

February 21, 2020 (Special – Retreat)

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

The Burke County Board of Commissioners held a special meeting on Friday, February 21, 2020 at 9:00 a.m. The meeting was held at the Meadowbrook Inn, 711 Main Street in Blowing Rock, North Carolina. The special meeting notice was executed by Chairman Carswell and published on February 5, 2020. The purpose of the meeting (2020 Vision Strategy) was to review and discuss priorities for the upcoming budget year.

COMMISSIONERS PRESENT: Johnnie W. Carswell, Chairman
Scott Mulwee, Vice Chairman
Jeffrey C. Brittain
Maynard M. Taylor (Arrived at 9:15 a.m.)

COMMISSIONERS ABSENT: Wayne F. Abele, Sr.

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

CALL TO ORDER & OPENING COMMENTS

Chairman Carswell called the meeting to order at 9:02 a.m., he welcomed everyone to the second day of the retreat and commended staff for arranging the retreat.

APPROVAL OF THE AGENDA

Motion: To approve the agenda.

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

ITEMS FOR DISCUSSION

BOC - DISCUSSION ON COUNTY BUILDINGS

Chairman Carswell opened the floor for additional discussion regarding the county building presentation from the February 20th meeting.

Vice Chairman Mulwee expressed appreciation for yesterday's informative presentation on the deficiencies / issues of county facilities. While there were a few surprises, the condition of most of the buildings are as he expected. He commended the General Services Director on the day-long presentation and noted the report will be useful in prioritizing and making future decisions on county infrastructure. Chairman Carswell said yesterday's meeting opened his eyes to the condition of County buildings in that some of the issues are much worse than he realized. He commended the General Services Director and Finance staff for their work on the report.

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Chairman Carswell questioned if the Board wanted to entertain hiring a consultant to analyze the report and County buildings to learn the cost/timeframe to repair all the buildings. Commissioner Brittain said with staff's report they now know where many of the building deficiencies are and noted it is apparent to him that General Services is vastly understaffed. They don't have an electrician, a plumber, or a painter and with the amount of facilities the county has, there is enough work to keep everyone busy, all day, for a very long time. Further, he expressed support for hiring these tradesmen immediately and for hiring a consultant to analyze certain buildings once General Services has a handle on some of the deficiencies.

Brittain also said the Human Resources Center (HRC) needs the most immediate attention. He expressed his disappointment that the Board is just now hearing about all the staffing shortages when the General Services Director has been with the county for a couple years. County Manager Steen said Mr. Champion has been dealing with several water and sewer crises and noted their electrician retired and his replacement left after about a year. Due to the current pay scales, Steen said it has been difficult to fill the position. Commissioner Brittain advocated for adjusting the pay scales immediately to acquire the much-needed personnel and noted that the base workload cannot be outsourced. Based on his research, Scott Carpenter, Deputy County Manager/Planning Director, said the starting salary for a licensed electrician or plumber is \$50,000. Chairman Carswell agreed with Commissioner Brittain and said he wants action taken on these positions and on potentially contracting lawn maintenance services with Burke County Public Schools. Further, the Chairman said the County needs to adjust its pay scales to attract qualified employees and he wants General Services to have an operations manager on staff as well. A general discussion continued on the duties of an operations manager. Mr. Carpenter said the department needs professional administrative support to help Mr. Champion.

Commissioner Taylor arrived at 9:15 a.m. and was present for the remainder of the meeting.

Vice Chairman Mulwee asked, in addition to an operations manager position, what other positions does General Services need. Mr. Carpenter said while he does not want to overwhelm the budget, a lot of the issues are organizational with the flow of work orders coming directly to Mr. Champion instead of work orders coming from Mr. Champion to his staff. He said they need someone over buildings and grounds, someone over water and sewer, and someone over the landfill who all report to Mr. Champion. Discussion ensued about staffing and it was identified that a minimum of four (4) additional employees are needed. Chairman Carswell asked what are the top duties the General Services Director should be doing instead of making repairs. Mr. Carpenter said running the operations of General Services, reviewing contracts, engineering and troubleshooting and capital improvement plans for buildings. Carpenter recommended outsourcing HVAC work. Commissioner Brittain said for HVAC and other hands-on-work, General Services needs full-time employees to ensure the continual work is done in a timely manner, but larger projects can be outsourced. Mr. Carpenter noted that it is difficult to hire those employees due to current market rates, discussion ensued. Chairman Carswell said he wanted a new plan to address these issues and do more preventive maintenance which will save the County money. County Manager Steen said he is already looking into some of these issues for the upcoming budget and investigating ways the County can be more efficient in lawn maintenance and other avenues that can save employee drive time. Discussion ensued regarding the County's maintenance of the Brown Mountain Overlook and Vice Chairman Mulwee requested more information regarding the maintenance responsibilities, trash removal and grass cutting, of the Overlook.

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Chairman Carswell asked for additional feedback from the Board members on hiring a consultant to analyze the cost/time frame of repairing the buildings or look into acquiring a new building for all County staff. Vice Chairman Mulwee agreed with hiring a consultant and said staffing is one of his top priorities. Commissioner Brittain agreed with hiring a consultant in conjunction with making in-house repairs and noted he did not know that General Services works in the basement of the courthouse and said they need a better workspace. Mr. Carpenter advised that Mr. Champion also has an office in his department. Chairman Carswell said in addition to addressing the immediate needs the Board discussed yesterday, a consultant will be able to come up with hard cost estimates or recommend that some of the buildings are not worth repairing. Margaret Pierce, Deputy County Manager/Finance Director, said the cost analysis would need to be completed by an outside consultant, discussion ensued. Chairman Carswell said as the Board is looking at their five (5) / 10-year plan, they need to remember that Burke County continues to grow based on the latest data.

Commissioner Taylor said it is clear that maintenance and preventive maintenance needs to be a priority going forward. He also noted that the County continues to add employees, 105 full-time and 30 part-time have been added. The cumulative cost is approximately \$6 million, and he suggested that if five (5) new employees are added, five (5) other positions that may not be needed are removed.

RESULT: NO ACTION TAKEN.

BOC - PLANS FOR FORMER BURKE-CATAWBA DISTRICT CONFINEMENT FACILITY / OPIOID LITIGATION

Chairman Carswell reported Partners Behavioral Health Management (PBHM) completed their first walkthrough of the former Burke-Catawba District Confinement Facility (BCDCF) with their maintenance staff and other personnel. Further, they were thrilled with the building's dormitory-style layout and may want to lease it for a long-term mental health and substance use treatment facility, possibly becoming a regional facility later on, targeting the more difficult mental health and substance abuse cases. Proceeds from opioid settlement would be used for treatment programs at that facility. The goal of the "Tailored Plan", where treatment is much longer and more comprehensive, is to get the patient the proper treatment they need so they will be ready for employment when they leave, according to Commissioner Taylor. Chairman Carswell further reported the opioid litigation is ongoing and that four (4) counties, Gaston, Burke, Forsythe, and Guilford are the lead counties in discussion with the Multidistrict litigation (MDL) attorneys. Although the State was not a party to the lawsuit, the NC Attorney General attempted to do a sidebar settlement with the latest plan settling for \$48 billion, with \$22 billion being a cash settlement and the other \$26 billion being used to purchase suboxone. There is no proposal for how to distribute the \$22 billion to the State, Carswell said. After that offer was declined, the NC Attorney General approached the NCACC (NC Association of County Commissioners) to be a middleman to attempt a collaborative settlement approach between the other Attorneys General representatives and the MDL attorneys. Carswell further reported that J.R. Simpson is the County's representative on a committee to develop a negotiated plan of settlement and asked him to give an update. County Attorney Simpson reported the point that the counties have been making is that they do not need state involvement, the state has not yet filed a lawsuit against the opioid distributors, they are simply trying to settle the suit. He said the two (2) matters that are currently being negotiated are: (1) what should these people be paid for what they have done in the opioid crisis, and (2) when the funds come to NC, what

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should happen to it. Attorney Simpson said the MDL attorneys are handling the first part and the counties are taking a stand on the second part. He said counties need cash to reimburse themselves for the loses they incurred from the opioid crisis and the judge wants the majority of funds to go towards financing treatment for opioid victims. Counties can take the funds because they know what is needed and can get the money to where it needs to be, Attorney Simpson said. He said the counties are proposing to receive 30 percent of any settlement to their state in cash with the remainder of the funds going into a special fund for the individual counties, not to all 100 counties. He said the stance that the counties are taking is that the Attorney General has no place in deciding where the money goes, it needs to go to the individual counties who can best decide on how to spend the settlement funds. Commissioner Taylor compared the State's settlement proposal to the trickledown Volkswagen settlement. Discussion ensued. Attorney Simpson said the next step in the process is for the committee to be prepared to meet with the Attorney General's office and present its demands. Discussion ensued. County Manager Steen said PBHM would like to have a second walkthrough, which is a good sign, and while repairs are needed, the structure is solid. Chairman Carswell said he does not want any more children to die due to drug overdoses. Discussion ensued on drug enforcement efforts and County Manager Steen said outside of enforcement, there are a multitude of programs to assist folks and noted sometimes it takes multiple attempts to beat a drug addiction.

RESULT: NO ACTION TAKEN.

RECESS OF MEETING

The Board took a break at 10:05 a.m. and the meeting resumed at 10:28 a.m.

BOC - OTHER BUDGET TOPICS

Chairman Carswell opened the floor for other budget topics and the following topics were discussed:

New School Buildings or Consolidation:

Chairman Carswell said Burke County Public Schools (BCPS) has purchased property for potential new school consolidation projects, but he has not heard anything from their new board. Chairman Carswell then opened the floor for questions and comments.

Commissioner Brittain asked about outstanding school debt. Ms. Pierce said two (2) high schools will be coming off the debt schedule in 2026, discussion ensued. Commissioner Taylor said BCPS should set aside money for new schools and noted how in the 1990s the County had to supplement their budget. Chairman Carswell said the County is about to reach \$7 million in sales tax and discussion ensued about Article 42 funds and the legislation that resulted from the old lawsuit that the County and BCPS were involved in. Commissioner Brittain asked if there has been any discussion regarding abandoned schools. Chairman Carswell said there was no mention of abandoned schools at their last joint meeting. Discussion ensued about school gyms and that some need to be replaced. Commissioner Taylor said he believes schools have managed their funds well regarding new school construction, discussion ensued regarding lottery funds. Commissioner Taylor wanted to use the County's portion of the lottery funds for water and sewer needs and he requested a copy of the settlement agreement, which was provided at a later date.

Chairman Carswell said he attended a North Carolina Association of County Commissioners

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(NCACC) meeting and they talked about how due to a recent change in the law, counties can identify what the ¼ cent sales tax goes towards (if the tax is approved by a referendum), so a lot of counties are/will be using the funds for education, economic development, or transportation. Commissioner Taylor said the County could give up the Article 42 and 39 sales tax because the County has other issues to address and the schools are not lacking in buildings. He also reported on children being afraid to use the school restroom, altercations between a student and a principal, etc. Afterwards, he said he is not in favor of an additional ¼ cent sales tax without having a specific purpose for the tax. Vice Chairman Mulwee supported putting it to a referendum on the 2020 ballot and leaving the decision to the voters. Commissioner Brittain was neutral on the issue but wanted more information on what the funds could be used for. Chairman Carswell asked Ms. Pierce to research it before a decision is made. County Manager Steen said the funds could be used for the community college, tie into the drug rehabilitation facility, trades buildings, or other economic development uses that have an impact on one another.

Impact of Population Growth on County and Housing:

Chairman Carswell said, as discussed earlier, that the population in Burke County is increasing.

Silo Ridge Project:

Chairman Carswell reported Alan Wood, President & CEO of BDI, told him that there is a sewer issue at the Silo Ridge Project, 240 apartments on the Broughton Hospital property, and a new line may have to be installed to connect to the City of Morganton's sewer system for approximately \$250,000 and the County may be asked to assist with the cost. Vice Chairman Mulwee, who is also president of the Community College's Board of Trustees, spoke favorably about the College's desire to rid themselves of surplus real property and get the redevelopment project moving forward. Any land sale proceeds would be applied toward construction costs of a new trades building, he said.

Moving County Offices into a Centralized Location:

Chairman Carswell reported this topic was somewhat addressed earlier in the meeting.

State Budget:

Chairman Carswell said the state is working off a continuation budget from last year and his biggest concern with not having a state budget is what the County may have to spend for DSS (Dept. of Social Services).

Commissioner Brittain said the foster care numbers are steady at 230 with the number of adult wards increasing. Discussion ensued regarding the number of individuals in foster care primarily due to drugs. Commissioner Brittain reported that the outsourcing with Veritas (for child support) has been going well, with a few issues along the way, and they are temporarily located in the basement of the courthouse.

Chairman Carswell asked if the County has hired all the positions that the state recommended. County Manager Steen said strategic positions were included in the budget and if they are effective, DSS may not need as many employees due to increased workflow and efficiency. Discussion ensued. Chairman Carswell asked if they should anticipate a significant budgetary impact moving forward. Commissioner Brittain said no but noted that the state has ultimate authority over DSS, discussion ensued regarding the MOA (Memorandum of Agreement) from the NCDHHS (NC Dept. of Health and Human Services). Chairman Carswell, in summation, said

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overall DSS seems stable with no significant budgetary changes in the foreseeable future. Commissioner Brittain said the waitlist for childcare in Burke County has been lifted.

Animal Services Center – Capital Project:

Chairman Carswell said as the Board begins to consider this project, the Sheriff has informed him that he no longer wants the Sheriff's Office to be responsible for animal control and enforcement. He said after the presentation by Shelter Planners of America, they learned that a new 13,914 sq. ft. Animal Services Center (ASC) is estimated to cost approximately \$6 million. He said capital funds need to be set aside in the future for a new ASC and to discuss what the actual needs for Burke County are. He then opened the floor for questions and comments from the Board. County Manager Steen said there is a request from the Sheriff's Office (SO) on the Board's March agenda to transition animal enforcement duties from the SO to under the authority of the County Manager and that he is not supportive of any change to animal control operations at this time. Commissioner Taylor said the animal control situation continues to receive poor comments from the public and building a new building is not going to solve the systemic problems until the Board devises a comprehensive self-supporting plan. He said citizens report they do not want to pay for someone's unwanted pet and said some people do not have the discipline to take care of their animals. People should take care of their own animals, he said. Mr. Carpenter said if the animal surrender fee is too high, then they will simply abandon their unwanted animal(s) on a rural road. Further, he said this is a service that should be provided by the County and noted the new employees have done a fantastic job running the shelter. Commissioner Taylor said he understands that, but the County's priorities are not in order when compared to the provision of public water which is a necessity. There are citizens that have waited for 12 years and that and he has tried to get a policy in place for six (6) years. Chairman Carswell commented that spaying or neutering unaltered pets would solve a lot of the problems, but owners do not do it. Commissioner Brittain said Burke County as a whole is not ready to spend \$6 million on a new facility; however, he fully supports the existing facility, even though it is in poor condition. Regarding the proposed ASC, he is unsure if the average citizen is ready to sponsor a vet clinic, or grooming. He said he would like to see the County set aside funds for a shelter but would like the scope of the ASC scaled back to potentially \$3 million. Regarding the Sheriff's request, Commissioner Brittain said he proposed something like that early in the process and felt if the same mentality that was previously running the animal shelter was still running animal control, then nothing substantial would change with two (2) different teams/philosophies operating at the ASC. Commissioner Taylor agreed with Commissioner Brittain but noted the average person will not recognize the authority of an employee without a badge, particularly when an animal is removed from the property. Discussion continued. Mr. Carpenter commented on how he used marshals for animal enforcement when he worked in Georgia, the equipment they utilized and the authority they had. He then recommended a strategy for animal enforcement like how code enforcement is handled in Community Development by a sworn officer, but legally falls under the oversight of the Sheriff's Office. Chairman Carswell agreed with Commissioner Brittain and Mr. Carpenter and discussion continued about which authority animal enforcement employees would fall under, if they carry a sidearm, then legally they will have to be under the Sheriff's Office. The Board further discussed how new animal enforcement employees would practically function possibly using reserve officers, community police or a hybrid solution. The Board also discussed the Sheriff's agenda item and new positions requested as part of the proposed transition. It was the consensus of the Board that more research is needed before any decisions are made. Discussion continued on the creation of an animal services foundation which would help raise funds for a new facility. County Manager Steen suggested writing a resolution stating the

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County's support for an independent foundation that could raise funds and the Board agreed. Commissioner Brittain also recommended a foundation be established for recreation. Chairman Carswell said if the County wants to set aside funds for a new ASC, a location for the ASC needs to be thoroughly investigated, discussion ensued.

RECESS OF MEETING

The Board took a lunch break at 12:00 p.m. and the meeting resumed at 12:47 p.m. Scott Carpenter left at 12:40 p.m. and was not present for the remainder of the meeting.

BOC - OTHER BUDGET TOPICS - CONTINUED

Morganton Public Library – Capital Project:

Chairman Carswell said this project is on hold and noted the Morganton City Manager is not supportive of any of the proposed plans. Unless something changes, he suggested this project be on a 5-year timetable.

Economic Development/Burke Business Park:

Chairman Carswell said bids have gone out for the water tank at the Burke Business Park (BBP) and he is unsure how long it will take to receive the bids.

Economic Development/City of Hickory

County Manager Steen reported a grant was received for the project with the City of Hickory. Chairman Carswell said he believes the future is bright for Burke County's association with Hickory.

Valdese Lakeside Park (Staffing for Trail Maintenance):

Chairman Carswell said NC Representative Hugh Blackwell is excited about the trails in Burke County and the surrounding area. A representative with the Valdese Lakeside Park requested the County assist with staffing and trail maintenance for the Wilderness Gateway State Trail. The Wilderness Gateway State Trail will meander through Catawba and Burke counties and along the border of Rutherford and McDowell counties. Part of this trail will include a paddle trail in Catawba County. The planned trail will connect Hickory Nut Gorge State Trail and South Mountains State Park with the towns of Valdese and Hickory. Part of the trail will follow the same route as the Overmountain Victory State Trail. A general discussion ensued during which several Commissioners stated the need for more information. Chairman Carswell asked the Manager to contact Beth Heile.

NCSSM & WPCC:

Chairman Carswell said due to the lack of a state budget, the opening of the NCSSM (NC School of Science and Math) will be postponed for a year, discussion ensued regarding how the state budget will impact the school.

Vice Chairman Mulwee and president of the WPCC Board of Trustees, gave an update regarding the WPCC presidential search. He reported there are four (4) final candidates for consideration. When the final candidate is selected, they must send the name of the chosen candidate to the state for final approval.

Chairman Carswell said Randy Burns, former Chairman of the Board of Education and WPCC faculty member, indicated there is a need for a new trades building, discussion ensued about

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the building. Vice Chairman Mulwee noted that it is still in the very early stages, but some key individuals have said they support the concept.

National Guard Training Center:

Chairman Carswell said a summertime implosion of the former Western Youth Facility is still contemplated. Once the building is gone, it is assumed that construction will begin on the new National Guard Training Center but there is not definitive timeline. Chairman Carswell said there should be approximately 80 full-time positions at the new facility.

RESULT: NO ACTION TAKEN.

BOC - COMMISSIONERS' BUDGET ITEMS

Chairman Carswell opened the floor for Commissioners to bring up any personal budgetary items they want evaluated, included in, or researched for the FY 20-21 budget.

Commissioner Taylor said the County, and government in general, does not promote their water services or offer promotions to garner new customers and that a comprehensive plan is needed.

Chairman Carswell said he was on the State Water Infrastructure Authority when the County received a \$2 million grant to extend the water infrastructure on Highway 18 S. / Rhoney Road area. Further, a lot of citizens have signed up for public water in the project area and additional residents that wanted to tap on were able to after some earlier technical issues were resolved. Cherokee County is now the closest western representative on the SWIA, according to Chairman Carswell. Commissioner Taylor commented on the importance of having local representation on state boards and a short discussion on that topic ensued.

Chairman Carswell said he wanted restrooms installed at the convenience sites and a general discussion ensued about the safety and feasibility of installing the restrooms. Vice Chairman Mulwee also wanted restrooms installed at the convenience sites, additional staff for General Services, and more research done on how to proceed with animal control/animal enforcement. Commissioner Brittain said all his concerns have already been addressed and that he thought the budget retreat was time well spent. He expressed appreciation to staff for their efforts. While he believed action on the Human Resource Center is a high priority, Chairman Carswell left the prioritization up to the County Manager. He also expressed his desire to not increase the property tax rate. Further, he addressed communication and asked staff to please make sure the Board is aware of issues or citizen concerns as they arise, so they can keep constituents informed. Chairman Carswell then commented on a few minor issues (leaks) at the new jail and noted some of the subcontractors did a poor job, but the general contractor (Vannoy Construction) did a great job. He expressed displeasure with an individual making fun of the problems the new building had. Vannoy Construction has an employee on site so any issues can be fixed while the building is under warranty. Chairman Carswell further reported as soon as the jail is fully staffed, the extra bed space will be rented which will create additional revenue and pay for the jail. He also addressed a shortage of juvenile beds across North Carolina and Burke has eight (8) empty juvenile beds that rent for \$250 a day. Discussion ensued.

RESULT: NO ACTION TAKEN.

CO. MGR. - SUMMARY OF STAFF DIRECTIONS

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In response to an inquiry from Chairman Carswell, County Manager Steen said he will begin to look at the list of projects and priorities next week. Ms. Pierce expressed appreciation for the direction which will be helpful in building the upcoming budget. A short discussion ensued concerning scheduling a special meeting to tour the courthouse and obtaining the necessary security clearance.

Chairman Carswell gave the media a chance to ask questions. Sharon McBrayer, reporter with The News Herald, asked for a prioritization of the main projects for the upcoming budget year. Staffing for General Services and completing emergency building repairs were identified as the top two (2) priorities.

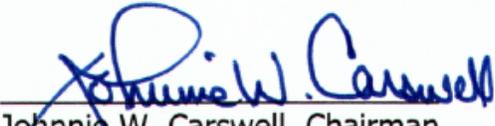
RESULT: NO ACTION TAKEN.

ADJOURN

Motion: To adjourn at 1:38 p.m.

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

Approved this 18th day of August 2020.


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

Attest:


 Kay Honeycutt Draughn, CMC, NCMCC
 Clerk to the Board