MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING

The Burke County Board of Commissioners held a regular meeting on Tuesday, May 21, 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., in Morganton, N.C. Those present were:

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

COMMISSIONERS ABSENT:
Wayne F. Abele, Sr. (Unable to attend due to illness.)

STAFF PRESENT:
Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, 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. Jasper W. Hemphill, J.r., Pastor, African Methodist Episcopal Church (AMEC) delivered the invocation.

PLEDGE OF ALLEGIANCE
Under the leadership of Principal Kristen Edwards, students from Mull 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
Motion: To approve the agenda.
RESULT: APPROVED [UNANIMOUS]
MOVER: Scott Mulwee, Vice Chairman
AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor
ABSENT: Wayne F. Abele, Sr.

APPROVAL OF MEETING MINUTES
Motion: To approve the minutes for the February 19, 2019 (regular) meeting and the February 22, 2019 (recessed) meeting as written.
RESULT: ACCEPTED [UNANIMOUS]
MOVER: Scott Mulwee, Vice Chairman
AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor
ABSENT: Wayne F. Abele, Sr.
PRESENTATIONS

BOC - RECOGNITION OF GOVERNOR'S VOLUNTEER SERVICE AWARD

The Governor's Volunteer Service Award honors the true spirit of volunteerism by recognizing individuals, groups and businesses that make a significant contribution to their community through volunteer service. Any person, group, or entity from the public, non-profit and private sector may be nominated for an award to their county award coordinator. County award coordinators submit their top 10 volunteer nominations per county. There are categories for the type of nominee (senior, youth, faith-based, family, group, business, etc.). Additional categories are based upon the area of service (animal, environmental, disaster, youth, preservation, etc.) The Board is asked to recognize the recipients of the Governor's Volunteer Service Award at the regular meeting and take a commemorative group photo.

Chairman Carswell introduced Paige Pitts, President of Volunteer Burke, who spoke about the Governor’s Volunteer Service Award and recognized the award recipients along with Alicia Lorenzo Wilson, Secretary for Volunteer Burke. Afterwards, the recipients had their photo taken with the Board and staff. Winners: Shirley Beach, April Buchanan, Dottie Ervin, Lorraine Mickey McNeely, Sarah Black Moses, Terry Cabella (not present), Lake James Fire & Rescue Department, VIP Volunteers at First United Methodist Church – Dana McKim, Waits Gordon, Angie Farr and Eileen Raynor (not present); Pilot Club of Morganton – Jan Richardson and Connie Brocklin; Burke Literacy Council Project Flower Tutors – Maggie McKinney, Leslie Kern and Nicholas Pope.

Motion: Recognize citizens that received the Governors Volunteer Service Award and take a commemorative photo.

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

WPCC - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING MARCH 31, 2019

Sandy Hoilman, WPCC Chief Financial Officer, presented an overview of the College’s financial
data for the period ending March 31, 2019.

Ms. Hoilman thanked the Board for appropriating funds for an active shooter training. Which was conducted on May 8th.

**Motion:** To accept the report as presented.
RESULT: APPROVED [UNANIMOUS]
MOVER: Maynard M. Taylor, Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor
ABSENT: Wayne F. Abele, Sr.

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

In accordance with the Memorandum of Agreement approved by the County and the Board of Education in June 2018, the Board of Education will provide to the County quarterly financial reports on the 2018-2019 budget year at the end of each fiscal quarter. These reports will be presented to the County at the regular meeting of the County’s Board of Commissioners in November 2018, February 2019 and May 2019, respectively.

Keith Lawson, Burke County Public Schools Finance Officer, presented the following financial data for the period ending March 31, 2019.

<table>
<thead>
<tr>
<th>BCPS</th>
<th>Estimated Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018/2019</td>
</tr>
<tr>
<td></td>
<td>Previous</td>
</tr>
<tr>
<td>State</td>
<td>78,403,505</td>
</tr>
<tr>
<td>Federal</td>
<td>7,175,283</td>
</tr>
<tr>
<td>Local</td>
<td>14,608,764</td>
</tr>
<tr>
<td>School Nurses</td>
<td>726,095</td>
</tr>
<tr>
<td>Charter Schools</td>
<td>372,286</td>
</tr>
<tr>
<td>Fines &amp; Forfeitures</td>
<td>330,570</td>
</tr>
<tr>
<td>Special Revenue</td>
<td>4,943,029</td>
</tr>
<tr>
<td>Total</td>
<td>$ 106,559,532</td>
</tr>
</tbody>
</table>

85% of the '18/'19 budget is payroll and benefits costs, or about $91.9M
Wage increase of 0% - 14.8% for certified staff and 2% for classified
Health insurance costs increased by 7.3% and retirement by 10.1%
Expected impact to budget for the above increases is @ 4.0% or $4.3M

This space is intentionally left blank.
Mr. Lawson said the $1,142,983 represents Burke County Public Schools’ fund balance through three (3) quarters of this year. He said that figure is virtually where BCPS was last year and noted that last fiscal year BCPS used $98,000 in fund balance.

Commissioner Taylor asked if the state is going to pay for the nursing positions or will the County be responsible. Mr. Lawson said they are allotted funds from the state that can be used to pay for nurses, but BCPS usually asks the county to pay for nurses because they can use those funds for school resource officers, at-risk programs, and before and after school for students.

Motion: To accept the report as presented.

RESULT: APPROVED [UNANIMOUS]

MOVER: Maynard M. Taylor, Commissioner

AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor

ABSENT: Wayne F. Abele, Sr.

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2019-02 & PUBLIC HEARING - 6:00 P.M.

Scott Carpenter, Deputy County Manager/Planning Director, presented information regarding ZMA 2019-02 as follows:

SUMMARY OF INFORMATION:

REQUEST
Staff has received a rezoning application from RQW Properties to rezone one (1) parcel of land totaling 8.23 acres. The request is to rezone the property from its current zoning of Industrial (IND) to the Residential Two (R-2) zoning district. The parcel is also within the I-40 Overlay District.

SITE ANALYSIS
The parcel is described as follows:
The 911 address of the parcel is 7600 Franklin St. Connelly Springs, NC. The parcel is further identified in county records as (PIN# 2762573578 and REID# 19838). As mentioned above, the parcel is 8.23 acres. Although the property is zoned “Industrial”, there are no industrial or commercial uses or structures on the property. The primary structure on the property is a single-family residence which was built in 1941. There are also several accessory structures on the property as well. There is approximately 2.5 acres of wooded area on the property. The remainder of the property is cleared with grass. The residence is on a private well and an onsite wastewater disposal system. The property is located within the Lake Hickory Water Supply Watershed and is within the Icard Fire District. The parcel is also located within the Icard Township of Burke County. The parcel is accessed by a perpetual ten (10) foot right-of-way and easement (Franklin St.) for ingress and egress (Deed Bk.124 / Pg.693-697).

SURROUNDING AREA
Land uses in the surrounding area are a mixture of industrial and residential uses. There are also several vacant parcels in the area as well. There are two industrial zoned properties adjoining the subject parcel. There are also multiple residential zoned properties adjoining the subject parcel as well.

To the north of the property are scattered residences, an industrial plant, and businesses. To the east is an industrial plant and medium density residential development, several minor subdivisions, and a few large lot residences. South of the subject parcel is predominantly residential with both single-family and two-family (duplex) residences. The I-40 corridor is approximately 350 feet to the south of the subject property. To the west is both vacant land and scattered site residences on multiple acre lots.

The table below indicates the existing land uses in the area.

<table>
<thead>
<tr>
<th>Existing Zoning and Land Uses within the Surrounding Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Zoning</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>

The Existing Land Use Map and the 2018 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.

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 is designated “Rural / Agricultural”, because it is located between two Secondary Growth Areas. These areas are typically considered rural in nature and access to infrastructure and public utilities will be more limited. In this case, the area does have access to those components, the area just fell in between two predefined zones.

CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE

The “current” zoning district for this parcel is Industrial (IND). The Zoning Ordinance defines the Industrial District as a district in which the principle use of land is for industrial and warehousing uses. The industrial district has a greater potential of environmental impacts than in other non-residential districts. The “proposed” Residential Two (R-2) District designation is intended for low to medium density residential development. This district is similar to the R-1 zoning district, however, this district allows for multi-section manufactured homes and multi-family housing. Very few non-residential uses are permitted within the R-2 District. Zoning the subject parcel to the R-2 zoning district would bring the existing non-conforming dwelling into compliance with the zoning ordinance.
PLANNING BOARD RECOMMENDATION
Following general procedure and discussion, the Planning Board reached the following decision: Richard Evey made a motion to approve ZMA 2019-02, “A request to rezone (1) parcel of land consisting of 8.23 acres from the Industrial (IND) Zoning District to the Residential Two (R-2) Zoning District Ray Weaver/RQW Properties, LLC, Applicant based on its consistency with the 2016-2030 Burke County Strategic Land Use Plan.” He was seconded by Gary Kling. The motion passed with a 5/0 vote.

STAFF COMMENTS
Although, there is one industrial and one light industrial zoned parcel adjacent to the subject property, the surrounding area is predominately residential. The subject property has an existing dwelling on it that is occupied. Rezoning the property to residential would bring the structure into compliance. Access to the property is via a ten (10) foot wide right-of-way. Although the road is paved, the access is not wide enough for two cars to pass, must less two delivery trucks. I would not think NCDOT would approve a driveway permit for an industrial use of this property without requiring the right-of-way and road be widened and improved. The lack of public water and sewer would also hinder this land from industrial development. Staff would recommend approval of the rezoning the property to residential for the reasons mentioned above.
To assist the Board in their decision, staff has provided the following considerations:
• Is there a public need for additional land to be zoned to the requested classification?
• What is the impact on public services, facilities, infrastructure, fire and safety, and topography?
• What are the nearby development/zoning patterns?
• Consider the full range of uses allowed by the proposed district versus the uses allowed within the current zoning district.
• Is the rezoning request compatible with the character of the surrounding area and suitable with the property for certain uses?

STATEMENT OF CONSISTENCY
When a local government adopts development regulations, there must be a rational basis for determining what those regulations should be. Zoning regulates where various land uses can be located and at what density and intensity of use. To make rational and informed choices in adopting and later amending these regulations, there should be careful consideration of many factors, including what infrastructure is needed to support development, how the land uses relate to one another, what the community’s goals, objectives, and vision for the future are, and so forth.
The statement must take one of three forms:
1. A statement approving the proposed zoning amendment and describing its consistency with the plan;
2. A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
3. A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community taken into account in the zoning amendment.

With each of these alternatives, the statement is also to include an explanation of why the board deems the action reasonable and in the public interest. A statement on plan consistency must be explicitly approved by the Board at the time a zoning amendment decision is made. The statement must be more than a one-sentence conclusion. It must both describe plan consistency or inconsistency and it must explain the rationale of the decision. The statement is to take the form of one of the three options noted above.

ADDITIONAL INFORMATION
Please refer to the application, driving directions, and map(s) for more information.

At 6:42 p.m., Chairman Carswell opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on May 9th, 2019 and May 16th, 2019, in addition, it was posted to the County’s website (www.burkenc.org) on May 9th, 2019. There was one (1) citizen that requested to speak.
Ray Weaver, property owner, spoke in favor of the rezoning request and said a tenant has been living on the property for about four (4) years and he wants to buy the property.

With there being no one else to address the Board, Chairman Carswell closed the public hearing at 6:43 p.m.

Motion: To adopt Ordinance (No. 2019-03) amending the Burke County Zoning Ordinance and related consistency statement.

Statement of Consistency

The proposed rezoning would be consistent with the 2016-2030 Burke County Strategic Land Use plan and considered reasonable and in the public interest because:

- The proposed zoning reclassification is consistent with the purposes, goals, objectives, and policies, of the adopted land use plan, and other plans for the physical development of the County as adopted by the Board of Commissioners; and
- The proposed zoning reclassification is compatible with the overall character of existing development in the immediate vicinity of the subject property; and
- There is adequate public facilities and services to serve the subject property, including but not limited to; roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies and wastewater treatment systems and garbage services.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeffrey C. Brittain, Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor
ABSENT: Wayne F. Abele

Ordinance No. 2019-03 reads as follows:

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2019-02

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

One parcel of land referenced by Property Identification Number (PIN # 2762573578), in the Icard Township of Burke County is hereby rezoned from the Industrial (IND) Zoning District to the Residential Two (R-2) Zoning District.

Adopted this 21st day of May 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

INFORMAL PUBLIC COMMENTS – NONE.

CONSENT AGENDA
At the request of Chairman Carswell, County Manager Steen reviewed the consent agenda.

BOC - REAPPOINTMENT OF TAX ADMINISTRATOR
Danny Isenhour currently serves as the County's Tax Administrator. He was reappointed by the Board in 2011 and in 2015 for a 4-year term ending June 30, 2019. Should the Board wish to reappoint Mr. Isenhour to this position, he will have to take the prescribed oaths of office and provide a sufficient bond in accordance with NCGS § 105-294 and § 105-349.

Motion: To reappoint Daniel K. Isenhour as the Burke County Tax Administrator, effective July 1, 2019, for a 4-year term.

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

CLERK - APPOINTMENT TO ANIMAL ADVISORY BOARD
Seat No. 2 (Veterinarian) on the Animal Advisory Board is vacant. An application was received from Dr. Linda Schilkowsky. The unexpired term for this seat is July 30, 2019.

Motion: To appoint Dr. Linda Schilkowsky to the Animal Advisory Board (Seat No. 2 - Veterinarian) to complete an unexpired term ending July 30, 2019.

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

GEN. SERVICES - ACCEPTANCE OF STATE LOAN FOR THE ECKARD CREEK PUMP STATION PROJECT
In March of 2019, the Local Government Commission approved a $1.6 million Clean Water State Revolving Fund loan (0%, $500,000 principle forgiveness) for the Eckard Creek Pump Station rehabilitation project. This project will replace the pumps and equipment at the Eckard Creek sewer pump station in Icard, along with 7,600 feet of force main pipe that connects the pump station to the gravity sewer system. The project will address failing equipment and materials in order to maintain sanitary sewer services in the Icard area. The next step is to adopt the following resolution and to execute the Offer-and-Acceptance Document, Standard Conditions for the Federal SRF loans, and Sales-Tax Certification.

As an update, plan review is almost finalized, and the project should go out for bids on or before June 1. A contract could be awarded in July or August at the latest. County Manager Steen announced that in the motion, “Chairman” was replaced with “County Manager.”

Motion: To adopt Resolution No. 2019-10 accepting a State Revolving Loan in the amount of $1,634,000 for the Eckard Creek Pump Station Rehabilitation Project. Further, authorize the County Manager to execute the Offer-and-Acceptance
Resolution No. 2019-10 reads as follows:

Resolution to Accept a Loan Offered by the North Carolina Department of Environmental Quality for the Rehabilitation of the Eckard Creek Sewer Pump Station and Force Main

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental Quality (DEQ) has offered a Clean Water SRF loan in the amount of $1,634,000 for the construction of the Eckard Creek Sewer Pump Station and Force Main Rehabilitation Project (DEQ Project No. CS370400-01); and

WHEREAS, $500,000 of the loan principal will be forgiven and the remaining balance will be amortized over 20 years at an interest rate of 0% per annum; and

WHEREAS, Burke County intends to construct said project in accordance with the approved plans and specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BURKE COUNTY BOARD OF COMMISSIONERS:

That Burke County does hereby accept the Clean Water SRF loan offer of $1,634,000.

That Burke County does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, including the Standard Conditions and Assurances, will be adhered to.

That Kenneth B. Steen, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such loan offer for the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the loan offer.

That Burke County has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Approved this 21st day May 2019.

/s/: Johnnie W. Carswell
Johnnie W. Carswell, Chairman
HEALTH / SHERIFF - APPROVAL OF SERVICE CONTRACTS FOR THE DEPARTMENT OF JUSTICE ADULT DRUG COURT GRANT

Contracts from The Cognitive Connection and Burke Recovery have been submitted for services that will be rendered during the 4 years of the Department of Justice Adult Drug Court Grant which is called, Burke County Recovery Court. The contracts have been reviewed and approved by the county attorney. The treatment services for those voluntary clients identified for Burke County Recovery Court will be rendered by The Cognitive Connection and Burke Recovery will hire a peer support specialist to provide additional peer and recovery support services along with basic substance use disorder services. Funding is provided through the $500,000 Department of Justice grant from January 2019 through December 2022.

Note: The contracts were not available at the time of agenda distribution.

Motion: To approve the grant related service contracts in the amount of $298,706 for The Cognitive Connection and $126,878 for Burke Recovery. Further, authorize the County Manager to execute the agreements on behalf of the Board.

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

IT - RECLASSIFICATION OF 911 TECHNOLOGIST TO A SENIOR IT TECHNICIAN

When the 911 Radio Technologist position became vacant, the IT Director conducted a job study to determine the best possible way to handle the job duties required by this position. After the study, it was determined that some of the more advanced functions of the job, such as server maintenance and application administration, could be handled by the IT Department’s System Administration team. Other functions such as maintaining FCC licensing, radio maintenance and coordination of the County’s VIPER radio list would still need to be handled by one (1) individual. Due to the redistribution of duties, this position should be reclassified down from a pay grade 24 (starting salary $41,717.26) to a pay grade 22 (starting salary $37,835.72) and the title changed from a 911 Technologist/Radio Technician to Senior IT Technician.

Motion: To reclassify the 911 Technologist, grade 24 to a Senior IT Technician, grade 22 effective May 22, 2019.

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

JCPC - APPROVAL OF COUNTY PLAN FOR BURKE COUNTY & FUNDING ALLOCATION

The Juvenile Crime Prevention Council (JCPC) plans for the needs of adjudicated and at-risk youth and assesses the need for delinquency treatment and prevention services in Burke
The funding from the state Department of Public Safety Division of Juvenile Justice (DJJ) for the programs, $230,294, requires a 30% match which is provided by the programs themselves either by cash or in-kind donations. Therefore, no county funding is necessary. The Annual Plan describes and documents each step of the state mandated process required to make decisions on the allocation of funds provided to Burke County by the Division of Juvenile Justice. The plan also documents the required membership of the council and meeting dates and attendance. Most importantly, it lists the programs chosen for funding and the amounts allocated. This plan must be approved by the Burke County Board of Commissioners prior to acceptance and funding by DJJ.

Motion: To approve the JCPC FY 19-20 County Plan for Burke County as presented and the JCPC FY 19-20 annual Funding Allocation. Further, authorize the County Manager and/or the County Finance Director to process revisions to the JCPC FY 19-20 Plan administratively and authorize the Chairman to execute the Allocation on behalf of the Board.

RESULT: APPROVED [UNANIMOUS]
MOVER: Maynard M. Taylor, Commissioner
AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor
ABSENT: Wayne F. Abele, Sr.
J CPC - APPROVAL OF FY20 J CPC CERTIFICATION

The Juvenile Crime Prevention Council (J CPC) is required to submit a Certification to assure that all required standards are being met or are in the process of being met. The J CPC voted at the April 10, 2019 meeting to approve this FY 19/20 Certification. The County Commissioners are to review this report and vote to accept the certification as presented.
Motion: To review and accept the FY20 JCPC Certification as presented.

RESULT: APPROVED [UNANIMOUS]

MOVER: Maynard M. Taylor, Commissioner

AYES: Johnnie W. Carswell, Scott Mulwee, Jeffrey C. Brittain and Maynard M. Taylor

ABSENT: Wayne F. Abele, Sr.

TAX DEPT. - TAX COLLECTION REPORT FOR APRIL 2019

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2018 and April 30, 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>$44,279,262.20</td>
<td>$570,737.80</td>
<td>98.73%</td>
</tr>
<tr>
<td>Delinquent Taxes</td>
<td>$710,000.00</td>
<td>$532,114.48</td>
<td>$177,885.52</td>
<td>74.95%</td>
</tr>
<tr>
<td>Late List Penalty</td>
<td>$300,000.00</td>
<td>$269,220.52</td>
<td>$30,779.48</td>
<td>89.74%</td>
</tr>
</tbody>
</table>
May 21, 2019 (Regular)

<table>
<thead>
<tr>
<th>Property Tax</th>
<th>Collect</th>
<th>Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$40,374,965.00</td>
<td>$40,432,861.19</td>
<td>NONE</td>
</tr>
<tr>
<td>Motor Vehicle Tax</td>
<td>$4,475,035.00</td>
<td>$3,846,401.01</td>
</tr>
</tbody>
</table>

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

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

**RESULT:** APPROVED [UNANI MOUS]

**MOVER:** Maynard M. Taylor, Commissioner

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

**ABSENT:** Wayne F. Abele, Sr.

**TAX DEPT. - RELEASE REFUND REPORT FOR APRIL 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.

**Tax System Refunds and Releases**

<table>
<thead>
<tr>
<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>$5,814.97</td>
<td>$5,644.02</td>
<td>$170.95</td>
</tr>
</tbody>
</table>

**VTS Refunds Over $100**

<table>
<thead>
<tr>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$259.62</td>
</tr>
</tbody>
</table>

*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 April 2019 as presented.

**RESULT:** APPROVED [UNANI MOUS]

**MOVER:** Maynard M. Taylor, Commissioner

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

**ABSENT:** Wayne F. Abele, Sr.

The April TR-304 report reads as follows:
The April VTS Report reads as follows:

ITEMS FOR DECISION

COMM. DEV. - COUNTY PARK RESTROOM

Scott Carpenter, Deputy County Manager/Planning Director, and Shane Prisby, Operations Manager, presented information regarding the County Park restroom as follows:

The Board of Commissioners appropriated funds in FY 19 for the Community Development Department to construct a restroom at the Fonta Flora County Park Trailhead. Because of the higher than expected contract price for the White Creek Covered Bridge, the Community Development Department was instructed by the Commissioners to move forward with the bridge project and return to the Board with the additional cost of the restroom.
After pricing out the options, a two-stall flush restroom with well and sceptic is the preferred option. The total price of the project is $100,000. The Restroom would be manufactured, delivered, and installed by CXT, Inc for $65,000 which is state contract pricing. The well, sceptic system, site prep will be $35,000 which include a contingency of 5%. The alternative is a pit/vault toilet system which offers little savings initially and the long-term expense of pump and haul. The project will require an appropriation of an additional $82,000 from General Fund, Fund Balance.

Vice Chairman Mulwee asked if there will be a water fountain for dogs. Mr. Prisby said yes, and the cost should be covered by the 5% contingency.

Commissioner Taylor expressed his concern over the cost per square foot and the number of toilets included in the restrooms. Mr. Carpenter and Mr. Prisby responded to several questions from Commissioner Taylor.

**Motion: Approve the quote from CXT and appropriate $82,000 of General Fund, Fund Balance for the County Park Restroom project. Further, authorize the County Manager to execute the agreements for well installation, sceptic installation, and site preparation work on behalf of the Board, subject to review and/or revision by the County Attorney.**

RESULT: APPROVED [3 TO 1]

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

**HR - CREATION OF ANIMAL SERVICES POSITIONS**

County Manager Steen reported information regarding the creation of Animal Services positions as follows:

As a part of the County’s initiative to create and implement a new Animal Services Department, the daily control and operation of the current animal facility will be shifted from the Sheriff’s Office to the County Manager’s Office. Moving forward, to ensure the effective and equitable treatment of animals and the public in Burke County, three (3) new full-time positions will need to be created. These positions will include one (1) Animal Services Director, one (1) Animal Services Coordinator, and one (1) Animal Services Technician. The actual cost of these positions will be outlined in the County Manager’s FY 19-20 recommended
budget. To ensure a smooth transition from the Sheriff’s Office to the Animal Services Department, it is requested that these positions be approved so they can be advertised and recruited so the selected candidates can begin employment on July 1, 2019.

County Manager Steen responded to a question from Commissioner Taylor concerning the positions.

**Motion:** To authorize the creation of one (1) Animal Services Director, one (1) Animal Services Coordinator, and one (1) Animal Services Technician and to authorize the Burke County Human Resources Department to begin advertising and recruiting for those positions so the selected candidates can begin employment with the County on July 1, 2019.

**RESULT:** APPROVED [UNANIMOUS]

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

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

**ABSENT:** Wayne F. Abele, Sr.

**CO. MGR. - PRESENTATION OF RECOMMENDED BUDGET FOR FY 19-20 AND SCHEDULING OF PUBLIC HEARING**

County Manager Steen said this is the first budget that was done without the previous Deputy County Manager/Finance Director. He said the new Deputy County Manager/Finance Director, Margaret Pierce, did a fine job and acknowledged the changes/challenges for the upcoming budget year. County Manager Steen noted that the 69.5 cent tax rate is recommended to remain the same in the FY 19-20 fiscal year and the total recommended budget is $108,412,990.

Information from the agenda packet reads as follows:

The County Manager will present the recommended budget for FY 2019-20 to the Board of Commissioners on Tuesday, May 21, 2019. A copy of the recommended budget will be filed in the office of the Clerk to the Board that day and be available for public inspection at the Burke County Governmental Offices during regular business hours. The recommended budget will also be posted to the County’s website at: [http://www.burkenc.org/2265/Budget-Documents](http://www.burkenc.org/2265/Budget-Documents). G.S. 159-11 (b) - The budget, together with a budget message, shall be submitted to the governing board not later than June 1. The budget and budget message should, but need not, be submitted at a formal meeting of the board. The budget message should contain a concise explanation of the governmental goals fixed by the budget for the budget year, should explain important features of the activities anticipated in the budget, should set forth the reasons for stated changes from the previous year in program goals, programs, and appropriation levels, and should explain any major changes in fiscal policy. Budget workshop meetings will be held in the Commissioners’ Meeting Room, Burke County Services Building, 110 N. Green Street, Morganton, NC, on the following dates:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 30</td>
<td>3:00 p.m.</td>
</tr>
<tr>
<td>June 4</td>
<td>4:00 p.m.</td>
</tr>
<tr>
<td>June 6</td>
<td>3:00 p.m.</td>
</tr>
</tbody>
</table>
A public hearing on the recommended budget is required and citizens are encouraged to attend and present written or oral comments. Adoption of the recommended budget is anticipated to occur on June 18, 2019.

Note: The Commissioners received a printed or electronic copy of the recommended budget document.

Motion: To acknowledge receipt of the Manager’s recommended budget for FY 19-20. To schedule a public hearing for Tuesday, June 18, 2019 at 6 p.m. or as soon thereafter as persons may be heard.

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

REPORTS AND COMMENTS

FINANCE - COUNTY FINANCIAL REPORT ENDING MARCH 31, 2019
At the request of the Chairman, Margaret Pierce, Deputy County Manager/Finance Director, provided a brief overview of the County’s financial status for informational purposes only.

This space is intentionally left blank.
### GENERAL FUND AS OF MARCH 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>ACTUAL</th>
<th>BALANCE</th>
<th>PERCENT RECEIVED / EXPENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Taxes, Interest, &amp; Penalties</td>
<td>$45,883,000</td>
<td>43,957,691</td>
<td>$1,925,309</td>
<td>95.80%</td>
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<tr>
<td>Sales Tax</td>
<td>$7,097,100</td>
<td>3,027,637</td>
<td>$4,069,463</td>
<td>42.66%</td>
</tr>
<tr>
<td>Other taxes</td>
<td>$1,094,200</td>
<td>904,262</td>
<td>$189,938</td>
<td>82.64%</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>$16,084,127</td>
<td>10,727,396</td>
<td>$5,356,731</td>
<td>66.70%</td>
</tr>
<tr>
<td>Sales/Services</td>
<td>$4,128,411</td>
<td>3,118,677</td>
<td>$1,009,734</td>
<td>75.54%</td>
</tr>
<tr>
<td>Permit/Fees</td>
<td>$1,362,950</td>
<td>1,100,599</td>
<td>$262,351</td>
<td>80.75%</td>
</tr>
<tr>
<td>Misc Revenues</td>
<td>$915,666</td>
<td>1,198,020</td>
<td>($282,354)</td>
<td>130.84%</td>
</tr>
<tr>
<td>Transfer from other Funds</td>
<td>$6,911,929</td>
<td>6,911,929</td>
<td>$0</td>
<td>100.00%</td>
</tr>
<tr>
<td>Fund Balance</td>
<td>$5,139,834</td>
<td>0</td>
<td>$5,139,834</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$88,617,217</td>
<td>70,946,211</td>
<td>$17,671,006</td>
<td>80.06%</td>
</tr>
<tr>
<td><strong>EXPENDITURES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burke County Schools</td>
<td>$15,699,453</td>
<td>11,798,886</td>
<td>$3,900,567</td>
<td>75.15%</td>
</tr>
<tr>
<td>Community Dev/Planning</td>
<td>$784,211</td>
<td>605,718</td>
<td>$178,493</td>
<td>77.24%</td>
</tr>
<tr>
<td>Cooperative Extension</td>
<td>$372,650</td>
<td>252,399</td>
<td>$120,251</td>
<td>67.73%</td>
</tr>
<tr>
<td>Debt Service</td>
<td>$8,785,951</td>
<td>8,783,521</td>
<td>$2,430</td>
<td>99.97%</td>
</tr>
<tr>
<td>DSS</td>
<td>$16,945,164</td>
<td>11,651,957</td>
<td>$5,293,207</td>
<td>68.76%</td>
</tr>
<tr>
<td>Economic Development</td>
<td>$1,839,828</td>
<td>1,479,792</td>
<td>$360,036</td>
<td>80.43%</td>
</tr>
<tr>
<td>Elections</td>
<td>$376,339</td>
<td>302,703</td>
<td>$73,636</td>
<td>80.43%</td>
</tr>
<tr>
<td>Emergency Service</td>
<td>$8,164,822</td>
<td>6,034,639</td>
<td>$2,130,183</td>
<td>73.91%</td>
</tr>
<tr>
<td>General Government</td>
<td>$6,742,323</td>
<td>4,061,551</td>
<td>$2,680,772</td>
<td>60.24%</td>
</tr>
<tr>
<td>Health</td>
<td>$3,384,080</td>
<td>2,359,846</td>
<td>$1,024,234</td>
<td>69.73%</td>
</tr>
<tr>
<td>Library</td>
<td>$2,396,762</td>
<td>1,240,265</td>
<td>$1,156,497</td>
<td>51.75%</td>
</tr>
<tr>
<td>Maintenance &amp; Operation</td>
<td>$3,189,602</td>
<td>1,102,787</td>
<td>$2,086,815</td>
<td>34.57%</td>
</tr>
<tr>
<td>Mental Health</td>
<td>$265,000</td>
<td>265,000</td>
<td>$0</td>
<td>100.00%</td>
</tr>
<tr>
<td>Recreation</td>
<td>$651,883</td>
<td>421,492</td>
<td>$230,391</td>
<td>64.66%</td>
</tr>
<tr>
<td>Register of Deeds</td>
<td>$403,541</td>
<td>269,809</td>
<td>$133,732</td>
<td>66.86%</td>
</tr>
<tr>
<td>Senior Services/Veteran Services</td>
<td>$592,602</td>
<td>346,961</td>
<td>$245,641</td>
<td>58.55%</td>
</tr>
<tr>
<td>Sheriff (incl. Detention &amp; Animal Contr)</td>
<td>$10,408,735</td>
<td>7,395,609</td>
<td>$3,013,126</td>
<td>71.05%</td>
</tr>
<tr>
<td>Soil &amp; Water</td>
<td>$115,216</td>
<td>86,063</td>
<td>$29,153</td>
<td>74.70%</td>
</tr>
<tr>
<td>Tax</td>
<td>$1,774,169</td>
<td>1,276,705</td>
<td>$497,464</td>
<td>71.96%</td>
</tr>
<tr>
<td>Western Piedmont Community College</td>
<td>$2,872,762</td>
<td>2,152,762</td>
<td>$720,000</td>
<td>74.94%</td>
</tr>
<tr>
<td>Transfers to other Funds</td>
<td>$2,852,124</td>
<td>1,951,721</td>
<td>$900,403</td>
<td>68.43%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$88,617,217</td>
<td>63,840,186</td>
<td>$24,777,031</td>
<td>72.04%</td>
</tr>
<tr>
<td><strong>FUND BALANCE INCREASE / (DECREASE)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$7,106,025</td>
</tr>
<tr>
<td><strong>SALES TAX SUMMARY BY ARTICLE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Tax - Article 39</td>
<td>$4,866,750</td>
<td>2,511,580</td>
<td>$2,355,170</td>
<td>51.61%</td>
</tr>
<tr>
<td>Sales Tax - Article 40</td>
<td>$5,623,800</td>
<td>2,898,716</td>
<td>$2,725,084</td>
<td>51.54%</td>
</tr>
<tr>
<td>Sales Tax - Article 42</td>
<td>$2,703,000</td>
<td>1,394,718</td>
<td>$1,308,282</td>
<td>51.60%</td>
</tr>
<tr>
<td>Sales Tax - Article 44</td>
<td>$1,473,300</td>
<td>774,389</td>
<td>$698,911</td>
<td>52.56%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$14,666,850</td>
<td>7,579,403</td>
<td>$7,087,447</td>
<td>51.68%</td>
</tr>
</tbody>
</table>
Commissioner Brittain asked why “Maintenance and Operations” seems low with 34 percent expended. Ms. Pierce said it is because appropriated funds for the courthouse sally port project have not been spent yet.

Motion: To accept the report as presented.

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

BOC - REPORTS & COMMENTS
Chairman Carswell opened the floor for reports and comments.

James Reid Simpson, II, County Attorney, said he, along with County Manager Steen, and Chairman Carswell attended a regional meeting in Charlotte for the ongoing opioid litigation. He said at the meeting they received updates from national and local firms who are handling the litigation. Attorney Simpson said the first trial should take place in Cleveland, Ohio, or Las Vegas, Nevada sometime this fall. He said it was a good session and believes everyone walked away better informed on the future of the proceedings.

Commissioner Taylor said his reports are in the agenda packet and noted he attended the ribbon cutting for Big Lots and was unable to attend the North Carolina Association of County Commissioners (NCACC), County Assembly Day, and a Partners Behavioral Health Management meeting because he was baling hay. Commissioner Taylor then reviewed the following handout concerning teacher pay, amounts the state spent on school supplies, etc.
Vice Chairman Mulwee said his reports are in the agenda packet. He said he along with Commissioner Abele attended a Tourism Development Authority (TDA) meeting this afternoon and he reviewed the TDA visitation numbers and said there are a lot of good things going on at the TDA. He also noted revenues from February of last year to this year were up 31 percent, and tax receipts are up 16 percent from last year. Vice Chairman Mulwee also said Burke County will be featured in “Our State Magazine” in October. Vice Chairman Mulwee reported he went on a tour of Broughton Hospital, attended a meeting in Rowan County regarding the county tier system, and the Western Piedmont Council of Governments’ (WPCOG) annual meeting. He thanked the Burke County Board of Education for reappointing him for another four (4) year term to the Western Piedmont Community College Board of Trustees.

Clerk Draughn reminded the Board that the responses to the animal services recommendations are in the agenda packet. She also reminded the Board there will be a rabies clinic sponsored by Burke County Animal Control and local veterinarians June 3 – 7.

Chairman Carswell said he and County Manager Steen attended County Assembly Day in
Raleigh and reminded the Board he is sending them regular updates regarding legislation in the General Assembly that affects Burke County, often in a negative way, and asked the Board to stay on top of these issues. He then reminded the Board of the following events:

- On May 22nd, Commissioners Abele and Taylor are scheduled to complete ethics training at the WPCOG at 10:00 a.m.
- May 24th is the grand opening/ribbon cutting of the White Creek covered bridge at 10:00 a.m. at the Lake James Linville Access area.
- County offices will be closed on May 27th for Memorial Day.
- On May 30th there will be a budget meeting at 3:00 p.m.
- June 4th is the Board’s pre-agenda meeting which will be at 3:00 p.m.
- There will be a budget meeting on June 4th at 4:00 p.m., if necessary.
- On June 6th there will be a budget meeting at 3:00 p.m., if necessary.
- The Board’s regular meeting will be on June 18th at 6:00 p.m.
- The North Carolina School of Science and Mathematics Morganton Campus groundbreaking will be on June 21st at 2:30 p.m.

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
- Adult Care & Nursing Home Community Advisory Committee
- Council on Aging
- Juvenile Crime Prevention Council
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Voluntary Agriculture Board
- Burke Co. Board of Adjustment & Planning Board
- Western Piedmont Regional Transit Authority - Transportation Advisory Board
- Partners Behavioral Health Mgmt.
- Animal Advisory Board
- Burke Senior Center Advisory Council
- Western Piedmont Community College Board of Trustees
- Board of Social Services

Chairman Carswell encouraged citizens to participate in boards and committees, especially regarding nursing homes. He also requested everyone to spay and neuter their pets and to pick up trash along the highways.

RESULT: NO ACTION TAKEN.

CLOSED SESSION

Chairman Carswell said a closed session is needed to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters and to discuss personnel matters as authorized by NCGS 143-318.11(a)(3), (4) and (6).
Chairman Carswell invited Deputy County Manager/Planning Director, Scott Carpenter, and General Services Director, Miles Champion to the closed session meeting.

Motion: To go into closed session to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters and to discuss personnel matters as authorized by NCGS 143-318.11(a)(3),(4) and (6).

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

Motion: To come out of closed session.

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

Motion: To authorize the County Manager to offer a salary to a prospective candidate up to the midpoint of the salary range (Grade No. 27) for the Associate Engineer position in the General Services Department.

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

RECESS OF MEETING
With there being no further business to come before the Board, Chairman Carswell recessed the meeting at 7:35 p.m. until 3:00 p.m. on May 30th, 2019 for the Board of Commissioners recessed budget meeting.

Approved this 17th day of September 2019.

[Signature]

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

Attest:

[Signature]

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board