

December 6, 2021 (Pre-Agenda)

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

The Burke County Board of Commissioners held a pre-agenda meeting on December 6, 2021 at 3:00 p.m. in the County Board Room, Burke Services Building, 110 N. Green Street in Morganton, N.C. The meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast later on the local cable systems. The agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. Both Burke County and the state of North Carolina had previously declared a state of emergency which was ongoing as of this date due to the global COVID-19 pandemic. Those present were:

COMMISSIONERS PRESENT: Jeffrey C. Brittain, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Johnnie W. Carswell
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 Brittain called the meeting to order at 3:01 p.m.

APPROVAL OF THE AGENDA

Motion: To approve the agenda.

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

ORGANIZATION OF THE BOARD

BOC - ELECTION OF CHAIRMAN FOR 2022
BOC - ELECTION OF VICE CHAIRMAN FOR 2022
BOC - APPOINTMENT OF COUNTY ATTORNEY FOR 2022
BOC - APPOINTMENT OF TAX ATTORNEY FOR 2022
BOC - APPOINTMENT OF THE CLERK TO THE BOARD FOR 2022

Chairman Brittain said all the election items will take place at the regular meeting.

RESULT:	ALL ITEMS MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.
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PRESENTATIONS – NONE

December 6, 2021 (Pre-Agenda)

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2021-12 & PUBLIC HEARING - 6:00 P.M.

Alan Glines, Planning Director, presented information regarding ZMA 2021-12 as follows:

REQUEST

Staff has received a rezoning application from Lake James Real Estate and Slope Solutions, LLC to rezone a 7.51-acre parcel of land. The request is to rezone the property from its current zoning district Residential Three (R-3) to the Conservation (CON) District.

BACKGROUND AND SITE ANALYSIS

The applicant is requesting the rezoning in order to establish a Special Events Grounds use of the property. The parcel is described as follows: The parcel is identified in county records as (REID# 40052). The parcel is vacant and wooded; however, a 911 address of 7329 South Mountain Institute Road has been assigned. South Mountain Institute Road is a state-maintained road (SR# 1236). Access will come from an adjoining property that fronts on South Mountain Institute Rd., which is also owned by Slope Solutions, LLC. The parcel is located in close proximity to Lake James and the 1780 Subdivision. The parcel is located within the Linville Township and the Longtown Fire District of Burke County. The parcel is located within a WS-IV Critical Area (CA) Water Supply Watershed. The parcel is located within the Scenic Overlay District. Records indicate that the property would be served by a well and private onsite septic. The parcel has legal access by a permanent non-exclusive right-of-way as described in Deed Book 2520 / Page 502.

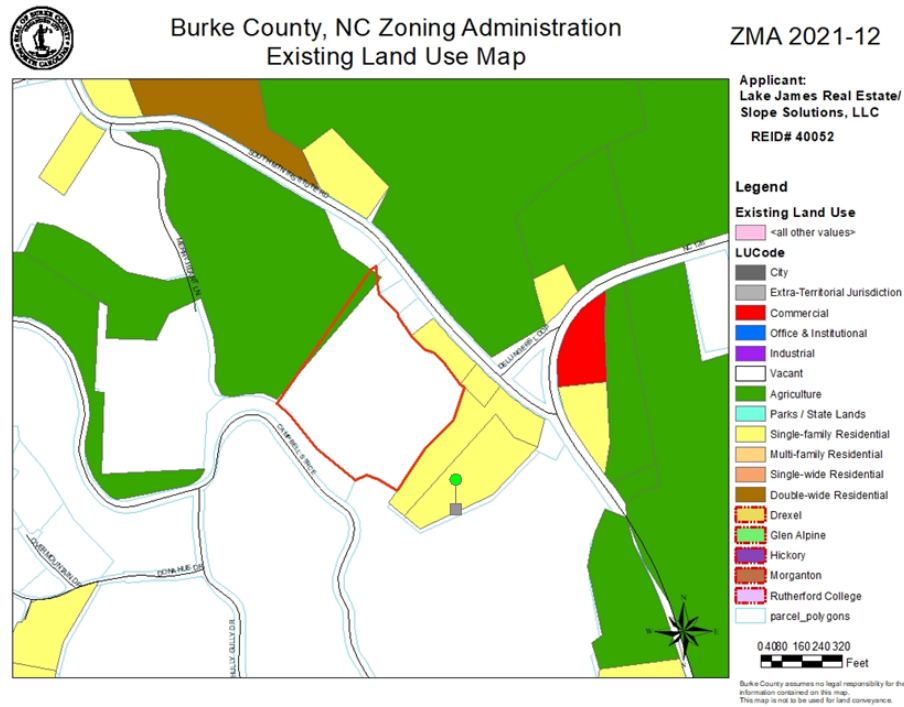
SURROUNDING AREA

The surrounding land use in this area is predominantly undeveloped land. Much of the land is wooded while there are multiple large pastures also within the area. Scattered residential uses are also found in the area. The residences are primarily single-family homes. There are two (2) businesses located in the area as well, Lake James Real Estate and Fonta Flora Brewery (located approximately ½ mile to the southeast).

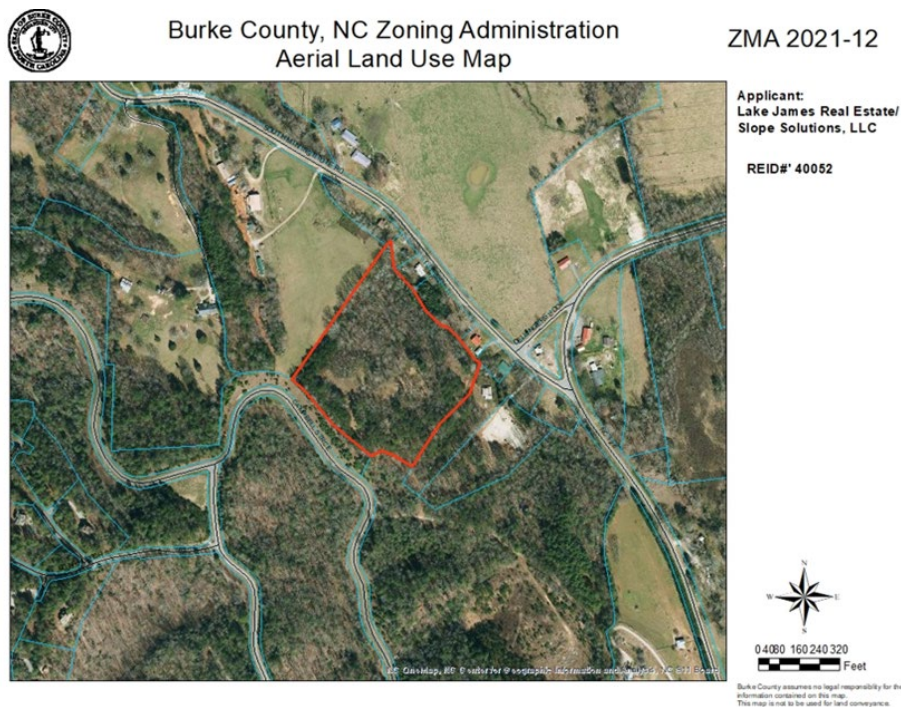
Existing Zoning and Land Uses within the Surrounding Area		
	Current Zoning	Existing Land Uses
North	Conservation (CON) / R-1	Vacant Land / Scattered Residences
South	Conservation (CON)	Vacant Land / Residential Subdivision
East	N-B / CON / R-3	Vacant Land / Former Business Site/ Residences
West	R-3 / CON / R-1	Residential Subdivision / Church

The Existing Land Use Table (above) and the Existing Land Use Map (Below) provide information concerning the existing uses within the surrounding area.

December 6, 2021 (Pre-Agenda)



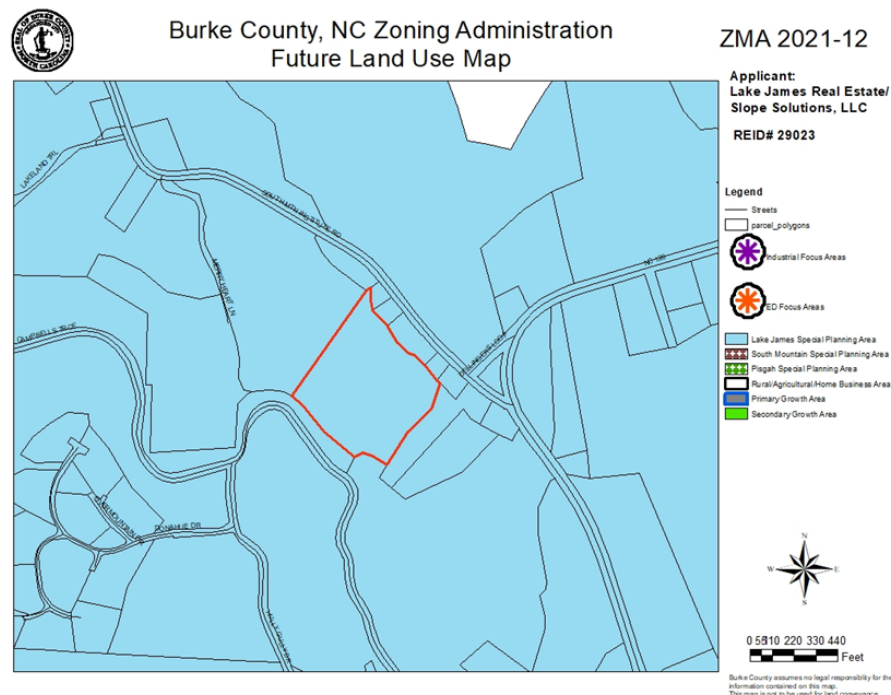
The Aerial Land Use Map (below) prominently depicts the amount of vacant, wooded and undeveloped land including the subject parcel. Several homes are located between the subject parcel and South Mtn. Institute Rd. The small triangular parcel at the cross-roads is Lake James Real Estate. The two properties to the west are used as a storage yard by Slope Solutions. An abandoned business is shown to the northeast with the red roof (formerly the Longtown Grocery).



December 6, 2021 (Pre-Agenda)

CONFORMITY WITH THE COMPREHENSIVE PLAN

The current land use plan for Burke County is the 2016-2030 Blueprint Burke Strategic Land Use Plan. The Future Land Use Map (below) is a visual representation of the general land use patterns identified for Burke County for the next 15-20 years. The subject parcel is located entirely within the Lake James Special Planning Area. As the name implies, this area focused on Lake James is a special planning area to enhance the natural and environmental resources around the lake with emphasis on the aesthetic qualities of new development. With the Lake James region being a center for tourism and multiple outdoor recreation uses, there is an expectation for moderate commercial as well as residential uses that will complement the lake environment.



CONFORMITY WITH THE BURKE COUNTY ZONING ORDINANCE

The zoning in this area primarily consists of the Conservation District (CON) and Residential Three (R-3) District. There are also several non-residentially zoned parcels in the area as well. Those zoning districts consist of the Neighborhood Business (N-B) and the General Business (G-B) Districts.

The current Zoning Map (below) shows the current zoning for the subject parcel and surrounding area. As stated earlier, the current zoning district for the subject parcel is Residential Three (R-3). The applicant wishes to rezone the parcel to the Conservation District.

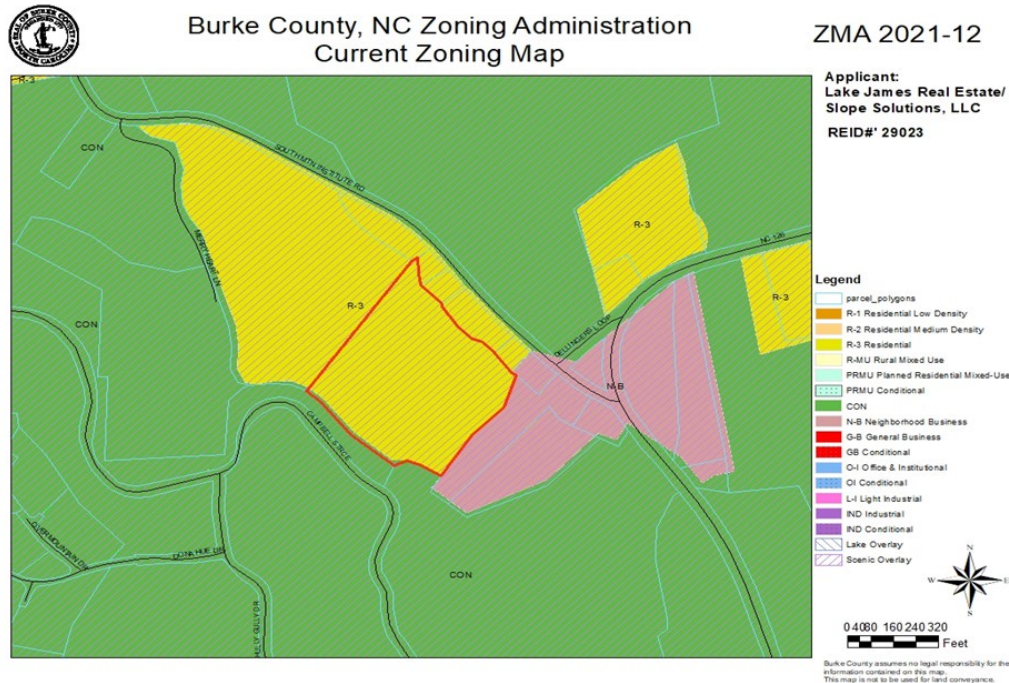
The Conservation (CON) District allows low density residential development and associated uses in order to provide adequate protection for environmental areas and wildlife habitats, protect viable working farms, maintain the integrity or rural

December 6, 2021 (Pre-Agenda)

viewsheds, and limit the amount of potential property damage associated with existing natural hazards.

Section 920 of the Zoning Ordinance represents the Table of Permitted and Permissible Uses-By-District within the Conservation district include single family dwellings, modular homes, agricultural uses, and certain lower impact non-residential uses such as golf courses, parks, public stables, special events grounds, marina's, community centers, and motels to name a few.

This area of the county is also located within the Scenic Overlay District. The Scenic Overlay District encourages reasonable and appropriate development that is sensitive to aesthetic, environmental, and economic concerns. Development in this district should be compatible with the area's natural resources, cultural history, wildlife habitat, and scenic landscapes while promoting tourism and recreational activities for both residents and visitors to the area.



STAFF COMMENTS

In staff's opinion, rezoning the 7.51-acre property to the Conservation zoning district would complement and enhance the overall character of the area. This area is lacking essential non-residential services and amenities to attract tourism and serve the residential growth that has taken place over the past fifteen plus years. This area is especially lacking in grocery, entertainment, and restaurant venues. Although the vast majority of land in the area is already zoned Conservation District, there has not been any proposed non-residential development of those lands. This development team is taking steps to make an investment in this property. If that investment is successful, it could enhance this area of the county and lead to other investment as well.

December 6, 2021 (Pre-Agenda)

PLANNING BOARD RECOMMENDATION

The Planning Board reviewed this rezoning request on October 28, 2021. The applicant stated that there was no definite use proposed for the property, but there was a thought of establishing a Special Event Venue. There were several members of the public in attendance requesting to speak. The questions were related to the proposed use of the property if it were to be rezoned and possible impacts on their residential use. Staff stated that the Zoning Ordinance has standards in place which are meant to address potential impacts to surrounding properties such as building setbacks, landscape buffers, limits on buildable areas, and special design standards. Any proposed plan for non-residential development would have to go through the Site Development Plan Review process where those standards would be enforced. After hearing from staff and the property representative, the Planning Board voted 4-0 to recommend approval of ZMA 2021-12.

ADDITIONAL INFORMATION

Area photos showing uses in the surrounding neighborhood:



December 6, 2021 (Pre-Agenda)



Chairman Brittain opened the floor for questions and comments from the Board. Mr. Glines responded to a question from Commissioner Taylor regarding access to the property in question, and a general discussion ensued.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CONSENT AGENDA

BOC - 2022 COMMISSION APPOINTMENTS

Chairman Brittain asked the Board to let him know if anyone would like any changes to the suggested appointments for the upcoming year. Commissioner Taylor reminded everyone that at one time, the Board considered revising their appointment policy to after a commissioner has served four (4) years on a committee, they would be removed from that committee. He said if there is interest in that policy change, it would be a good time to consider it.

Authority, Board or Commission	2021 Appointee	2022 Appointee
Burke Development Inc.		
Burke Co. BOC Chairman*	Brittain	TBD
Burke Co. Manager*	Steen	Steen
Board of Health	Carswell	Carswell
Burke County Cooperative Water Board	Carswell	Carswell
EMS Peer Review Committee	Taylor	Taylor
Foothills Regional Airport Authority	Abele	Abele
Juvenile Crime Prevention Council	Taylor	Taylor

December 6, 2021 (Pre-Agenda)

JCPC Oversight "Governance" Committee	Taylor	Taylor
Library Board of Trustees	Carswell	Carswell
Local Emergency Planning Committee	Carswell	Carswell
Partners Health Management	Brittain	Brittain
Recreation Commission	Mulwee	Mulwee
Smart Start (Burke Partnership for Children)	Mulwee	Mulwee
Social Services Board	Brittain	Brittain
Tourism Development Authority	Mulwee	Mulwee
Transportation Advisory Committee	Taylor	Taylor
Transportation Coordinating Committee	Steen	Steen
WPCOG - Policy Board: Alternate	Carswell	Carswell
WPCOG - Policy Board: Delegate	Abele	Abele

*Based on BDI bylaws.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

BOC - ADOPTION OF RULES OF PROCEDURE FOR 2022

Chairman Brittain said if anyone would like any changes, to please let him know.

Information from the agenda packet:

It is the Board's practice to review, amend as needed and adopt its Rules of Procedures (ROP) on an annual basis. The DRAFT 2022 ROP is largely based on the 4th Edition, 2017, Suggested Rules of Procedure for the Board of County Commissioners, which was published by the SOG (School of Government) and authored by Trey Allen. Other than the date, there were no proposed changes to the Rules of Procedure.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - RESOLUTION ESTABLISHING THE BOC 2022 MEETING SCHEDULE

Clerk Draughn presented information regarding the resolution establishing the BOC 2022 meeting schedule as follows:

In accordance with NCGS 153A-40, the following resolution sets the Board's meeting schedule for 2022.

RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE BURKE COUNTY BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2022

WHEREAS, the Burke County Board of Commissioners' pre-agenda meetings of are held on the first (1st) Tuesday of each month at 3:00 p.m. in the County Board Room, Burke County Services Building in Morganton, N.C., except in December as indicated below; and

December 6, 2021 (Pre-Agenda)

WHEREAS, North Carolina General Statute 153A-39 requires that the Board hold an organizational meeting the first (1st) Monday in December for each even numbered year. As such, an organizational meeting will be held on Monday, December 5, 2022 at 2:00 p.m. in the County Board Room (Commissioners' Meeting Room); and

WHEREAS, a reception for newly elected officials will be held on Monday, December 5, 2022 at 2:30 p.m. in the County Board Room (Commissioners' Meeting Room) and the December pre-agenda meeting will be held at 3 p.m. or immediately following the conclusion of the reception; and

WHEREAS, the regular meetings of the Board of Commissioners are held on the third (3rd) Tuesday of each month at 6:00 p.m. in the County Board Room (Commissioners' Meeting Room), Burke County Services Building; and

WHEREAS, a budget / planning retreat will be held on February (3 - 4), 2022 at the Lake James State Park Visitors Center, 7321 NC Hwy 126. Nebo, N.C.; and

WHEREAS, budget workshop meetings will be held in the County Board Room on the following dates:

Friday	May 20, 2022	2 p.m.
Thursday	May 26, 2022	2 p.m.
Thursday	June 2, 2022	2 p.m.

WHEREAS, the Board may attend the following conferences/gatherings and desires to give the public ample notice:

- NCACC Annual Conference in Cabarrus County, Concord Convention Center, August 11-13, 2022.

NOW, THEREFORE, BE IT RESOLVED, the Burke County Board of Commissioners, pursuant to North Carolina General Statute 153A-40(a), does hereby:

- (1) Establish the Board's regular pre-agenda meetings at 3:00 p.m. in the County Board Room (Commissioners' Meeting Room) on the following dates:

January 4, 2022	July 5, 2022
February 1, 2022	August 2, 2022
March 1, 2022	September 6, 2022
April 5, 2022	October 4, 2022
May 3, 2022	November 1, 2022
June 7, 2022	December 5, 2022*

*Monday

- (2) Establish the Board's regular meetings at 6:00 p.m. in the County Board Room (Commissioners' Meeting Room) on the following dates:

December 6, 2021 (Pre-Agenda)

January 18, 2022	July 19, 2022
February 15, 2022	August 16, 2022
March 15, 2022	September 20, 2022
April 19, 2022	October 18, 2022
May 17, 2022	November 15, 2022
June 21, 2022	December 20, 2022

BE IT FURTHER RESOLVED that any recessed, special or emergency meeting will be held as needed with proper notice as required by North Carolina General Statute 153A- 40.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - REAPPOINTMENTS TO THE BOARD OF E & R

Clerk Draughn reported the terms of appointment for James Gordon (Seat 2) and Doris Smith (Seat 4) on the Board of Equalization & Review end December 31st. Both members are in good standing, and both are willing to serve another 3-year term.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - APPOINTMENTS / REMOVALS TO THE BOARD OF HEALTH

Clerk Draughn reported Connie Stines occupied Seat No. 10 (at-large) on the Board of Health until her recent resignation. Her removal is requested. Applications are being accepted for this position. She noted that the Board has an application at their seats from Dr. Kenneth Humphreys who submitted an application after the agenda was published. (Note: No action was requested by the Board of Health for the regular meeting concerning Dr. Humphreys application.)

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK- REMOVAL / APPOINTMENT TO THE JCPC

Clerk Draughn reported Tara Conrad with Partners Health Management serves as the mental health representative on the Juvenile Crime Prevention Council in Seat No. 6. However, Ms. Conrad has requested that Dr. Katie Varnadoe complete the remainder of her unexpired term ending June 30, 2022, to allow her more time to focus on Partners' tailed plan operations.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - APPOINTMENTS / REAPPOINTMENTS TO THE LIBRARY BOARD OF TRUSTEES

Clerk Draughn reported Seats 1 and 4 on the Library Board of Trustees (LBOT) end December 31st. Browning Rochefort occupies Seat 1, which represents a City of Morganton resident. Ms. Rochefort is willing to serve another 3-year term.

Mr. Leslie Cothren occupies Seat 4, which is an at-large seat. He is not seeking reappointment

December 6, 2021 (Pre-Agenda)

and he is to be commended for his service which began in 2013. Mr. Mark Patrick has applied to fill this vacancy, and his appointment is recommended.

Seats 2, 6 and 7 (representing Morganton, Valdese and Hildebran respectively) will be updated as soon as the City/Towns complete their appointment processes.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - REAPPOINTMENTS TO THE TDA (TOURISM DEVELOPMENT AUTHORITY)

Clerk Draughn reported Seats 1, 2, 3, 5 and 7 on the Tourism Development Authority have terms that end December 31, 2021. All five (5) members desire reappointment and the terms are for two (2) years.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - APPOINTMENT TO WPRTA

Clerk Draughn reported the County appoints a regular member and an alternate member to the Western Piedmont Regional Transportation Authority. County Manager Steen is the regular member and Scott Carpenter was the alternate. The appointment of Alan Glines, Planning Director, as the new alternate member for the remainder of a term ending June 30, 2022 is requested.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - NCDOT SECONDARY ROADS RESOLUTION

Clerk Draughn reported NCDOT Engineering Technician, Morgan Long, requested an updated resolution reflecting the current membership of the Board for a resolution concerning the addition of secondary roads to the State Maintenance System.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CLERK - ADOPTION OF GENERAL RECORDS RETENTION SCHEDULE FOR LOCAL GOVERNMENT AGENCIES

Clerk Draughn reported information regarding the new general records retention schedule as follows:

N.C.G.S 121-5 (c) and 132-8 direct local governments to adopt and adhere to records retention and disposition schedules that are created and managed by the NC Department of Cultural Resources (NC DCS). NC DCS created a new schedule called the General Records Schedule, which replaces the "County Management 2013 / 2019 schedules". The 2021 schedule includes the following standards:

- No. 1 Administration and Management Records
- No. 2 Budget, Fiscal and Payroll Records

December 6, 2021 (Pre-Agenda)

- No. 3 GIS Records
- No. 4 Human Resources Records
- No. 5 Information Technology Records
- No. 6 Legal Records
- No. 7 Public Relations Records
- No. 8 Risk Management Records
- No. 9 Workforce Development Records

To summarize, the "common" records that were included in numerous individual schedules are now located in one place, the General Records Schedule. Departments that have their own schedule like the Sheriff, Tax, Health, etc., will continue to use their separate schedule in addition to the General Records Schedule.

NC DCS also created a "Program" schedule and its approval is also requested. Please note that the county and municipal records are now lumped together, and some standards do not apply to the county. Also, references to the airport, housing and transportation authorities do not apply to the county.

- 10. Airport Authority Records
- 11. Animal Services Records
- 12. Code Enforcement and Inspection Records
- 13. Emergency Medical Services and Fire Department Records
- 14. Parks and Recreation Records
- 15. Planning and Regulation of Development Records
- 16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
- 17. Public Transportation Systems Records
- 18. Public Utilities and Environmental/Waste Management Records
- 19. Street Maintenance, Public Works, and Engineering Records
- 20. Law Enforcement Records (excluding Sheriff's Offices)
- 21. Tax Records (for municipalities)

Clerk Draughn said N.C. Department of Cultural Resources Records Management Analyst, Sarah Morrell, has joined the meeting remotely and can answer any questions the Board may have. Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Taylor asked what has changed in this new records retention schedule from last year. Clerk Draughn said the major change is that NC DCR took all the common records from multiple schedules and consolidated them into one which will make it easier for the state when they change a retention or disposition schedule in the future. A brief discussion ensued.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

COMM. DEV. - ACCEPT WILDLIFE RESOURCES COMMISSION WATERMILL ACCESS MEMORANDUM OF AGREEMENT

Shane Prisby, Community Development Operations Manager, reported the Community Development Department is proposing a Memorandum of Agreement (MOA) with the North Carolina Wildlife Resources Commission (WRC) for the renovation of Watermill Access. WRC is

December 6, 2021 (Pre-Agenda)

an important partner to Burke County and has been point on the design, engineering, and permitting for the Watermill Access project.

In 2017, the County entered into a MOA with Duke Energy to renovate the Watermill Access Boat launch as part of the Catawba-Wataree Comprehensive Relicensing Agreement (CRA). Duke Energy provided \$70,200 to the County as part of the MOA. \$500 of the initial funding has been spent to date. In 2018, the County partnered with Resource Institute (a 501(c)(3) not-for-profit with a focus of water quality improvements) to apply for additional funding to renovate Watermill Access. When the initial grant request was not awarded, the County increased the project funding by \$14,500 to make the grant more competitive but was not successful in the second application. In 2020, Community Development began partnering with WRC on the renovation of Watermill Access. WRC has the expertise and staff for both the engineering and construction of the project. Preliminary plans have been drawn up and the project is in the permitting stage. The preliminary estimates came in over the project budget, but WRC agreed to help with the overruns so that paving of the site did not need to be eliminated from the project. The County will need to enter into an MOA with WRC to transfer the remaining construction funds totaling \$84,200 to WRC so that they can construct the improvements to Watermill Access and satisfy the obligations to Duke Energy. WRC anticipates construction to begin in summer of 2022.

Chairman Brittain opened the floor for questions and comments from the Board. In response to a comment from Commissioner Taylor, Mr. Prisby said the \$84,200 would be given to WRC, essentially hiring them to build the project in partnership with Burke County. He noted that anything over \$84,200 would be absorbed by WRC from their project funding. Mr. Prisby then responded to additional questions from Commissioner Taylor.

Vice Chairman Mulwee asked if they received any input from local groups regarding the project. Mr. Prisby said the project went through a lengthy relicensing agreement process that included a lot of stakeholder groups that advocated for the adoption of this project in the beginning. Since then, Mr. Prisby said, he was not aware of any public information sessions they have had on this project. Vice Chairman Mulwee commented on the need for this project and inquired about the project timeline. Mr. Prisby said it should begin in 2022, discussion ensued.

Chairman Brittain asked if WRC was responsible for the new location at Bristol Industries on Highway 70. Mr. Prisby speculated that was a Duke Energy project, discussion ensued.

Commissioner Carswell asked, after the project is completed, what does the County have to maintain. Mr. Prisby said it is the County's property and will need to maintain it in perpetuity, which they do currently. He continued, by doing this project, it should decrease the overall maintenance costs by having actual paving and improved drainage. Discussion ensued and Mr. Prisby responded to additional questions from Commissioner Carswell.

Commissioner Taylor asked what happens if the project is not finished on time to satisfy Duke Energy and should a stipulation be included in the MOA. J.R. Simpson, II, County Attorney, said he would need more time to review the MOA, and noted if a party does not hold up to their end of the agreement, then the County is free to terminate the agreement and contract with someone else. In response to another question from Commissioner Taylor, Margaret Pierce, Deputy County Manager / Finance Director, said they would pay WRC as they do the work, and the County would not turn over all the funds at the beginning of the project. She then asked

December 6, 2021 (Pre-Agenda)

Mr. Prisby if that statement was correct. Mr. Prisby said he would ask WRC the specifics on the payment method, noting that he is not positive on the expectation at this point. Attorney Simpson said there are always ways to get the money back. Ms. Pierce said she will work with Clerk Draughn to revise the motion to include an appropriation of funds because they have been held in General Fund, Fund Balance since it has been several years since the County has received them from Duke Energy.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

CM - ACKNOWLEDGEMENT OF INTENT TO RETIRE

County Manager Steen advised that he intends on retiring at the end of the year and wants the Board to have ample time to recruit and hire a manager. He expressed appreciation for the opportunity to serve the Board and the citizens of Burke County.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

FINANCE - APPROVAL OF COMPREHENSIVE FINANCIAL POLICY

Margaret Pierce, Deputy County Manager / Finance Director, reported updated financial policies and procedures are needed. The School of Government (SOG) has encouraged entities for years to have written policies in place outlining guidelines for financial areas. This policy addresses all areas (operating budget, expenditure, reserve, interfund transfers, capital improvement plan, capital acquisition, debt management, accounting / financial reporting, funding, cash management, purchasing and contracting, and maintenance of fiscal policy) as recommended by the SOG.

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Carswell requested ambiguous words such as "generally" and "strive" be removed from the policy and replaced with concrete words that will not leave the policy up to interpretation. Discussion ensued regarding the wording of the policy. With regard to fund balance, she recommended using a range as opposed to including a specific number in the policy. For a County of our size, the LGC (Local Government Commission) recommends a balance of four (4) months of working capital, she said. Vice Chairman Mulwee and Commissioner Carswell expressed support for following the LGC's recommendation.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

FINANCE - APPROVAL OF ELECTRONIC RECORDS AND IMAGING POLICY AND PROCEDURES

Margaret Pierce, Deputy County Manager / Finance Director, said she worked with Jason Woolf, N.C. Department of Cultural Resources Records Management Analyst, on the state template which was modified for Burke County. She said currently, records are kept electronically and in paper and she would like to move to solely electronic, which is a common practice and encouraged by the state. She said the policy has been sent to the state for approval, but it also needs to be approved by the Commissioners and that the policy would not be implemented until it is approved by both the state and the BOC.

December 6, 2021 (Pre-Agenda)

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Carswell asked who would have access to the electronic records. Ms. Pierce said it would be the same as it is currently, the records management programs that the County utilizes have built in permissions and noted if a citizen wanted to see a record, staff could print it for them or give them limited permissions to access the records.

In response to questions from Commissioner Taylor, Ms. Pierce said currently, they are required to keep paper records and until the new policy is passed, keeping records electronically is for the convenience of staff. Discussion ensued regarding the amount of space required to store paper records and Scott Black, IT Director, commented on storage servers for electronic records.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

FINANCE - RESPONSE LETTER TO LGC ON AUDIT FOR JUNE 30, 2021

Margaret Pierce, Deputy Co. Manager/Finance Director, reported a written response to the Local Government Commission (LGC) is required to address any "Performance Indicators of Concern" after the audit of the June 30, 2021 financial statements. The proposed letter reads as follows:

December 21, 2021

NC Department of State Treasurer – Local Government Division
3200 Atlantic Avenue
Raleigh, NC 27604

Re: Response to the Auditor's Findings, Recommendations, and Fiscal Matters
for the Fiscal Year Ended June 30, 2021

Per 20 NCAC 20 03 .0508 which requires the governing body to develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" signed by a majority of the members of the governing body and submitted to the Local Government Commission (LGC) within 60 days of the auditor's presentation, Burke County is responding to the negative operating income within the Water/Sewer Fund per the "Performance Indicators of Concern" worksheet. Burke County identified an issue with rate revenues not fully funding operations in its Water/Sewer Fund during the FY 2021-2022 budget process and has budgeted a five percent increase in all usage fee rates for FY 21-22. This rate increase should raise revenues by approximately \$78,000. While a larger percentage fee rate increase could have more fully addressed the net loss identified in the FY 20-21 Financial Statements, we felt it was more appropriate limit the rate increase with the economic uncertainties facing the citizens of Burke County due to the pandemic. Burke County will reevaluate the rates charged for both Water and Sewer customers for the coming fiscal years and is in the process of developing a capital plan along with a full system evaluation to overlay potential rate increases for the future. The usage rates may be increased over the next two fiscal years to insure full funding of the operations. American Rescue Plan funds are being evaluated along with CDBG funds to improve operational efficiencies and address needed repairs thus reducing costs for the

December 6, 2021 (Pre-Agenda)

Fund. The hope is these improvements will allow for rate stabilization for customers.

She further stated the need for this letter was mentioned during the audit review at the November BOC meeting and is required to address the issue with rate revenues not fully funding operations in the Water/Sewer Fund. She then reviewed the information in the letter (shown above) and noted that they are also investigating cost saving measures in maintenance / repair which is a significant piece of the Water/Sewer budget. Ms. Pierce also reported that the General Services Director requested a 15 percent rate increase during the budget approval process, but management was not supportive of that amount because of the pandemic.

Chairman Brittain opened the floor for questions and comments from the Board. In response to a question from Vice Chairman Mulwee, Ms. Pierce said staff will be looking for companies who can conduct external evaluations, develop a rate plan, identify deficiencies, and identify other steps that can be taken in lieu of additional rate increases.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

GENERAL SERVICES - RESOLUTION APPROVING NEUVILLE FLUME TRANSFER TO HICKORY

Information from the agenda packet:

The county currently owns and maintains a wastewater metering device (flume) located in eastern Burke County. This meter is used to measure flow for which the City of Hickory bills the County. Of the 45 customers whose flow runs through that metering device, 44 are City of Hickory (Hildebran) customers and only one belongs to Burke County. It has long been determined that due to the County being billed for all the I & I (Inflow & Infiltration) that is part of that system, it is in the County's best interest to convey that metering device to the City of Hickory along with the County's one customer. As permitted by NCGS 160A-274, assigning Burke County's utility easement to the City of Hickory is requested by adoption of the following authorizing resolution.

Burke County
North Carolina

Resolution Approving Conveyance of Property to the City of Hickory Pursuant to G.S. 160A-274

WHEREAS, In 1994 Burke County acquired a permanent easement and right of way upon certain real estate located in the Icard Township and the property is now identified by the Burke County GIS as PIN 2782524812 / REID 16519; and

WHEREAS, The purpose of the easement was to construct, maintain and repair sanitary sewer lines; and

WHEREAS, Conditions have changed since the initial concept of the installation of the sanitary sewer lines and related apparatus, including the Neuville flume, a

December 6, 2021 (Pre-Agenda)

device used to measure the wastewater flowing through the flume; and

WHEREAS, The City of Hickory also provides wastewater services in that area and invoices the County for the amount of wastewater that passes through the Neuville flume before it travels to Hickory's wastewater treatment facility; and

WHEREAS, The County is charged for all of the I & I (inflow and infiltration) that accesses the sanitary sewer line which is very expensive; and

WHEREAS, The County has one (1) customer on this portion of the sanitary sewer line and the remaining 44 customers belong to the City of Hickory (Hildebran); and

WHEREAS, It is in the County's best interest to convey that metering device and approximately 575 linear feet of associated sewer lines to the City of Hickory along with the County's only customer at no charge; and

WHEREAS, N.C. General Statute 160A-274 permits the sale, lease, exchange and joint use of governmental property.

NOW THEREFORE BE IT RESOLVED, that pursuant to N.C. General Statute 160A-274, the Assignment of Easement between the County of Burke and the City of Hickory is approved this 21st day of December 2021 and that the County Manager is authorized to execute the agreement on behalf of the Board.

Mark Delehant, General Services Director, requested the County transfer ownership of a wastewater metering device, commonly referred to as a flume, and all related easements to the City of Hickory. As is stated in the summary of information, this device calculates an amount of flow which the City of Hickory bills Burke County for. In order to bill for the correct amount, Hickory credits the County the amount that they bill their sewer customers, with the assumption that the difference between the flume reading and what they bill their 44 customers, is all from our one (1) customer. This arrangement does not take into account any infiltration that would be part of the system. This transfer of ownership is something that the County has known to be in its best interest for quite some time and noted he is thrilled to be able to present this for consideration.

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Taylor asked how does the one (1) customer feel about this switch. Mr. Delehant said the customer will not see a difference in service but will receive a different bill in the mail. Mr. Delehant responded to additional questions from Commissioner Taylor concerning the history of the flume and possible financial impact.

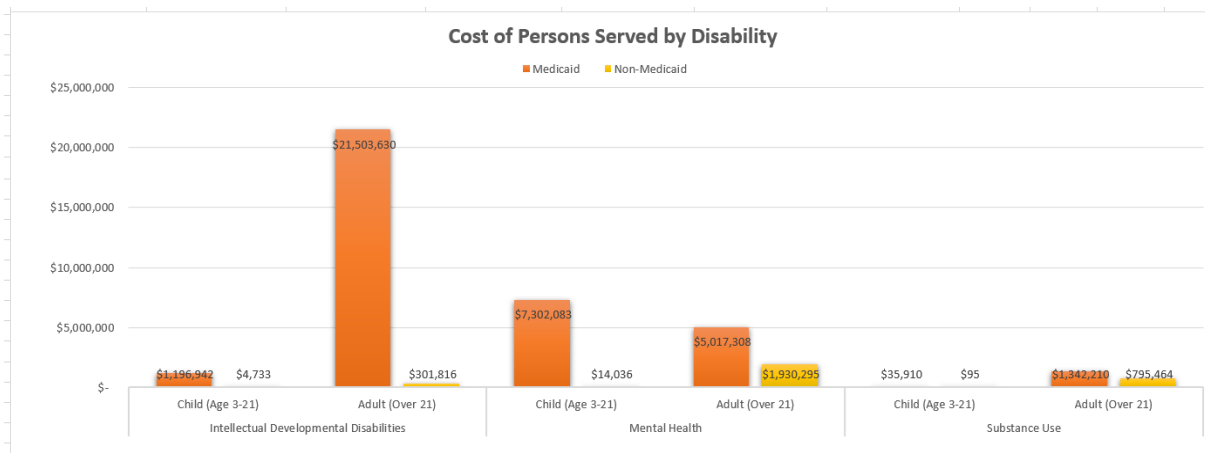
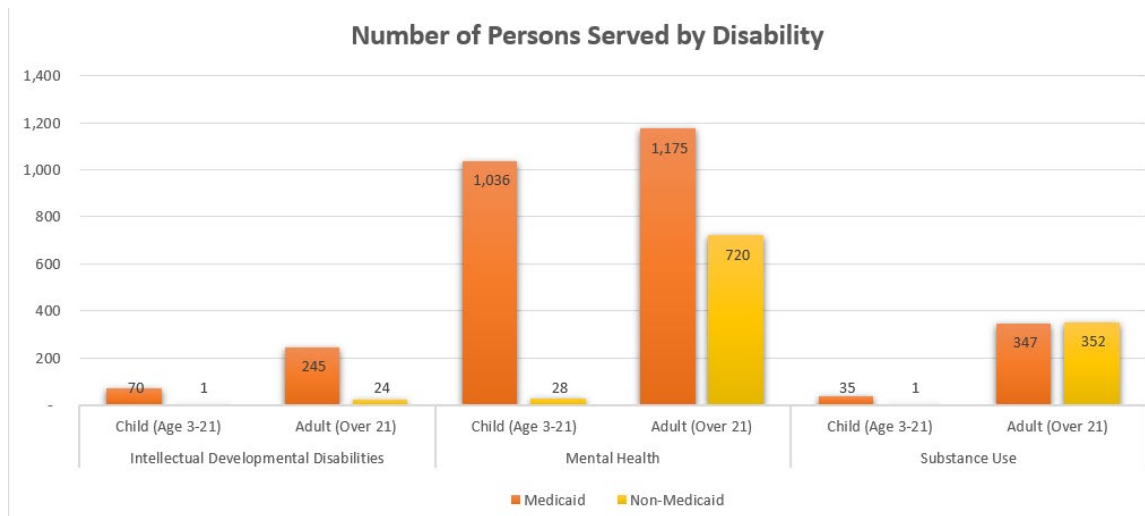
Chairman Brittain asked if the customer is going to continue to pay their water bill the same way. Mr. Delehant explained that the customer already pays Icard Township Water Corporation (ITWC) for their water usage and their sewer bill from the County is based off a water reading that ITWC gives the County. ITWC uses the same process for the 44 sewer customers that belong to the City of Hickory. Chairman Brittain asked if the City of Hickory would be billing the customer for their sewer. Mr. Delehant answered in the affirmative.

December 6, 2021 (Pre-Agenda)

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

PBH - PRESENTATION OF FINANCIAL INFO FOR THE PERIOD ENDING SEPT. 30, 2021

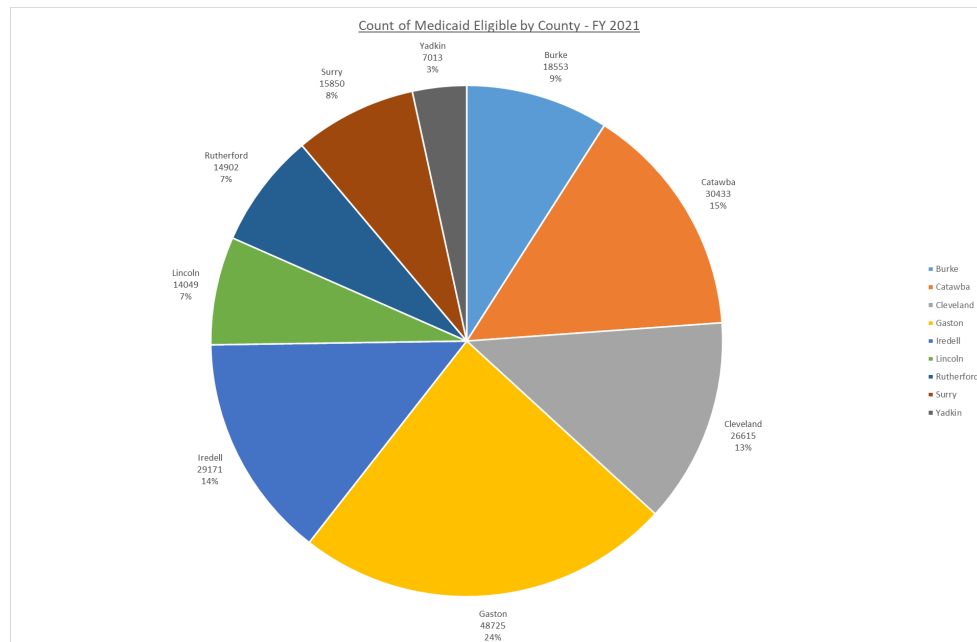
Dr. Katie Varnadoe, Partners Health Management, who participated in the meeting via Zoom, presented a financial update for the period ending September 30, 2021 as follows:



Burke County Fund Allocation:

	FY 2022					FY 2022	Remaining
	Annual Budget	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD Expenses	Balance
FY 2022 County Approved FB	\$ 54,305.00						
County Approved Allocation	210,695.00						
ABC Funds							
Carry over (fund balance) from June 30, 2021							
	265,000.00						
Expenditure Plan:							
Care Coordination Liaisons	10,000.00	2,500.00	-	-	-	2,500.00	7,500.00
SOC Collaborative Expenses	8,000.00	-	-	-	-	-	8,000.00
Consumer Reserves IDD	3,000.00	-	-	-	-	-	3,000.00
Consumer Reserves MHSU	3,000.00	-	-	-	-	-	3,000.00
CVBH- Embedded Peer Support Specialist Jail	39,000.00	6,533.16	-	-	-	6,533.16	32,466.84
CVBH- MH/SA Services in Jail	30,052.00	7,513.00	-	-	-	7,513.00	22,539.00
CVBH- MOSES Program Family Partner	20,000.00	5,000.00	-	-	-	5,000.00	15,000.00
CVBH - Psychiatric Support	72,140.00	18,035.00	-	-	-	18,035.00	54,105.00
Good Samaritan Clinic	10,000.00	939.63	-	-	-	939.63	9,060.37
Greater Hickory CCM (SoarHUD)	7,500.00	1,875.00	-	-	-	1,875.00	5,625.00
Housing Reserves-various providers	5,000.00	100.00	-	-	-	100.00	4,900.00
Nami - Support Groups	3,000.00	-	-	-	-	-	3,000.00
	210,692.00	42,495.79	-	-	-	42,495.79	168,196.21
Remaining Balance	\$ 54,308.00						

December 6, 2021 (Pre-Agenda)



Dr. Varnadoe said regarding Medicaid transformation, the "go live" date for their tailored plan management has been moved from July 1, 2022 to December 1, 2022.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

TAX DEPT. - TAX COLLECTION REPORT FOR NOVEMBER 2021

Danny Isenhour, Tax Administrator, presented the tax collection report for November 2021 as follows:

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$45,000,000.00	\$34,091,949.48	75.76%	\$10,908,050.52
Motor Vehicle Tax	\$5,200,000.00	\$2,292,049.21	44.08%	\$2,907,950.79
Current Year Taxes	\$50,200,000.00	\$36,383,998.69	72.48%	\$13,816,001.31
Delinquent Taxes	\$700,000.00	\$402,157.42	57.45%	\$297,842.58
Late List Penalty	\$315,000.00	\$128,810.03	40.89%	\$186,189.97

The Tax Levy is the total property tax value not including motor vehicles times the tax rate. This amount changes monthly with the addition of discoveries, other changes, or corrections, and when Public Utility Values are added, typically during September.

Category	Tax Levy	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$46,308,192.00	\$34,091,949.48	73.62%	\$12,216,242.29

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Abele said he hates to see two (2) good employees retire, County Manager Steen and Mr.

December 6, 2021 (Pre-Agenda)

Isenhour.

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

TAX DEPT. - RELEASE REFUND REPORT FOR NOVEMBER 2021

Danny Isenhour, Tax Administrator, presented the release refund report for November 2021 as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$7,039.60	\$0.00	\$7,039.60	\$82.59

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$0.00

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

RESULT: MOVED WITHOUT OBJECTION TO THE DECEMBER 21, 2021 MEETING AT 6:00 P.M.

ITEMS FOR DECISION - NONE

REPORTS

Chairman Brittain reminded the Board to get their reports to Clerk Draughn for inclusion in the agenda packet. He then reminded everyone of the following:

- County offices are closed December 23 – 27 for Christmas.
- Spay / neuter your pets.
- Adopt / foster a pet from the Animal Services Center.
- Don't litter and if you see trash, please pick it up.

OTHER DISCUSSION ITEMS – SCHEDULING INSPECTIONS ONLINE

Chairman Brittain recognized Alan Glines, Planning Director, and Shane Prisby, Community Development Operations Manager, who presented information on a new initiative, a new online inspection scheduling web page and a scannable QR code that people can scan with their smart phone to schedule their next inspection online. Mr. Glines stated his intent to make more services available electronically. Mr. Prisby then demonstrated the online inspection scheduling process.

After staff responded to questions from the Board, County Manager Steen asked if the Board wanted a presentation made at the regular meeting to garner more publicity on this initiative. Chairman Brittain said many builders have told him they would like to access more county services online and the Board was

SCHEDULE YOUR NEXT INSPECTION ONLINE!

Building Inspections is now offering convenient online inspection scheduling. No need to call, just follow the three easy steps below and schedule an inspection any time, anywhere!



- 1 Scan the QR Code or go to burkenc.org/inspection
- 2 Fill out the online form
- 3 Hit submit and wait for your email confirmation

* Save time and bookmark the page for future inspections! *



December 6, 2021 (Pre-Agenda)

receptive to receiving a presentation at the regular meeting.

UPDATE FROM THE COUNTY MANAGER – REGIONAL LONG-TERM SUBSTANCE ABUSE TREATMENT CENTER

In response to an inquiry from Chairman Brittain, County Manager Steen updated the Board on the status of an RFQ (Request for Qualifications) for architectural services related to the remodeling of the former detention facility on Government Drive into a regional long-term substance abuse treatment center. He advised having conversations with state budget officials regarding receipt of the agreement needed to obtain the funding appropriated in the state budget for this purpose. In addition, he said he is working to tie-in Partners Health Management and other clinical service providers early in the architectural design process. Lastly, he stated his intent to seek approval of a contract for architectural design services at the Board's February meeting.

UPDATE FROM COMMISSIONER CARSWELL – ARP ASSISTANCE FROM NCACC

Commissioner Carswell announced that the NCACC (N.C. Association of County Commissioners) received \$10 million to help all 100 counties utilize their ARP (American Rescue Plan) funding and more details on that will be available soon.

ADJOURN

Motion: To adjourn at 4:21 p.m.

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

Approved this 15th day of March 2022.

Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board