

**MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

The Burke County Board of Commissioners held a regular meeting on Tuesday, May 17, 2022, at 6:00 p.m. The meeting was held at the Commissioners' Meeting Room, located at the Burke County Services Building, 110 N. Green Street, Entrance E, in Morganton, N.C. 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: Scott Mulwee, Chairman
Johnnie W. Carswell, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

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

CALL TO ORDER

Chairman Mulwee called the meeting to order at 6:00 p.m.

INVOCATION

Commissioner Taylor delivered the invocation.

PLEDGE OF ALLEGIANCE

County Attorney, J.R. Simpson, II, led the Pledge of Allegiance to the American flag.

APPROVAL OF AGENDA

Chairman Mulwee noted that item No. 14 "recessed" on the agenda was changed to "adjourned" because the upcoming budget meetings have been changed to special meetings due to scheduling conflicts.

Motion: To approve the agenda as amended.

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

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the January 4, 2022 (pre-agenda), January 18, 2022 (regular), and February 1, 2022 (pre-agenda) meetings.

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

PRESENTATIONS

AS - PETS OF THE MONTH

Kaitlin Settlemyre, Animal Services Director, presented Gerald, a dog, and Josh, a cat, that are in need of their “forever” homes. Ms. Settlemyre then reported on events happening at Animal Services and encouraged everyone to consider fostering / adopting a pet from the Center.

Chairman Mulwee opened the floor for questions and comments from the Board. At the request of Vice Chairman Carswell, Ms. Settlemyre reported on a recent scholarship award she and another Animal Services staff member received to attend a national conference. Commissioner Taylor commended Animal Services staff on their scholarship award. Chairman Mulwee asked if the dog that was presented at the last meeting was adopted. Ms. Settlemyre answered in the affirmative. Chairman Mulwee commended Animal Services staff on their scholarship award and encouraged everyone to consider adopting or fostering an animal from the Center.

RESULT: NO ACTION TAKEN.
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TDA - FINANCIAL UPDATE FOR THE YEAR ENDING MARCH 31, 2021

In accordance with Session Law 2007-265, HB 78, the Tourism Dev. Authority must report quarterly and at the close of the fiscal year to the Burke County Board of Commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.

Ed Phillips, TDA CEO, presented the TDA financial update for the year ending March 31, 2021 as follows:

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BURKE COUNTY TDA				
BUDGET TO ACTUAL JULY- MARCH 31, 2022				
Income	Budget	Actual	Available Balance	
4010 · Burke Co. Govt. - Occup. Tax	\$ 600,000	486,765.99	\$ 113,234.01	
4110 · Interest Income	\$ -	44.72	\$ (44.72)	
4120 · Miscellaneous	\$ 24,500	37,548.00	\$ (13,048.00)	
4000 · Fund Balance	\$ 75,000	-	\$ 75,000.00	
5000 · Trolley Revenue	\$ 20,000	23,525.83	\$ (3,525.83)	
Total Income	\$ 719,500	547,884.54	\$ 171,615.46	
Expense				
5010 · Accounting	\$ 8,000	7,000.00	\$ 1,000.00	
5020 · Marketing/Advertising	\$ 189,600	96,716.57	\$ 92,883.43	
5102 · Membership Dues	\$ 2,500	1,270.00	\$ 1,230.00	
5110 · Building Maintenance	\$ 500	186.25	\$ 313.75	
5113 · City of Morganton/Tourism	\$ 135,000	109,522.36	\$ 25,477.64	
5115 · Town of Valdese/Tourism	\$ 75,000	60,845.74	\$ 14,154.26	
5117 · Bank Charges	\$ -	105.77	\$ (105.77)	
5140 · Website Upkeep	\$ 500	362.64	\$ 137.36	
5150 · Insurance	\$ 20,000	19,048.62	\$ 951.38	
5180 · Office Supplies	\$ 4,000	9,132.69	\$ (5,132.69)	
5190 · Payroll Shared Staff Reimb.	\$ 40,000	3,435.90	\$ 36,564.10	
5200 · Payroll Expenses	\$ 206,000	169,913.60	\$ 36,086.40	
5250 · Postage	\$ 1,000	1,057.94	\$ (57.94)	
5280 · Office Rent	\$ 6,000	4,650.00	\$ 1,350.00	
5290 · Telephone	\$ 3,000	2,519.46	\$ 480.54	
5300 · Travel/Training	\$ 15,000	8,788.53	\$ 6,211.47	
5301 · Trolley Expenses	\$ 13,400	8,031.50	\$ 5,368.50	
5400 · Misc. Expense	\$ -	261.96	\$ (261.96)	
Total Expense	\$ 719,500	502,849.53	\$ 216,650.47	
Net Income	\$ -	45,035.01	-45,035.01	

BURKE COUNTY TDA			
March 31, 2022			
ASSETS			
	1014	FIRST CITIZENS BANK - CHECKING	\$ 631,076.24
	1210	ACCOUNTS RECEIVABLE	\$ -
		TOTAL CHECKING	\$ 631,076.24
LIABILITIES			
	2040	DEPOSITS RECEIVED	\$ 300.00
	2050	CITY OF MORGANTON - PAYABLE	\$ 54,894.42
	2075	TOWN OF VALDESE - PAYABLE	\$ 80,424.06
	2100	PAYROLL LIABILITIES	\$ 4,004.00
		TOTAL LIABILITIES	\$ 139,622.48
EQUITY			
	3900	RETAINED EARNING	\$ 446,418.75
		NET INCOME	\$ 45,035.01
		TOTAL EQUITY	\$ 491,453.76
TOTAL LIABILITIES & EQUITY			\$ 631,076.24

Mr. Phillips reported 195 people visited the visitors center January – March from 28 different states, including visitors from Canada. He then spoke about vacation rentals and the *Last of the Mohicans* festival. Chairman Mulwee commended the *Last of the Mohicans* festival and thanked Mr. Phillips, his staff, and the Chamber of Commerce for their work.

Motion: To accept the report as presented.

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

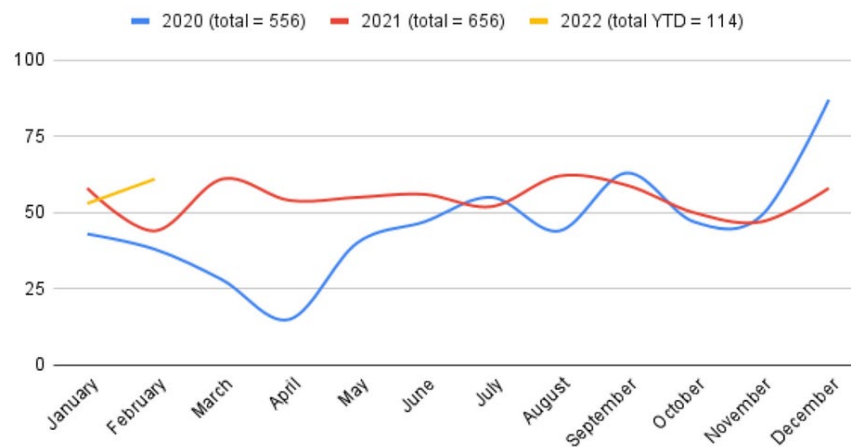
BSAN - OVERVIEW FOR BSAN'S OVERDOSE DATA DASHBOARD

Information from the agenda packet:

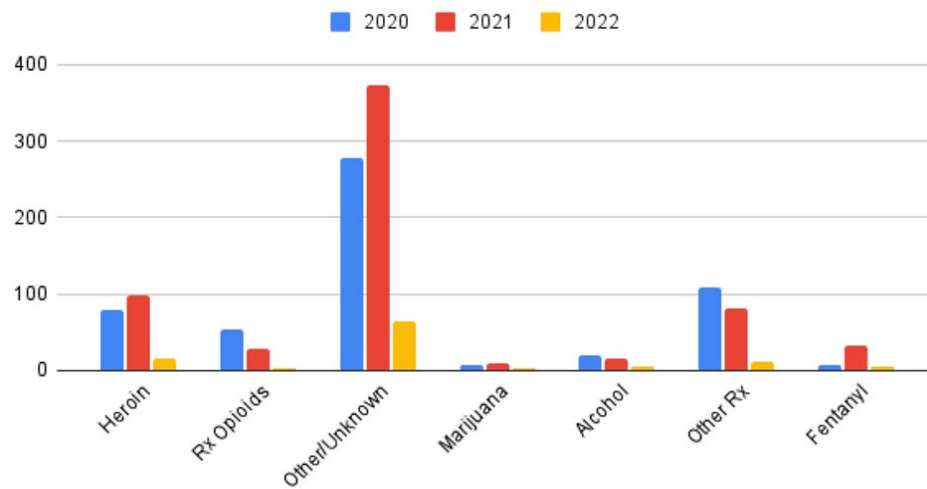
In 2021, the staff team for BSAN (Burke Substance Abuse Network) coordinated with the 911 Call Center, UNC Healthcare: Blue Ridge, local law enforcement, and the Burke County Health Department to determine how to ascertain an accurate representation of local overdose numbers because the information available on state resources appeared understated as compared with the anecdotal information being received through meetings and conversations. As a result, the team agreed to review all 911 call reports and Emergency Department visit information to create a data dashboard which is now available from 2020-current on the BSAN website. BSAN will share this resource with the Board of Commissioners and highlight the current trends being seen across the county. The dashboard can be viewed at www.joinbsan.com/data-dashboard <<http://www.joinbsan.com/data-dashboard>>.

Kim James, Burke Substance Abuse Network, presented the following information:

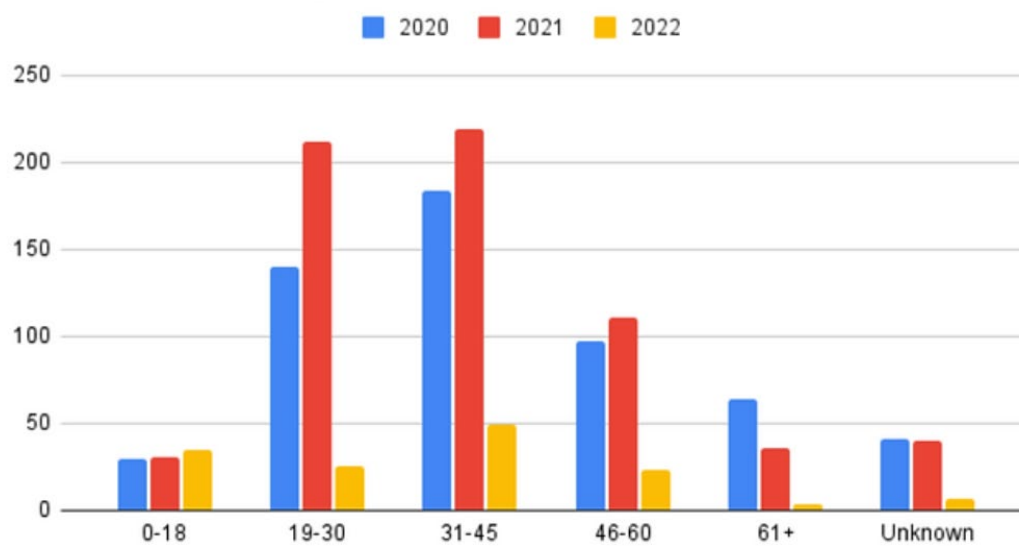
Total Overdoses



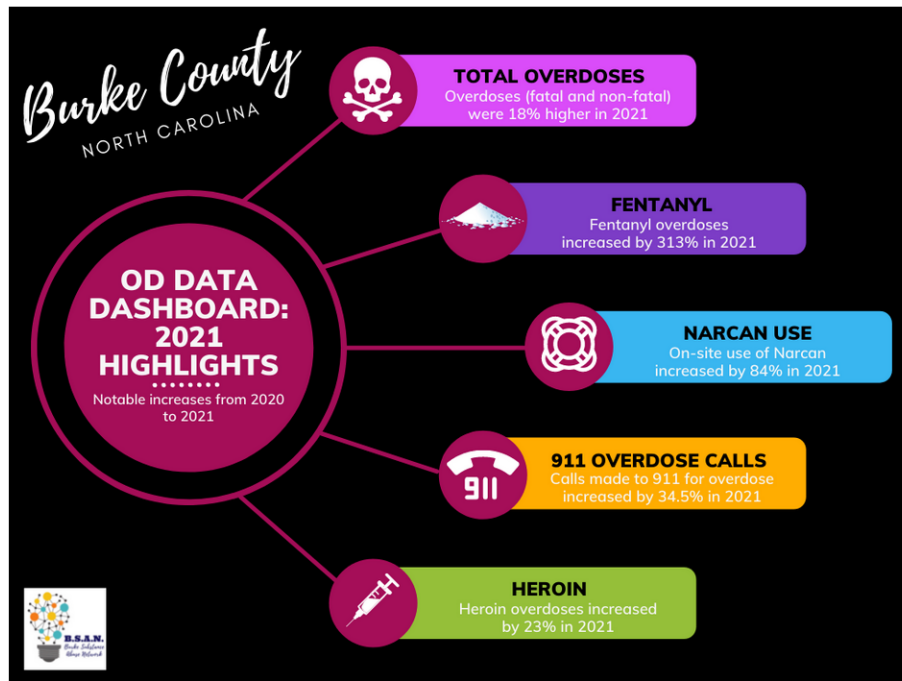
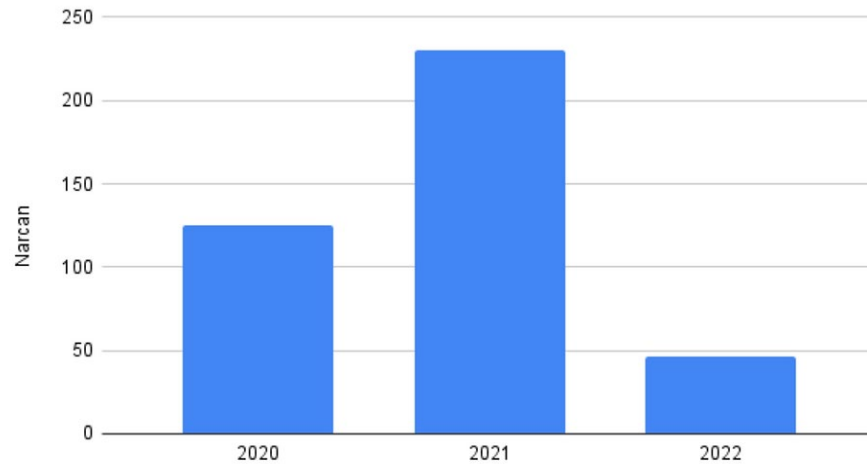
Overdoses by Substances



Overdoses by Age



Narcan Used on Site



Chairman Mulwee opened the floor for questions and comments from the Board. Commissioner Taylor praised the report and asked how to get ahead of the substance abuse problem. Ms. James identified prevention, education, and awareness as key strategies to reducing addiction. Chairman Mulwee expressed appreciation for the report.

Motion: To accept the report as presented.

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

SCHEDULED PUBLIC HEARINGS – NONE.**INFORMAL PUBLIC COMMENTS**

Chairman Mulwee opened the floor for informal public comments and reminded speakers to keep their comments to three (3) minutes. There were three (3) people who signed up to address the Board.

Marny Pritchard, 2278 John Byrd Road, read the following statement:

Good evening. I am Marny Pritchard, 32-year resident of Burke County, having lived in Oak Hill, on Ervin Rd, and currently at 2278 John Byrd Road. I am a child of the South, born and raised in Camden, SC, in the center of the state. Our black maid, Annie, helped raise me. I remember integration, which happened during 3rd and 4th grade at Camden Elementary. I read *Gone with the Wind* in one weekend the summer I turned 12, and it is still my favorite book and movie, by far. This is in the fabric of my being, and this is my heritage. Through my paternal grandmother I am a descendant of Lt. Gen. Wade Hampton, who commanded a cavalry brigade under Generals JEB Stuart and Robert E Lee. If my daddy had grown a beard, he would have looked exactly like Gen. Hampton, same forehead, same brilliant blue eyes. I could be a Daughter of the Confederacy if I so chose. I want to learn from and honor my history. This is in the fabric of my being, and this is my heritage. I am a child of Bethesda Presbyterian Church in Camden, where I sang in the choir loft that was originally built for people who were in bondage to the church members sitting downstairs. I still sing the hymns, anthems, and spirituals I learned in that loft where I also learned to love the church. It is because of my faith that I am here today. This is in the fabric of my being, and this is my heritage. My mama raised me to love my neighbors as myself, to show southern hospitality, and to respect everyone I meet, and I do, to the best of my ability. Loving my neighbors involves listening to the people of color who are crying out that a statue honoring ancestors who fought for states' rights to perpetuate slavery dishonors their ancestors who died in bondage. Showing southern hospitality means I don't support graven images that make those around me feel unwelcome. Being respectful means that I honor and stand with people of color and try to understand and value their experience which has so often been ignored by the fine southern folk who look like me, who are made of the same fabric as me, who have the same heritage as me. If you have the same heritage, your mama most likely taught you, as well, to love your neighbors, to show southern hospitality, and to respect those around you. I believe we all can do a better job. Many times, I've heard the phrase, it's heritage, not hate. I have the same heritage, and I say it's time. It's time to move the statue. If you have the same heritage, I ask you to act. Join me in saying that we have other ways to honor our history. It's time. It's time to move the statue. Month after month this County Commission allows speakers to come forward to voice their thoughts on this issue, listening patiently and politely. I am calling on you gentlemen to step up, to act, to realize that it is time. It's time to move the statue!

Maggie McKinney, 234 N. Anderson Street, read the following statement:

At your March meeting, a sincere man of the same faith as I read a Bible verse that he said justified not removing this statue. It troubled me and I looked it up.

Proverbs 22:28. "Do not remove the ancient landmark that your ancestors set up." After some study, I discovered that "ancient landmarks" referred to stones used for boundary lines. It meant don't try to steal private property by moving or removing such stones. It did not mean to preserve statues put up to intimidate people. I did agree with the speaker's desire not to deny history. I'd like this statue put somewhere as a reminder that even good and courageous people can get things wrong. What I object to is the statue's location, its height, and its message. I was scared to speak here tonight. I don't like quarreling with sincere people. I don't like repeating things that have been said so many times already. But what am I risking? I'll go home safely tonight. No one here will curse or spit at me, beat me, arrest me or my children. No one will take my life or my property. Black people of the same faith as I have taught and re-taught me two things: What forgiveness for real injustice costs, symbolized forever in my mind by what happened at Emmanuel A.M.E. Church in Charleston, where Black people welcomed --welcomed! --a white man to their Bible study, a man who later killed 9 of them. And Black people have showed me over and over what real courage looks like. In 1957 in Charlotte, 15-year-old Dorothy Counts walked into a just integrated public school through an angry jeering crowd of peers who did not even try to hide their hatred or feelings of superiority to her, not even from a news photographer. In Morganton, I've met people who took classes to learn how not to retaliate when cursed at, spit, beaten, or thrown into prison. I've learned of parents who allowed their children to peacefully protest and risked their lives and careers. Why would we want a statue that intimidates people who have so much to teach us?

Kelly Hawkins, 108 Riverwoods Drive, read the following statement:

2004: My Dad and I are in the car – it's loaded down with my young family's possessions – and he is helping my husband and I move to the house we have just closed on in Downtown Morganton. Unexpectedly, we get caught in traffic and are at a standstill. I roll down my window to see what is going on and I see a parade. Just as I was hoping for! Small town parades in my cute new town – in the middle of the day for no apparent reason. Then, I notice the white robes and confederate flags. My face turns red, my dad looks at me, I start to unlock the car door and he throws his arm across my chest. All parents in the room will probably recognize this parental knee-jerk reaction to protect our children while driving. You see, my dad had been the curator of the extremist literature collection while in graduate school and he knows about these groups. I am from the South, and I had never experienced anything like this, and I am crushed. The years go by, and I attend several sweet Christmas parades with my family. I spend most of the parade trying to keep my kids out of the street as they scramble for candy, but we all look forward to the amazing marching band out of Asheville with the incredible drum corps. But we also know there will be the Daughters of the Confederacy with their hoop skirts, the men with their grey caps and Dixie blaring from the speakers. I asked myself then, and I ask you all now: Why do these groups feel so comfortable here? Why do they choose Morganton to parade around in? 2020: Our family has chosen to settle in here in Morganton. To create community with friends who share – and don't share – our political views. To raise our children here in the Burke County Public Schools, to volunteer our time with community organizations and our church. But I'll never

forget the day I had one of the most intense arguments I've ever had with one of my children. Inspired by the marches organized by local black citizens, my kids and I attended many of these events. To show our support and grieve together over the murders of so many black and brown people by police officers across the country. We were inspired by our own public safety's respectful reaction to these demonstrations. Until the long guns showed up downtown. And my son received a desperate call from a friend who had just been physically assaulted by one of the counter-protestors. You see, he wanted to go support them. To protect them. But I wouldn't let him. Things had amped up. A few days earlier, a man in a truck pulled up to the corner where we were holding signs and asked us if we were Antifa. And said if we were, we should have our heads blown off. I asked myself then, and I ask each of you now: Why did these people and their threats and their guns feel comfortable showing up in Downtown Morganton? Why do we greet visitors at each end of the county with Confederate Flags and a Confederate Statue smack in the middle of town? Why are we comfortable with that? My ancestors fought for the Confederacy. My mother's maiden name is Linville. And I am not comfortable with any of this. We all know there's a way to relocate the Confederate statue from our beautiful courthouse square. A subsection of the law states: (3) An object of remembrance (can be removed or relocated if) a building inspector or similar official has determined (it) poses a threat to public safety because of an unsafe or dangerous condition. (2015-170, s. 3(c); 2015-241, s. 14.30(c).)" This is a matter of will. We can take these things down if we want to. Other communities in North Carolina have done so. I argue that this statue poses a threat to public safety because of an unsafe or dangerous condition. You are the officials who could make this happen.

With there being no others, Chairman Mulwee closed this portion of the meeting.

CONSENT AGENDA

At the Chairman's request, County Manager Steen reviewed the items on the consent agenda.

BCPS - FINANCIAL DATA FOR THE PERIOD ENDING MARCH 31, 2022

In accordance with the Memorandum of Agreement approved by the County and the Board of Education, the Board of Education will provide to the County quarterly financial reports on the 2021-2022 budget year, showing the application of the County's local funding by the end of each fiscal quarter. These reports will be presented to the County's Board of Commissioners in November 2021, February 2022 and May 2022, respectively.

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BCPS						
Estimated Revenues						
2021/2022						
	Annual		March YTD		% of Budget	
	Previous	Current Fcst	Previous	Current	% Change	Received
State	84,648,060	85,970,784	61,677,536	67,976,386	10.2%	79.1%
Federal	11,044,878	20,727,590	4,712,662	16,762,870	255.7%	80.9%
Local	14,660,763	14,630,668	11,031,261	10,953,343	-0.7%	74.9%
School Nurses	893,155	893,155	680,633	686,535	0.9%	76.9%
Charter Schools	495,287	525,382	335,777	413,695	23.2%	78.7%
Fines & Forfeitures	230,225	204,133	153,432	314,811	105.2%	154.2%
Receivables	13,120	23,839	12,219	12,424	1.7%	52.1%
Special Revenues	4,803,189	4,599,500	3,377,843	3,775,024	11.8%	82.1%
Total	\$ 116,788,677	\$ 127,575,051	\$ 81,981,363	\$ 100,895,088	23.1%	79.1%
Federal increase almost entirely ESSER						
We look for every opportunity without violating the intent of the funds to relieve our existing budgets						
One example is buying specialized custodial supplies, thus relieving our typical supplies budget						
We have added 11 nurses since COVID, resulting in one nurse for every school, target of 18 -20						
Planning meetings for ESSER funds are held periodically						
Most plans involve concentrating on counseling, physical & mental health services, remediation and tutoring, as well as						
continued Air Quality Improvement Projects						
Making every effort to hold ESSER investments to non-recurring costs and/or sustainable pursuits						
A few areas we will need recurring financial support to maintain are school nurses, 1:1 devices, and virtual operations						

BCPS										
Local Financials by Purpose & Function Level										
2021/2022										
Expenses	'18/'19	'19/'20	'20/'21	Budget	1st	2nd	3rd	Total	Previous	Diff
Regular Instructional Services	5,324,653	5,637,807	4,787,687	5,707,971	480,737	2,028,505	805,313	3,314,555	3,412,376	(97,821)
Instructional Support	10,119,395	9,759,099	10,358,944	10,015,258	2,830,133	2,384,200	2,513,940	7,728,273	7,523,261	205,012
Other Governmental Units	702,226	592,733	635,937	691,423	56,058	351,778	169,885	577,721	486,862	90,859
Revenues Over/(Under)	37,872	207,420	509,982	(137,475)	597,524	(413,926)	576,661	760,259	790,823	(30,564)
Grand Total	\$ 16,184,146	\$ 16,197,059	\$ 16,292,550	\$ 16,277,177	\$ 3,964,452	\$ 4,350,557	\$ 4,065,799	\$ 12,380,808	\$ 12,213,322	\$ 167,486
% of Annual Budget								76.1%	75.0%	1.0%
Revenue										
Burke County	14,448,211	14,552,494	14,602,211	14,630,668	3,771,072	3,588,358	3,593,913	10,953,343	11,031,261	(77,918)
Timber Receipts	120,696	-	58,552	-	-	-	-	-	-	-
Charter Schools	412,143	428,556	495,287	525,382	17,941	200,657	195,097	413,695	335,777	77,918
Fines & Forfeitures	430,149	279,114	230,225	204,133	202,677	50,748	61,386	314,811	153,432	161,379
School Nurses	718,403	893,153	893,155	893,155	76,638	396,294	213,603	686,535	680,633	5,902
Schools' Receivables	54,544	43,742	13,120	23,839	10,624	-	1,800	12,424	12,219	205
Grand Total	\$ 16,184,146	\$ 16,197,059	\$ 16,292,550	\$ 16,277,177	\$ 4,078,952	\$ 4,236,057	\$ 4,065,799	\$ 12,380,808	\$ 12,213,322	\$ 167,486
Purchasing specialized custodial supplies using ESSER rather than our typical supplies is resulting in substantial savings										
Have @ \$18M in air quality improvement projects on the books completed, in-process and planned										
Some projects are bid and ordered but waiting for parts and will be next summer, due to supply chain issues										
We are using ESSER to relieve our budgets when possible w/o supplanting & trying to use on non-recurring expense										
We are paying for 11 school nurses through ESSER for a total of 25 nurses										
SNFI pays \$100k for partial 2 nurses, & county pays \$893k for partial 14										
I just want everyone to be well aware that as inflation continues and benefits costs increase that our Local budget needs will continue to grow										
As we rely on ESSER for specialized custodial supplies and relieve our own budget, when we resume all of our normal buying those supplies are going to be considerably more expensive										
CPI through Feb. up 7.9%		@								
Energy up 29.3%		261,356								
Electricity up 6.3%		113,400								
Gasoline up 49.6%		111,600								
Commodities less food and energy up 10.7%		128,400								
		614,756								

Motion: To accept the report as presented.

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

CLERK - REAPPOINTMENTS TO ADULT CARE & NURSING HOME CAC

Victoria Whitworth (Seat 4) and Susan Merrill (Seat 13) on the Adult Care & Nursing Home Committee desire to serve an additional 3-year terms ending May 31, 2025.

4	At-Large	Victoria Whitworth	A-UT	8/21/18
		1324 Kinglet Drive	R	11/19/2019
		Morganton NC 28655	TE	5/31/2022
13	At-Large	Susan Merrill	A	5/19/2015
		123 Beechmont Drive	R	1/24/2017
		Morganton NC 28655	R	11/19/2019
			TE	5/31/2022

Motion: To reappoint Victoria Whitworth (Seat 4) and Susan Merrill (Seat 13) to the Adult Care & Nursing Home Community Advisory Committee for 3-year terms ending May 31, 2025.

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

CLERK - REMOVAL FROM THE ANIMAL ADVISORY BOARD

Ms. Woolever occupies Seat No. 7, At-large Pet Owner, on the Animal Advisory Board but has moved out of state. Her removal is requested. Applications are being accepted and it is anticipated that this vacancy will be filled at the Board's June meeting.

7	At-Large	Nancy Woolever	A-UT	11/16/2021
	Pet Owner		TE	7/31/2022

Motion: To remove Nancy Woolever from the roster for the Animal Advisory Board and thank her for her service to the community.

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

CLERK - APPOINTMENT TO PARKS & RECREATION COMMISSION

Mr. Derreberry has applied to serve a second term on the Parks & Recreation Commission

representing the Drexel school district. The unexpired term ends March 31, 2025.

3	Drexel	Mendell Derreberry 2035 Zion Road Morganton NC 28655	A TE	3/17/2020 3/31/2022
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Motion: To reappoint Mendell Derreberry to the Parks and Recreation Commission, Seat No. 3 (Drexel), to complete the remainder of a 3-year term ending March 31, 2025.

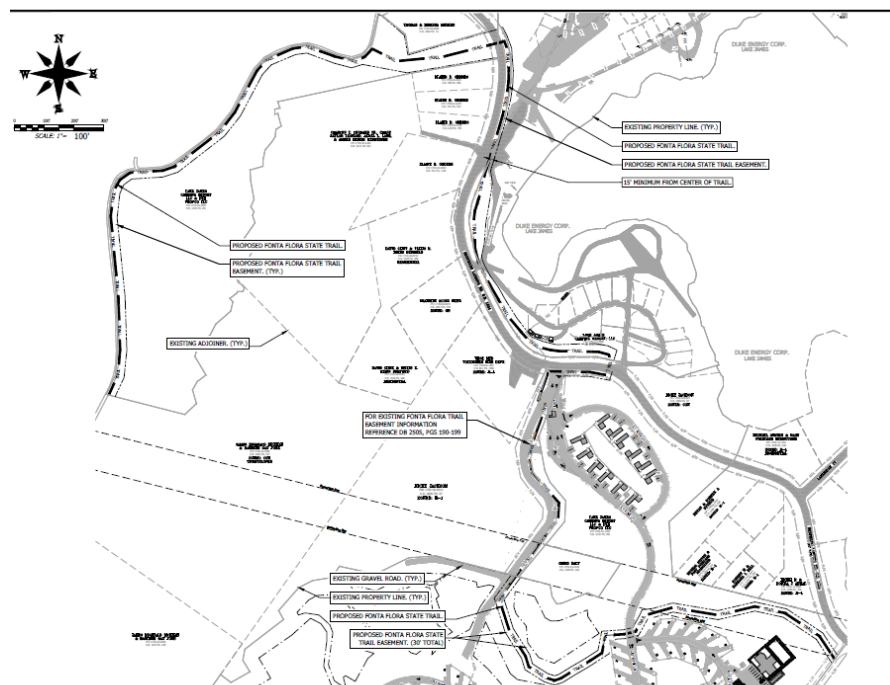
RESULT: APPROVED [UNANIMOUS]

MOVER: Wayne F. Abele, Sr., Commissioner

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

COM DEV - ACCEPT LAKE JAMES CAMPING RESORT TRAIL EASEMENT

In January 2020, the Board of Commissioners accepted a trail Easement from Lake James Camping Resort, LLC for the Fonta Flora and Overmountain Victory Trails. The Community Development Department has been working with the Campground on an additional trail easement. The proposed trail easement would be the final connection needed to close the gap in the Benfield's Landing area of the Lake. As the County already has an established easement with Lake James Camping Resort, LLC, the additional easement can be added to the existing agreement as an amendment.



Motion: Accept the trail easement from Lake James Camping Resort, LLC. Further, authorize the County Manager to execute the easements on behalf of the Board, subject to review and/or revision by the County Attorney.

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

EMS - APPROVAL OF QUALITY MANAGEMENT BYLAWS

Burke County Emergency Medical Services is updating the bylaws for the Burke County EMS Quality Management Committee. This committee serves as the oversight and review committee for the county's EMS system. Changes from the current bylaws include a more manageable list of members and committee officers. This change should make it easier to achieve a quorum and meet requirements for North Carolina OEMS. The QM Committee approved the changes to the bylaws at the last regular meeting held on January 21st, 2022. Approval of the bylaws is required in accordance with Article IV Section 2-87, of the Burke County Code of Ordinances.

Motion: To approve the bylaws for the EMS Quality Management Committee as presented.

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

FINANCE / GENERAL SERVICES - SEWER SYSTEM RESILIENCY PROJECT

Acceptance of American Rescue Plan Act funding directed for the Sewer System Resiliency Project (SRP-W-ARP-0070) in the amount of \$135,300 is requested. Late in 2021, Burke County was notified that we had been awarded \$300,000 from the State Fiscal Recovery Fund (S.L. 2021-180) earmarked for infrastructure. General Services identified the Sewer System Resiliency Project as a great candidate for a portion of these funds. General Services was provided with a rough cost estimate for approximately 180 linear feet of streambank stabilization and the purchase of a trailer mounted Sewer Jetter. The streambank stabilization will stabilize four areas that are severely eroding and threatening to undermine nearby sewer mains. The purchase of the Sewer Jetter will allow the cleaning of sewer lines to prevent back-ups and overflows. The Budget will increase revenues and expenses by \$135,300 in the Water/Sewer Capital Fund.

Motion: Authorize the County Manager or his successor to accept the award agreement and execute any other documentation related to the Sewer System Resiliency Project (SRP-W-ARP-0070) on behalf of the Board.

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

HR - AMENDMENT TO BURKE COUNTY PERSONNEL POLICY ARTICLE V. SECTION 5.11 TECHNOLOGY APPROPRIATE USE POLICY

The current Burke County Personnel Policy, Article V., Section 5.11 states: "In general, texting is not an authorized form of communication for conducting day-to-day business regardless if the message is transmitted using a County issued or personal device. In the event a County employee must utilize texting as a means of communication, the employee is responsible for assuring compliance with North Carolina Public Records Law and preserving any and all

communication records.” The County Manager requested a modification to Section 5.11 and the following amendment is proposed: “In general, texting is not a preferred form of communication for conducting day-to-day business regardless if the message is transmitted using a County-issued or personal device. In the event a County employee must utilize texting as a means of communication, the employee is responsible for assuring compliance with North Carolina Public Records Law and preserving any and all communication records.”

Motion: To approve the modification of Policy 5.11 to make text messaging an acceptable, though not preferred, method of business communication.

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

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 County. The funding from the state Department of Public Safety Division of Juvenile Justice (DJJ) for the programs, \$287,074, requires a 30% match which is provided by the programs themselves either by cash or in-kind donations. 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 meetings and attendance as well as adherence to open meeting laws and other state required processes. 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.

Burke County NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 287,074 Local Match: \$ 92,064 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

#	Program Provider	DPS-JCPC Funding	LOCAL FUNDING			OTHER State/Federal	OTHER Funds	Total	% from DPS-JCPC Program Revenues
			County Cash Match	Local Cash Match	Local In-Kind				
1	JCPC Administration	\$14,111						\$14,111	
2	Adolescent Substance Abuse Assessment & Treatment	\$19,191	\$2,000		\$6,396	\$6,393		\$33,980	44%
3	Repay - Just Girls - Burke	\$26,798			\$8,440	\$11,469		\$46,707	43%
4	Conflict Resolution Center - Juvenile Mediation/Conflict Resolution Education	\$45,934			\$14,173			\$60,107	24%
5	Aspire - Kids at Work! Burke	\$45,632			\$14,315			\$59,947	24%
6	Repay - Psychological Services - Burke	\$18,078			\$6,428	\$2,145		\$26,651	32%
7	Repay - Restorative Services	\$66,147		\$4,800	\$19,844			\$90,791	27%
8	Repay - SAIS Burke	\$51,183			\$15,668	\$11,993		\$78,844	35%
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
TOTALS:		\$287,074	\$2,000	\$4,800	\$85,264	\$32,000		\$411,138	30%

Motion: To approve the JCPC FY 22-23 County Plan for Burke County as presented as well as the annual County Funding Plan. Further, authorize the County Manager and/or the County Finance Director to process revisions to the JCPC FY 22-23 Plan administratively and to authorize the Chairman to execute the Allocation on behalf of the Board.

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

TAX DEPT. - TAX COLLECTION REPORT FOR APRIL 2022

The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2021, and April 30, 2022. This reflects the status of collections by the Burke County Tax Collection's Staff. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$45,000,000.00	\$45,390,873.71	100.87%	(\$390,873.71)
Motor Vehicle Tax	\$5,200,000.00	\$4,751,188.17	90.68%	\$484,811.83
Current Year Taxes	\$50,200,000.00	\$50,106,061.88	99.81%	\$93,938.12
Delinquent Taxes	\$700,000.00	\$709,154.00	101.31%	(\$9,154.00)
Late List Penalty	\$315,000.00	\$348,863.28	101.75%	(\$33,863.28)

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	\$46,298,001	\$45,390,873.71	98.04%	\$907,126.95

Motion: To accept the Tax Collection Report for April 2022 as presented.

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

TAX DEPT. - RELEASE REFUND REPORT FOR APRIL 2022

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				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$6.60	\$0.00	\$6.60	\$0.00

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)	Notes & Rebill Amount
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Business Closed								
0000081959-2021-2021-0000-00-REG	EARP, CHAD E	7/1/2021	LINDA WILBUR	4/5/2022	6.60	0.70	5.90	0.00
0000081959-2021-2021-0000-00-REG	EARP, CHAD E	7/1/2021	LINDA WILBUR	4/5/2022	5.90	5.90	0.00	0.00.
Subtotal						6.60		
Total						6.60		
Net release amount						6.60		

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$528.67

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 3	Refund Type	Transaction #	Refund Description	Tax Jurisd.	Levy Type	Change	Interest Change	Total Change
PAUL SPENCER CASH, JR REVOCABLE LIVING TRUST DTD 03-01-2011	PAUL SPENCER CASH, JR REVOCABLE LIVING TRUST DTD 03-01-2011	CASH, PAUL SPENCER JR	4904 CANTERBURY PL	MORGANTON, NC 28655	Adjustment >= \$100	163377274	Refund Generated due to adjustment on Bill #0064869140-2021-2021-0000-00	01	Tax	(\$462.17)	\$0.00	(\$462.17)
								38	Tax	(\$66.50)	\$0.00	(\$66.50)
											Total Refund	\$528.67

*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 2022 as presented.

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

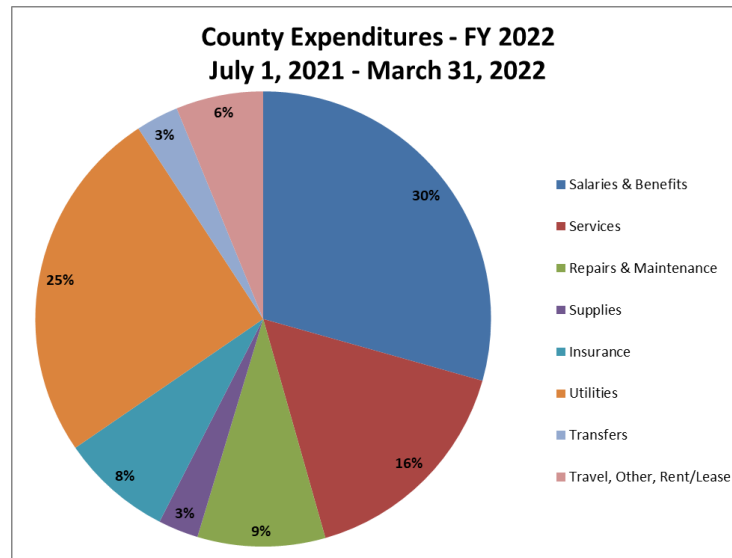
WPCC – FINANCIAL DATA FOR THE PERIOD ENDING MARCH 31, 2022

An overview of the College's financial data will be presented at the pre-agenda meeting for the period ending March 31, 2022.

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WESTERN PIEDMONT COMMUNITY COLLEGE									
FY 2021-2022 SUMMARY AS OF MARCH 31, 2022									
	STATE			COUNTY			INSTITUTIONAL		
Summary of Revenues	BUDGET	ACTUAL	REMAINING	PGLT	ACTUAL	REMAINING	BUDGET	ACTUAL	REMAINING
State Appropriations	13,330,846	11,158,614							
Add. Allocations (detail below)	3,176,416								
County Appropriations				2,627,610	1,970,708				
Rent & Interest Income				24,500	6,639				
Institutional Funds					44,631		9,702,370	8,633,424	
Total Budgeted Revenues	16,507,262	11,158,614	5,348,648	2,652,110	2,021,977	630,133	9,702,370	8,633,424	1,068,946
Summary of Expenditures									
Institutional Support	4,397,829	2,383,337	54%	268,800	218,635	81%	1,798,527	1,176,035	65%
Curriculum Instruction	6,691,789	5,128,277	77%				283,955	144,084	51%
Non Curriculum Instruction	1,585,285	1,110,665	70%				69,863	48,761	70%
Academic Support	1,404,909	1,055,583	75%				1,000	46	5%
Student Support	1,881,979	1,272,258	68%				630,804	476,804	76%
Plant Operations & Maint.				2,383,310	1,521,277	64%			
Proprietary / Other							834,500	691,854	83%
Student Aid							6,083,721	5,091,295	84%
Capital Outlay (excluding Capital Improvements)	545,471	147,429	27%						
Total Budgeted Expenditures	16,507,262	11,097,549	5,409,713	2,652,110	1,739,912	912,198	9,702,370	7,628,879	2,073,491
		67.2%	32.8%		65.6%	34.4%		78.6%	21.4%
ADDITIONAL FUNDING DESIGNATED FOR APPROVED PROJECTS									
Customized Training Projects	40,053						FY 2022 - to date		
Male Minority Grant - Aviso	42,903						Total College Budget	\$ 28,861,742	
NCWorks Career Coach	158,328						Total Expenditures	\$ 20,466,340	70.9%
Federal Portion - Basic Skills	196,667								
CTP Regional Trainer	135,225								
Golden Leaf Grant	23,860						Fund Balance: County Funds		
Longleaf Complete & Commitment	98,113						Fund Balance, Beginning July 1, 2021		881,767
GEER Scholarships	100,484						Current Operating Cash		282,065
Carryforward	219,245								
Perkins Grant - Carryforward	21,745								
Pandemic Bonus	259,975								
Longevity	163,752						Current Fund Balance		1,163,832
Diff. from Baseline Budget	1,676,066								
Marketing&Outreach allotment	40,000								
Faculty Retention Recruitment									
Total Other	3,176,416								44%

Western Piedmont Community College				
County Expenditures by Category				
FY 2022 - Actual Expenditures - July 1, 2021 thru March 31, 2022				
	Salaries & Benefits	511,137	29.4%	
	Services	282,173	16.2%	
	Repairs & Maintenance	157,742	9.1%	
	Supplies	49,719	2.9%	
	Insurance	137,595	7.9%	
	Utilities	441,025	25.3%	
	Transfers	52,701	3.0%	
	Travel, Other, Rent/Lease	107,820	6.2%	
		1,739,912	100%	



Motion: To accept the report as presented.

RESULT: APPROVED [UNANIMOUS]

MOVER: Wayne F. Abele, Sr., Commissioner

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

ITEMS FOR DECISION

CO. MGR. - PRESENTATION OF RECOMMENDED BUDGET FOR FY 22-23 AND SCHEDULING OF PUBLIC HEARING

Information from the agenda packet:

The County Manager will present the FY 2022-23 recommended budget to the Board of Commissioners on Tuesday, May 17, 2022. 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>.

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.

A public hearing on the recommended budget is required and citizens are encouraged to present written or oral comments. Adoption of the recommended budget is anticipated to occur on June 21, 2022.

The recommended budget was disseminated to the Board, and County Manager Steen noted that the tax rate (69.5) is recommended to remain the same. He then reviewed key information from the budget message as follows:

In accordance with the North Carolina Local Government Budget and Fiscal Control Act (G.S. 159-8), I hereby present and submit for your review and adoption, a balanced recommended budget for FY 2022-2023 that meets the immediate and long-term needs of the County and supports the goals desired by the Board. I respectfully remind you that a mandatory public hearing for the recommended FY 2022-2023 budget has been scheduled for 6:00 p.m. on Tuesday, June 21, 2022, in the Burke County Services Building, County Board Room – Entrance E, 110 North Green Street, Morganton, N.C.

Budget Development Background

During early February 2022, a budget retreat was conducted with the Board. Since the retreat, budget requests from all county departments have been received and total **\$140,862,320**. On April 12, 2022, the Burke County Public School System submitted their budget request of **\$16,549,205**.

In development of the recommended FY 2022-2023 budget, I have reviewed the projected estimate of available revenues in comparison with requested expenditures for operational costs, projected grant match requirements and anticipated costs for capital projects. Based on my review, I have developed the recommended FY 2022-2023 budget to adequately meet the needs and obligations of the County as well as funding various entities that benefit the citizens of Burke County.

As in the previous budget year, the FY 2022-2023 budget will be impacted by inflation and the ongoing impact of the global COVID-19 pandemic in both anticipated revenues and expenditures. In order to continue the current service level to citizens, provide for capital and operational needs, a continuation of the current **69.5 cents** tax rate is proposed in the recommended budget.

Unanticipated or New Expenditures

As in years past, the impact of pending state as well as federal legislation, social issues, local economic factors were considered when developing the FY 2022-2023 recommended budget as follows:

Availability and potential usages of **American Rescue Plan Funds** have been discussed with the Board and, at the time of this writing, we await a final decision from the Board regarding funding for eligible projects.

- Burke County is also slated to receive **\$1,654,540** from the **Opioid Settlement** during 2022 for use as allowed by the settlement guidelines.
- County departments requested a total of fifty-six (56) new full-time positions, (1) part-time position, and five (5) reclassifications. Of these requests, nine (9) new full-time positions, with one (1) part-time position and two (2) reclassifications are recommended.

- Local government retirement costs also increased again by 1.25%.

Budget Theme

In planning for the FY 2022-23 budget year, we continue to find ourselves in a very unique financial climate with the availability of substantial federal funds and state funds that have been approved for specific projects. However, we must be mindful of the actual impact of inflation and its negative impacts on the cost of goods and services to the county, citizens, and employees. As such, we continue to be guided by reasonable caution related to revenue projections and my recommendation for expenditures.

The FY 2022-2023 budget theme continues, as in the past, to be the effective utilization of available normal funds as well as available federal and state funds to provide required services and simultaneously position the county for short-term and long-term success. The recommended budget continues our ongoing efforts toward recruitment and retention of qualified employees for all county positions, supports our **Adoption-Focused** Animal Services Center and provides for some infrastructure replacement / improvement projects for the county as discussed during our recent budget retreat. The recommended expenditures are intended to position the County for continued success and future advancement.

Objectives of the recommended budget are:

- Continue to build upon recent progress in Economic Development activities that will increase employment opportunities for our citizens.
- Provide funding for critical technology, software, and infrastructure needs:
 - Replacement of outdated software, equipment, and other technology items at end of life to prevent unauthorized or destructive entry into our IT systems as well as our phone system.
- Replacement of fourteen (14) county vehicles and two (2) ambulances.
- Provide adequate funding for Public Schools, the Community College, and mental health services.
- Continue funding services that provide a safety net to our most vulnerable citizens.
- Continuation of our salary range revisions for approximately one third (1/3) of county job classifications.
- Continue the performance-based merit pay process to retain effective employees.
- Provide a cost-of-living increase of 4% for all county staff effective July 1, 2022.

Revenues

Collection of property taxes and sales tax revenues were up during FY 2021-22 despite COVID-19, and, at the time of this writing, there are no indications of a reversal to the current revenue trends. Additionally, collection of other revenues such as fees and permits continue to trend up during FY 2021-22 and there is no indication of a change in the trend at this time.

Expenditures

As noted above, I have worked with county staff over the past several weeks to analyze requests and determine actual needs that I believe should be incorporated into the recommended budget. For FY 2022-2023, I recommend a total budget of **\$122,756,975.**

Expenditure Containment

Management will continue to implement a variety of methods to contain costs of day-to-day operations through effective management and ongoing review of opportunities to reduce cost and improve service delivery.

Capital Outlay

Capital outlay for FY 2022-2023 will be restricted to expenditures identified and authorized in the budget and those that may be approved during the budget year utilizing federal funds, state funds for specific special projects, or funds received from the opioid settlement. Of approximately \$4,015,855 requested, the current recommended budget provides for \$3,002,650. However, this is with the understanding that additional capital projects may be recommended and approved by the Board in accordance with the final federal spending rules for use of American Rescue Plan Funds, opioid settlement funds or general fund, fund balance.

Motion: To acknowledge receipt of the Manager's recommended budget for FY 22-23. To schedule a public hearing for Tuesday, June 21, 2022, at 6 p.m. or as soon thereafter as persons may be heard.

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

FINANCE - SPACE NEEDS ASSESSMENT REPORT

Information from the agenda packet:

Moseley Architects was hired to conduct a space needs assessment for Burke County to assist with developing a master facility plan. Working with county staff, Moseley submitted questionnaires to all county departments and several community partners that occupy county facilities as well as visited county facilities to evaluate those structures. The questionnaires allowed respondents to provide information on their current staffing and space condition as well as provide projections on their perceived future needs. Face-to-face meetings with Moseley staff and key departmental personnel were held to review the questionnaires to ensure space needs data was accurately captured. A group of architects, structural engineers, and electrical engineers were escorted by General Services staff to visit county facilities. The purpose of these visits was to evaluate the county facilities to determine their condition.

Brian Niefert, Sr. Fiscal Analyst, was present for this item and responded to questions later in the meeting. Josh Bennett, Moseley Architects, reviewed Moseley's process for developing the space needs assessment. Chairman Mulwee opened the floor for questions and comments from

the Board. Mr. Bennett responded to questions from Commissioner Brittain and Chairman Mulwee. Regarding future staffing needs, Commissioner Taylor asked the methodology Moseley Architects used for the figures. Mr. Bennett said there is no formula, they rely on staff input and comparisons from other counties. After further comments from Commissioner Taylor, Vice Chairman Carswell commented on Burke County's population as referenced in the report and said he wants to be convinced that the first five (5) years of the space needs assessment take into account the County's actual population. A short discussion ensued regarding the County's population trends, growth in retail establishments, as well as increases in sales tax revenue and occupancy taxes. Chairman Mulwee expressed appreciation for the information.

Building Condition Assessment Summary
Burke County, North Carolina
Date of Observations: February 8 and February 14, 2022

Building	Location	Condition Score
Solid Waste - Xfer Station	2500 Marsh Trail, Morganton, NC	1.40
Solid Waste - Storage	2500 Marsh Trail, Morganton, NC	1.60
Government Administration - Avery St.	200 Avery Street, Morganton, NC	2.13
Sheriff's Office	150 Government Drice, Morganton, NC	2.14
Solid Waste - Weigh Office	2500 Marsh Trail, Morganton, NC	2.20
Human Services Complex	700 East Parker Road, Morganton, NC	2.42
EMS Station #2	90 Campus Street, Morganton, NC	2.50
Water and Sewer	302 Center Street Hildebran, NC	2.58
Courthouse	201 South Green Street, Morganton, NC	2.60
EMS Station #4	705 US Highway 70 West, Hildebran, NC	2.83
Solid Waste - Office	2500 Marsh Trail, Morganton, NC	3.00
Morganton Library	204 South Kings Street, Morganton, NC	3.00
Senior Center	501 North Green Street, Morganton, NC	3.00
Cooperative Extension Office	130 Ammons Drive, Morganton, NC	3.50
Government Administration - Green St.	110 North Green Street, Morganton, NC	3.83
Valdese Library	213 St Germain Avenue, Valdese NC	3.83
Foothills Higher Education	2128 South Sterling Street, Morganton, NC	4.00
<i>*Building Condition Rating Scale 1 thru 5 where 1 is poor condition and 5 is new or excellent condition</i>		

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MOSELEYARCHITECTS

BURKE COUNTY SPACE NEEDS ASSESSMENT
PROJECTED BUILDING TOTAL PROJECT BUDGET
BUDGET ESTIMATE

May 17, 2022

	CURRENT	2026	2031	2041
Building Construction				
Combined HD/DSS Facility	\$34,417,153			
Animal Services and Enforcement	\$12,422,989			
County Administration (Renovation)	\$16,174,907			
Cooperative Extension Office			\$ 10,667,779	
County Courthouse		\$ 51,967,593		
EMS Station 1 and Headquarters		\$ 9,705,758		
Emergency Logistics Warehouse Addn		\$ 3,224,512		
Sheriff's Office				\$ 31,990,636
Hildebran Senior Center			\$ 4,073,969	
Morganton Senior Center			\$ 9,869,869	
General Services			\$ 9,659,124	
Morganton Library		\$ 14,546,242		
Hildebran Library				\$ 7,947,770
Valdese Library				\$ 8,672,015
Building Renovation				
Elections				\$ 1,934,383
Emergency Communications			\$ 6,881,637	
Burke County Jail			\$ 6,509,681	
Parks and Recreation				\$ 16,044,828
TOTAL	\$ 63,015,050	\$ 79,444,104	\$ 47,662,059	\$ 66,589,632

Motion: Accept the space needs assessment report and include its information as part of the County's long-term budgeting and development of a long-term capital improvement plan.

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

Note: The report is on file in the Finance Department.

FINANCE - ACCEPTANCE OF SCIF FUNDS

Information from the agenda packet:

The County received three (3) allocations of funds in the State budget approved in the fall. The agreements for these funds are anticipated to be received by the May 17, 2022, meeting. Board approval is required to execute the contracts and proceed with expenditures.

Budgetary Effect: Increase revenue and expenditures for courthouse renovations/repairs (\$1,000,000), construction of EMS Base 1 (\$650,000), and renovations to the former BCD CF (Burke-Catawba District Confinement Facility) for a regional long term substance abuse treatment facility (\$3,250,000).

Margaret Pierce, Deputy County Manager/Finance Director, after reviewing the request, said

this item accepts the funds so staff can come back before the Board with a plan on how to spend the funds for the designated projects. She noted that this acceptance does not commit the County to do anything, and it prevents the State from seizing the funds.

Chairman Mulwee thanked Ms. Pierce for working with County Attorney Simpson on the suggested motion outlining that any information/expenditures will have to come before the Board for approval. He then opened the floor for questions and comments from the Board.

Commissioner Abele requested the last item in the motion regarding the renovations to the former Burke-Catawba District Confinement Facility (BCDCF) be removed and acted on as a separate motion. He expressed support for voting for the first two (2) items regarding the courthouse renovations and repairs and EMS Base 1, but not for the BCDCF renovations. Chairman Mulwee restated the motion as requested by Commissioner Abele and he called for a vote. Before the vote was taken, Commissioner Brittain requested a clarification on the motion. After the clarification, Commissioner Taylor asked if the County has received the agreements and Ms. Pierce responded in the affirmative, noting they are included in the Board's agenda packet. In response to another question from Commissioner Taylor, Ms. Pierce said the agreements must be executed before any funds are released from the State. He asked, "if the County doesn't have the money, then why are we spending it" and then commented on the "not to exceed" sections as well as other clauses in the agreements. He then questioned the audit provisions of the agreements and Ms. Pierce responded that the State can re-audit the funds for up to five (5) years after the funds are spent and that the audits will be performed by the County's auditors annually on any monies that are spent. Based on the types of projects identified, she speculated that no funding would be spent on salaries. He then inquired how did the County come up with these numbers when there is no plan or quote on the plan. Ms. Pierce explained that the State came up with these numbers, noting that this was not money the County applied for, rather they are funds that were included in the State's budget and allocated to Burke County.

Commissioner Taylor asked who and when did the County decide what the funds were going to be spent on. Ms. Pierce said the County did not make that decision to which he responded that the State does not know that the County has a jail that can be renovated. Ms. Pierce reiterated that these are not funds the County applied for, they were allocated through the state budget process. Further, she advised that the State made approximately 650 individual allocations to different local governments in their last budget. Ms. Pierce said a plan has not been created and the agreements state that Burke County is willing to develop specific proposals which would be brought back to the Board before any funds are spent in any of the three (3) designated areas. In response to another question from Commissioner Taylor, Ms. Pierce said she does not know why the Legislature chose these amounts and suggested it would be a question for Burke County's state representatives who must have advocated on Burke County's behalf.

Commissioner Taylor asked who decided that these funds were available and how they would be spent. He said he has asked several times to get together and prioritize what the County could do that would be more advantageous and beneficial to the citizens of Burke County. He continued, noting that the County is putting the cart before the horse and according to the verbiage in the agreements, these projects are what the County intends to do with the funding, but the Board has not seen any plans.

Ms. Pierce said the Legislature specified the projects and amounts. Within those constraints, she

said the County is supposed to determine how those funds are utilized. Further, she advised that staff would create the plans and bring them before the Board for approval. Regarding the specific projects, such as the courthouse renovations, the Legislature chose it and voted on that, Burke County did not go to them for these funds. They were a gift from the State to the County. Commissioner Taylor asserted that someone had to tell the Legislature what the County wanted. He said he is trying to determine if he votes for this item, then he is voting for things that do not have a plan and questioned what happens if the projects exceed the available funding. Ms. Pierce said until the Board votes on a plan, nothing would be spent. Chairman Mulwee clarified that this is a vote to accept the State funds and once the funds arrive, staff would have to come back with another proposal for the Board to approve. If the Board does not use those funds or agree on the proposal, then those funds will eventually revert to the State. After additional comments from Ms. Pierce on potential Courthouse repair projects, Commissioner Abele expressed disbelief that the Legislature did not receive a "needs list" from Burke County. Commissioner Taylor said this is a tainted deal, and the only conclusion is that there were illegal / secret committee meetings that documented it, sent it, and decided what the money will be spent on. He asked anyone who served on that committee to step up and be truthful, noting it did not happen on its own.

After additional comments from Commissioner Taylor, Chairman Mulwee asked if Commissioner Abele still wanted to approve the first two (2) items in the motion. Commissioner Abele said he does not like the way business is being done, it does not seem kosher at all and noted he would like to rescind his motion. There was no objection to the rescission. Chairman Mulwee asked for a new motion.

Motions: To approve the agreements with the State of North Carolina to accept funds from the State for courthouse renovations and repairs (\$1,000,000), construction of EMS Base 1 (\$650,000), and renovations to BCDCF for a regional long-term substance abuse facility (\$3,250,000); and to authorize the County Manager or his successor to execute any required agreement documents with the State of North Carolina; and to spend any such funds only after future Board approval of a project, and the project's scope and extent of work.

RESULT:	APPROVED [3 TO 2]
MOVER:	Jeffrey C. Brittain, Commissioner
AYES:	Scott Mulwee, Johnnie W. Carswell and Jeffrey C. Brittain
NAYS:	Wayne F. Abele, Sr. and Maynard M. Taylor

REPORTS AND COMMENTS

NCACC - PRESENTATION ON RECRUITMENT PROCESS FOR NEW COUNTY MANAGER

Information from the agenda packet:

At the regular meeting, NCACC (NC Association of County Commissioners) staffer Neil Emory will discuss the recruitment process for hiring a new county manager. County Manager Steen retires at the end of the year.

Mr. Emory expressed greetings and appreciation on behalf of the North Carolina Association of County Commissioners (NCACC). Mr. Emory reviewed the following information and outlined the process and options for hiring a new county manager:

- The recruitment and selection of a manager is one of the most important decisions a board will ever make.
 - Professional manager monitors organizational needs while striving to ensure efficient and effective service delivery within the organization.
 - The manager serves the Board as a resource regarding policy development.
 - The manager provides administrative leadership daily and is responsible for the implementation of Board policy.
 - The Board's success is dependent, in large part upon, the ability of the manager to carry out his/her role effectively.
- The Board's objectives throughout the process are to:
 - Maintain strong and consistent political leadership throughout the process.
 - Develop an organized and coordinated recruitment plan.
 - Have a plan in place for retaining the services of an interim manager.
 - Develop and maintain a timetable.
 - As a board, develop an understanding of the status of important county projects. Require a status report from current manager if possible.
- Job profile
- Application process
- Relationship with applicants
- Interview process/questions
- Decision making
- Initial Steps
 - Vacancy announced
 - Ad development/timetable
 - Getting the word out about the position
 - Will you need an interim manager?
 - Who collects the applications/resumes?
- Confidentiality is a very important consideration during the recruitment process. Applicants are concerned about their current position. Seek advice from your County Attorney.
- Framework for recruitment process
 - A letter noting receipt of application/resume should be sent to all applicants.
 - Develop a system to screen all applicants.
 - Develop a job profile which helps develop criteria for questions.
- Determine how to screen applicants:
 - Screening approaches
 - All commissioners
 - A committee of commissioners
 - Staff/NCACC
 - REMEMBER - All applications are available to all Commissioners.

Mr. Emery advised that the Association could help the Board as little or as much as needed with the recruitment process.

Chairman Mulwee opened the floor for questions and comments from the Board. Commissioner Taylor asked how many counties utilize a recruiting service versus in-house recruitment. Mr. Emory said over half utilize a recruiting firm, discussion ensued. Mr. Emory responded to an additional question from Commissioner Taylor concerning employment law. For public transparency / record, Chairman Mulwee asked Mr. Emory to confirm that Burke County can utilize the NCACC's services in this matter for free because the County is a member of the NCACC. Mr. Emory responded in the affirmative.

RESULT: NO ACTION TAKEN.

BOC - REPORTS & COMMENTS

Chairman Mulwee opened the floor for reports and comments from the Board and staff.

Attorney Simpson reviewed the projects he has worked on since the Board's last meeting.

Commissioner Taylor provided updates from the board meetings he attended as well as an update on the status of area highway projects. He reported he will not be able to attend the photo shoot with the NC Supreme Court judges because he is attending his son's ordination. Commissioner Taylor then reported on the events he attended since the Board's last meeting.

Chairman Mulwee reminded the Board of various upcoming meetings and holiday closures. He then reminded everyone to please spay / neuter their pets and to not litter.

RESULT: NO ACTION TAKEN.

VACANCY ANNOUNCEMENTS

CLERK- BOARDS AND COMMITTEES VACANCY REPORT

Clerk Draughn announced the following vacancies on county boards or committees:

- Adult Care & Nursing Home Community Advisory Committee
- Burke County Parks & Recreation Commission
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Burke Senior Center Advisory Council
- Child Protection & Child Fatality Prevention Team
- East Burke Senior Center Advisory Board
- Burke County Board of Adjustment
- Council on Aging
- Burke County Board of Health
- Partner's CFAC (Consumer and Family Advisory Committee) – Traumatic Brain Injury
- Animal Advisory Board (At-Large Pet Owner)

Chairman Mulwee encouraged interested citizens to get involved with a board or committee.

RESULT: NO ACTION TAKEN.

CLOSED SESSION – NOT NEEDED. NOT HELD.

ADJOURN

Motion: To adjourn at 8:00 p.m.

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

Approved this 15th day of November 2022.



Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board