

April 7, 2020 (Pre-Agenda)

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

Both Burke County and the State of North Carolina had previously declared a state of emergency which was ongoing as of April 7, 2020 due to the global COVID-19 pandemic. To follow the N.C. Governor's Executive Orders limiting mass gatherings and to protect public safety, the Burke County Board of Commissioners' regularly scheduled in-person pre-agenda meeting on April 7, 2020 at 3:00 p.m. was held remotely using CISCO Webex, a virtual meeting / teleconferencing platform with simultaneous communication, to facilitate the meeting. The Commissioners, the County Manager, the County Attorney, the Clerk and County staff as well as any citizens that joined the virtual meeting, could hear and see one another for the duration of the meeting. Citizens that joined by telephone, could only hear the meeting. Citizens were also invited on April 2, 2020 to watch a live stream of the meeting on the County's YouTube channel, BurkeCountyNC or view the meeting later on the local cable systems. The Clerk shared each agenda item on her computer screen so that meeting participants could see the item being discussed and the agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as customary. A verbal roll call was conducted.

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

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

CALL TO ORDER

Chairman Carswell called the meeting to order at 3:00 p.m. and wished Commissioners Abele and Taylor a happy birthday.

APPROVAL OF THE AGENDA

Motion: To approve the agenda.

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

PRESENTATIONS

AS - PET OF THE MONTH (PLACE HOLDER)

Kaitlin, Settlemyre, Animal Services Director, said Animal Services staff will present a dog and cat in need of their "forever" home at the regular meeting. Ms. Settlemyre said there are only four (4) animals in the Animal Services Center (ASC) and she commended the community for all their help for fostering and adopting animals.

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VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

SCHEDULED PUBLIC HEARINGS – NONE.

CONSENT AGENDA

BOC - RESOLUTION SUPPORTING PROPOSED FY 2019-2021 BIENNIUM BUDGET

Chairman Carswell said there are a lot of funds tied up in the State budget that many organizations in Burke County are not getting. He said a number of counties in North Carolina have passed resolutions in support of asking the General Assembly and the Governor to work together and pass a budget. The proposed resolution reads as follows:

RESOLUTION OF THE BURKE COUNTY BOARD OF COMMISSIONERS
SUPPORTING THE STATE OF NORTH CAROLINA'S
PROPOSED FY 2019-2021 BIENNIUM BUDGET

WHEREAS, Burke County, North Carolina is a political subdivision of the State of North Carolina;

WHEREAS, Burke County is recognized as a center for tourism, a revered education system, prospering rural municipalities, and exceptional business growth;

WHEREAS, Burke County and the municipalities within it provide essential public safety services, such as law enforcement and fire services that are dependent on strong funding support from the State;

WHEREAS, Burke County and the municipalities within it provide critical treatment programs for individuals with mental health disorders, substance use disorders, along with facilities for offenders that have been adjudicated by law that require sustained state funding;

WHEREAS, the excellent educational opportunities and business growth in Burke County are critically supported with state funding;

WHEREAS, Burke County Public Schools is among the highest performing public-school systems in North Carolina, with graduation rates at 89.7% cohort for all four high schools; 7 of 23 schools exceeding growth at 30% (SA 20%); 12 schools met growth at 52%; Draughn High School's graduation rate was 95.1% and Burke Middle College was 100%. All four high schools received a grade of B and Burke Middle College received an A (99); ranked #22 on Niche.com list of best school districts in the state; tied for 3rd for districts our size behind Chapel Hill-Carborro and Henderson County;

WHEREAS, Western Piedmont Community College is responsible for over \$177 million per year in income added by its graduates to the regional workforce and is considered one of the top attractions for recruiting business and industry to Burke County;

WHEREAS, Burke County recognizes that strong collaborative efforts in the community create lasting, positive impact for residents of Burke County and surrounding areas; and

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WHEREAS, the current proposed bipartisan state budget for the FY 2019-2021 biennium would include funding for several critical county and community investments, including:

Burke County Items in H966 – Appropriations Act

- \$15.8 million to Burke Schools for school construction and R&R
- \$3.9 million to Western Piedmont Community College for school construction and R&R
- \$15 thousand to the Veterans Killed in Action Fund
- \$25 thousand to East Burke Christian Ministries for the provision of food, clothing, and emergency financial aid to low income individuals in the community
- \$25 thousand to Burke United Christian Ministries for the provision of food, clothing and emergency financial aid to low income individuals in the community
- \$100 thousand to Christ Centered Recovery Program
- \$180 thousand to Partners Behavioral Health Management to study the feasibility of starting a behavioral health crisis center
- \$15 thousand to the Pregnancy Care Center of Burke County
- \$1 million to Burke County for the repair and renovation of the courthouse
- \$50 thousand to the Town of Valdese for parks
- \$50 thousand to the City of Morganton for Main street improvements
- \$5.6 million to the North Carolina School of Science and Math – Morganton campus for staff, operating expenses, and equipment
- \$2 million to the Department of Natural and Cultures Resources for the development of the Wilderness Gateway Trail in McDowell, Rutherford, Burke, and Catawba counties

TOTAL: \$28.7 Million

NOW THEREFORE, BE IT RESOLVED, that Burke County strongly encourages all members of the General Assembly to act in accordance with the needs of the State and support Burke County by taking measures to enact the proposed bipartisan state budget, notwithstanding the objections of the Governor, to ensure these important programs for the institutions and communities that they will so clearly benefit.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

CLERK - APPOINTMENTS TO CPCF TEAM

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Clerk Draughn reported the terms of appointment for Seats 1, 2 and 4 on the CPCF (Child Protection Child Fatality Team) end April 30, 2020. Sheriff Whisenant (Seat 1) and Chris Jernigan (Seat 4) are willing to serve another 3-year term. Greg Curry, the EMS Director, has applied for Seat 2 formerly held by Major Jason Black.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

CLERK - RESOLUTION SUPPORTING SCFAC

Clerk Draughn reported the State Consumer & Family Advisory Committee (SCFAC) has composed a draft resolution asking each of NC's 100 counties to consider adopting showing support for the SCFAC as the members meet on May 19th with legislators. The goal is to inform law makers of the needs associated with treatment and services for Mental Health (MH), Substance Use Disorder (SUD) and Intellectual Developmental Disabilities (IDD). The proposed resolution reads as follows:

Resolution in Support
of
NC State Consumer & Family Advisory Committee (SCFAC)

WHEREAS, North Carolina's 100 counties experience on a daily basis; short falls in treatment of its residents in resources to treat, support and sustain life and health;

WHEREAS, NC counties are challenged with the decision to spend tax dollars for needed services for those experiencing Mental Health/Intellectual Developmental Disabilities/Substance Use Disorder/Traumatic Brain Injury (MH/IDD/SUD/TBI) challenges;

WHEREAS, the NC State CFAC is tasked with seven (7) statutory mandates to advise the NC Department of Health and Human Services (DHHS) and the legislature;

- Review, comment on, and monitor the implementation of the State Plan for Mental Health, Developmental Disabilities, and Substance Abuse Services
- Identify service gaps and underserved populations
- Make recommendations regarding the service array and monitor the development of different services
- Review and comment on the State budget for mental health, developmental disabilities, and substance abuse services
- Participate in all quality improvement measures and performance indicators
- Receive the findings and recommendations by local CFAC's regarding ways to improve the delivery of mental health, developmental disabilities, and substance abuse services
- Provide technical assistance to local CFACs in implementing their duties

THEREFORE, the NC State CFAC in its efforts to address the needs of MH/IDD/SUD/TBI individuals, their families and the larger community, requests county support for the engagement of:

- Systems Advocacy;
- Improved Service Delivery;

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- Ensure Provision of Quality Services and
- Cultivation of Community Engagement.

BE IT FURTHER RESOLVED that NC State CFAC is endorsed by the Burke County Board of Commissioners to represent the needs of Burke County.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

COMM. DEV. - ACCEPT 2020 ABANDONED MANUFACTURED HOME GRANT

Shane Prisby, Operations Manager, reported the Community Development Department applied for and received a \$10,000 grant from NC Department of Environmental Quality to remove 6-7 Abandoned Manufactured Houses. The grant would reimburse \$1,500 per single-wide unit removed or \$2,500 per double-wide unit. The department has already had more applicants to the program than the grant would cover. The applicants have agreed to pay the tipping fee for disposal at the landfill. The County would hire a contractor to remove the unit and separate out any hazardous materials. The removals would be bid out as a single contract. The County would be responsible for any amount over the reimbursement rate and the department is requesting authorization of up to \$2,335 from the General Fund to complete the removals.

Chairman Carswell opened the floor for questions and comments from the Board. Mr. Prisby responded to questions from Commissioner Taylor as did Scott Carpenter, Deputy County Manager/Planning Director. Commissioner Taylor suggested including the \$10,000 grant award in the motion and asked the County Attorney if that would be appropriate. Attorney Simpson said that would be fine.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

COMM. DEV. - ACCEPT RECREATIONAL TRAILS PROGRAM 2020 GRANT CONTRACT - OVNHT BOARDWALK



Shane Prisby, Operations Manager, said with the Board of Commissioner's approval, the Burke County Community Development Department has applied to and has received a \$68,000 Recreation Trails Program grant from North Carolina Department of Natural and Cultural Resources (NCDNCR) for trail and boardwalk construction on the Fonta Flora State Trail/Overmountain Victory National Historic Trail. This grant requires a \$17,000 match which will come from the Duke Energy CRA funding. This project will cover trail and boardwalk construction from the existing trail on Lake James State Park Land to Canal Bridge on NC 126 which the trail will use to cross Lake James. In order to receive the money, the Board of Commissioners must approve the grant agreement.

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

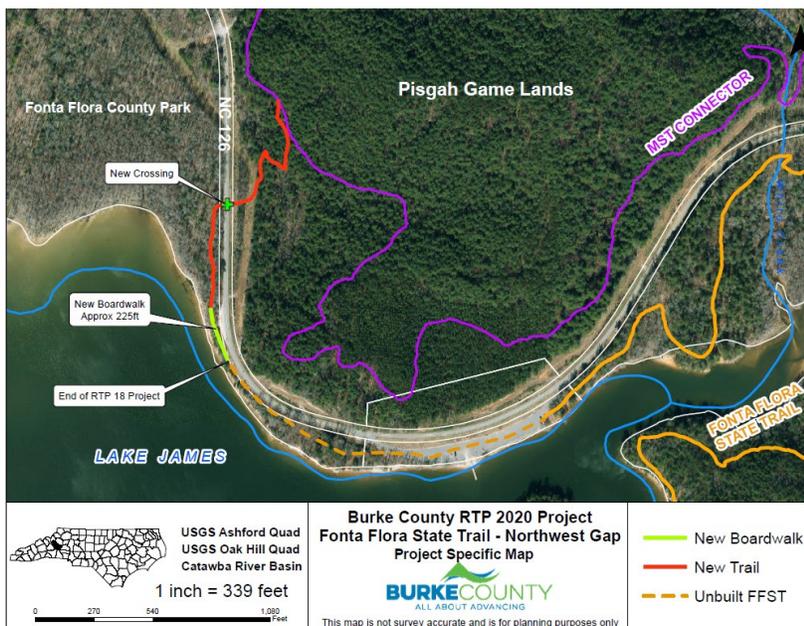
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suggested adding the grant award amount and required match to the motion. The County Attorney concurred with the requested modification.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

COMM. DEV. - ACCEPT RECREATIONAL TRAILS PROGRAM 2020 GRANT CONTRACT - NORTHWEST GAP 2

Shane Prisby, Operations Manager, said with the Board of Commissioner's approval, the Burke County Community Development Department has applied to and has received a \$89,400 Recreation Trails Program grant from North Carolina Department of Natural and Cultural Resources (NCDNCR) to



complete the trail and boardwalk construction on the Fonta Flora State Trail at Linville Access across NC 126 to the existing MST Connector trail. This grant requires a \$22,350 match. In order to receive the money, the Board of Commissioners must approve the grant agreement.

At the time of application, there was concern that we would not be able to complete the project with the initial grant as the amount of necessary boardwalk was doubled to comply with NCDOT requirements. The

resulting low bid should allow us to complete the project in its entirety. Because the original grant request has been met, Community Development is working with NC Parks to amend the grant for a project on the other side of Lake James. The new project will be approximately 2 miles of new trail on the Fonta Flora/Overmountain Victory National Historic Trails through 1780 and the Enclave subdivisions. This new project can be matched with Duke Energy CRA (Comprehensive Relicensing Agreement) funding, and no match will be necessary from Burke County.

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor suggested adding the grant award amount and required match to the motion.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

CD - RESOLUTION TO SUPPORT 2021 RECREATIONAL TRAILS PROGRAM GRANT APPLICATION - OVNHT/FFST CANAL BRIDGE

Shane Prisby, Operations Manager, reported the Community Development Department is applying for a 2021 Recreation Trails Program (RTP) grant. If awarded, this grant will fund a new section of trail connecting the existing sections of the Overmountain Victory National

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Historic Trail and Fonta Flora State Trail at Lake James State Park to other portions of the park across Canal Bridge on NC 126.

Chairman Carswell opened the floor for question and comments from the Board. Mr. Prisby said the County would be able to use Duke CRA (Comprehensive Relicensing Agreement) funds to match the grant up to \$50,000. Commissioner Brittain asked if it was correct that the County would not have to supply any funds because Duke CRA funds are available. Mr. Prisby said that is correct, up to \$50,000.

The proposed resolution reads as follows:

Resolution in Support of Application to the 2021 Recreational Trails Program
Overmountain Victory National Historic Trail - Canal Bridge

WHEREAS the North Carolina State Trails Program administered by the North Carolina Division of Parks and Recreation is tasked with distributing funds from the 2021 Recreational Trails Program; and

WHEREAS the North Carolina Trails Committee invited Burke County to apply for funds for the Overmountain Victory National Historic Trail (OVNHT) and Fonta Flora State Trail (FFST), and more specifically the OVNHT/FFST - Canal Bridge project; and

WHEREAS in order to receive funds Burke County is required to provide a 25 percent match up to \$50,000 for a request of \$200,000, which is the maximum for the 2021 grant cycle; and

WHEREAS Burke County desires to continue advancing the OVNHT and FFST by connecting sections of Lake James State Park across Canal Bridge on NC 126; and

WHEREAS this match will be provided via monies from Duke Energy's obligation to part of the Overmountain Victory National Historic Trail through the Comprehensive Relicensing Agreement (CRA) with the Federal Energy Regulatory Commission and/or additional grant funding secured in the future.

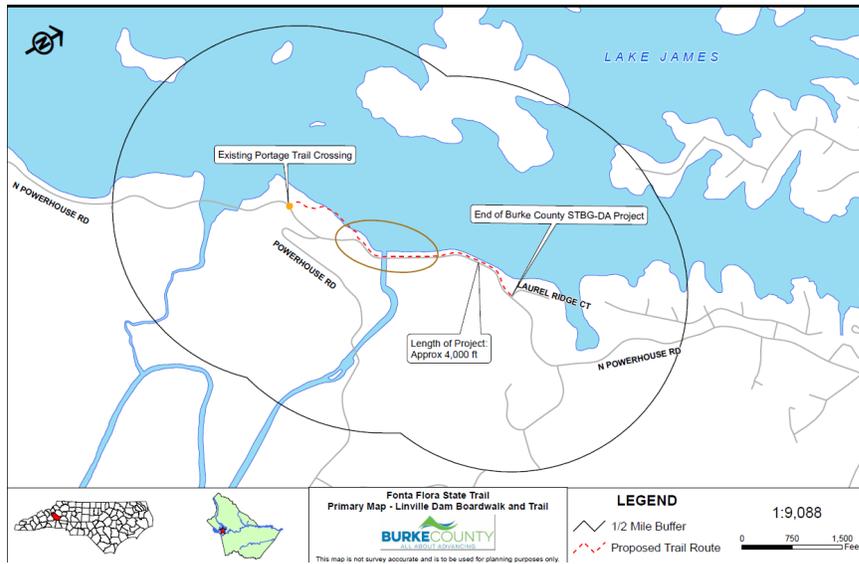
NOW THEREFORE the Burke County Board of Commissioners resolves to support the application to the 2021 Recreational Trails Program and provide the 25 percent match via OVNHT CRA funding and/or additional grant funding secured in the future.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

COMM. DEV. - ACCEPT STBG-DA GRANT AGREEMENT - LINVILLE DAM

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

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Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor asked if the right of way (ROW) is usually given to the County or is it paid for. Mr. Prisby said the ROW phase is a part of the STBG-DA process and is purchased with the funding. He said this project is entirely on Duke Energy land, so they would just be dealing with one (1)

owner, Duke Energy.

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

TAX DEPT. - TAX COLLECTION REPORT FOR MARCH 2020

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

Category	Tax Levy	Amount Collected YTD	Balance to Collect	% Collected
Property Tax	\$44,881,650.00	\$43,454,369.80	\$1,423,163.01	96.83%

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	\$47,131,164.72	\$938,835.28	98.05%
Delinquent Taxes	\$650,000.00	\$674,057.84	NONE	103.70%
Late List Penalty	\$250,000.00	\$310,870.20	NONE	124.35%

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	\$43,454,369.80	\$15,630.20	99.96%
Motor Vehicle Tax	\$4,600,000.00	\$3,676,794.92	\$923,205.08	79.93%

Chairman Carswell opened the floor for questions and comments from the Board. Commissioner Taylor said the well-functioning economy has helped the County in the collection of taxes.

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VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

TAX DEPT. - RELEASE REFUND REPORT FOR MARCH 2020

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

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$1,902.62	\$0.00	\$1,902.62	\$0.00

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$206.71

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

VERBAL ROLL CALL RESULT: BY A UNANIMOUS CONSENSUS, THE ITEM WAS MOVED TO THE NEXT MEETING: APRIL 21, 2020 AT 6:00 PM

ITEMS FOR DECISION – NONE.

REPORTS – NONE.

OTHER DISCUSSION ITEMS

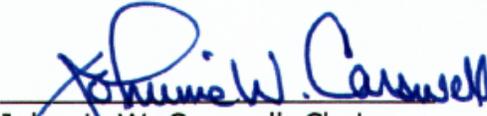
Chairman Carswell reminded everyone that the special meeting will begin at 4:00 p.m. Commissioner Abele expressed his desire to continue having virtual meetings.

ADJOURN

Motion: To adjourn at 3:40 p.m.

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

Approved the 18th day of August 2020.


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

Attest:

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Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board