

February 18, 2020 (Regular)

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

The Burke County Board of Commissioners held a regular meeting on Tuesday, February 18, 2020 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 PRESENT: Johnnie W. Carswell, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

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

CALL TO ORDER

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

INVOCATION

Pastor Ed Stephenson, Arneys Fairview United Methodist Church, delivered the invocation.

PLEDGE OF ALLEGIANCE

Under the leadership of Marla Patchel, Girl Scout Troop 2729, Green St. Presbyterian, 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.

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

APPROVAL OF MEETING MINUTES

Motion: To approve the meeting minutes of July 2, 2019 (pre-agenda), July 16, 2019 (regular), August 6, 2019 (pre-agenda), and August 6, 2019 (special) as written.

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

PRESENTATIONS

February 18, 2020 (Regular)

AS - PET OF THE MONTH

Lindsay Stump, Animal Services Coordinator, presented a dog, Buster, and cat, Tangerine, in need of their "forever" home. Chairman Carswell said Animal Services staff is working hard to decrease the euthanization rate in Burke County and while they have made great strides, there is still work to be done.

RESULT: NO ACTION TAKEN.

TDA - FINANCIAL UPDATE FOR THE PERIOD ENDING DEC. 31, 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, TDA Director, presented the financial update for the period ending December 31, 2019 as follows:

BURKE CO. TOURISM DEVELOPMENT AUTHORITY Balance Sheet As of December 31, 2019		BURKE CO. TOURISM DEVELOPMENT AUTHORITY Profit & Loss July through December 2019	
	Dec 31, 19		Jul - Dec 19
ASSETS			
Current Assets			
Checking/Savings		4010 · Burke Co. Govt. - Occup. Tax	202,092.45
1014 · First Citizens Bank-Checking	321,502.31	4110 · Interest Income	80.27
		4120 · Other Income	20,825.00
Total Checking/Savings	321,502.31	5000 · Trolley Revenue	16,841.22
Accounts Receivable		Total Income	239,838.94
1210 · Accounts Receivable	400.00	Expense	
Total Accounts Receivable	400.00	5010 · Accounting	6,562.50
Other Current Assets		5015 · Legal and Professional Fees	750.00
1300 · Prepaid Rent	500.00	5020 · Marketing/Advertising	87,024.96
Total Other Current Assets	500.00	5102 · Membership Dues	275.00
Total Current Assets	322,402.31	5110 · Building Maintenance	27.71
Fixed Assets		5113 · City of Morganton/Tourism	25,407.77
Vehicles	61,000.00	5115 · Town of Valdese/Tourism	22,173.91
1410 · Furniture & Equipment	17,433.25	5140 · Website Upkeep	564.51
1590 · Accumulated Depreciation	-25,615.25	5150 · Insurance	
Total Fixed Assets	52,818.00	5155 · Trolley Insurance	-1,116.52
TOTAL ASSETS	375,220.31	5160 · Directors & Officers Liability	230.00
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable		5165 · Worker's Compensation	438.00
2000 · *Accounts Payable	9,366.92	5175 · Employee Health Insurance	4,729.12
Total Accounts Payable	9,366.92	Total 5150 · Insurance	4,280.60
Other Current Liabilities		5180 · Office Supplies	2,437.39
2100 · Payroll Liabilities	-1,026.72	5190 · Payroll Shared Staff Reimburse	2,824.67
2150 · Retirement Payable	3,889.02	5200 · Payroll Expenses	
2300 · Trolley Fees In Advance	150.00	5210 · Payroll	61,285.98
Total Other Current Liabilities	3,012.30	5215 · NC Unemployment Tax	180.18
Total Current Liabilities	12,379.22	5220 · Part-time Staffing	5,142.75
Total Liabilities	12,379.22	5230 · Payroll Taxes	5,283.08
Equity		5235 · Retirement	8,478.57
3900 · Retained Earnings	381,837.86	5200 · Payroll Expenses - Other	2,645.00
Net Income	-18,996.77	Total 5200 · Payroll Expenses	83,015.56
Total Equity	362,841.09	5250 · Postage	450.43
TOTAL LIABILITIES & EQUITY	375,220.31	5280 · Office Rent	3,000.00
		5290 · Telephone	1,335.88
		5300 · Travel/Training	4,213.66
		5301 · Trolley Expenses	10,510.29
		5305 · Meetings	335.37
		5400 · Misc. Expense	3,645.50
		Total Expense	258,835.71
		Net Income	-18,996.77

Mr. Phillips said the TDA has collected \$261,000 in the current fiscal year with a budget of \$607,000. He said collections are flat compared to last year and expenses are in line. He said at the last TDA Board meeting they authorized the purchase of a new, larger, trolley and will be selling their current trolley through a bid process in the upcoming months.

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

February 18, 2020 (Regular)

Mulwee asked when the new hotel in downtown Morganton is opening. Mr. Phillips said February 28th was the last date he heard.

Motion: To accept the report as presented.

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.

SCHEDULED PUBLIC HEARINGS – NONE.

INFORMAL PUBLIC COMMENTS

At 6:12 p.m. Chairman Carswell opened the floor for informal public comments. There were eight (8) citizens who signed up to address the Board.

North Carolina State Senator, Warren Daniel, thanked the Board and staff for what they do for Burke County and the citizens for being in attendance. He said an issue on a lot of people's minds is the Second Amendment issue and he thanked the Board for their consideration of a resolution declaring Burke County as a Constitutional rights protected county. Senator Daniel said after recent events regarding voter ID laws, North Carolina is in an era when liberal judges and politicians take the Constitution into their own hands and disregard the will of the people. He said the citizens of Burke County and North Carolina need to be vigilant and consider the constitutional views of the candidates they are voting for during election season. Senator Daniel thanked the Board for the work they do and requested them to support the resolution concerning the Second Amendment.

David Caviness, 1872 Rader Circle, said he is the founder of the Burke County 2A group and on behalf of Burke County residents, 3,000 online petition signatories, and 555 written petitions, he would like to thank the leadership of the Board, Johnnie Carswell, Scott Mulwee, and all Board members and citizens that have been involved in this process. He said this would not have been possible without them and noted this is the beginning and there is a lot of work to be done at the state and federal level to get things straight. Mr. Caviness encouraged Burke County citizens to stay engaged and be heard to help make changes from Burke County to the state capital and Washington, DC, because they can no longer tolerate self-serving politicians who do not listen to the will of the people. He thanked Chairman Carswell and Vice Chairman Mulwee and others for taking the lead on this endeavor and said more participation is needed from residents if they want to make real change in the future. He requested interested people to join their Facebook group, Make Burke County a Second Amendment Sanctuary, as they move forward and organize supporters and volunteers to help elect those who support the Second Amendment into office.

Barry Clark, 2022 Warrior Fork Trail, said he is a Burke County resident and business owner and thanked the Board for allowing him to speak. He said he stands in support of designating Burke County a constitutional rights protected (CRP) county. He said this wonderful country and its tradition in support of liberty is in deep trouble. Mr. Clark said for far too long the United States Supreme Court has failed to assert itself in the defense of constitutional guarantees, specifically those concerning the Second Amendment which has been under assault for many years. Due to the assault on the Second Amendment, Mr. Clark said, they are here tonight with this symbolic declaration because they have no other choice. He urged the Board to support the declaration

February 18, 2020 (Regular)

and if the time comes, citizens should stand up for their neighbor when the struggle descends upon their house in the form of confiscation or a red flag.

Anne Fischer, 100 Elm Street, said she is here representing gun safety and South Mountain Women's Health Alliance, and is a descendant of Roger Williams, the founder of religious freedom in Rhode Island. Ms. Fischer said she is speaking against the resolution because the title is a misnomer, stating the body of the resolution only speaks to the Second Amendment and there is concern for other amendments such as the First Amendment. She said the resolution is superfluous, unnecessary, and redundant. Ms. Fischer noted, as was stated at the pre-agenda meeting, that the Commissioners have already sworn to uphold the NC Constitution as well as the national Constitution. She said the resolution is inaccurate in the third whereas regarding concealed weapons and the national guard. She noted how "a well regulated militia" was code for slave patrols and the purpose of these resolutions is to fire up a particular base of voters, create hysteria, promote a culture of fear, and attempt to suppress the vote. Ms. Fischer spoke to how these resolutions benefit the National Rifle Association (NRA), which has also benefitted NC Senators Thom Tillis and Richard Burr. She concluded by saying gun safety is a public health issue and noted that suicides are the number one reason for gun deaths.

Mark Perrou, 905 Church Street, Valdese, said in every election cycle politicians promise to take care of the people but they wrongly identify guns as the problem when it is actually a cultural issue that glorifies violence. He said the draconian laws that are being passed in Virginia and other places around the country are doing nothing but preventing responsible gun owners from protecting themselves. Mr. Perrou noted that the NRA is not killing people, criminals are, he then proceeded to read death statistics comparable to gun deaths and said it is all politics. He said responsible gun owners are not killing people and they just want the right to defend themselves.

Mark Small, 712 Maria Ave, Valdese, said he along with most of the people in the room this evening are just normal people who along with millions of others, are tired of seeing their rights under assault by elected representatives and said he wonders who they are really beholden to. He said the Second Amendment is under an almost continuous assault and noted that Virginia and Arizona are two (2) current examples. Mr. Small said gun ownership is a right given to citizens by the Constitution, but the politicians in Virginia have been attacking this constitutional right and regarding law abiding citizens with contempt. He said this is happening in many other levels of government across America and is a form of tyranny and noted that the nature of tyranny is to always seek to expand, and if left unchallenged, citizens can become slaves or servants to an oligarchy. Mr. Small said while some may see this resolution as symbolic, he disagrees because across America and in Burke County, people are finally standing up to the politicians that continue to erode citizens rights. He asked the Board to pass the resolution and thanked the Board for their consideration.

Alice Halstead, Connelly Springs, read the following statement:

Alice Halstead, Connelly Springs N.C. yes, I am the organizer-of the Burke 2A movement but I speak now, for myself as a resident who extremely tired political ploys I've witnessed and I am no longer going to be silent.

Here are some facts residents don't know:

February 18, 2020 (Regular)

Sheriff Whisenant was not on board with the 2A campaign, he was added after the fact. Leading from behind approach is not going to be tolerated anymore. If our top county law enforcement officer cannot take a stand, then we need leadership that will. I contacted each individual commissioner I heard from everybody except Wayne Abele. The paper stated Mr. Abele is not going to a retreat because he is somehow offended about \$2,000 being spent on the retreat which he knew about, which he never opposed, I was at the pre-agenda meeting so I know what was said. And then in the newspaper, he goes on to endorse people who are currently running against Jeff Brittain, Johnnie Carswell, and Scott Mulwee seats, make no mistake what he did was grab for the commissioner chair and I'm calling him out for it. Sir you're an elected official and it is your job to be at that meeting to discuss the next 10 years, you don't have to stay at a motel, it's 45 minute drive, but you do have to be there, remember you do work for me and it's your job. Let's talk about one of the people that he endorsed. I have had my dealings with Christie Gupton, and I can tell you she wants a seat for herself and will beholden to Wayne if she does, because she doesn't represent me. In a written exchange with me she said that if she was on the board we wouldn't have to wait for the 2A to be passed and I said to her, she had the exact same opportunity that I did to organize and lead a group of people, one of us didn't wait for a title of commissioner after their name to do what needed to be done for Burke County Residents. Ms. Gupton was seeking to use the 2A platform to obtain her seat, that wasn't going to work, they had to go to plan B. The paper's article was a purely political stunt in order for Mr. Abele to try to stack the commission with his people so he can rule the roost. Republican in name only, him and those he endorses. Unfortunately, the GOP for Burke County is full of them, so voters be careful of which Republicans you vote for on the ballot March 3rd but vote Republican for sure. We all have seen this type of virtue signaling before, Wayne Abele is not the type of leadership Burke county wants or needs, this is what is wrong in politics today in this state and in this country. Johnnie Carswell, Scott Mulwee, and Jeff Britain I 100 percent support your reelection bid because you're the type of leaders this county needs moving forward and Wayne Abele your service is to county residents, which is paramount over personal ploys and party politics. To not participate in the retreat for the next 10 years of planning tells me very clearly that you have no intentions of representing me or doing the work you were elected to do, now or for the next 10 years, that doesn't represent me or Burke County residents so who are you representing Mr. Abele.

George Retter, 5027 Lighthouse Ct., said regarding the Nest proposal that was presented at the January 15th special meeting, that he is not against development, but for development and said the Board has done many admirable things along the lake front. He asked the Board, in preparation of their March meeting, to consider the following, to his knowledge, the only public land that would be handled by a private investor would be the Nest wedding venue, which is not a good thing. He also expressed concern for potential environmental impacts to Lake James. Mr. Retter asked the Board to please continue to engage with citizens, like they are this evening, before a decision is made regarding the wedding venue.

February 18, 2020 (Regular)

There was no one else to address the Board; therefore, Chairman Carswell closed that portion of the meeting.

CONSENT AGENDA

As requested by the Chairman, County Manager Steen reviewed the items on the consent agenda.

BCPS - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING DEC. 31, 2019

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		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.

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February 18, 2020 (Regular)

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									

Motion: To accept the report as presented.

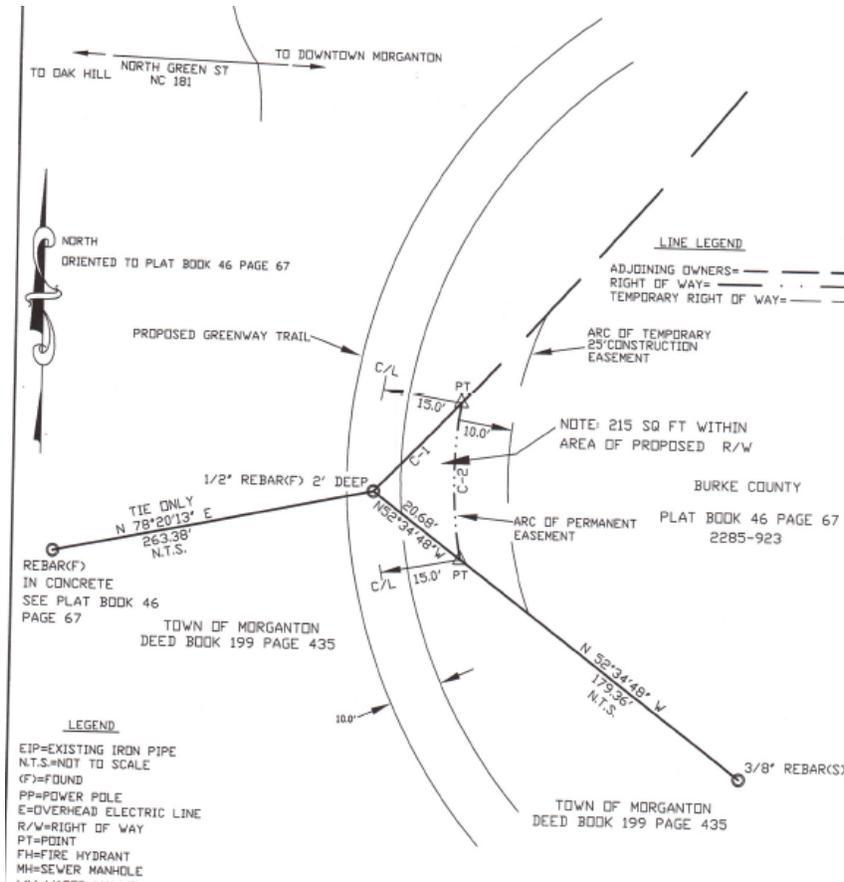
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

COM - EASEMENT AGREEMENT FOR MORGANTON GREENWAY

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.

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Motion: To approve the Greenway Easement Agreement between Burke County and the City of Morganton as presented. Further, direct the County Manager to send a letter to the City of Morganton authorizing the City to build the Greenway across the property as requested.

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

BCECC - COMMUNICATIONS 911 PHONE HARDWARE REFRESH LEASE AGREEMENT

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 \$16,000.00 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

February 18, 2020 (Regular)

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.

Motion: To approve the lease (#NCM158) between ePlus Group Inc. and Burke County as presented, subject to review and/or revision by the County Attorney. Authorize the County Manager to execute the lease on behalf of the Board.

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

FM - HAZARD MITIGATION PLAN - RESOLUTION

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 years and will expire January 2025.

Motion: To adopt Resolution No. 2020-02.

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

Resolution No. 2020-02 reads as follows:

BURKE COUNTY
RESOLUTION OF ADOPTION
UNIFOUR HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within Burke County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, tornadoes, high winds, snow storms, landslides, etc. and

February 18, 2020 (Regular)

WHEREAS, the County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, Burke County has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Board of Commissioners of Burke County to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved that the Board of Commissioners of Burke County hereby:

1. Adopts the Unifour Hazard Mitigation Plan; and
2. Vests Burke County Emergency Management Office with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Burke County Emergency Management Office to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of Commissioners of Burke County for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the

February 18, 2020 (Regular)

objectives of the Hazard Mitigation Plan.

Adopted this 18th day of February 2020.

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

ATTEST:

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

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

The County's Finance Director will provide a brief overview of the County's financial status at the pre-agenda meeting for informational purposes only.

	GENERAL FUND AS OF DECEMBER 31, 2019			PERCENT RECEIVED / EXPENDED
	BUDGET	ACTUAL	BALANCE	
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				
	<i>3 months reporting</i>			
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%

February 18, 2020 (Regular)

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		

Motion: To accept the report as presented.

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

JCPC- FUNDING ALLOCATION REVISION FOR RAISE THE AGE EXPANSION FUNDS

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 Local Match: \$ 78,732 Rate: 30%
 Raise the Age Expansion Funds: \$ 36,505

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			OTHER		Total
					County Cash Match	Other Local Cash Match	Local In-Kind	State/ Federal	Funds	
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

February 18, 2020 (Regular)

Motion: To approve the revised Burke County JCPC Funding Allocation Plan as presented.

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

JCPC- FUNDING POLICY REVISION

The Burke JCPC at their November 13, 2019 meeting voted on three (3) policy item changes to be submitted to the Burke County Commissioners for approval. Those changes are highlighted on the "track" version of the following document.

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 DACJ 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.

Motion: To approve the Burke County JCPC Funding Policy revision as presented.

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

TAX DEPT. - TAX COLLECTION REPORT FOR JANUARY 2020

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2019 and January 31, 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.

February 18, 2020 (Regular)

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%

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

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

TAX DEPT. - RELEASE REFUND REPORT FOR JANUARY 2020

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

- Taxpayers submit information that creates a reduction in value.
- Situs is corrected between counties and/or municipalities.
- Valuation appeals reduce the value for real or personal property.
- The postmark reveals a payment was timely sent.

The Board of Commissioners is presented with the following list of releases and refunds for consideration. The Net Release is a result of the Report Amount minus the Rebilled Amount.

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

February 18, 2020 (Regular)

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

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

The tax reports read as follows:

TR-304 BILL RELEASE REPORT JANUARY 2020

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount (\$)	Release Amount (\$)	Bill Amount after Release	Notes and Rebilled Amount
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Adjustment								
0024034653-2019-2019-0000-00-REG	HUFFMAN, FRED MICHAEL	7/1/2019	LINDA CRUMP	1/23/2020	8.79	8.79	0.00	9.67
Subtotal						8.79		9.67
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Duplicate Billing								
0000075564-2018-2018-0000-00-REG	WHETSTONE, BEULAH JEAN T	7/2/2018	LINDA WILBUR	1/21/2020	109.56	109.56	0.00	0.00
0000077212-2017-2017-0000-00-REG	RAMSEUR, MILES M	7/1/2017	LINDA WILBUR	1/15/2020	112.55	73.87	38.68	0.00
0000077212-2017-2017-0000-00-REG	RAMSEUR, MILES M	7/1/2017	LINDA WILBUR	1/15/2020	38.68	38.68	0.00	0.00
0000077212-2018-2018-0000-00-REG	RAMSEUR, MILES M	7/1/2018	LINDA WILBUR	1/15/2020	114.55	114.55	0.00	0.00
0000077212-2019-2019-0000-00-REG	RAMSEUR, MILES M	7/1/2019	LINDA WILBUR	1/15/2020	113.12	113.12	0.00	0.00
0024025151-2018-2018-0000-00-REG	ROSS, CHRISTOPHER N II	7/1/2018	LINDA WILBUR	1/2/2020	72.44	72.44	0.00	0.00
0024025151-2019-2019-0000-00-REG	ROSS, CHRISTOPHER N II	7/1/2019	LINDA WILBUR	1/2/2020	65.21	65.21	0.00	0.00
0024025888-2019-2019-0000-00-REG	BRANCH, RIKKI THUNDERHEART	7/1/2019	BARBARA HARTLEY	1/3/2020	77.44	77.44	0.00	0.00
0024037026-2019-2018-0000-00-REG	BRANCH, RIKKI THUNDERHEART	8/9/2019	BARBARA HARTLEY	1/3/2020	51.29	51.29	0.00	0.00
Subtotal						716.16		0.00
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Exempt Property								
0000057697-2019-2019-0000-00-REG	1780 PROPERTY OWNERS ASSOCIATION, INC	7/1/2019	AMANDA CONLEY	1/14/2020	0.97	0.97	0.00	0.00
0000059793-2019-2019-0000-00-REG	1780 PROPERTY OWNERS ASSOCIATION, INC	7/1/2019	AMANDA CONLEY	1/14/2020	31.87	31.87	0.00	0.00
0000059804-2019-2019-0000-00-REG	1780 PROPERTY OWNERS ASSOCIATION, INC	7/1/2019	AMANDA CONLEY	1/16/2020	24.15	24.15	0.00	0.00

February 18, 2020 (Regular)

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount (\$)	Release Amount (\$)	Bill Amount after Release	Notes and Rebilled Amount
0000061230-2019-2019-0000-00-REG	1780 PROPERTY OWNERS ASSOCIATION, INC	7/1/2019	AMANDA CONLEY	1/16/2020	10.43	10.43	0.00	0.00
0000061238-2019-2019-0000-00-REG	1780 PROPERTY OWNERS ASSOCIATION, INC	7/1/2019	AMANDA CONLEY	1/16/2020	1,195.05	1,195.05	0.00	0.00

Subtotal **1,262.47** **0.00**

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

0000044500-2019-2019-0000-00-REG	MAYFIELD, TIMOTHY BRIAN	7/1/2019	BARBARA HARTLEY	1/2/2020	104.90	104.90	0.00	0.00
0024010009-2019-2019-0000-00-REG	DURHAM, ARCHIE DEAN	7/1/2019	CONNIE HOLDER	1/21/2020	136.95	136.95	0.00	0.00
0024020266-2017-2017-0000-00-REG	KING, JIMMY EDWARD	7/1/2017	LINDA WILBUR	1/27/2020	101.10	101.10	0.00	0.00
0024020266-2018-2018-0000-00-REG	KING, JIMMY EDWARD	7/1/2018	LINDA WILBUR	1/27/2020	103.10	103.10	0.00	0.00
0024020266-2019-2019-0000-00-REG	KING, JIMMY EDWARD	7/1/2019	LINDA WILBUR	1/27/2020	104.53	104.53	0.00	0.00
0024021050-2019-2019-0000-00-REG	HARRIS, LINDA RANDALL	7/1/2019	BARBARA HARTLEY	1/14/2020	30.35	30.35	0.00	0.00
0024042164-2019-2019-0000-00-REG	ROGERS, JONATHAN JOEL	12/5/2019	LINDA WILBUR	1/16/2020	168.44	168.44	0.00	0.00
0024046470-2019-2019-0000-00-REG	SCROGGINS, JOHN C	1/30/2020	CONNIE HOLDER	1/31/2020	155.80	155.80	0.00	0.00

Subtotal **905.17** **0.00**

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

0000061769-2019-2019-0000-01-REG	TRIPONEY, VICKY L	7/1/2019	AMANDA CONLEY	1/17/2020	1,921.63	168.15	1,753.48	0.00
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Subtotal **168.15** **0.00**

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

0000074577-2019-2019-0000-00-REG	THE FLOWERS COMPANY	7/1/2019	RENEE AUSTIN	1/13/2020	127.96	127.96	0.00	127.96
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Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount (\$)	Release Amount (\$)	Bill Amount after Release	Notes and Rebilled Amount
0024034093-2019-2019-0000-00-REG	MOTOWN ICEHOUSE & CREAMERY LLC	7/1/2019	LINDA WILBUR	1/23/2020	153.46	153.46	0.00	153.46

Subtotal **281.42** **281.42**

TAX DISTRICT: BURKE COUNTY **RELEASE REASON: Sold/Traded**

0000071941-2019-2019-0000-00-REG	DEATON, MEAGAN KATHERINE	7/1/2019	BARBARA HARTLEY	1/9/2020	105.02	105.02	0.00	105.02
0000073086-2013-2013-0000-00-REG	WHITE, JAMES ERIC	7/1/2013	BARBARA HARTLEY	1/8/2020	46.46	46.46	0.00	0.00
0000081695-2017-2017-0000-00-REG	SORRELLS, NELDA	7/1/2017	LINDA WILBUR	1/9/2020	192.01	192.01	0.00	0.00
0000081695-2018-2018-0000-00-REG	SORRELLS, NELDA	7/1/2018	LINDA WILBUR	1/9/2020	194.01	194.01	0.00	0.00
0000085938-2013-2013-0000-00-REG	RICE, CALEB	7/1/2013	LINDA WILBUR	12/31/2019	59.35	59.35	0.00	0.00
0000085938-2014-2014-0000-00-REG	RICE, CALEB	7/1/2014	LINDA WILBUR	12/31/2019	52.77	52.77	0.00	0.00
0000085938-2015-2015-0000-00-REG	RICE, CALEB	7/1/2015	LINDA WILBUR	12/31/2019	47.53	47.53	0.00	0.00
0000085938-2016-2016-0000-00-REG	RICE, CALEB	7/1/2016	LINDA WILBUR	12/31/2019	47.53	47.53	0.00	0.00
0000085938-2017-2017-0000-00-REG	RICE, CALEB	7/1/2017	LINDA WILBUR	12/31/2019	43.77	43.77	0.00	0.00
0000086897-2019-2019-0000-00-REG	HERRON, WILLIAM C	7/1/2019	BARBARA HARTLEY	1/7/2020	16.28	16.28	0.00	0.00
0000093150-2018-2018-0000-00-REG	BLUMETTI, JOSEPH ALAN	7/1/2018	BARBARA HARTLEY	1/2/2020	16.48	16.48	0.00	0.00
0000093150-2019-2019-0000-00-REG	BLUMETTI, JOSEPH ALAN	7/1/2019	BARBARA HARTLEY	1/2/2020	14.87	14.87	0.00	0.00
0000118704-2010-2010-0000-00-REG	FRADY, ANDY P	7/1/2010	LINDA WILBUR	1/2/2020	92.09	92.09	0.00	0.00
0000124261-2011-2011-0000-00-REG	FRADY, ANDY P	7/1/2011	LINDA WILBUR	1/2/2020	82.94	82.94	0.00	0.00
0000124632-2011-2011-0000-00-REG	RICE, CALEB	7/1/2011	LINDA WILBUR	12/31/2019	56.03	55.25	0.78	0.00

February 18, 2020 (Regular)

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount (\$)	Release Amount (\$)	Bill Amount after Release	Notes and Rebilled Amount
0000141339-2012-2012-0000-00-REG	RICE, CALEB	7/1/2012	LINDA WILBUR	12/31/2019	50.46	49.76	0.70	0.00
0024021543-2019-2019-0000-00-REG	BENFIELDS LANDING LLC	7/1/2019	CONNIE HOLDER	1/16/2020	341.74	136.89	204.85	0.00
0024025025-2019-2019-0000-00-REG	FORTUNE, BRANDON KENT	7/1/2019	LINDA WILBUR	1/6/2020	10.15	10.15	0.00	10.15
Subtotal						1,263.16		115.17
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Value Change								
0000021102-2017-2017-0000-00-REG	HARRISON, TAMMY SUE	7/1/2017	AMANDA CONLEY	1/14/2020	211.47	56.34	155.13	0.00
0000021102-2018-2018-0000-00-REG	HARRISON, TAMMY SUE	7/1/2018	AMANDA CONLEY	1/14/2020	213.47	56.34	157.13	0.00
0000021102-2019-2019-0000-00-REG	HARRISON, TAMMY SUE	7/1/2019	AMANDA CONLEY	1/14/2020	216.73	55.43	161.30	0.00
Subtotal						168.11		0.00
Total						4,773.43		406.26
Net Release Amount								4,367.17

NCVTS PENDING REFUND REPORT OVER \$100
DESC VTS: JANUARY 2020

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Description	Tax Jurisd.	Levy Type	Change	Interest Change	Total Change
CAUSBY, JASON ERVIN	CAUSBY, JASON ERVIN	MORGAN, LOGAN SPENCE JR	145 GARRISO N RD	MORGANTON, NC 28655	Adjustment >= \$100	0051579527	Refund Generated due to adjustment on Bill #0051579527-2019-2019-0000	01	Tax	(\$106.69)	\$0.00	(\$106.69)
								57	Tax	(\$222.27)	\$0.00	(\$222.27)
								57	Vehicle Fee	(\$20.00)	\$0.00	(\$20.00)
								25	Tax	\$16.55	\$0.00	\$16.55
											Refund	
DAVIS, GREG ALLEN	DAVIS, GREG ALLEN	WALLACE, RACHEL MYRAH	2076 S FORK DR	MORGANTON, NC 28655	Adjustment >= \$100	0051418874	Refund Generated due to adjustment on Bill #0051418874-2019-2019-0000	01	Tax	\$0.00	\$0.00	\$0.00
								57	Tax	(\$143.63)	\$0.00	(\$143.63)
								57	Vehicle Fee	(\$20.00)	\$0.00	(\$20.00)
								25	Tax	\$17.64	\$0.00	\$17.64
											Refund	
			Refund		\$478.40							

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

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%

February 18, 2020 (Regular)

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.

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.

<p>BURKE COUNTY NOTICE 2019 UNPAID REAL PROPERTY TAXES</p> <p>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.</p>

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.

Motion: To approve the 2019 Order to Advertise Tax Liens.

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

**ORDER OF THE BURKE COUNTY BOARD OF COMMISSIONERS
IN ACCORDANCE WITH NCGS 105-369**

State of North Carolina
County of Burke

To: Daniel K. Isenhour, Tax Administrator of Burke County

You are hereby authorized, empowered and commanded to advertise tax liens on real property for failure to pay 2019 property taxes. You shall advertise said liens by publishing each lien in the local newspaper having general circulation in Burke County. Advertisement of the liens shall be made on Sunday, March 15, 2020.

February 18, 2020 (Regular)

This order shall be full and sufficient authority to direct, require, and enable you to advertise said tax liens in accordance with North Carolina General Statute 105-369.

Witness my hand and official seal, this the 18th day of February 2020.

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

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

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

An overview of the College’s financial data will be presented for the period ending December 31, 2019.

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

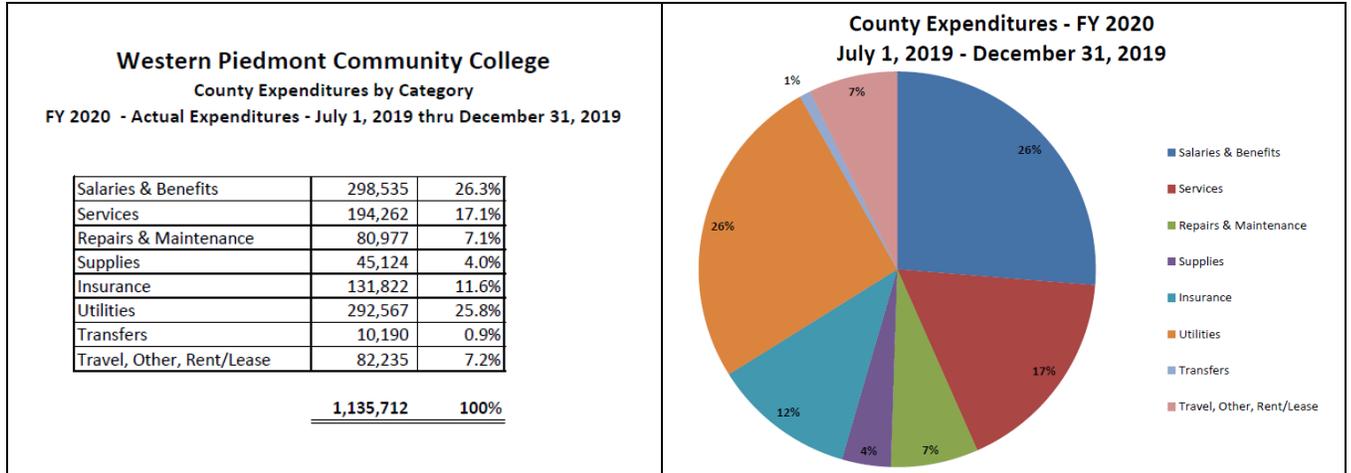
Summary of Revenues	STATE			COUNTY			INSTITUTIONAL		
	BUDGET	ACTUAL	REMAINING	PGLT	ACTUAL	REMAINING	BUDGET	ACTUAL	REMAINING
State Appropriations	13,729,630	7,068,865							
Add. Allocations (detail below)	345,801								
County Appropriations				2,560,155	1,280,078				
Rent & Interest Income				53,000	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%

February 18, 2020 (Regular)



Motion: To accept the report as presented.

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

ITEMS FOR DECISION

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

Commissioner Taylor noted that these are two (2) very qualified applicants and the Board should consider, if the applicant desires, appointing the applicant who does not get appointed to the Planning Board to another board. Commissioner Abele nominated Sara Chester, the only nominee put forth.

Motion: To remove Robert Love from the Burke County Planning Board and thank him for his service to the community. To appoint Sara Chester to the Burke County Planning Board, Seat No. 4, west, to complete an unexpired term ending September 30, 2021.

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

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

Chairman Carswell said the Board thoroughly discussed the proposed resolution declaring Burke County as a constitutional rights protected county at the pre-agenda meeting. He then opened the floor for questions and comments from the Board.

February 18, 2020 (Regular)

Commissioner Taylor said it would strengthen the resolution if, in the last paragraph, the Board added "North Carolina State and the federal government" because Burke County is predominantly controlled by the state and federal government regarding this issue, and amending the resolution would help a great deal.

Motion: To adopt Resolution No. 2020-01 as amended by Commissioner Taylor.

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

Motion: To adopt Resolution No. 2020-01.

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

Resolution No. 2020-01 reads as follows:

Burke County
North Carolina

Resolution Declaring Burke County North Carolina
A Constitutional Rights Protected County

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

February 18, 2020 (Regular)

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."

Adopted this 18th day of February 2020.

/s/: Johnnie W. Carswell

Johnnie W. Carswell, Chairman
Burke County Board of Commissioners

ATTEST:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

CO. MGR. - EDUCATION BENEFIT FOR DETENTION OFFICERS

County Manager Steen presented information regarding the education benefit 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.

February 18, 2020 (Regular)

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 with the opening of the new jail, the Sheriff has informed him they are having difficulty recruiting positions and this request parallels what was done for the sworn Sheriff's Deputy positions. Chairman Carswell opened the floor for questions and comments from the Board. Vice Chairman Mulwee said he supports this request and since it was done for the sworn officers, it needs to be done for the detention officers as well.

Commissioner Abele asked how much this benefit would cost. Rhonda Lee, HR Director, said based on the current employees, the education component would cost approximately \$2,000, but there are no officers eligible for the certification benefit at this time.

Commissioner Taylor expressed his displeasure with this item, not because of the money, but because the County keeps adjusting the budget mid-year. He asked why this benefit cannot be implemented at the beginning of the new fiscal year. Commissioner Taylor further said that unless it is an emergency, the budget should be decided upon during the normal budget sessions and not modified. He said he would like to make a motion approving the education benefit but make it effective July 1, 2020.

County Manager Steen said they began trying to staff the new jail in the fall and the vacancy issues are ongoing now. He said he understands the budget cycle and can appreciate it for most things, but the vacancy issues are currently ongoing.

Commissioner Brittain said this matter affects current vacancies and the County may not pay out any money this fiscal year, but it gives the County an additional tool to recruit and retain prospective employees. Commissioner Taylor said he will withdraw his motion and noted \$500 is not going to make a difference to the detention officers. He said the Board grants every request and does not follow their rules and procedures regarding the budget.

Motion: Effective March 1, 2020 current and future detention officers shall be eligible to receive a one and one-half percent (1.5%) increase in pay for attainment of an intermediate detention officer certification and an additional one and one-half percent (1.5%) for attainment of an advanced detention officer certification.

Effective March 1, 2020 current and future detention officers shall be eligible to receive a \$500 increase in pay for possession of a college associate's degree, or

February 18, 2020 (Regular)

\$1,000 for a college bachelor's degree, or \$1,500 for a college master's degree. To be eligible for the pay increase, the degree must be in a law enforcement / detention officer related field.

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

REPORTS AND COMMENTS

COUNTY MANAGER - 2019 SUMMARY OF ACCOMPLISHMENTS

County Manager Steen presented the 2019 Summary of Accomplishments report. The report highlighted significant accomplishments completed by Burke County departments/agencies. The 2019 Summary of Accomplishments can be found at www.burkenc.org or in the County Manager's office and are hereby incorporated into the meeting minutes by reference.

Motion: To accept the 2019 Summary of Accomplishments report as presented.

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 - REPORTS & COMMENTS

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

J.R. Simpson, II, gave an update on projects he has worked on since the Board's last meeting.

Commissioner Taylor said his reports are in the agenda packet for review and reported he attended an Agriculture Steering Committee meeting in Raleigh. Commissioner Taylor said in the audit the Board received, on page 68 under Jail and Justice Center, the expenditures are \$24,106,774 and when the interest is added, the cost of the jail is approximately \$33 million. He said the citizens deserve to know how much the jail cost and the issue can now be put to bed.

Vice Chairman Mulwee said citizens can call the Finance office and get a copy of the debt repayment schedule for the jail. He gave an update on the WPCC presidential search and said as the Chairman of the College Board of Trustees, he has signed off on the finalists which will go to the Board of Trustees next week and the four (4) finalist will participate in an open forum, which will be open to the public.

Chairman Carswell said he attended a meeting of the North Carolina Association of County Commissioners (NCACC) last weekend and noted there are two (2) major concerns for the Association, one, there is still no state budget and that will impact how Burke County budgets for the upcoming fiscal year. The second area for concern is the ongoing opioid litigation, he said the NC Attorney General wanted to try and negotiate a settlement ahead of what the multidistrict litigation (MDL) attorneys are trying to do. Chairman Carswell said Attorney Simpson has been appointed to a select committee tasked with responding to the NC Attorney General's office, but the case is still moving forward. He also noted the sally port grand opening has been cancelled due to scheduling conflicts and asked everyone to please spay/neuter their

February 18, 2020 (Regular)

pets and pick up a 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

Chairman Carswell encouraged participation on the Recreation Commission and said if anyone is interested, please contact Clerk Draughn.

RESULT: NO ACTION TAKEN.

CLOSED SESSION

Chairman Carswell said 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).

Chairman Carswell invited Alan Wood, President & CEO of BDI to join the Commissioners in the closed session.

Motion: To go into 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

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

RESULT: NO ACTION TAKEN.

February 18, 2020 (Regular)

ADJOURN

Motion: To adjourn at 7:51 p.m.

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

Approved this 21st day of July 2020.



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

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board