MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING

The Burke County Board of Commissioners held a regular meeting on Tuesday, April 16, 2019 at 6:00 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

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

INVOCATION
Rev. Dr. Kevin Frederick, Waldensian Presbyterian Church, delivered the invocation.

PLEDGE OF ALLEGIANCE
Under the leadership of principal Charles Williams, students from Mountain View Elementary School led the Pledge of Allegiance to the American flag. Afterwards, they had a commemorative photo taken with the Board and staff.

APPROVAL OF AGENDA
Chairman Carswell announced the following changes to the agenda:

Addition: Decision Item No. 5 - County Attorney - Amendment to JP3 Grant Agreement
Removal: Decision Item No. 2 - General Services - Elevator Repairs at Human Resources Center

Motion: To approve the agenda as amended.

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

APPROVAL OF MEETING MINUTES
Motion: To approve the minutes for the February 5, 2019 (pre-agenda) meeting as written.
RESULT: ACCEPTED [UNANIMOUS]
MOVER: Maynard M. Taylor, Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

PRESENTATIONS

HEALTH DEPT. - 2018 STATE OF THE COUNTY HEALTH REPORT
Lisa Moore, Health Education Supervisor, presented information regarding the 2018 State of the County health report as follows:

The Health Department is required to present to stakeholders the progress on the Community Health Needs Assessment every year that a Community Health Needs Assessment is not completed. The progress from the 2016 Community Health Needs Assessment is noted in the 2018 State of the County Health Report.

Ms. Moore reviewed the health report and noted in the leading cause of death section that unintentional injury moved from rank six (6) to four (4) and noted that one reason for the increase is due to the drug epidemic. Ms. Moore said as a part of the 2016 community health needs assessment, three (3) priorities were identified for the next assessment: substance use disorder, mental health, and poverty.

Priority #1: Substance Use/Misuse Strategies/Interventions:
- Decrease the rate of unintentional/undetermined prescription opioid overdose deaths
- Decrease the rate of controlled substances and opioids dispensed
- Reduce the percentage of high school students who report drinking alcohol in the past 30 days
- Adult/youth focused consistent communications and prevention education

Priority #2: Mental Health Strategies/Interventions:
- Increase support for mental health through involving stakeholder’s communication, education and awareness within Burke County
- Provide 20 adult/youth mental health first aid trainings to community partners
- Reduce the number of mental health emergency department visits by 3%
- Implement a web-based application for emergency responders to provide appropriate and timely resources during a mental health crisis

Priority #3: Poverty Strategies/Interventions:
- Increase utilization of 211 resources by 25%
- Decrease those residents living in poverty by increasing opportunities for involvement in the evidence-based program, Circles

Other emerging issues in the County are a lack of housing and lack of affordable housing, Medicaid transformation, the increase in meth and other drugs, and the growing homeless population, Moore said.

Motion: To accept the 2018 State of the County Health Report as presented.
RESULT: APPROVED [UNANIMOUS]
MOVER: Scott Mulwee, Vice Chairman
AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

HEALTH DEPT. - PRESENTATION OF MEDICAID TRANSFORMATION AND BURKE COUNTY PUBLIC HEALTH
Lisa Moore, Health Education Supervisor, presented information about Medicaid Transformation and how it will affect Burke County public health as follows:
Ms. Moore responded to a question from Commissioner Taylor.
Motion: To accept the presentation on Medicaid Transformation and Burke County Public Health.

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

SCHEDULED PUBLIC HEARINGS - NONE.

INFORMAL PUBLIC COMMENTS - NONE.

CONSENT AGENDA
At the request of Chairman Carswell, County Manager Steen reviewed the Consent Agenda.

BCPS - J.T. RUSSELL & SONS INC. CHANGE ORDER 2 - $23,285
At the pre-agenda meeting, Doug Setzer, BCPS Auxiliary Services Director, presented Change Order No. 2, J.T. Russell & Sons, Inc., in the amount of $23,285 for the Mtn. View Elementary School road widening project. Board approval is necessary because the County is a party to financing of the school construction project.

+$3,500 - Restriping Temporary Lines as required by NCDOT
+$12,310 - Sidewalk tie-in
+$7,475 - Install snow-plowable lane markers as requested by NCDOT

Budgetary Effect: Project sales tax proceeds will be utilized to cover Change Order No. 2.

Motion: To approve Change Order No 2 in the amount of $23,285 for J.T. Russell & Sons, Inc. in conjunction with the Bouchelle Street & Sandford Drive Road Widening Project for the Mtn. View Elementary School. Further, authorize the County Manager to execute the change order on behalf of the Board.

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

BCPS - MTN. VIEW SCHOOL FIRST AMENDMENT TO ARCHITECT’S CONTRACT - $215,000
At the pre-agenda meeting, Keith Lawson, Burke Co. Schools’ Finance Officer, presented the first amendment to the architect’s contract, between Cort Architectural Group, PA and the Burke Co. Board of Education in the amount of $215,000 for Mtn. View Elementary School. Board action is necessary because the County is a party to the financing for Mtn. View Elementary School.

Budgetary Effect: Project sales tax proceeds will be utilized to cover the amendment.

Motion: To approve the “First Amendment to Architect’s Contract” between Cort Architectural Group, PA and the Burke Co. Board of Education in the amount of
$215,000.

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

CO. MGR. - AMENDMENT TO MORGANTON’S DIG PROGRAM
Morganton revised its DIG (Development Incentive Grant) program guidelines recently. The primary changes to the program will be presented at the meeting. The original guidelines were approved by the Commissioners in 2010.

Motion: To approve the DIG (Development Incentive Grant) Guidelines as presented.

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

CM - PROCLAMATION DECLARING MAY 2, 2019 AS NATIONAL DAY OF PRAYER
The National Day of Prayer tradition predates the founding of the United States of America, evidence by the Continental Congress’ proclamation in 1775 setting aside a day of prayer. In 1952, Congress established an annual day of prayer and, in 1968, that law was amended, designating the National Day of Prayer as the first Thursday in May.

Though the National Day of Prayer focuses most of its efforts promoting the annual day of prayer, we realize that true life-altering, world-changing prayer cannot happen in a single day. It must become a discipline. The theme for the 2019 National Day of Prayer is "Love One Another". The Board is requested to adopt a proclamation.

Motion: To adopt Proclamation No. 2019-03.

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

Proclamation No. 2019-03 reads as follows:

Burke County
North Carolina

PROCLAMATION
NATIONAL DAY OF PRAYER
THURSDAY, MAY 2, 2019

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic dating back to the First Continental Congress in 1775; and,

WHEREAS, the Declaration of Independence, our first statement as Americans of national
purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and,

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer, and the Supreme Court and the United States Congress themselves begin each day with prayer, and,

WHEREAS, in 1988 legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and,

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and,

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in Burke County when all may acknowledge our blessings and express gratitude for them, while recognizing the needs for strengthening religious and moral values in our state and nation; and,

WHEREAS, this year’s theme is “Love One Another.”

NOW, THEREFORE, we, the County Commissioners for Burke County, North Carolina, do hereby proclaim Thursday, May 2, 2019, to be designated as “A Day of Prayer in Burke County” and encourage the citizens of Burke County to observe the day in ways appropriate to its importance and significance.

Adopted this 16th day of April 2019.

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

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

FINANCE - AUDIT CONTRACT FOR FY 18-19
North Carolina General Statute 159-34 requires the County to have its accounts audited annually by a certified public accountant. The County's current audit firm, Lowdermilk Church & Co., L.L.P. has submitted a proposal to do the work for $44,700. The cost for Fiscal Year 17-18 audit work was $44,700, so no increase is requested.

Motion: To award the contract for the Fiscal Year 2018-19 audit to Lowdermilk Church and Co., L.L.P. in the amount of $44,700.
RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

GENERAL SERVICES - APPROVE FEE SCHEDULE FOR SALE OF COMPOST
Burke County proposes to sell wood compost that was produced from tree and brush debris at the Johns River Waste Management Facility. Currently there is no fee schedule for sale of wood compost and the proposed fee schedule includes fees based on the size of the vehicle. Landfill personnel will load vehicles at the compost pile locations. Payment by buyers will be made at the scales upon arrival at the facility. The proposed fee schedule also omits “Boiler Fuel” since this item is no longer available for sale. If approved, the effective date would be April 17, 2019.

Proposed Waste Management Fee Schedule
(Additions shown In Bold)

Burke County Waste Management Fee Schedule
Effective April 17, 2019

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial/Industrial</td>
<td>$68.80 per ton</td>
</tr>
<tr>
<td>Construction/Demolition</td>
<td>$37.15 per ton</td>
</tr>
<tr>
<td>Brush</td>
<td>$31.70 per ton</td>
</tr>
<tr>
<td>Wood Compost - Small Pickup</td>
<td>$10.00 per load</td>
</tr>
<tr>
<td>Wood Compost - Standard Pickup</td>
<td>$15.00 per load</td>
</tr>
<tr>
<td>Wood Compost - Trailers &amp; Large Trucks</td>
<td>$25.00 per scoop</td>
</tr>
<tr>
<td>Pallets</td>
<td>$40.40 per ton</td>
</tr>
<tr>
<td>Roofing Material</td>
<td>$37.15 per ton</td>
</tr>
<tr>
<td>Residential Dwelling Fee</td>
<td></td>
</tr>
<tr>
<td>Regular Rate</td>
<td>$72.00 per year</td>
</tr>
<tr>
<td>Qualified Reduced Rate</td>
<td>$36.00 per year</td>
</tr>
<tr>
<td>Single Wide Mobile Homes</td>
<td>$546.00 each</td>
</tr>
<tr>
<td>Double Wide Mobile Homes</td>
<td>$655.00 each</td>
</tr>
<tr>
<td>Triple Wide Mobile Homes</td>
<td>$764.00 each</td>
</tr>
<tr>
<td>Rims with Tires (up to 20&quot;)</td>
<td>$3.25 per rim</td>
</tr>
<tr>
<td>Rims with Tires (Greater than 20&quot;)</td>
<td>$4.35 per rim</td>
</tr>
<tr>
<td>Sale of Wooden Pallets</td>
<td>$1.10 each</td>
</tr>
<tr>
<td>Weigh Truck Only</td>
<td>$8.75 each</td>
</tr>
</tbody>
</table>

Motion: To approve the revised Solid Waste Fee Schedule to include the sale of wood compost at the Johns River Waste Management Facility.
RESULT: APPROVED [UNANIMOUS]
MOVER: Wayne F. Abele, Sr., Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

TAX DEPT. - TAX COLLECTION REPORT FOR MARCH 2019

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2018 and March 31, 2019. It reflects the status of collections by the Burke County Tax Collection’s Staff. For each category below, the following information is provided: the annual budget amount, the amount collected year-to-date, the balance to collect and the percent of budget collected. This report is a supplement to the Settlement Report submitted annually to keep Commissioners, County Manager and Finance Director informed of the status of tax collections in Burke County.

<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>$43,657,847.41</td>
<td>$1,192,152.59</td>
<td>97.34%</td>
</tr>
<tr>
<td>Delinquent Taxes</td>
<td>$710,000.00</td>
<td>$497,502.06</td>
<td>$212,497.94</td>
<td>70.07%</td>
</tr>
<tr>
<td>Late List Penalty</td>
<td>$300,000.00</td>
<td>$227,179.32</td>
<td>$72,820.68</td>
<td>75.73%</td>
</tr>
</tbody>
</table>

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

Motion: To accept the Tax Collection Report for March 2019 as presented.

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

TAX DEPT. - RELEASE REFUND REPORT FOR MARCH 2019

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

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

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

<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>
</table>
Releases (TR-304) $4,130.40 | $3,150.86 | $979.54 | $830.78

<table>
<thead>
<tr>
<th>VTS Refunds Over $100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refund Amount</td>
</tr>
<tr>
<td>$304.85</td>
</tr>
</tbody>
</table>

VTS Adjustments $304.85

The TR-304 report reads as follows:

<table>
<thead>
<tr>
<th>Bill #</th>
<th>Taxpayer Name</th>
<th>Bill Date</th>
<th>Operator ID (Name)</th>
<th>Release Date</th>
<th>Orig Bill Amount($)</th>
<th>Release Amount($)</th>
<th>Bill Amount after Release($)</th>
<th>NOTES AND REBILLED AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0000051301-2017-2018-0000-00-REG</td>
<td>CHAPPEL, JOHN D</td>
<td>7/1/2017</td>
<td>VICTORIA TORI COLE</td>
<td>2/28/2019</td>
<td>1,575.43</td>
<td>1,575.43</td>
<td>0.00</td>
<td>1,575.43</td>
</tr>
<tr>
<td>0000051301-2017-2018-0000-00-REG</td>
<td>CHAPPEL, JOHN D</td>
<td>7/1/2018</td>
<td>VICTORIA TORI COLE</td>
<td>2/28/2019</td>
<td>1,575.43</td>
<td>1,575.43</td>
<td>0.00</td>
<td>1,575.43</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>3,150.86</strong></td>
<td><strong>3,150.86</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0003413540-2018-2018-0000-00-REG</td>
<td>MAHALA, MARLEEN STRUGUG</td>
<td>8/2/2018</td>
<td>LINDA WALBUR</td>
<td>3/6/2019</td>
<td>21.83</td>
<td>21.83</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>0002427148-2018-2018-0000-00-REG</td>
<td>BAIL, MARCELLA LEE</td>
<td>8/2/2018</td>
<td>LINDA WALBUR</td>
<td>3/6/2019</td>
<td>110.88</td>
<td>110.88</td>
<td>0.00</td>
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</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>141.51</strong></td>
<td><strong>141.51</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0000045193-2017-2017-0000-00-REG</td>
<td>MULL, LARRY EDWIN</td>
<td>7/1/2017</td>
<td>BARBARA MARTLEY</td>
<td>3/27/2019</td>
<td>4,705.78</td>
<td>419.67</td>
<td>4,286.11</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>419.67</strong></td>
<td><strong>419.67</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0000055158-2014-2014-0000-00-REG</td>
<td>BUTLER, MARGARET</td>
<td>7/1/2014</td>
<td>AMANDA CONLEY</td>
<td>3/14/2019</td>
<td>48.91</td>
<td>48.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>0000055158-2015-2015-0000-00-REG</td>
<td>BUTLER, MARGARET</td>
<td>7/1/2015</td>
<td>AMANDA CONLEY</td>
<td>3/14/2019</td>
<td>48.91</td>
<td>48.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>0000055158-2016-2016-0000-00-REG</td>
<td>BUTLER, MARGARET</td>
<td>7/1/2016</td>
<td>AMANDA CONLEY</td>
<td>3/14/2019</td>
<td>48.91</td>
<td>48.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>0000055158-2017-2017-0000-00-REG</td>
<td>BUTLER, MARGARET</td>
<td>7/1/2017</td>
<td>AMANDA CONLEY</td>
<td>3/14/2019</td>
<td>48.91</td>
<td>48.91</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>246.59</strong></td>
<td><strong>246.59</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>00000027162-2018-2018-0000-00-REG</td>
<td>WYCOFF, BONNIE B</td>
<td>7/1/2018</td>
<td>AMANDA CONLEY</td>
<td>3/25/2019</td>
<td>1,328.52</td>
<td>72.00</td>
<td>1,256.52</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
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<td><strong>72.00</strong></td>
<td><strong>72.00</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0000025298-2017-2017-0000-00-REG</td>
<td>NORMAN, TIMOTHY L</td>
<td>7/1/2017</td>
<td>AMANDA CONLEY</td>
<td>3/14/2019</td>
<td>203.86</td>
<td>99.67</td>
<td>104.19</td>
<td>0.00</td>
</tr>
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<td><strong>Subtotal</strong></td>
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<td><strong>99.67</strong></td>
<td><strong>99.67</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>4,130.46</strong></td>
<td><strong>3,150.86</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Net Release Amount 979.54

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

**Motion:** To approve the Tax Releases and Refunds for March 2019 as presented.

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Wayne F. Abele, Sr., Commissioner

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**ITEMS FOR DECISION**

**CO. MGR. - AWARD OF COURTHOUSE SALLY PORT BID**

County Manager Steen introduced Marty Beal with CBSA Architects, who presented the following information:

Construction bids were solicited for the addition of a sally port and stairwell to the back side of the courthouse. Bids were due by 3 p.m. on April 11, 2019. After which, they were reviewed, and a recommendation will be made at the regular meeting. The bid notice was published in two (2) newspapers (Hickory Daily Record – March 24, 2019 & the News Herald - March 26, 2019) and posted on three (3) websites, including the State’s. Completion of this project is necessary to coincide with the opening of the new Burke County Jail at the end of the calendar year.

**Budgetary Effect:** TBD. Funding is not included in the FY 18-19 budget. An appropriation of General Fund, Fund Balance is necessary to proceed.

The bid tabulation reads as follows:

<table>
<thead>
<tr>
<th>Refund Name</th>
<th>Primary Owner</th>
<th>Address 1</th>
<th>Address 2</th>
<th>Address 3</th>
<th>Refund Type</th>
<th>Bill #</th>
<th>Refund Description</th>
<th>Tax Date</th>
<th>Levy Type</th>
<th>Change</th>
<th>Interest Change</th>
<th>Total Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOBO, JUDITH</td>
<td>BOBO, JUDITH</td>
<td>203 S KING</td>
<td>ST APT C</td>
<td>MORGANTON, NC</td>
<td>Adjustment =&gt; $100</td>
<td>0046768373</td>
<td>Refund Generated due to adjustment on bid #0046768373-2018-2019-0000-0000</td>
<td>01</td>
<td>Tax</td>
<td>$0.00</td>
<td>$0.00</td>
<td>($72.96)</td>
</tr>
<tr>
<td></td>
<td>DAVIDSON</td>
<td>28655</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>57</td>
<td>Tax</td>
<td>($59.76)</td>
<td>$0.00</td>
<td>($59.76)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>57</td>
<td>Vehicle Fee</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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Commissioner Brittain asked if Mr. Beal could give the Board more information on Brantley Construction. Mr. Beal said he has requested more information from the company and will forward it to the County Manager once he receives it. Commissioner Taylor said he believes that the project was originally estimated to be around $700,000 and questioned what the $1.2 million cost of the project does for the taxpayers. County Manager Steen said this will allow a larger vehicle to be used to transport individuals, which will minimize trips to and from the new jail. He also said this project will provide a secure dedicated elevator which will increase safety for Sheriff’s Office employees, incarcerated persons, the public, and will include a more secure parking area for district court judges. County Manager Steen said he is not aware of a previous estimated price for the project that Commissioner Taylor referred to. He also said based on the bids received, this is the market price for this kind of project.

Motion: To award a construction bid/contract to Brantley Construction with the addition that the Board review their materials and the Board is completely satisfied that this is within their scope of work, in the amount of $1,233,000 and authorize the County Manager to execute the agreement on behalf of the Board. Further, appropriate $1,233,000 of General Fund, Fund Balance.

RESULT: APPROVED [4 TO 1]

MOVER: Jeffrey C. Brittain, Commissioner

AYES: Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr. and Jeffrey C. Brittain

NAYS: Maynard M. Taylor

GENERAL SERVICES - ELEVATOR REPAIRS AT HUMAN RESOURCES CENTER

Removed from the agenda.

CO. MGR. - REQUEST FOR QUALIFICATIONS FOR NEEDS ASSESSMENT & ARCHITECTURAL DESIGN SERVICES FOR ANIMAL SHELTER

County Manager Steen and Clerk Draughn, presented information regarding the RFQ for a needs assessment and architectural design services for an animal shelter as follows:

A “Request for Qualifications” was issued for a needs assessment and architectural services for an animal shelter. The notice was posted to the website on March 20th and advertised in the newspaper on March 22, 2019. Further, the notice was published on the State’s procurement website on March
20. Responses are due on April 5th. The submittals were received, reviewed and ranked by a team consisting of Gwen Stephens, Shane Prisby, Lance Riddle and Kay Draughn. Of the nine (9) responses received, the team recommends _______TBD___________.

The review team recommends postponing the decision until May 7th to conduct site visits and to interview the top three (3) firms.

Budgetary Effect: There is no funding in the FY 18-19 budget. An appropriation of General Fund, Fund Balance is necessary to move forward.

**Motion:** To table this item to May 7th, 2019 (recess or special meeting after the pre-agenda meeting) to allow time for site visits and interviews of the top three (3) firms.

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Scott Mulwee, Vice Chairman

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

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**CO. MGR. - FUNDING FOR ANIMAL SHELTER FLOORS**

County Manager Steen reported information regarding funding for animal shelter floors as follows:

The Burke Co. Animal Shelter was inspected by the Department of Agriculture in February and a copy of the report is provided. Two (2) primary concerns were noted: a leaking roof into an unused fan and unsealed floors. For compliance, these repairs must be completed. Based on the rough estimate provided by the General Services Director, the roof can be repaired with existing funds of $4,600. Three (3) quotes for grinding and sealing the floors/coves are provided:

- Surface Concepts Inc. - $25,155
- KC Properties, LLC - $33,950
- Cross Coatings Inc. - $31,150

Budgetary Effect: An appropriation of General Fund, Fund Balance is necessary to complete the required floor repairs. Additional funding for the roof and electrical repairs may be requested as part of the budget process.

Regarding reimbursement from the City of Morganton (Section 7, Agreement to Provide for the Management and Operation of an Animal Shelter), as of March 26, the Manager is waiting for a response from the City concerning potential reimbursement.

County Manager Steen said even if the County moves forward quickly with constructing a new shelter, it would take at least 24 months so the County would utilize the floors before any shelter is constructed.

Clerk Draughn and Lt. Massey with Animal Control responded to several questions from
Commissioner Taylor about the project contract. Massey reported there was no contract for sealing the floors in the past because the work was done inhouse using inmate labor and household (Sherwin-Williams) sealant. However, after 40 years, the concrete must be etched. Clerk Draughn noted that this project also includes the walls.

**Motion:** To appropriate up to $25,155 of General Fund, Fund Balance for grinding and sealing the walls, floors/coves at the Burke Co. Animal Shelter by Surface Concepts Inc.

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Jeffrey C. Brittain, Commissioners

**AYES:** Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor

**CO. ATTY. - AMENDMENT TO J P3 GRANT AGREEMENT**

James Reid Simpson, II, County Attorney, reported information regarding the amendment to the JP3 grant as follows:

In June of 2018, the Board approved an incentive grant package for Project JP3 (Jackson Corrugated) as follows:

Summary of Information: Burke Development Inc. requests support for Project JP3, a new industry relocating to Burke County, through a Building Reuse grant, and a local economic development grant which will be the matching funds for a proposed One NC grant from the State of North Carolina.

A Building Reuse grant application for $500,000 is being submitted to the State by the County. Burke County and the City of Morganton will provide the 5 percent local match of $12,500 each or $25,000 total. A grant administration contract with the WPCOG (Western Piedmont Council of Governments) will be needed if a grant award is received. The Company will create approximately 40 new jobs and invest an estimated $11.5 million in new capital expenditures. The jobs will meet or exceed the average county wage and will include healthcare benefits.

A $100,000 OneNC grant application will be submitted to the State, which requires a 50% local match. Burke County's and the City of Morganton's proposed economic development grants, which consists of grants equivalent to 50% of the taxes paid on the new taxable investment for five (5) consecutive years beginning in FY 2020-21 will be used as the match. Based on the estimated investment of $11.5M and the County’s current tax rate of 69.5 cents, the County’s portion would be $39,962.50 annually for five (5) years or $199,812.50 in total. Based on Morganton’s current tax rate of 53 cents, their allotment would be $30,475 annually or $152,375 in total. (This is for demonstration purposes only based on invested approximation - actual incentive may vary.)

Note: The agreement for PJ3 was not available at the time of agenda distribution.
Budgetary Effect: For FY 18-19, a budget appropriation of $12,500 is required if the Building Reuse Grant is awarded. There is no budgetary impact for FY19-20. For FY 20-21 and beyond, budget appropriations of approximately $39,962.50 (of estimated $79,925 of new property taxes) are needed based on the estimated $11.5M new capital expenditures.

However, since then circumstances have changed, and the following grant agreement was amended as follows:

2. Grants. Subject to the additional requirements set out in this Agreement, the County and the City have each awarded, and will separately pay, to the Company an annual cash Grant to assist and/or partially reimburse the Company for eligible expenses incurred by the Company in the building, improving and equipping of the Present Facility (i.e., New Capital Investment). Provided the Company has fully complied with the terms of this Agreement, the Grants based on the New Capital Investment and Tax Rate for each year beginning with 2020 shall be paid to the Company by the County and the City, respectively, no later than March 31 of the next succeeding calendar year, so that each of the Grants will be paid to the Company for five (5) consecutive years beginning in the 2021 calendar year. The amount of the Grant by the County for the first year is estimated to be $39,962, and amount of the Grant by the City for the first year is estimated to be $32,775, each based upon the current (fiscal year 2018/2019) tax rates and upon the representations by the Company of its estimate of New Capital Investment. The actual amount of each Grant will be calculated each year using the method set out below, and will be based upon the New Capital Investment, the tax rates for the particular year as set by the County and the City and their respective budget ordinances, and the incentive rate of 50% (the “Incentive Rate”) of the New Capital Investment for each of the five (5) years, all provided that the Company otherwise qualifies for the Grant for each of those years.

4. Effective Date and Term. This Agreement shall become effective and binding upon the parties upon approval and execution by all the parties. The term of this Agreement shall extend until December 2025. The payment of the Grants for each of the calendar years 2020, 2021, 2022, 2023 and 2024 shall become due and shall be paid, respectively by the County and by the City, on the 31st day of March 2021, 2022, 2023, 2024 and 2025. The Company shall not be eligible for any Grants beyond five (5) consecutive calendar years ending on December 31, 2025.

For record keeping and transparency, the Board is asked to approve the amended agreement.

Budgetary Effect: There is no impact to the FY 18-19 budget or the FY 19-20 budget. Funding will be included in the FY 20-21 budget.

In response to a question from Commissioner Taylor, Attorney Simpson said the only change in the grant are the dates, originally it would run from 2020 - 2024 and now it will run from 2021-
2025, there will be no change in the financial aspect of the grant. Chairman Carswell asked if the company has met all the employment requirements of the grant. Attorney Simpson said they have hired 42 so far, the requirement was 40.

**Motion:** To approve the amended grant agreement between Burke County, the City of Morganton and Jackson Corrugated, LLC as presented.

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<th>RESULT:</th>
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<td>MOVER:</td>
<td>Scott Mulwee, Vice Chairman</td>
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<td>AYES:</td>
<td>Johnnie W. Carswell, Scott Mulwee, Wayne F. Abele, Sr., Jeffrey C. Brittain and Maynard M. Taylor</td>
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**REPORTS AND COMMENTS**
Chairman Carswell opened the floor for comments and reports.

Attorney Simpson said regarding the County’s ongoing opioid litigation, there has been an amendment to the contract with McHugh Fuller Law Firm and their associate law firms in which their fee of 30 percent of any recovered damages has been reduced to 25 percent. The amended contract did not get signed, but it will be signed this evening, so he wanted to make the Board aware.

Commissioner Taylor said his reports are in the agenda packet and noted he attended the following events:
- March 20th - WPCC’s workforce solutions event/tour
- March 28th - WPCC legislative breakfast
- April 13th - 11th District Republican Party convention in Canton, NC
- April 12th - 4-H achievement awards presentation

Vice Chairman Mulwee said his reports are in the agenda packet. He also reported that he and Chairman Carswell attended a North Carolina Association of County Commissioners district meeting in Cleveland County to talk about jails and jail populations.

County Manager Steen announced this week is National Telecommunicators Week.

Chairman Carswell said his reports are in the agenda packet. He noted there is a new bill in the Legislature, Senate Bill 538, which would force water entities to add a $3 service charge to bills to help pay for unviable water systems. Chairman Carswell thanked Burke County Public Schools for facilitating an event called “The Reality of Money,” in which around 700 children participated. Chairman Carswell commended the program and read a few responses from the participants.

| RESULT:               | NO ACTION TAKEN |

**VACANCY ANNOUNCEMENTS**

**CLERK - BOARDS AND COMMITTEES VACANCY REPORT**
Clerk Draughn announced the following board and committee vacancies:

- Hickory Regional Planning Commission
Chairman Carswell reminded everyone to please spay/neuter their pets and to pick up trash.

RESULT: NO ACTION TAKEN.

CLOSED SESSION

RESULT: NOT NEEDED. NOT HELD.

RECESS OF MEETING
With there being no further business to come before the Board, Chairman Carswell recessed the meeting at 6:48 p.m., until 4:00 p.m. on May 7th, 2019. The meeting will be held in the Commissioners’ Meeting Room.

Approved this 20th day of August 2019.

[Signature]
Johnnie W. Carswell, Chairman
Burke Co. Board of Commissioners

Attest:

[Signature]
Kay Honeycutt Draughn, CMC, NC MCC
Clerk to the Board