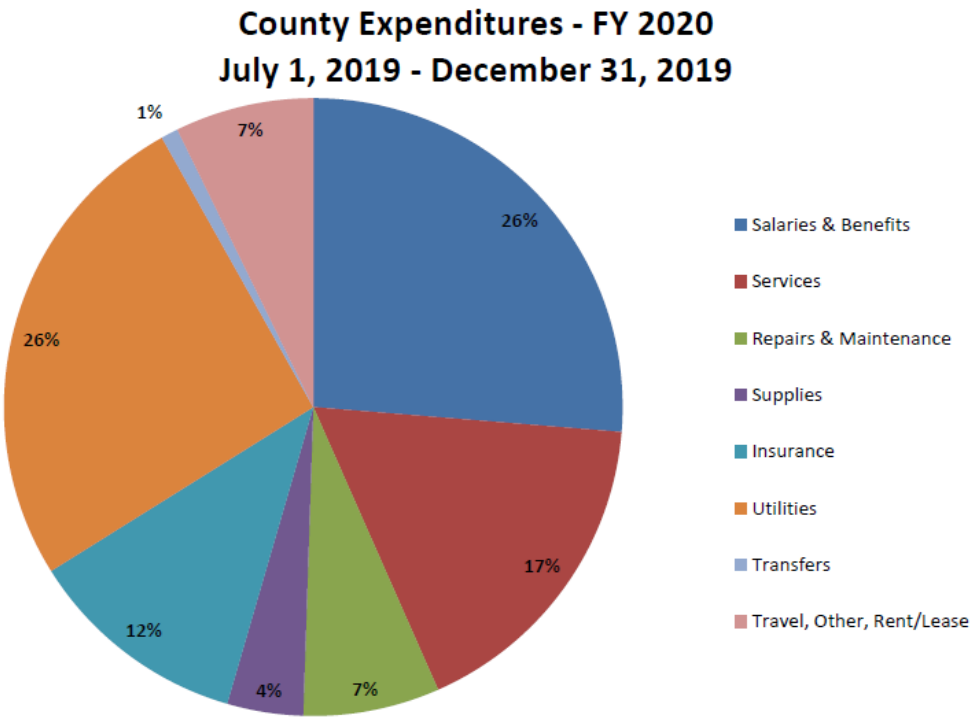
Fund Balance: County Funds	
Fund Balance, Beginning July 1, 2019	626,111
Current Operating Cash	151,381
Current Fund Balance	**777,491**
	30%

Western Piedmont Community College

County Expenditures by Category

FY 2020 - Actual Expenditures - July 1, 2019 thru December 31, 2019

Salaries & Benefits	298,535	26.3%
Services	194,262	17.1%
Repairs & Maintenance	80,977	7.1%
Supplies	45,124	4.0%
Insurance	131,822	11.6%
Utilities	292,567	25.8%
Transfers	10,190	0.9%
Travel, Other, Rent/Lease	82,235	7.2%
	1,135,712	**100%**



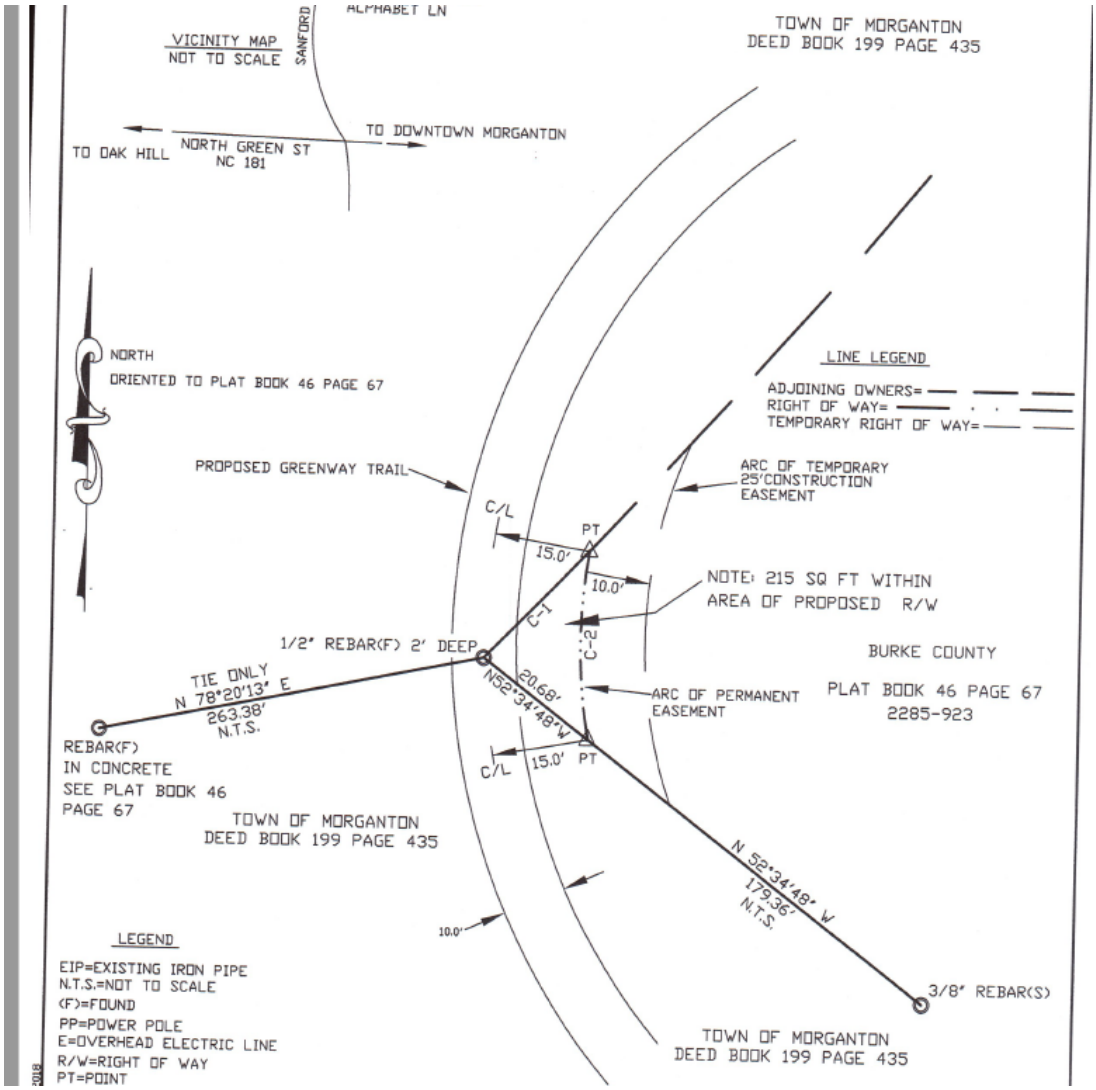
Ms. Hoilman noted that they are on a continuation budget due to the lack of a state budget and they have implemented cost saving measures. She said due to the lack of a state budget, they have not given any pay raises and noted that because of the state minimum wage, WPCC has lost employees to other state agencies. Ms. Hoilman said the roof replacement project for the Patton and E buildings are almost ready to go out to bid. She then gave updates on other upcoming projects.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

COM - EASEMENT AGREEMENT FOR MORGANTON GREENWAY

Louis Vinay, City Attorney, and Phillip Lookadoo, Development and Design Services Director, presented information regarding the easement agreement for the Morganton Greenway as follows:

> The City of Morganton has requested an easement for the Greenway (greenway path / sidewalk) that runs across the corner of the Mountain View School property. The proposed course of the greenway (a 10' wide pavement) cuts across just a corner of Mountain View School tract. The greenway requires a total right-of-way of 30', so that total area within permanent easement would be only 215 sq. ft. The City also requests a temporary construction easement extending another 10' into school property (e.g., temp easement runs 25' either side of greenway centerline).
>
> To comply with State/Federal funding requirements, City would also need a letter agreement from the County "authorizing" the City to actually build the greenway across this property.



Attorney Vinay reported because of the close proximity of Duke Energy's electric substation, the Greenway had to be moved over a few feet, and because of federal and state requirements regarding the grade and curvature of the Greenway, the Greenway needs to be located on the corner of the County's property. He further reported Burke County Public Schools (BCPS) Superintendent, Dr. Larry Putnam, is agreeable to this project and they would like to have the Greenway in close proximity to their school. Attorney Vinay said this project is ready to be bid out this spring.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor said he has no problems with the project if the County Attorney has reviewed the contract, and everything is in order. J.R. Simpson, II, County Attorney, said he has reviewed the contract, everything is in order and noted the school system is aware of the project and are in favor of it moving forward.

Mr. Lookadoo responded to a question from Vice Chairman Mulwee concerning the location of the easement in relation to the Frisbee golf course.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

BCECC - COMMUNICATIONS 911 PHONE HARDWARE REFRESH LEASE AGREEMENT
Brock Hall, BCECC Director, presented information regarding the 911 phone hardware refresh lease agreement as follows:

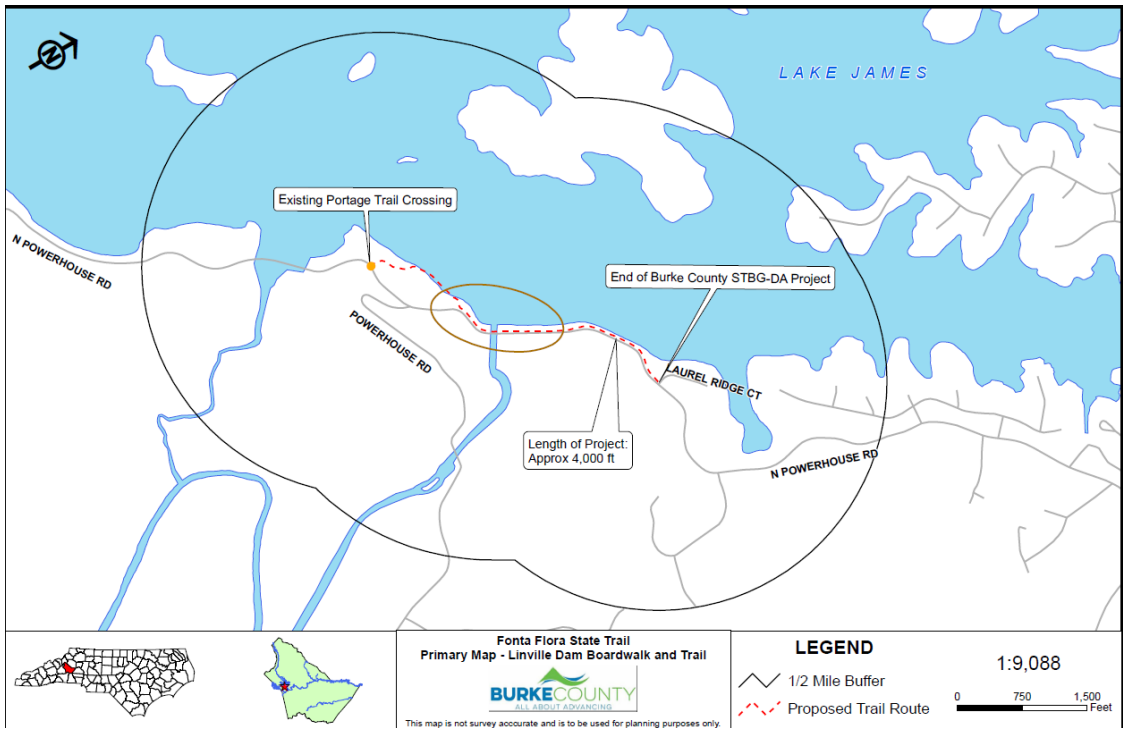
> During last year's budget preparation, we discussed the need to update and replace 911 phone hardware in line with the recommended 5-year replacement cycle. 2019 marked the 5-year anniversary of the opening of the 911 center and the purchase of the current phone equipment. Monies were budgeted by the Commissioners for a 5-year lease of replacement phone equipment. The lease option was deemed preferable as it would not only save the county money by keeping the annual cost below the reimbursable threshold determined by the 911 board but also save the 911 board approximately $16,000 over 5 years. These savings were initially estimated to be greater however changes were made in service contracts in an effort to ensure most costs were eligible for reimbursement. The 911 board has deemed, based on approved seat counts, that Burke County is eligible for $176,859.84 in phone hardware reimbursements annually. The proposed lease agreement locks in an annual cost of $116,928.87, ensuring that our annual expenses will be reimbursed. This cost includes the replacement of all phone hardware on 11 dispatch consoles in the primary center as well as replacement of 8 command post phones in the backup PSAP, and all VESTA 911 call processing equipment.
>
> Budgetary Effect: The total hardware cost is $260,667.14 with annual lease payment of $59,132.34. Funding for this was included in the FY 19-20 budget. No additional funding is required, and expenses are 99 percent reimbursable. Board approval is required for multi-year agreements and agreements that are more than $90,000.

Chairman Carswell opened the floor for questions and comments from the Board. Mr. Hall responded to a question from Commissioner Taylor regarding the cost of the lease. He advised that there will be an overall savings of approximately $20,000. A short discussion ensued.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

COMM. DEV. - ACCEPT STBG-DA GRANT AGREEMENT - LINVILLE DAM
Shane Prisby, Operations Manager, presented information regarding the acceptance of the STBG-DA grant agreement – Linville Dam as follows:

> The Greater Hickory Metropolitan Planning Organization (GHMPO) issued a call for projects to agencies in its jurisdiction for Surface Transportation Block Grant - Direct Attributable Funding (STBG-DA). Burke County Community Development Department applied for and was awarded $400,000 for the Fonta Flora State Trail - Linville Dam and Boardwalk and trail. This grant will be matched with $100,000 of County funds approved by the Board of Commissioners as part of the FY 20 budget.



Mr. Prisby said this is the sister project of the Cotton North Powerhouse section of the trail and they will link with one another. Mr. Prisby said the next step is to receive an agreement from NCDOT which has not arrived. He requested that this item be moved to the March meeting, so the Board has the opportunity to see the agreement before the project advances.

RESULT:	**MOVED WITHOUT OBJECTION TO THE MARCH 2020 MEETING AGENDA**

FINANCE - COUNTY FINANCIAL REPORT FOR THE PERIOD ENDING DECEMBER 31, 2019

Margaret Pierce, Deputy County Manager/Finance Director, presented the County financial report for the period ending December 31, 2019 for informational purposes only as follows:

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GENERAL FUND AS OF DECEMBER 31, 2019

	BUDGET	ACTUAL	BALANCE	PERCENT RECEIVED / EXPENDED
REVENUES:				
Property Taxes, Interest, & Penalties	$48,970,000	37,885,667	$11,084,333	77.37%
Sales Tax	$7,400,000	1,944,429	$5,455,571	26.28%
Other taxes	$1,266,000	644,127	$621,873	50.88%
Intergovernmental	$18,330,011	6,694,836	$11,635,175	36.52%
Sales/Services	$3,941,175	2,100,335	$1,840,840	53.29%
Permit/Fees	$2,014,592	957,983	$1,056,609	47.55%
Misc Revenues	$886,575	717,460	$169,115	80.92%
Transfer from other Funds	$6,681,410	3,340,705	$3,340,705	50.00%
Fund Balance	$2,318,712	0	$2,318,712	0.00%
TOTAL	**$91,808,475**	**54,285,542**	**$37,522,933**	**59.13%**
EXPENDITURES:				
Animal Services	$217,535	94,043	$123,492	43.23%
Burke County Schools	$15,874,203	7,869,494	$8,004,709	49.57%
Community Dev/Building Inspections	$871,545	440,433	$431,112	50.53%
Cooperative Extension	$380,855	158,273	$222,582	41.56%
Debt Service	$8,398,330	3,375,797	$5,022,533	40.20%
DSS	$17,538,901	7,430,407	$10,108,494	42.37%
Economic Development	$2,773,299	1,192,948	$1,580,351	43.02%
Elections	$1,106,047	262,375	$843,672	23.72%
Emergency Services	$8,916,900	4,324,872	$4,592,028	48.50%
General Government	$7,071,720	3,207,896	$3,863,824	45.36%
Health	$3,366,725	1,606,990	$1,759,735	47.73%
Library	$1,596,235	1,026,013	$570,222	64.28%
Maintenance & Operation	$1,752,235	1,175,801	$576,434	67.10%
Mental Health	$265,000	132,500	$132,500	50.00%
Recreation	$709,600	330,883	$378,717	46.63%
Register of Deeds	$486,235	223,089	$263,146	45.88%
Senior Services/Veteran Services	$628,770	266,272	$362,498	42.35%
Sheriff, Jail and Animal Control	$13,057,125	5,414,466	$7,642,659	41.47%
Soil & Water	$130,125	61,414	$68,711	47.20%
Tax	$1,580,935	679,187	$901,748	42.96%
Western Piedmont Community College	$2,710,155	1,280,078	$1,430,077	47.23%
Transfers to other Funds	$2,376,000	781,134	$1,594,866	32.88%
TOTAL	**$91,808,475**	**$41,334,365**	**$50,474,110**	**45.02%**
FUND BALANCE INCREASE / (DECREASE)		**$12,951,177**		
SALES TAX SUMMARY BY ARTICLE	*3 months reporting*			
Sales Tax - Article 39	$5,000,000	1,311,812	$3,688,188	26.24%
Sales Tax - Article 40	$5,837,850	1,530,349	$4,307,501	26.21%
Sales Tax - Article 42	$2,800,000	743,672	$2,056,328	26.56%
Sales Tax - Article 44	$1,562,150	414,080	$1,148,070	26.51%
TOTAL	**$15,200,000**	**3,999,913**	**$11,200,087**	**26.32%**

ENTERPRISE FUNDS AS OF DECEMBER 31, 2019

	BUDGET	ACTUAL	BALANCE	PERCENT RECEIVED / EXPENDED
WATER & SEWER:				
Revenues	$1,854,510	782,277	$1,072,233	42.2%
Expenditures	$1,854,510	511,073	$1,343,437	27.6%
FUND BALANCE INCREASE / (DECREASE)		**$271,204**		
SOLID WASTE:				
Revenues	$5,440,225	3,407,229	$2,032,996	62.6%
Expenditures	$5,440,225	2,454,289	$2,985,936	45.1%
FUND BALANCE INCREASE / (DECREASE)		**$952,940**		

Chairman Carswell opened the floor for questions and comments from the Board. Ms. Pierce responded to questions from Commissioner Brittain regarding the composition of the sales tax articles and other revenue streams included in the report. She also addressed comments from Commissioner Taylor concerning incinerating trash at the landfill to generate electricity.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

FM - HAZARD MITIGATION PLAN - RESOLUTION

Mike Willis, Fire Marshal/Emergency Management Director, presented information regarding the Hazard Mitigation Plan as follows:

> While the threat from hazardous events may never be fully eliminated, there is much we can do to lessen their potential impact upon our community and our citizens. By minimizing the damaging effects of natural hazards upon our built environment, we can prevent such events from resulting in disasters. The concept and practice of reducing risks to people and property from known hazards is referred to hazard mitigation. Every five (5) years the Hazard Mitigation Plan must be updated and sent to the State and Federal representatives for review and approval. The Unifour Hazard Mitigation Plan was last updated and approved in 2014. In October 2018 the Unifour Region, consisting of Burke, Alexander, Caldwell and Catawba Counties, was assigned a contractor through North Carolina Emergency Management to have the Regional Hazardous Mitigation Plan reviewed and updated. Caldwell County took the lead on this revision. Numerous meetings of each County's Emergency Management leadership along with their respective municipality's leadership met during 2019. Surveys were conducted within in the group along with public input solicited through multiple media outlets. The Regional Hazard Mitigation Plan was submitted to the State and Federal Representatives and was approved in January 2020. The plan is approved for a period of five (5) years and will expire January 2025.

Mr. Willis said the plan is required in order to be eligible for pre and post disaster funding

mitigation.

RESULT:	MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

GENERAL SERVICES - DISCONTINUE WATER/SEWER PAYMENT DROP BOX AT AVERY AVE

Miles Champion, General Services Director, reported General Services proposes to discontinue using the outside payment drop-box located on the corner of N. Green Street and Avery Avenue after March 31, 2020. The drop box has been used for receiving water/sewer payments from customers for several years. General Services personnel retrieves the payments from the box each day and hand-delivers them to the Hildebran Water/Sewer office for processing. On the average, there are zero to three pieces of mail in the drop-box. Staff would save approximately one hour each day by no longer hand delivering payments from the drop-box to the Hildebran office. The staff time saved can be utilized for building maintenance tasks. Water/sewer customers would still have three (3) options to submit their payments: by mail, in person at the Hildebran office and though on-line bill-pay service. Staff recommends the last day that the drop box would be used is March 31, 2020. On April 1st, staff will remove the drop-box from the site. Customers currently using the drop-box will be notified by telephone and a notice will be printed on the water/sewer bills for the March billing cycle. The Tax Office has its own drop box and will not be affected by this change.

Chairman Carswell opened the floor to questions and comments from the Board. Commissioner Brittain asked if the Tax Office could collect the payments and deposit them as a separate deposit at the close of the business day. Deputy County Manager/Finance Director, Margaret Pierce, said no because the payments must be entered into the water & sewer billing software, but Finance could potentially post the deposits for them. In response to another question from Commissioner Brittain, Ms. Pierce said the payments could be brought from the drop box to the Finance office or the Finance staff could check the drop box on a daily basis. Commissioner Brittain expressed his desire to explore these options before eliminating a payment option for customers.

Chairman Carswell requested that the County Manager, Deputy County Manager/Finance Director, and General Services Director develop a solution that would still allow for a drop box to remain in Morganton. Commissioner Taylor said he had the same concerns as Commissioner Brittain but noted that it does waste time and money if there are only a few payments placed in the drop box per week. Director Champion advised that it takes at least an hour for his maintenance staff to deliver the time sensitive payments to the Hildebran office.

RESULT:	ITEM WITHDRAWN FROM THE AGENDA

JCPC- FUNDING ALLOCATION REVISION FOR RAISE THE AGE EXPANSION FUNDS

AJ Coutu, JCPC Administrator, presented information regarding the funding allocation revision for Raise the Age expansion funds as follows:

> In 2017, North Carolina's General Assembly passed the Juvenile Justice Reinvestment Act by including the language in the appropriations bill. This legislation will allow for most 16 and 17-year olds charged with crimes to be served in the juvenile justice system instead of being charged as adults. The goal

of the Raise the Age legislation is to prevent young people from entering the criminal justice system and also prevent juveniles from re-offending. The NC General Assembly passed the budget and Burke County is set to receive $36,505 for programs to provide restorative justice services. Four programs submitted applications and three programs were approved by the JCPC to receive the expansion funds. The revised allocation funding sheet is provided.

Burke County

NC DPS - Community Programs - County Funding Plan

Available JCPC Funds: $ $230,294
Raise the Age Expansion Funds: $ $36,505

Local Match: $ $78,732 Rate: 30%

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

#	Program Provider	New 19-20 Total DPS Funds	Original 19-20 DPS Funds	DPS-RtA Expansion Funding	LOCAL FUNDING County Cash Match	LOCAL FUNDING Other Local Cash Match	LOCAL FUNDING Local In-Kind	OTHER State/ Federal	OTHER Funds	Total
1	JCPC Administration	$14,710	$14,710							$14,710
2	Burke Recovery	$25,663	$25,663		$2,000		$5,768	$9,691		$43,122
3	Conflict Resolution Center	$19,018	$19,018				$7,512			$26,530
4	Kids at Work	$52,111	$37,540	$14,571			$11,544			$63,655
5	Project Challenge	$63,341	$63,341				$19,002			$82,343
6	Repay Just Girls	$11,467	$11,467			$3,000	$8,410	$8,349	$11,000	$42,226
7	Repay Psychological Services	$24,055	$24,055				$8,936			$32,991
8	Repay SAIS	$40,917	$34,500	$6,417			$12,560		$11,907	$65,384
9	Conflict Resolution Center - Sentencing Circles	$15,517		$15,517						$15,517
10										
11										
12										
13										
14										
15										
16										
17										
18										
	TOTALS:	$266,799	$230,294	$36,505	$2,000	$3,000	$73,732	$18,040	$22,907	$386,478

The above plan was derived through a planning process by the Burke County Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 19-20

Amount of Unallocated JCPC Funds

Budgetary Effect: An addition of $36,505 to the Burke County JCPC Funding Allocation Plan for FY20.

Ms. Coutu said the Legislature raised the age of most youth considered to be juveniles from up to 16 to up to 18. She said they also released a small amount of funding to the local JCPC in order for them to increase the services that the agencies provide from December through June of the current fiscal year. Ms. Coutu said the County was allotted $36,505 and after the JCPC properly published a request for proposals, they received four (4) proposals. She said with the limited funds available, the finance committee and council voted to recommend to the Board the amended funding plan.

Chairman Carswell opened the floor for question and comments from the Board. Commissioner Brittain asked Ms. Coutu to explain the services that the three funded (3) programs provide. Ms. Coutu said Kids at Work provides hands on training and interpersonal skill building for youth entering into restaurant services, the repayment of the Sex Offender Assessment and Treatment program is to repay the program due to an increase in children being exposed to pornography through their phones and computers, the New Restorative Justice program is another option besides teen court so the teen can go through a program with their peers and address their particular issue(s).

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

JCPC- FUNDING POLICY REVISION

AJ Coutu, JCPC Administrator, reviewed the following JCPC funding policy revisions as approved by the Council on November 13, 2019:

3. Request for Proposals (RFP): The Burke JCPC will review the annual Request for Proposals (RFP) prior to its advertisement. RFPs will be publicly advertised on ~~in~~ the ~~local newspaper.~~ Burke County web site, and directly mailed or emailed to all existing service providers, the United Way office, other agencies serving youth, ~~and~~ the school system and published in the local newspaper if deemed necessary. The RFP may also be posted in the location for other Public Notice in the County. The RFP will allow a minimum of 30 days from the date of publication until the application due date, and will include (at a minimum): a. The funding priority of services established by the JCPC b. The due date for the application c. Where the application can be obtained. d. Date, time, and location of the annual bidder's conference. e. A prioritization of risk factors

7. Applicant requirements: Applicants must meet all DACJJ requirements. Applicants shall submit to the Burke JCPC Administrative Assistant by the established deadline the following: ~~a copy of their annual audit or financial statement, and~~ a management letter stating "no overdue taxes due" A current list of their Board of Directors, and Notification of any conflicts of interest that exist.

Additionally, new programs, or programs that are not funded at the time of the RFP deadline, are required to submit three letters of support from outside their agency, a copy of their annual audit or financial statement and proof of their 501(c)(3) status to the JCPC.

13. Deadline Dates: Deadline dates for submission of the program application and program agreement will be listed on the Burke County JCPC Timeline given to programs applying for funding at the orientation (Bidders' Conference). Failure to submit the information into the State NC ALLIES program by the deadline given will result in exclusion from the funding allocation worksheet presented to the County Commissioners for approval. Program funds will be set aside ~~until submission is complete~~ and a revised funding allocation ~~can~~ may be approved by the Commissioners.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

TAX DEPT. - TAX COLLECTION REPORT FOR JANUARY 2020

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

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$44,881,650.00	$41,939,771.89	$2,941,878.52	93.45%

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	$44,750,715.06	$3,319,284.94	93.09%
Delinquent Taxes	$650,000.00	$533,048.33	$116,951.67	82.01%
Late List Penalty	$250,000.00	$218,329.21	$31,670.79	87.33%

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	$41,939,771.89	$1,530,228.11	96.48%
Motor Vehicle Tax	$4,600,000.00	$2,810,943.17	$1,789,056.83	61.11%

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

TAX DEPT. - RELEASE REFUND REPORT FOR JANUARY 2020

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

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	$4,773.43	$406.26	$4,367.17	$1,000.85

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$478.40

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

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

TAX DEPT. - ORDER TO ADVERTISE 2019 DELINQUENT REAL PROPERTY TAXES

Danny Isenhour, Tax Administrator, presented information regarding the order to advertise 2019 delinquent real property taxes as follows:

> Pursuant to N.C.G.S. 105-369, the Tax Collector shall report to the governing board the total amount of unpaid taxes for the current fiscal year that are liens on real property.

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$44,881,650.00	$41,939,771.89	$2,941,878.52	93.45%

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected

Current Year Taxes	$48,070,000.00	$44,750,715.06	$3,319,284.94	93.09%
Delinquent Taxes	$650,000.00	$533,048.33	$116,951.67	82.01%
Late List Penalty	$250,000.00	$218,329.21	$31,670.79	87.33%

Category	Annual Budget	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	$43,470,000.00	$41,939,771.89	$1,530,228.11	96.48%
Motor Vehicle Tax	$4,600,000.00	$2,810,943.17	$1,789,056.83	61.11%

Under this statute, the Board orders the Tax Collector to advertise these tax liens on all unpaid real property. Also, a notice must be sent to the owner of record. This notice shall be sent at least 30 days before the advertisement is to be published, to the last known address. These notices state that the owner's name will be advertised if taxes are not paid in full by Friday February 28, 2020. The Tax Office mailed these notices during January 2020 (see sample).

Notices warning of the upcoming lien advertisement is scheduled to be published in the *News Herald* on Sunday February 16, February 23, March 8 and March 15, 2020. Those who have not paid real estate property taxes in full by Friday, February 28, 2020, will be advertised. The lien advertisement will then be published in the *News Herald* on Sunday, March 15, 2020.

BURKE COUNTY
NOTICE
2019 UNPAID REAL PROPERTY TAXES

Notice is hereby given that the Burke County Tax Collector will publish the annual Tax Lien Advertisement of Real Property for 2019 County Taxes, during the month of March. To avoid advertisement of your real property and avoid additional cost, you are requested to pay these 2019 taxes and interest no later than Friday, February 28, 2020.

This Delinquent Tax Notice, that is required to be sent before advertising in the newspaper, also serves as the Debt Setoff (DSO) Notice for Burke County. The Debt Setoff Notice is noted on the front of the delinquent notice. The actual Debt Setoff notice is on the back. This notice gives taxpayers 30 days to pay their delinquent taxes and avoid Burke County intercepting their North Carolina Income Tax refund.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked in addition to the newspaper, should the Tax Office consider using radio ads or other means of communication to make people aware that they owe taxes. He also asked how the County is doing regarding tax collections compared to last year. Mr. Isenhour said he does not have the statics with him currently, and regarding the first question, he said the Tax Office sends delinquent taxpayers a letter indicating they owe taxes. He also said starting in mid-December, there are radio advertisements informing citizens to list their personal property taxes. Chairman Carswell requested that Mr. Isenhour send the answer to Commissioner Taylor's question regarding tax collection statistics to the Board in an email.

RESULT:	MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM

ITEMS FOR DECISION

BOC - RESOLUTION DECLARING BURKE COUNTY, NORTH CAROLINA A CONSTITUTIONAL RIGHTS PROTECTED COUNTY

Chairman Carswell said approximately 90 citizens attended the previous Board meeting asking for the resolution to be passed and four (4) citizens addressed the Board. He said every county around Burke has adopted similar resolutions and he is asking the Board to adopt the resolution.

> WHEREAS, the Constitution of the United States is the Supreme Law of our nation; and
>
> WHEREAS, the Second Amendment to the Constitution states: "A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed…"; and
>
> WHEREAS, the North Carolina Constitution, Article I, Section 30 states: "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they shall not be maintained, and the military shall be kept under strict subordination to, and governed by, the civil power. Nothing herein shall justify the practice of carrying concealed weapons, or prevent the General Assembly from enacting penal statutes against that practice;" and
>
> WHEREAS, a long line of established U.S. Supreme court cases have ruled where rights are secured by the U.S. Constitution, including Second Amendment Rights, no rule making or legislation may abrogate those rights and the right to "keep and bear arms" is secured by the "due process" and "privileges and immunities" clauses of the Fourteenth Amendment which protects rights of, and closely related to, the Second Amendment; and
>
> WHEREAS, the citizens of Burke County have long supported the rights of the individual, particularly as those rights exist under the U.S. and North Carolina Constitutions, including the Second Amendment; and
>
> WHEREAS, the Burke County Board of Commissioners is concerned about the passage of any bill or legislation which could be interpreted as infringing the rights of the citizens of Burke County to keep and bear arms; and
>
> WHEREAS, the Burke County Board of Commissioners expresses its deep commitment to the rights of all citizens of Burke County to keep and bear arms; and
>
> WHEREAS, the Burke County Board of Commissioners wishes to express its opposition to any law that would unconstitutionally restrict the rights under the

Second Amendment of the U.S. Constitution and under the North Carolina Constitution of the citizens of Burke County to keep and bear arms, and all rights and privileges arising therefrom; and

WHEREAS, the Burke County Board of Commissioners expresses its intent to stand as a Constitutional Rights Protected County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of North Carolina, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of citizens to keep and bear arms.

NOW, THEREFORE, be it resolved by the Burke County Board of Commissioners, working with Sheriff Steve E. Whisenant and the Burke County Sheriff's Office, within its powers, duties, and responsibilities, the Board shall respect, protect, and defend the Second Amendment rights of the citizens of Burke County and the Board will oppose, within the limits of the Constitutions of the United States and the State of North Carolina, any efforts to unconstitutionally restrict such rights, and to use such constitutional means at its disposal to protect the rights of its citizens to keep and bear arms; and

The Burke County Board of Commissioners hereby declares Burke County, North Carolina, as a "Constitutional Rights Protected County."

The Chairman then opened the floor for questions and comments from the Board. Commissioner Taylor said when an elected official is sworn in, they swear an oath to uphold the Constitution of the United States and North Carolina, and this is a fulfillment of that oath. Chairman Carswell said he imagines there will be citizens in attendance who support and oppose the resolution at the next meeting.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

CO. MGR. - EDUCATION BENEFIT FOR DETENTION OFFICERS

County Manager Steen presented information regarding education benefits for detention officers as follows:

Through the 2017 budget ordinance, the Board approved educational benefits for sworn law enforcement officers. To aid in the recruitment of detention officers, staff believes it would be advantageous and fair to offer these same benefits to detention officers.

This space is intentionally left blank.

Extract - 2017 Budget Ordinance

6. Effective July 1, 2017, each sworn law enforcement employee shall receive a one and one-half percent (1.5%) increase in pay for attainment of an intermediate law enforcement certification and an additional one and one-half percent (1.5%) for attainment of an advanced certification.

7. Sworn law enforcement employees hired July 1, 2017 and after shall receive a $500 increase in pay for possession of an associates degree, or $1,000 for a bachelors degree, or $1,500 for a masters degree. To be eligible for the pay increase, the degree must be in a law enforcement related field. Employees currently receiving a $780 education payment will continue to receive that amount for an associates degree, but will increase to the same $1,000 and $1,500 amounts for the higher degrees.

County Manager Steen said this is an effort to recruit and retain detention officers and this is almost word for word what was approved for the sworn law enforcement officers. Rhonda Lee, HR Director, said if this request is approved by the Board, the impact would be for approximately three (3) employees, which would be $2,000 for the year. She said at this time no one would qualify for the advanced certification or the intermediate certification, but they could work through the process. Ms. Lee said for the sworn positions, they have around 25 participants for the education allowance, 23 for the advanced certification, and 35 for the intermediate certification. Larenda Johnson, Assistant HR Director, said she has been working with the Sheriff's Office on recruitment and they have seven (7) potential candidates in the pipeline and the Sheriff's Office has seven (7) vacancies.

Chairman Carswell said the Sheriff's Association reported that other counties across the state are having difficulties filling vacancies for detention officers and some counties have had to send inmates to other jails because they do not have enough staff. In response to a question from Chairman Carswell, Ms. Johnson said since October 17, there were 202 applications. Chairman Carswell said the County is blessed to have that many applicants, but the problem is getting applicants all the way through the State's lengthy hiring process. Chairman Carswell opened the floor for questions and comments from the Board.

Vice Chairman Mulwee said the County Manager's recommendation is fair and he believes in rewarding people for trying to achieve higher education in whatever form it is in.

Ms. Lee responded to a question from Commissioner Taylor concerning the cost for the three (3) qualifying employees. Commissioner Taylor said he does not like adjusting pay scales in the middle of a budget year and said it should be included in next year's budget. He said he does not mind rewarding people for bettering themselves as long as it does not break the bank.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

CLERK - APPOINTMENT/REMOVAL TO BURKE CO. PLANNING BOARD

Clerk Draughn reported Mr. Robert Love occupies Planning Board Seat No. 4 in addition to serving on two (2) other county boards. Mr. Love was kind enough to serve until the Board had other applications to consider and his resignation letter is included in the packet. An application was received from Joyce Counihan who has prior planning board experience and one is

expected from Sara Chester. The term for Seat No. 4 ends September 30, 2021.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

REPORTS

COUNTY MANAGER - 2019 SUMMARY OF ACCOMPLISHMENTS (PLACE HOLDER)
County Manager Steen said the 2019 summary of accomplishments will be ready for presentation at the regular meeting.

RESULT:	**MOVED WITHOUT OBJECTION TO THE NEXT MEETING: FEB. 18, 2020 AT 6:00 PM**

OTHER DISCUSSION ITEMS
Chairman Carswell reminded the Board of the following upcoming events and encouraged attendance:

- A budget retreat will take place on February 20-21.
- The sally port grand opening will be on March 12 at 10:30 a.m.
- Burke County is hosting the District 13 North Carolina Association of County Commissioners meeting at the Foothills Higher Education Center on March 31 at 5:30 p.m. (Note: This event was canceled due to the global Coronavirus pandemic.)

ADJOURN
Motion: To adjourn at 4:20 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 the 16th day of June 2020.

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

Attest:

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board