MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
PRE-AGENDA MEETING

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, March 5, 2019 at 3:00 p.m. The meeting was held in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E, Morganton, N.C. Those present were:

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

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

CALL TO ORDER
Chairman Carswell called the meeting to order at 3:00 p.m.

APPROVAL OF THE AGENDA
Chairman Carswell announced that Burke County Public Schools requested Consent Item No. 2, BCPS - School Construction Change Order, be removed from the agenda.

Motion: To approve the agenda as amended.

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

PRESENTATIONS

ROD - PRESENTATION OF ELECTRONIC TAX PORTAL
Stephanie Norman, Register of Deeds, presented information regarding the electronic tax portal as follows:

The Burke County Register of Deeds office has worked with its software vendor, Courthouse Computer Systems, to develop an electronic portal that will allow them to send a deed to the tax office to obtain a tax certification stamp electronically! This eliminates the need for the customer to leave our office and go to the tax office. They can pay delinquent taxes from the Register of Deeds office, unless they chose to go to the tax office to pay taxes. This electronic tax portal also allows the Register of Deeds office to send deeds that come through the mail without a tax certification stamp directly to the tax office for the
customer instead of having to send it back to the submitter. It eliminates the need for multiple portals for e-recording and will provide a one-stop method for attorneys to obtain a tax certification stamp from the Tax Office.

Ms. Norman reported on March 18th, 2014 the Board adopted a resolution prohibiting the Register of Deeds (RoD) office from recording a deed if there are delinquent taxes owed on the property which is allowed under GS 105-303a2 and GS 161-31. Ms. Norman said citizens often bring deeds to the RoD office without a tax stamp. As a result, they are directed to the Tax Office to obtain the tax stamp and then return to the RoD office for filing, which can be difficult. By working with a vendor, Courthouse Computer Systems, to improve the process, the RoD office can now send deeds electronically to the Tax Office, eliminating the need for a citizen to travel back and forth between the two buildings. Additionally, citizens can use public computers located in the RoD office to pay delinquent tax bills and now, staff can send deeds received by mail directly to the Tax Office instead of mailing them back to the sender. In addition to improving customer service and effectiveness, Ms. Norman said they also sought to create one (1) electronic entry way/portal for the Tax Office, which eliminated navigation through multiple systems. Ms. Norman demonstrated how the new system works and said Courthouse Computer Systems nominated the RoD office for the National Association of Counties 2019 Achievement Award for this new initiative. Ms. Norman noted that not only is this service free, it will also be used as a model for other counties. She also responded to a question from Commissioner Taylor.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2019-01 & PUBLIC HEARING - 6:00 P.M.

Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding ZMA 2019-01 as follows:

REQUEST
Staff has received a rezoning application from Michael Cioffeletti to rezone one (1) parcel of land totaling 0.46 acre. The request is to rezone the property from its current zoning of Residential Three (R-3) to the General Business (G-B) zoning district. The parcel is not within any Overlay District.

SITE ANALYSIS
The parcel is described as follows: The 911 address of the parcel is 2971 NC 181 Morganton. The parcel has approximately 200 feet of frontage on NC 181, a principle arterial road. The parcel is further identified in county records as (PIN# 1785048960 and REID# 24916).

As mentioned above, the parcel is 0.46 acre and has three structures on it. The Tax information for the property indicates that one structure is a single-family home and one is listed as “rural retail”. According to the Tax Dept., “that designation is a catch all description given to a small store of some sort”. The Business Listing Dept. has not had a business listed at the location for quite
some time. The third structure is not on the property tax card; however, it appears to be a small storage building. The parcel is served by public water only (City of Morganton). Wastewater disposal would be handled by a private onsite septic system. The Environmental Health Dept. has indicated that the septic system would have to be verified prior to any use of the structure(s). They also stated that due to the size of the property and amount of usable area, the septic system would lend itself to a convenience store more so than a residence. This is because a residence uses more water than a convenience store. Approval of the septic system for other commercial uses would have to be examined on a case by case basis. The property is located within the Lake Rhodhiss Water Supply Watershed and is within the Oak Hill Fire District. The parcel is located within the Quaker Meadows Township of Burke County. The parcel has 200 feet of frontage along NC 181. NC 181 is classified as an “Minor Arterial” road. Minor arterials provide service to corridors with trip lengths and travel density greater than those served by Rural Collectors and Local Roads and with relatively high travel speeds. Minor Arterials link cities and larger towns and form an integrated network providing inter-county service.

SURROUNDING AREA
Land uses in the surrounding area are predominantly residential homes, and vacant land. There is one business located across the private drive to the east. The next closest commercially zoned properties are located approximately 1.0 mile to the north and 0.95 mile to the south. To the north of the property is scattered residences and several minor residential subdivisions and a major subdivision (Hunter’s Ridge). To the east is scattered residences on small lots, several minor subdivisions, and a few large lot residences. To the south is predominantly vacant land and several scattered dwellings. To the west are more scattered site residences and minor subdivisions.

The table below indicates the existing land uses in the area.
The Existing Land Use Map and the 2014 aerial photo also provide a visual representation of the existing land uses in the area. The current Zoning Map shows where the current zoning districts are located.

<table>
<thead>
<tr>
<th>North</th>
<th>Residential 2 and 3</th>
<th>Residences and some vacant land</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>Residential 3</td>
<td>Vacant Land / Residences /</td>
</tr>
<tr>
<td>East</td>
<td>General Business / R-2</td>
<td>Commercial Business / Residences</td>
</tr>
<tr>
<td>West</td>
<td>Residential 3 and R-1</td>
<td>Residences / Vacant Land</td>
</tr>
</tbody>
</table>

This space is intentionally left blank.
CONFORMITY WITH THE COMPREHENSIVE PLAN
The current land use plan for Burke County is the 2016-2030 Blueprint Burke Strategic Land Use Plan. The parcel lies within an “Rural / Agricultural” Area of the county, approximately 1.7 miles from the nearest Secondary Growth Area. These areas are typically considered rural in nature and access to infrastructure and public utilities will be more limited. Generally, residential uses are either scattered among large tracts of land or located within rural residential subdivisions. Some commercial, institutional, and industrial development is expected as needed to support the residential and agricultural nature of the area.

CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE
The “current” zoning district for this parcel is Residential Three (R-3). The Zoning Ordinance defines the R-3 District as a medium density residential district which is less restrictive than either the R-1 or R-2 zoning district. This district allows a broader range of residential uses and a variety of compatible non-residential uses in area that may be less suburban in nature.

The “proposed” General Business (G-B) District designation is intended to classify lands that because of their location, access, and availability of services are suitable for commercial development. This includes retail trade services that are easily accessible, compatible and geared for local neighborhood or regional needs.
PLANNING BOARD COMMENTS:
The Burke County Planning Board met on January 24, 2019 to hear the proposed rezoning request. Staff presented their report and the applicant spoke briefly about the request. The floor was opened to public comment and four citizens spoke against the proposed rezoning. The comments were related to:

- The small size of the parcel being used commercially;
- The ingress and egress of the property and parking at this location;
- The effect of NCDOT road widening project on the front of the property;
- The existing septic ability to handle a commercial use of the land, and
- A claim of underground storage tanks from a past business.

After the last citizen spoke, the public comment portion of the meeting was closed. The Planning Board then asked several questions of the applicant and of staff. After this discussion, the Chairman asked the Board to make a motion on the rezoning request. Richard Evey made a motion to “approve” ZMA 2019-01, a request to rezone (1) parcel of land consisting of 0.46 acres from the Residential Three (R-3) Zoning District to the General Business (G-B) Zoning District (Mike Cioffoletti, Applicant). His motion was seconded by Gary Kling. A full vote was taken and the motion to approve ZMA 2019-01 passed with a 3/2 vote.

Planning Board rationale for decision: “The subject parcel is consistent with General Business. Leaving the property R-3 is basically rendering the subject parcel useless. The brick building is too close to the main road and would not meet current setback requirements for a residential neighborhood”.

STAFF COMMENTS:
Whenever a property changes from one zoning district to another, there is a possibility of opposition. Each of the concerns voiced by the public are debatable.

- The small size of the parcel will limit the types of commercial uses that can take place. However, there are certain businesses that could potentially operate with this challenge.
- The ingress and egress could possibly be problematic. Before any development of the property could take place, a site development plan would have to be submitted for review. One of the reviewers of the site plan is NCDOT. NCDOT could possibly deny a commercial driveway permit if it felt the ingress/egress was unsafe. NCDOT could require specific requirements be met prior to issuance of the driveway permit. The same would apply for parking. The property owner/developer would have to comply with any and all NCDOT requirements prior to receiving the driveway permit. A Zoning Permit would not be issued until all federal, state, and local requirements are met.
- The Senior Planner checked with NCDOT and there is no road widening project proposed either currently or in the future for this stretch of NC 181.
- As for the existing septic system handling a commercial business, the Environmental Health Dept. would review any site development plan for septic availability and suitability for the proposed use. That department could deny the use of existing septic system for the proposed use or require the septic to be brought up to the necessary standards. A Zoning Permit would not be issued until all federal, state, and local requirements are met.
- Staff has put a call into the NC Dept. of Environmental Quality concerning the claim of under-ground storage tanks. At the time of this report, NCDEQ has not responded. This would be looked at during the site plan review. The developer would have to comply with whatever NCDEQ required. A Zoning Permit would not be issued until all federal, state, and local requirements are met.

Staff did make a specific recommendation for this rezoning petition. There are pro’s and con’s for approving or disapproving this rezoning request.

Although, there is one commercially zoned parcel adjacent to the subject property, the surrounding area is predominately residential. The subject property is located on a minor arterial road where commercial development could be appropriate. The property at 0.46 acre, is rather small for most types of commercial development. The small size of the property would limit the type of commercial uses/activities on the property, when setbacks and parking are reviewed. Although the existing structures are grandfathered, any new structures would have to meet required setbacks and parking would not be permitted within the 60’ right-of-way of NC 181 without NCDOT approval. NCDOT would also have to approve the access for any commercial type development.

Subject Property Looking West Along NC 181
Subject Property Looking East Along NC 181
March 5, 2019 (Pre-Agenda)

Chairman Carswell opened the floor for questions or comments. Due to the size and shape of
the subject parcel, Commissioner Taylor expressed concerns about underground gas tanks,
safety and parking. Mr. Carpenter said staff had the same concern; however, the parcel could
potentially be used for an office, which is not conducive to heavy traffic. Mr. Carpenter
responded to additional questions from Commissioner Taylor.

Vice Chairman Mulwee asked Mr. Carpenter to expand upon the Planning Board’s rationale for
its decision: “The subject parcel is consistent with General Business. Leaving the property R-3
is basically rendering the subject parcel useless.” Mr. Carpenter said he is not sure because he
believes the site could work as a residential property even though it does not meet current
setback conditions (the property is grandfathered in), so no new additions could be added to
the property.

Chairman Carswell asked if anyone at the Planning Board meeting asked what the applicant
wants to do with the property. Mr. Carpenter said no and noted the applicant does not have to
divulge that information if they are asking for a straight rezoning. Discussion ensued about
what the property could be used for due to the size/constraints of the parcel.

Commissioner Taylor said it would be a good idea to wait until the NCDEQ reports come back
regarding any potential underground storage tanks. Mr. Carpenter said he will try to expedite
the process, but there is no guarantee they will send the reports. Commissioner Brittain said
there is no evidence there is or was a gas tank on the property, just an indication by a
neighbor. Chairman Carswell said he does not remember a gas tank ever being on the property,
even when he was a Deputy Sheriff. Commissioner Brittain said his concern is that it is not fair
to the applicant to keep waiting on something that may not happen. Chairman Carswell agreed
and Mr. Carpenter said if and when the reports come back, he will share them with the Board.
Chairman Carswell asked Mr. Carpenter to call the NCDEQ and report back as soon as possible,
Chairman Carswell asked Commissioner Taylor if that would be acceptable. Commissioner
Taylor said there are a lot of unknows in this situation: what the business will be, traffic flow
and safety, he would like to get those figures before the Board decides on this situation. Mr.
Carpenter said Community Development will check to see if there are any existing records for
the property, but that is all they can do because without the property owner, the State will not
do a site analysis. He also noted that a site analysis is very expensive. Mr. Carpenter responded
to additional questions from Commissioner Taylor.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

CONSENT AGENDA

BOC - PROCLAMATION DECLARING YOUTH IN GOVERNMENT DAY
Chairman Carswell said the month of April is designated as National County Government Month
throughout the United States. For the past 20 years, as part of Burke County’s participation in
this annual event, students from the area high schools have been invited to spend a day with
County staff touring County government facilities. Burke Middle College, Hallyburton Academy,
and the Burke County Home School Educator Group were also invited to participate. Extension
Director, Spring Williams-Byrd, has agreed to facilitate this event. The Board is asked to select
a date for Youth in Government Day. Chairman Carswell said the potential dates for Youth in
Government Day: April 11th, April 16th, or April 18th. After brief discussion, the Board selected
April 18th.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.**

**CLERK - RESOLUTION APPOINTING NEW REVIEW OFFICERS (PLACE HOLDER)**

Kay Draughn, Clerk to the Board, reported a resolution updating the review officer(s) for several municipalities and the County will be presented at the regular meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.**

**COMM. DEV. - RESOLUTION TO SUPPORT 2020 RECREATIONAL TRAILS PROGRAM GRANT APPLICATION - OVNHT (OVERMOUNTAIN VICTORY NATIONAL HISTORIC TRAIL) BOARDWALK**

Shane Prisby, Operations Manager, presented information regarding a resolution to support 2020 recreational trails program grant application - OVNHT Boardwalk as follows:

If awarded, the RTP (Recreational Trails Program) grant will fund approximately 150-ft of new boardwalk and a new bridge on an existing section of the OVNHT on Lake James State Park land. Currently, the trail terminates into the hillside below NC 126 at Canal Bridge. The boardwalk would allow pedestrians dismounted bicyclists to get up to NC 126 and safely cross Canal Bridge. There is no effect to the County budget. The grant match will come from the Duke Energy CRA Agreement and/or additional grant funding secured in the future.

Mr. Prisby said currently, pedestrians do not have any safe or convenient options for crossing this section of the OVNHT. He said this project will encompass enlarging the bridge, tie in elevated boardwalks, and regular trail. Commissioner Taylor commended Duke Energy for their financial contributions and support.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.**

**COMM. DEV. - RESOLUTION TO SUPPORT 2020 RECREATIONAL TRAILS PROGRAM GRANT APPLICATION - FFST NW GAP**

Shane Prisby, Operations Manager, presented information regarding the resolution to support 2020 recreational trails program grant application – FFST NW Gap as follows:

If awarded, the RTP (Recreational Trails Program) grant will fund approximately 0.75 miles of new trail including two (2) new bridges and 100 ft of elevated walkway on Fonta Flora County park land leased to Burke County by Duke Energy.

Once completed, this project will connect approximately 18-miles of trail from the Lake James State Park Visitor Center and Harris Whisnant Road. The Community Development Department applied for this project in the 2019 RTP cycle but was not awarded the grant. NC State Parks has encouraged Burke County to reapply for the project and it has been reworked to be more
competitive in the 2020 RTP grant cycle. If awarded, this grant would require a 25% match up to $25,000. Funding for this grant match was included in the Department’s FY 19-20 budget request.

Mr. Prisby said Community Development applied for this grant last year but was denied. However, they have re-worked the project, changed some trails around and are applying again. Mr. Prisby said the required 25 percent match for this project would be a General Fund request in the FY 19-20 budget.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

COMM. DEV. - CRANBERRY BOG CONVENIENCE SITE LAND PURCHASE
Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding the Cranberry Bog Convenience Site land purchase as follows:

Burke County has been working with Foothills Conservancy on the purchase of two parcels of land in the Jonas Ridge area. The two parcels total 19.84 acres +/- and would be split into two (2) new parcels, one 3 acres and one 17 acres. The 3-acre parcel would be purchased by Burke County for a convenience site while the 17-acre parcel would be purchased by Foothills Conservancy to protect the cranberry bog on the property. The price for the 3-acre parcel is $24,000, plus any associated closing costs. Community Development is requesting an additional $25,000 for the planning and design of the new, eco-friendly convenience site and cranberry bog park that will feature integrated stormwater controls, restrooms, and a bog walk trail that will highlight the unique natural features of the property. The current location of the Jonas Ridge Convenience Center is situated on leased property. The lease cost is $4,500 annually and ends June 30, 2022. Further, topographic constraints prevent that Convenience Center from being able to accept as many waste products as the other convenience centers accept. The new site, when completed, would eliminate this inequity. The total price of the land and planning is $49,000, plus closing costs. An appropriation of General Fund, Fund Balance is necessary to purchase the property and start the planning.
and design process.

Mr. Carpenter also reported the County has been looking for a location for a Jonas Ridge convenience site for around two (2) years. He said the current property owner is Hazel Shell and noted there is a family home on the three (3) acres of land the County will purchase. The additional $25,000 will be used for planning/design for the convenience center fronting on Hwy. 181 and bog park, and to determine if any parts of the family home on the property could be salvaged (septic/well infrastructure). He noted that Community Development would ask for funding for the convenience site in next year’s budget.

Mr. Carpenter also responded to questions from the Board. Further, he mentioned the possibility of condemning a small piece of adjoining property for the convenience center.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

FM - APPOINTMENTS TO THE LOCAL EMERGENCY PLANNING COMMITTEE
Rebecca McLeod, Health Director and Vice Chair of the LEPC, reported Burke County is required to organize and maintain the Local Emergency Planning Committee (LEPC) as a requirement of the federal law known as Emergency Planning and Community Right-to-Know Act (EPCRA). EPCRA requires facilities with more than the threshold planning quantities of hazardous materials to report to the LEPC, Fire Departments, and the State Emergency Response Commission. This reporting is done through Tier II reporting on a program called E-Plan. E-Plan can be viewed by the LEPC, Fire Departments, and Emergency Services personnel. The LEPC is formed to work on the planned response and general safety measures in dealing with hazardous materials at fixed facilities and transportation routes. This committee is designed to work hand-in-hand with emergency response agencies, business and industry organizations and the general public. The LEPC is required to have a certain cross section of representation with fifteen (15) members serving according to the by-laws.

Seat No. 10 is vacant. Charles Conley has submitted applied and the term is for three (3) years ending January 31, 2022.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

FIRE MARSHAL - ADOPTION OF REVISED LEPC BYLAWS
Rebecca McLeod, Health Director and Vice Chair of the LEPC, presented information regarding the revised LEPC bylaws as follows:

The Burke County Local Emergency Planning Committee by-laws were recently updated and are submitted to the Burke County Board of Commissioners for review and approval in accordance with Chapter 2, Article 4, Section 2-87 of the Burke County Code of Ordinances.

Ms. McLeod noted the following changes to the LEPC bylaws:
- Article three (3) Section 1.A - added the word “elected” to go with official (“elected official”) and “elected official” was listed twice, so one was removed.
- Article five (5) section seven (7) - the wording was changed for the notification for
special meetings from seven (7) days to 14 days.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

GENERAL SERVICES - APPROVAL OF WATER SHORTAGE RESPONSE PLAN
Miles Champion, General Services Director, reported a Water Shortage Response Plan establishes authority for declaration of a water shortage, defines different stages of water shortage severity, and outlines appropriate responses for each stage. Recently adopted rules governing water use during droughts and water emergencies (15A NCAC 02E. 0607) stipulate specific requirements for WSRPs. All public and privately-owned water systems subject to G.S. 143-355 (l) are required to prepare and submit a WSRP as part of their Local Water Supply Plan. This includes all units of local government that provide or plan to provide public water service and all community water systems having 1,000 or more connections or serving more than 3,000 people in North Carolina. Updated WSRPs are required every five (5) years at a minimum. Updates may also be necessary to address changes such as population growth, new sources or additional demands for water or after implementation and evaluation of restriction effectiveness. Staff prepared the Plan and it was approved by the Division of Water Resources on January 31, 2019. The public notice requirement for the Plan was met by posting a notice on the County’s website, posting notices at the Comm. Development office as well as the water and sewer office in Hildebran. Further, a notice was enclosed with customers’ water bills. Formal adoption of the resolution approving the Plan is requested.

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

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

TAX DEPT. - TAX COLLECTION REPORT FOR FEBRUARY 2019
Danny Isenhour, Tax Administrator, presented the Tax Collection Report for February 2019 as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Budget</th>
<th>Amount Collected YTD</th>
<th>Balance to Collect</th>
<th>% Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Year Taxes</td>
<td>$44,850,000.00</td>
<td>$42,727,882.82</td>
<td>$2,122,117.18</td>
<td>95.27%</td>
</tr>
<tr>
<td>Delinquent Taxes</td>
<td>$710,000.00</td>
<td>$451,913.86</td>
<td>$258,086.14</td>
<td>63.65%</td>
</tr>
<tr>
<td>Late List Penalty</td>
<td>$300,000.00</td>
<td>$207,184.33</td>
<td>$92,815.67</td>
<td>69.06%</td>
</tr>
</tbody>
</table>

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

Chairman Carswell opened the floor for comments or questions from the Board. Commissioner Taylor asked if the tax collection rate is behind last year and does he believe the County will be able to meet their collections goals. Mr. Isenhour said he believes the delinquent tax collections will probably be around 90 percent, compared to around 85 percent last year. He said late list
penalties will probably be around 100 percent collected by the end of the year. Mr. Isenhour responded to another question from Commissioner Taylor.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

TAX DEPT. - RELEASE REFUND REPORT FOR FEBRUARY 2019
Danny Isenhour, Tax Administrator, presented the Release Refund Report for February 2019 as follows:

<table>
<thead>
<tr>
<th>Tax System Refunds and Releases</th>
<th>Report Amount</th>
<th>Rebilled Amount</th>
<th>Net Release</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Releases (TR-304)</td>
<td>$1,771.81</td>
<td>$0.00</td>
<td>$1,771.81</td>
<td>$388.42</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VTS Refunds Over $100</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>VTS Adjustments</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

ITEMS FOR DECISION

CO. MGR. - PRESENTATION OF ANIMAL SHELTER INFORMATION / OPTIONS
County Manager Steen presented information regarding the presentation of Animal Shelter information/options as follows:

The Chairman has asked staff to prepare a report on the animal shelter with recommendations for moving towards a new model/approach, in a methodical manner, to significantly reduce euthanasia rates and increase adoptions. A comprehensive review of the current animal shelter and animal shelter operations (BMP’s --best management practices) from counties across North Carolina will be presented at the March regular meeting along with a variety of recommendations for moving forward in a positive direction. Once the report is published, feedback from citizens, animal advocates and animal rescue agencies will be welcomed. Completion of the new model/direction will be a multifaceted process and will be finalized only after all recommendations are thoroughly reviewed. In the meantime, the 1974 animal shelter needs some additional care including paint, office furniture, and extensive cleaning to make it more appealing for staff and end users alike. An appropriation of up to $15,000 of General Fund, Fund Balance is requested for cleaning, painting, purchase of pre-owned office furniture, etc., for the animal shelter.

Kay Draughn, Clerk to the Board, and Lance Riddle, Executive Assistant to the County Manager, presented the following information/recommendations:

Burke County Animal Services Recommendations
Facility Recommendations:

- Appropriate approximately $15,000 or more for minor renovations/repairs to ensure the current facility is as efficient, welcoming, and comfortable as possible until a permanent solution is determined. The renovations should be completed within the next 90 days.
- Replace the existing office furniture within the next 90 days with better used furniture until a permanent solution is determined.
- Upgrade the computers and software within the next 30 days to handle the demands of using modern social media practices.
- Issue an RFQ (Request for Qualifications) for a firm with extensive animal shelter building expertise and animal welfare experience to conduct a facility needs assessment to learn the true needs for the shelter now and in the future.
- Once the RFQ process is complete, a firm would be selected and funding appropriated ($5,000 - $25,000 or other amount to be determined by the Board) at the April Commissioners’ meeting.
- It is recommended that the County explore a variety of funding options for a new animal center, examples include utilizing grants, loans, fundraising, pet licensing fees, municipal participation, pay-as-you-go, or bonds.
- Staff should work with the Finance Department to research what procedures need to be implemented to allow citizens, groups, and non-profits to donate money for the construction of a new Animal Services Center to ensure the process is as smooth as possible with the IRS.

Organizational Structure Recommendations:

- Moving forward, Animal Services should be placed under the direct authority of the county manager.
- The Burke County Sheriff’s Office should continue animal control operations, with the day to day operations of the animal center conducted by county staff.
- Initially, the new Animal Services Department should have three (3) full-time employees. One (1) Director, one (1) Shelter Coordinator, and one (1) Animal Technician or some comparable position.
- A robust volunteer program should be developed and implemented as soon as possible. Volunteers would provide administrative support services, would work with staff to ensure animals are cared for and to be advocates in our community.
- Inmate labor should not be used moving forward. The presence of an inmate at the shelter is inconsistent with our vision to make the shelter a welcoming, vibrant place for individuals and families to interact with center staff and their prospective pet(s) without anxiety or trepidation.

Operations Recommendations:

- The hours of operation for the Burke County Animal Services Center should be:
  - Tuesday – Saturday: 10:00 a.m. - 7:00 p.m.
- Adoptions for both the public and approved rescue agencies should take place from 12:00 p.m. - 6:00 p.m. daily.
• In keeping with Burke County’s motto, “All About Advancing,” good public relations practices, and listening to public feedback, the sale of animal carcasses should cease.
• Animal Services staff should develop a Standard Operating Procedure (SOP) to ensure consistency of service, equitable treatment of animals and the public, and to have a guide for everyday procedures within 30 days or less.

   Education/Marketing Recommendations:

• Animal Services should utilize and be engaged with social media platforms. Using social media platforms such as Facebook, Instagram, and Twitter will help ensure animals are visible and have an increased chance of being adopted, reduce euthanasia, and reduce the number of animals housed in the Burke County shelter.
• Staff should frequently post pictures of animals that are up for adoption. Engage the community by having an “animal of the week” event that highlights a certain animal at the center, with a short write-up, and a picture.
• Social media should be used to inform the community about any public/shelter events. Social media should also be used to inform the public about early closings or changes in hours.
• Burke County Animal Services should frequently post and update their section of the Burke County website with relevant information and connect the public to animal resources.
• In conjunction with social media, Animal Services should post photos and videos of adoptable animals to the website.
• The website should have a community calendar section to let the public know in advance of any events.
• Staff should work with groups such as REASON, vets, and foster groups to inform the public about any spay and neuter events/services, using social and traditional media.
• Staff should work and collaborate with Burke County Public Schools and REASON to expand educational programs offered at schools and send spay and neuter literature home with students.
• Presentations could be made to local civic groups and rescue organizations to inform the public about the importance of spaying and neutering their animals and the resources and services available.

   Low or No Cost Education/Marketing Recommendations:

• “K-9 Cop for a Day” once a month an adoptable dog spends a portion of the day riding with a police officer and meets members of the community.
• Feature adoptable pets at Burke County Board of Commissioners’ meetings. A photo or the actual animal can be presented to promote and encourage adoptions. With buy-in, this recommendation can also be extended to the municipalities in Burke County.
• Animal Services can partner with County departments and other municipalities to advertise services on digital signs to increase awareness of animal services, adoptions, and spay and neuter services.

   Marketing Recommendations – Some Cost
• The Burke County Animal Shelter (Animal Services Center) can further increase their visibility by utilizing billboard space on I-40.
• Animal Services could reach out to local news media for free or reduced advertising, public service announcements, pet of the week.
• Burke County could partner with REASON, local vets, and foster groups to develop a free spay and neuter day.
• Burke County could hire a marketing firm to rebrand the image of the animal shelter (Animal Services Department and the Animal Services Center) and to promote spay and neuter education / services.

Adoption Recommendations:

• Burke County Animal Services staff should research home fostering opportunities. This would allow those who are not officially affiliated with a rescue group to have the opportunity to foster an animal in their home. This will free space at the center, help animals find a permanent home, and help socialize animals.
• Burke County Animal Services staff should research and evaluate current adoption fees to ensure adoption fees do not hinder anyone seeking to adopt an animal from the center.
• Burke County Animal Services staff should research the prospect of approved rescue groups pulling animals that have been deemed aggressive by staff to be evaluated by an animal behavioral specialist.
• Adoptions, for both the public and approved rescue agencies, would take place from 12:00 p.m. – 6:00 p.m. daily.
• Burke County Animal Services staff should research and implement a Trap Neuter Return (TNR) program to humanely address feral/community cat issues.

Legislative Recommendations:

• Animal Services staff should research and evaluate any needed changes to the Burke County Animal Ordinance regarding the adoption process and any general changes to make the Ordinance more equitable and clearer for both citizens and staff. Any potential changes to the Ordinance should only occur after ample research is done, public input is acquired, and direction is given from the Burke County Board of Commissioners.
• Burke County Animal Services staff, in addition to evaluating the Animal Ordinance overall, should assess the cat colony section to gauge whether the scope of the section needs to be changed or removed.

Chairman Carswell opened the floor for comments or questions from the Board. Commissioner Abele said while the current Animal Shelter staff has done a good job, they may be burnt out and a change of staff may be necessary. Chairman Carswell said that is one of the recommendations to replace the Sheriff’s Office staff with three (3) new positions.

Commissioner Taylor made several comments regarding the budget of Burke County Friends for Animals—a local nonprofit agency and community feedback he has received. Further, he believed the Board promised to have joint meetings to tweak the animal ordinance as needed and those meetings never occurred. Commissioner Taylor asked if the contract with the City of Morganton regarding yearly contributions for the Animal Shelter had ever been updated. County Manager Steen said he does not believe the contract was ever updated. Further, he said the
animal control ordinance was developed to encourage more adoptions and current Animal Control staff were supposed to develop Standard Operating Procedures (SOP) but didn't. County Manager Steen said the Sheriff’s Office is ready to cease animal shelter operations despite being offered additional employees but would continue providing Animal Control enforcement services. Commissioner Taylor made several more comments and said a new shelter would burden taxpayers because of the actions of irresponsible pet owners. Commissioner Taylor advocated for more education on pet ownership responsibilities, noted the County used to charge a dog tax and made several more comments about the unfairness of reviewing a large report in a short period of time.

With regard to organizational structure, Commissioner Brittain asked if the operation of Animal Control could be done similarly to how Code Enforcement is done, with the employees under the County Manager rather than the Sheriff’s Office. County Manager Steen said he was told years ago that the non-sworn Animal Control officers would often have to have a Sheriff’s Deputy with them to deal with potentially hostile situations. A brief discussion ensued on the proposed organizational structure and problems that could arise from it. Vice Chairman Mulwee advised that the consultant could provide that data on a nationwide basis.

Commissioner Taylor questioned the short and long term impacts these recommendations would have on local animal volunteer organizations.

Chairman Carswell said this is just a preliminary report and the actual first step is to clean/renovate the current shelter. He said the second step is to complete the RFQ and needs assessment to determine the actual needs of the shelter. Chairman Carswell commended Clerk Draughn and Mr. Riddle on the report and said he hopes the citizens of Burke County understand that the Board recognizes that this is an important issue for the County.

Commissioner Abele left at 4:32 p.m. and was not present for the remainder of the meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.
Human Resources Director, reported that Human Resources was commissioned by
the Burke County Board of Commissioners’ Chairman to conduct a current market analysis for
the starting pay for Deputy Sheriff and Detention Officer positions. The analysis included data
from all counties that border Burke County and several municipalities within Burke County. The
results of the analysis show that the current starting rate for Burke County Deputy Sheriff
positions has shifted approximately 12% below the current market average since the pay plan
for this occupational group was last reviewed and adjusted in July 2017. The current
starting rate for Burke County Detention Officer positions has shifted approximately 10%
below the current market average for this occupational group.

In July 2017, the minimum and maximum salary ranges and current salaries of Sworn Law Enforcement
occupations were shifted up 2.5%. This brought Burke County Deputy Sheriff positions to
100% of the market average hiring rate for the area at that time. The entire County pay plan
was increased 1.5% in July 2017, which meant Sworn Law Enforcement Officers received a 4%
total increase. County Commissioners also approved Sworn Law Enforcement Certification pay
in July 2017. Existing Officers and newly hired Officers who had obtained Intermediate and/or
Advanced Law Enforcement Certifications, received 1.5% added to their base salary for each
certification. County Commissioners also approved enhancing Sworn Law Enforcement Officer
Education pay in July 2017. Officers receive $500 annually for associate degree, $1,000
annually for a bachelor's degree and $1,500 annually for a master's degree. Degrees must be
related to the field of Criminal Justice. Since July 2017, the following counties have
implemented pay plan adjustments: Avery, Caldwell, Catawba, Cleveland, Lincoln and
Rutherford. These adjustments are attributable to the recent upward shift in the market. The
Burke County Sheriff's Office has experienced an increase in employee turnover within the past
year and a half and they are finding it difficult to fill vacant positions. In addition, enrollment in
local basic law enforcement training programs has decreased over the past several years. This
is a factor in a decrease in qualified applicants for sworn law enforcement positions. Increased
employee turnover and a reduction in a steady stream of qualified candidates creates a
competitive environment where employers must evaluate and adjust recruitment and retention
efforts, including but not limited to pay adjustments. For the Burke County Sheriff's Office to
remain competitive in their recruitment and retention efforts, it is recommended that the Sworn
Law Enforcement Pay Plan be increased 12% to the current hiring rate market average. It is

<table>
<thead>
<tr>
<th>County or Municipality</th>
<th>Starting Pay for Deputy Sheriff</th>
<th>County</th>
<th>Starting Pay for Detention Officer</th>
</tr>
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<tbody>
<tr>
<td>Catawba</td>
<td>38,294</td>
<td>Catawba</td>
<td>34,726</td>
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<tr>
<td>Cleveland</td>
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<td>Cleveland</td>
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<td>Lincoln</td>
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<td>Rutherford</td>
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<td>Avery</td>
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<tr>
<td>Morganton</td>
<td>36,938 Current Market Avg</td>
<td>Burke Current</td>
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<td>Siler City</td>
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<tr>
<td>Valdese</td>
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<tr>
<td>Current Market Avg</td>
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<tr>
<td>Burke Current</td>
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<tr>
<td></td>
<td>1.118086</td>
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<td>1.109208414</td>
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<td>% Below Average</td>
<td>11.81</td>
<td>% Below Average</td>
<td>10.92</td>
</tr>
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</table>
also recommended that the salaries of employees currently occupying Sworn Law Enforcement positions be increased 12%, excluding the Sheriff. The pay plan analysis for the Sheriff is currently being reviewed for the upcoming FY19/20 budget year, along with other Department Head positions. It is recommended that the Sworn Law pay plan adjustment go into effect the pay period beginning March 23, 2019 with the first pay date being April 12, 2019. There is currently one vacant Detention Officer position compared to multiple sworn law enforcement vacancies. For this reason, it is recommended that pay adjustments for Detention Officer positions be addressed in the FY19/20 budget process.

Budgetary Effect: Approximately $150,500 for the remainder of FY18/19. Approximately $558,920 annually.

Ms. Lee responded to questions from the Board. Specifically, Commissioner Taylor requested additional data on the amount of pay raises given to law enforcement officers since 2016. He attributed attacks on law enforcement as a major contributor for the large decrease in applicants here and across the nation. Further, he advised that pay increases were just part of the problem and that the County can't keep burdening the taxpayers every year.

Commissioner Brittain commented on the competitiveness of the law enforcement market and suggested, due to the rapid upward movement of the market, to increase salaries by 14 percent to remain competitive. Vice Chairman Mulwee expressed support for a 14 percent increase since this has been a problem for a very long time. Commissioner Taylor rebutted that Burke doesn't have the budget to compete with larger wealthy counties to which Vice Chairman Mulwee responded that local municipalities and surrounding counties were used in the salary analysis. Commissioner Brittain stated that citizens expect to have law enforcement protection and that cannot be provided without officers.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING: 3/19/2019 AT 6:00 P.M.

REPORTS

OTHER DISCUSSION ITEMS
Chairman Carswell reviewed several upcoming events and meetings for the months of March and April. He also encouraged citizens to spay or neuter their pets and to pickup trash along the highways.

ADJOURN
Motion: To adjourn at 4:55 p.m.

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

Approved this 18th day of June 2019.
Burke Co. Board of Commissioners

Attest:

Kay Honeycutt Drought, CMC, NCMCC
Clerk to the Board