

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

The Burke County Board of Commissioners held a regular meeting on Tuesday, December 20, 2022, at 6:00 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 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. Those present were:

COMMISSIONERS:

Scott Mulwee, Chairman
Jeffrey C. Brittain, Vice Chairman
Randy Burns
Johnnie W. Carswell
Phil Smith

STAFF:

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 Burns delivered the invocation.

PLEDGE OF ALLEGIANCE

J.R. Simpson, County Attorney, delivered the Pledge of Allegiance to the America flag.

APPROVAL OF AGENDA

Motion: To approve the agenda.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes of May 19, 2022 (special) meeting as written.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey C. Brittain, Vice Chairman
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

PRESENTATIONS**AS - PET OF THE MONTH**

Kaitlin Settlemyre, Animal Services Director, presented a dog (Willi Mae) and a cat (Bubba) in need of their “forever” home. She emphasized there are plenty of other animals available for adoption at the shelter and that they are open until 7:00 p.m. Ms. Settlemyre then relayed information on the fourth annual Home for the Holidays event, where citizens can pick up a pet between December 19th-23rd and then choose to either adopt or return it between December 28th-30th.

Chairman Mulwee opened the floor for questions or comments. Commissioner Burns thanked Ms. Settlemyre for everything she does for animals in the community. Chairman Mulwee encouraged citizens to adopt or foster this holiday season.

RESULT: NO ACTION TAKEN.

BOC - RECOGNITION OF MABEL LOWMAN'S 47 YEARS OF PUBLIC SERVICE

Chairman Mulwee announced he is honored to recognize Mabel Lowman for her service as the Burke County Clerk of Superior Court for the past 24 years. Before taking the helm, she also served as a Deputy Clerk for seven (7) years and as an Assistant Clerk for 16 years. Recognition of her honorable and distinguished 47 years of combined public service to the citizens of Burke County is well deserved. He then invited her to speak if she so desired. Ms. Lowman expressed her appreciation of the Board for all the work they do on behalf of the residents and the County. Ms. Lowman relayed that her time as a clerk was fulfilling, it allowed her to have a positive impact on people and that it has truly been a pleasure to serve this County. The Board of Commissioners presented her with flowers. Clerk Draughn informed her that there was a flower for each year of service.



Pictured from left to right: Randy Burns, Phil Smith, Scott Mulwee, Johnnie W. Carswell, Mabel Lowman, and Jeffrey C. Brittain

Chairman Mulwee expressed his compliments to Ms. Lowman’s dedication to serving the County and the residents then opened the floor for question or comments. Commissioner Burns worked with Ms. Lowan over the years, during which, she was loving and compassionate to not only him, but every citizen she encountered. Commissioner Carswell recalled the time he was an assistant clerk at the old courthouse and how Ms. Lowman exuded professionalism and leadership, plus she treated everyone equally and with respect.

RESULT: NO ACTION TAKEN.

F3ST - RECOGNITION OF JOHNNIE W. CARSWELL



Beth Heile and Johnnie W. Carswell

Beth Heile, Friends of the Fonta Flora State Trail (F3ST) President, presented the Lead the Way award to Commissioner Carswell for his service as a founding member of the F3ST Board and for his leadership. Commissioner Carswell served on the Board from January 2020 - December 2022.

F3ST is the nonprofit tasked with connecting the communities of Western NC along the Fonta Flora State Trail corridor. Burke County's vision for a trail around Lake James led to the creation of Fonta Flora State Trail and the county has spearheaded the planning and project management of the trail to date. The F3ST Board appreciates Commissioner Carswell's presence in meetings, being a role model and leading the way. He gave updates at each meeting, reported what was being added to Burke County next, talked about how the trail was impacting the county in a positive way – through recreation for locals and visitors, how staff worked on the trail – he shared plenty of insight and wisdom. The founding F3ST board was made up of elected officials from

the nine (9) local governments along the trail. Commissioner Carswell's updates inspired, gave hope, and showed what could happen if a local government invested in trails and the trail nonprofit. As a direct result of Burke County's investments in F3ST, with \$30,000 given in the inaugural year, and then \$20,000 the next, F3ST was able to show the state of NC stability, leading the State to make F3ST the official nonprofit representative for the advancement the Fonta Flora State Trail. This allowed F3ST to be a recipient of funding to improve state trails from the Great Trail State Coalition. F3ST received \$50,000 for operations and \$500,000 in task agreement funds, with the option to apply for additional funding for trail easement and connecting small communities as needed. F3ST'S first investment of the \$500,000 task funds will be applied to the canal bridge project in Burke County. Another nonprofit, Overmountain Victory State Trail, is splitting the cost for the canal bridge project which will create a safe crossing point for both pedestrians and bikes allowing it to be designated as part of the Fonta Flora State Trail. So, Burke County's initial investment of \$50,000 is yielding roughly \$200,000-\$300,000 towards expanding the Fonta Flora State Trail that does not need to be directly provided by the County's Trail Fund. F3ST must spread the \$500,000 along the 3-county route, but also needs to spend the funds to be able to ask for more. With Burke County having more shovel ready projects, F3ST is looking at the 1780-Enclave project and possibly the Paddy's Creek WRC area, but it will depend on what is ready after Canal Bridge is completed. F3ST is now sustainable, however, they do hope to collaborate on project funding in the future to build the County's outdoor economy together and help match our local dollars with state and federal funds. Ms. Heile reiterated that F3ST has a debt of gratitude towards Commissioner Carswell for "Leading the Way" in helping F3ST get started, setting an example for other local governments, and lending his reputation to our efforts.

Commissioner Carswell gave Beth Heile praise for her own hard work. He asserted that God blessed Burke County with Lake James. Growing up on the water gave him an appreciation for all that Lake James has to offer. It was through Ms. Heile and her team that created a trail around the lake that so many people came to enjoy. Burke is “all about advancing” and that is what he strives to embody. Commissioner Carswell encouraged those who have never walked the trail to go and check it out. He expressed how truly humbled he was to receive this award.

RESULT: NO ACTION TAKEN.

BOC - RECOGNITION OF COUNTY MANAGER BRYAN STEEN

Chairman Mulwee requested Bryan Steen, County Manager, come up to the podium. He then went on to inform those who were unable to attend the retirement party that Mr. Steen was awarded the State of North Carolina’s Order of Longleaf Pine. Chairman Mulwee presented the award and a walking stick to County Manager Steen.

Mr. Steen expressed his thanks to the Board of Commissioners that appointed him as County Manager back in 2010 and to every subsequent Board that extended his appointment. He thanked the department heads and staff members for being great team members during the provisioning of services to the citizens of Burke County. He expressed what a privilege it was to serve over the past 12 years and wished everyone the best.

Chairman Mulwee opened the floor for any questions or comments. Vice Chairman Brittain stated it has been a pleasure to serve with Mr. Steen over the last decade and thanked him for his service. Commissioner Carswell shared that Mr. Steen is such a fair person to everyone and always had a smile on his face. He stated that Mr. Steen is like family to him and that he would be missed. Commissioner Burns stated Mr. Steen was both a good County Manager and a good man. Commissioner Smith thanked Mr. Steen for his service in many capacities he has served over life, as a County Manager, as a State Trooper and as a retired veteran from the United States Airforce. Chairman Mulwee echoed the sentiments expressed by the Board and thanked Mr. Steen for his 42 years total years of public service.



Bryan Steen and Scott Mulwee

Background information:

Bryan Steen has served as the Burke County Manager for the past 12 years and has a total of 42 years of public service in North Carolina. Mr. Steen is officially retiring from public service and his last day of employment is December 22, 2022. Since 1963, North Carolina’s governors have reserved their highest honor, The Order of the Long Leaf Pine award, for persons who have made significant contributions to the state and their communities through their exemplary service and exceptional accomplishments. Persons named to The Order become North Carolina “Ambassadors” with their names and award dates recorded on a Roster maintained by The Order of the Long

Leaf Pine Society.

RESULT: NO ACTION TAKEN.

POINT OF PERSONAL PRIVILEGE – RECOGNITION OF THE LOCAL HEALTH DIRECTOR

Commissioner Carswell requested a Point of Personal Privilege from Chairman Mulwee and asked Danny Scalise, the Health Director, to approach the podium. Commissioner Carswell stated Mr. Scalise was one (1) of 30 people selected, out of the entire United States, to attend the National Association of Counties' Opioid Solutions Leadership Network Workshop. The goals of the workshop included: elevating the role of counties in effectively investing settlement funds to save lives and address the needs of people with substance use disorders and providing a platform for county leaders to share knowledge and offer support to their counterparts across the country. Commissioner Carswell recounted how he lost his son to opioid use and that he is so proud Mr. Scalise will be able to use the settlement money to help save those who are impacted by substance use.

RESULT: NO ACTION TAKEN.

FINANCE - PRESENTATION OF FY 21-22 AUDIT

Margaret Pierce, Deputy County Manager / Finance Director, turned the floor over to and Rick Hammer, Certified Public Accountant, Lowdermilk Church & Co. LLP, to present highlights of the audit for FY 21-22. The report was submitted to the Local Government Commission for review with no issues reported back. Further, the County was issued a clean unmodified opinion. There were several Single Audit Reports completed resulting in no compliance issues as well.

Highlights of the presentation are as follows:

General Fund	2022	2021
Cash and investments	\$41,227,685	\$37,098,119
Total assets	47,002,927	43,415,198
Unassigned fund balance	30,305,835	28,379,793
Total revenue	92,342,609	86,695,868
Total expenditures	90,848,922	83,584,158
Other financing sources	2,895,336	6,302,015
Increase (decrease) in fund balance	4,389,023	9,413,725
Ad valorem taxes collected current year levy	51,996,325	51,217,161
Percent of taxes collected current year levy	98.73	98.75
Investment income	63,102	123,774
Proprietary Funds		
Cash and investments	\$ 2,429,612	\$ 2,004,467

Total assets	22,807,790	22,309,347
Net position	14,831,592	14,261,755
Operating revenue	7,376,402	6,851,507
Operating expenses	7,988,692	8,478,167
Nonoperating revenues (expenses)	259,682	846,583
Transfers in (out)	922,455	(257,315)
Change in net position	569,837	(1,037,292)
Accounts receivable	625,924	493,529
Investment income	2,619	6,135
<u>Other Governmental Funds</u>		
Cash and investments	\$51,321,335	\$30,571,770
Total assets	55,542,995	35,601,448
Fund balance	37,872,285	26,224,922
Total revenue	26,280,392	22,087,188
Total expenditures	11,006,426	15,104,432
Other financing sources (uses)	(3,645,453)	(4,268,494)
Increase (decrease) in fund balance	11,628,513	2,714,262

Fund Balances Available

* Local Government Commission minimum recommended general fund balance should be at least 8% (one month) of general fund expenditures at the end of the fiscal year.

	<u>2022</u>	<u>2021</u>
Unassigned Fund Balance	<u>\$30,305,835</u>	<u>\$28,379,793</u>
Expenditures & other financing sources & uses	94,858,789	86,206,252
Unassigned Fund Balance Percentage	31.95%	32.92%
State average for Counties with a population grouping of 50,000 to 99,999	42.72%	38.38%

Chairman Mulwee opened the floor to questions or comments. Commissioner Carswell commented on how far Burke County has come since 2012 when they only had an 8% general fund balance.

Motion: To accept the report as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey C. Brittain, Vice Chairman
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

SCHEDULED PUBLIC HEARINGS

COM. DEV. - RESOLUTIONS TO WITHDRAW PARTF & STBG-DA GRANTS & PUBLIC HEARING - 6:00 P.M.

Alan Glines, Deputy County Manager / Planning Director, proposed the dissolution of the Fonta Flora Trail - N. Powerhouse Road and Cobb Avenue project and the withdrawal from both the Parks and Recreation Trust Fund (PARTF) and Surface Transportation Block Grant - Direct Attributable (STBG-DA) grants associated with the project. These were originally approved in 2017 and since then, staff have diligently been working within the guidelines of the grants to expand the trail to no avail. There have been hurdles with obtaining right-of-way and dealing with other compliance issues regarding the scale and size of the side path of the trail. Reapplication for the grants could occur at a later date with a more suitable project.

Information from the agenda packet:

The North Powerhouse Road/Cobb Ave. project is to design and construct a multi-use side path along the roadside to connect the Fonta Flora Trail on the southeast side of Lake James. Burke County sought and was awarded a \$300,000 PARTF grant for right-of-way (ROW) acquisition along the corridor. The County then sought and was awarded a \$570,000 STBG-DA grant from the Western Piedmont Council of Governments for Preliminary Engineering (PE) and ROW. The County applied for the STBG-DA grant using the PARTF grant as the local match. The intent was that the grants would match each other, and no County funding would be used.

The STBG-DA grant is funded through the Federal Highway Administration and dictates the design parameters, as well as the process and order in which the project can proceed. The STBG-DA grant requires that the trail be built as a paved 10-foot-wide multi-use path. This is significantly larger for the 5-foot-wide natural surface sections of the rest of the Fonta Flora Trail at Lake James. The current construction estimate for the 10-foot-wide side path is around \$3,500,000, not including engineering or ROW acquisition costs. In addition to the cost, there would be a significant impact to the residents of the area given the amount of ROW needed to build a trail of this size and scope. It was determined that the federal requirements for the path were not feasible given the specific road and right of way challenges.

STBG-DA projects are slow moving and generally have long timelines that they operate under. The PARTF grant, however, has a 3-year timeline. Community Development realized that it would not be allowed to progress into the ROW phase for the STBG-DA grant in time to complete the PARTF grant, and subsequently sought and was granted a 1-year extension in January of 2020.

By October of 2020, it became clear that the two (2) grants were not going to be

able to match each other with their different timetables and funding mechanisms. In order to meet the PARTF deadline, the projects would need to be run separately. Community Development sought and was granted a scope change for the project to route the trail down St. Paul's Church Road capitalizing on existing NCDOT ROW. This reduced the number of parcels needed.

When the timeframe to complete the PARTF grant became an issue again, a 1-year extension was approved in October of 2021. The Department made progress, property owners were contacted and surveys in the area were completed. Several property owners were interested in the trail but were not quite ready to commit to the easement or sale of their tracts. One property owner verbally agreed to sell some property and easements but in late September, the property owner backed out of the deal and sold the property to someone else. This rendered the Department unable to successfully close out the grant by October 31, 2022. The Department contacted State Parks and they agreed with Burke County to withdraw from this PARTF project. They do require a public hearing to withdraw from the grant. Burke County could apply in the future for another PARTF grant if we find a suitable project.

The Community Development Department is proposing the withdrawal from both the PARTF and STBG-DA grants. In order to withdraw from the STBG-DA project, the County will provide a letter to the NC Department of Transportation and will be required to absorb the entirety of the \$273,887 spent to date on engineering.

Withdrawing from both grants would allow the County time to make a new trail plan, conduct landowner outreach, and apply for future grants that are better suited to the project.

Budgetary Effect: A \$273,887 appropriation of General Fund, Fund Balance is necessary.

At 6:39 p.m., Chairman Mulwee opened the public hearing. The Public Hearing Notice was published in the News Herald on December 8, 2022, and the notice was posted on the County's website (www.burkenc.org) on that same day. There was no one present to address the Board; therefore, Chairman Mulwee closed the public hearing.

Motions:

Adopt Resolution 2022-19 withdrawing from the PARTF grant award for Fonta Flora State Trail - East Lake James Corridor Acquisition.

Adopt Resolution 2022-20 withdrawing from the STBG-DA Grant for EB-5827, Fonta Flora State Trail - North Powerhouse Road and Cobb Avenue Side Path Project.

To authorize an appropriation of \$273,887 of General Fund, Fund Balance for repayment of expended grant funds and the transfer of said funds to the trail project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeffrey C. Brittain, Vice Chairman
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Resolution No. 2022-19 reads as follows:

Burke County
North Carolina

A Resolution Authorizing Burke County to Request Withdrawal of a North Carolina Parks and Recreation Trust Fund Grant

WHEREAS, Burke County applied for and received a grant in 2017 from the North Carolina Parks and Recreation Trust Fund (PARTF) to assist with the Fonta Flora State Trail – East Lake James Corridor Acquisition project in the amount of \$300,000; and

WHEREAS, Burke County and the Department of Natural and Cultural Resources entered into a contract 2018-853 to complete the PARTF project within a three-year period; and

WHEREAS, Due to timing constraints with securing landowner support, Burke County has decided not to go forward with the PARTF Project; and

WHEREAS, Burke County has informed the public through a public hearing on December 20, 2022, to accept public comment about the proposed action to request withdrawal of the PARTF grant award.

NOW THEREFORE BE IT RESOLVED, the Burke County Board of Commissioners requests that the Department of Natural and Cultural Resources withdraw the PARTF grant award and terminate the contract 2018-853; and Burke County shall absorb all current, past, and future expenses incurred with the project and will absolve the Department of Natural and Cultural Resources of any past or future liability from the project.

Adopted this 20th day of December 2022.

/s/: Scott Mulwee
Scott Mulwee, Chairman
Burke Co. Board of Commissioners

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

Resolution No. 2022-20 reads as follows:

Burke County
North Carolina

Resolution to Withdraw the Fonta Flora State Trail – North Powerhouse and Cobb Roads Side Path Project, EB-5827, from the STBG-DA Program

WHEREAS, the Greater Hickory Metropolitan Planning Organization (GHMPO) issued a call for projects to agencies in its jurisdiction for Surface Transportation Block Grant - Direct Attributable Funding (STBG-DA); and

WHEREAS, Burke County submitted an application and funding was programmed for the Fonta Flora State Trail for the Preliminary Engineering and Right-of-Way Phase of the section of the Fonta Flora State Trail that extends from the intersection Harris Whisnant Road and Cobb Avenue and along North Powerhouse Road to Laurel Ridge Court, identified in the State Transportation Improvement Plan as EB-5827; and

WHEREAS, Burke County has determined that the 10-foot-wide paved trail required by the STBG-DA Grant is cost prohibitive and not in keeping with the character of the neighborhood or the rest of the Fonta Flora Trail at Lake James.

NOW THEREFORE, the Burke County Board of Commissioners requests that the Western Piedmont Council of Governments withdraw the Fonta Flora Trail - North Powerhouse Road and Cobb Avenue project, EB-5827 from the STBG-DA grant award, and for the Department of Transportation terminate the contract for EB-5827 and remove it from the Statewide Transportation Improvement Plan; and Burke County shall absorb all current, past, and future expenses incurred with the project and will absolve the Department of Transportation of any past or future liability from the project.

Adopted this 20th day of December 2022.

/s/: Scott Mulwee
Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:

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

INFORMAL PUBLIC COMMENTS

At 6:40 p.m., Chairman Mulwee opened the floor for Informal Public Comments and asked speakers to limit their comments to three minutes.

John Flood, 2411 Mountain Laurel Trail, requested the Commissioners get involved in the issue regarding the Confederate Statue. Mr. Flood was in support of reconciliation. He went on to say the founding fathers owned slaves and therefore asserted that the foundation of this nation is rooted in slavery. Mr. Flood then went on to condemn the abhorrent practice of slavery. He asserted the Civil War was over the issue of slavery. Upon reaching the end of his allotted time, Chairman Mulwee made him aware that his time had expired and thanked him for coming to speak.

Mary Jo Johnson, 208 Evans St, grew up during segregation. She spoke about how little contact she had with people of color as a child and said she never thought about them until much later in life. Ms. Johnson asserted the confederate statue's purpose was to inspire fear and to convey unwelcomeness to African Americans. She was in favor of removing that statue from the courtyard.

Dr. Courtney Mull, 5127 Piedmont Road, asserted that both the confederate statue and the confederate flags create and sustain a culture of racism in Burke County. She went on to explain how people should lean into God and seek guidance on hard issues. Dr. Mull requested the Commissioners consider and pray over moving the statue for safety concerns.

Erin Kiser, REASON President, stated REASON is a spay and neuter program for low-income residents of Burke County. Over the years, she has seen an increase in calls for stray or abandoned felines. These clients are not in a situation where they are seeking pets or can afford to care for pets, but these cats are sick, injured, or pregnant that have been dumped or abandoned. Ms. Kiser would like the County to step up and take care of this burden rather than it being passed on to these financially strained individuals. She would like the spay / neuter clinic to be part of the proposed Animal Services building. Without action, the stray animal population will grow exponentially. The clinic could be a solution to this problem. Ms. Kiser welcomed the new Commissioners and thanked them for their time.

Davonna Ijames, REASON treasurer, welcomed the new Commissioners, the new County Manager then thanked the Commissioners and staff that have supported REASON. She stated her support for the inclusion of a spay and neuter clinic as part of the proposed new Animal Services building. REASON is using Catawba County's Foothill Spay and Neuter Clinic for over half their appointments. Ms. Ijames stated that after speaking with Kaitlin Settlemire, Animal Services Director, that they were also doing over half of their spay and neuter surgeries out-of-county as well. When Foothill's Spay and Neuter Clinic is busy, they can get overbooked, leading to cancelled surgeries that either must be rescheduled or cancelled. This increases the likelihood of unwanted animal pregnancies thus creating a vicious reproduction cycle. REASON is seeking other out-of-county spay and neuter services through the ASPCA and Brother Wolf in Asheville.

Lela Duke, REASON volunteer, Animal Services volunteer, welcomed the new Commissioners and new County Manager. Ms. Duke expressed her strong support for the proposed new facility for Animal Services. She asserted that the most important part of the facility would be the spay and neuter clinic which would help with the overpopulation of animals in the County. Ms. Duke stated that approximately 95% of the animals taken in by Animal Services have not been fixed, and that they are constantly taking in as much, if not more, than they are able to adopt out. This positions staff to make hard decisions about how to proceed with animals entrusted into their care. In 2012, when REASON first started, the number of animals received at the shelter was 6,617 and the euthanasia rate was 83%. Since that time, the intake and euthanasia rate have dropped significantly. In 2021 the total number of animals received was 1,736 with an 18% euthanasia rate. With the increase in intake of animals this year, the euthanasia rate has gone up as well. Ms. Duke thanked the Commissioners who have worked hard on the new Animal Services building project and hopes for their continued support in the spay neuter clinic

so that Burke County will continue to be a forward-thinking community that is "all about advancing."

There was no one else to address the Board; therefore, Chairman Mulwee closed this portion of the meeting.

CONSENT AGENDA

At the request of the Board, County Manager Steen reviewed the 18 items on the consent agenda. The following 18 items were approved in one motion.

BCPS - PRESENTATION OF FINANCIAL DATA FOR THE PERIOD ENDING SEPT. 30, 2022

Note: This item was originally scheduled to be heard at the November meeting, but due to unforeseen circumstances, it was moved to the December meeting.

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 2022-2023 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 2022, February 2023 and May 2023, respectively. A brief update on the year ending June 30th was also presented at the pre-agenda meeting.

BCPS						
Estimated Revenues						
2022/2023						
	Annual		September YTD			% of Budget
	Previous	Current Fest	Previous	Current	% Change	Received
State	89,567,747	90,463,424	17,794,768	20,248,830	13.8%	22.4%
Federal	23,693,312	23,930,245	7,379,056	5,039,796	-31.7%	21.1%
Local	14,542,099	14,385,243	3,771,072	3,785,752	0.4%	26.3%
School Nurses	893,155	1,146,958	76,638	102,828	34.2%	9.0%
Charter Schools	613,951	770,807	17,941	3,260	-81.8%	0.4%
Fines & Forfeitures	371,986	325,000	88,177	61,323	-30.5%	18.9%
Receivables	12,424	14,908	10,624	53,898	407.3%	361.5%
Special Revenues	5,406,186	5,389,838	1,237,393	1,119,275	-9.5%	20.8%
Total	\$ 135,100,860	\$ 136,426,423	\$ 30,375,669	\$ 30,414,962	0.1%	22.3%

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BCPS						
Local Financials by Purpose & Function Level						
2022/2023						
Expenses	'19/'20	'20/'21	Unaudited '21/'22	'22/'23		
				Budget	1st	Total
Regular Instructional Services	5,637,807	4,787,687	5,677,962	5,593,992	716,173	716,173
Instructional Support	9,759,099	10,358,944	10,186,900	10,583,325	3,313,004	3,313,004
Other Governmental Units	592,733	635,937	800,305	930,512	86,037	86,037
Revenues Over/(Under)	207,420	509,982	(231,552)	(464,913)	(108,153)	(108,153)
Grand Total	\$ 16,197,059	\$ 16,292,550	\$ 16,433,615	\$ 16,642,916	\$ 4,007,061	\$ 4,007,061
% of Annual Budget						24.1%
Revenue						
Burke County	14,552,494	14,602,211	14,542,099	14,326,691	3,785,752	3,785,752
Timber Receipts	-	58,552	-	58,552	-	-
Charter Schools	428,556	495,287	613,951	770,807	3,260	3,260
Fines & Forfeitures	279,114	230,225	371,986	325,000	61,323	61,323
School Nurses	893,153	893,155	893,155	1,146,958	102,828	102,828
Schools' Receivables	43,742	13,120	12,424	14,908	53,898	53,898
Grand Total	\$ 16,197,059	\$ 16,292,550	\$ 16,433,615	\$ 16,642,916	\$ 4,007,061	\$ 4,007,061

Motion: To accept the reports as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

BOC - 2023 COMMISSION APPOINTMENTS

There are approximately 20 (+/-) boards or commissions that Commission members are appointed to serve on. Consideration of work schedules and prior commitments should be taken into consideration when making the appointments.

Authority, Board or Commission	2022 Appointee	2023 Appointee
Burke Development Inc.		
Burke Co. BOC Chairman* (Designee)	Brittain	Brittain
Burke Co. Manager*	Steen	NEW CM TBD
Board of Health	Carswell	Carswell
Burke County Cooperative Water Board	Carswell	Carswell
EMS Peer Review Committee	Taylor	Burns
Foothills Regional Airport Authority	Abele	Burns
Juvenile Crime Prevention Council	Taylor	Smith
JCPC Oversight "Governance" Committee	Taylor	Smith
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	Smith
Social Services Board	Brittain	Brittain
Tourism Development Authority	Mulwee	Mulwee
Transportation Advisory Committee	Taylor	Smith
Transportation Coordinating Committee	Steen	New CM TBD
WPCOG - Policy Board: Alternate	Carswell	Carswell
WPCOG - Policy Board: Delegate	Abele	Burns

*Based on BDI bylaws.

Motion: To approve the slate of Commission appointments as presented for 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

BOC - RESOLUTION ADOPTING A CODE OF ETHICS

In 2011 and again in 2018, the Board of Commissioners adopted a Code of Ethics. With the election of Commissioners Burns and Smith, the makeup of the Board has changed. As such, it is prudent to have a new Code of Ethics on file containing the signatures of the current Board members. Other than the adoption date and signature block, there are no other changes to the Code.

Motion: Adopt Resolution No. 2022-21.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Resolution No. 2022-21 reads as follows:

Burke County
North Carolina

Resolution Adopting a Code of Ethics
For the Board of Commissioners

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a Code of Ethics; and

WHEREAS, in 2011, the Board of Commissioners adopted a Code of Ethics; and

WHEREAS, the membership of the Board of Commissioners changed in 2018 and a new Code of Ethics was adopted; and

WHEREAS, the membership of the Board of Commissioners changed with the election of Commissioners Burns and Smith in 2022 and the current Board desires to have a Code of Ethics on file with the signatures of the current membership; and

WHEREAS, public officials are charged with upholding the trust of the citizens and residents of Burke County and with obeying the law; and

WHEREAS, as public officials of Burke County, we believe our citizens and residents are entitled to the most open and ethical government possible under the law.

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing citizens and residents of Burke County and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Burke County Board of Commissioners, do hereby adopt the Code of Ethics, attached hereto as Exhibit A, to guide the Board in its lawful decision-making. The Board of Commissioners directs all advisory boards and committees, which currently serve or may in the future be created to serve, to respect and abide by this Code of Ethics in the performance of their lawful duties insomuch as they may be applicable to the performance thereof.

Adopted this 20th day of December 2022.

/s/: Jeffrey C. Brittain

Jeffrey C. Brittain, Commissioner

/s/: Randy Burns

Randy Burns, Commissioner

/s/: Johnnie W. Carswell

Johnnie W. Carswell, Commissioner

/s/: Scott Mulwee

Scott Mulwee, Commissioner

/s/: Phil Smith

Phil Smith, Commissioner

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

EXHIBIT A
BURKE COUNTY CODE OF ETHICS
FOR THE BOARD OF COMMISSIONERS

The stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon the public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people. Government

decisions and policy must be made and implemented through proper channels and processes of the governmental structure. The purpose of this code is to establish guidelines for ethical standards of conduct for the Board of Commissioners. It should not be considered a substitute for the law or a Board of Commissioners member's best judgment.

Board of Commissioners members must be able to act in a manner to maintain their integrity and independence; yet must be responsive to the interests and needs of those they represent. Board of Commissioners members serve in an important advocacy capacity in meeting the needs of their citizens and should recognize the legitimacy of this role as well as the intrinsic importance of this function to the proper functioning of representative government. At the same time, Board of Commissioners members must, at times, act in an adjudicatory or administrative capacity and must, when doing so, act in a fair and impartial manner. Board of Commissioners members must know how to distinguish these roles and when each role is appropriate, and they must act accordingly. Board of Commissioners members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each Board of Commissioners member must find within his or her own conscience the touchstone on which to determine appropriate conduct.

I. A Board of Commissioners Member Shall Obey the Law

Board of Commissioners members shall support the Constitution of the United States, the Constitution of North Carolina and the laws enacted by the Congress of the United States and the General Assembly pursuant thereto. Members specifically acknowledge and agree to comply with the requirements of NCGS §14-234 entitled "Public officers or employees benefiting from public contracts; exceptions."

II. A Board of Commissioners Member Should Uphold the Integrity and Independence of His or Her Office

Board of Commissioners members should demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all their public activities in order to inspire public confidence and trust in County government. Board of Commissioners members should participate in establishing, maintaining, and enforcing, and, should themselves observe, high standards of conduct so that the integrity and independence of their office may be preserved. The provisions of this Code should be construed and applied to further these objectives.

III. A Board of Commissioners Member Should Avoid Impropriety and the Appearance of Impropriety in All His or Her Activities

It is essential that county government attract those citizens best qualified and willing to serve. Board of Commissioners members have legitimate interests of a private nature: economic, professional and vocational. Board of Commissioners members should not be denied and should not deny to other Board of Commissioners members or citizens, the opportunity to acquire, retain and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Board of Commissioners members must exercise their best judgment to determine when this is the case.

Board of Commissioners members should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity of the office of Board of Commissioners.

Board of Commissioners members should not allow family, social or other relationships to unduly influence their conduct or judgment and should not lend the prestige of the office of Board of Commissioners to advance the private interests of others; nor should they convey or permit others to convey the impression that they are in a special position to influence them. Board of Commissioners members shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

If a Board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the Board's attorney and should consider publicly disclosing the facts of the situation and steps taken to resolve it.

IV. A Board of Commissioners Member Should Perform the Duties of the Office Diligently

Board of Commissioners members should, while performing the duties of the office as prescribed by law, give precedence to these duties over other activities. In the performance of these duties, the following standards should apply:

A. Legislative Responsibilities

1. Board of Commissioners members should actively pursue policy goals they believe to be in the best interests of their constituents within the parameters of orderly decision-making, rules of the Board of Commissioners and open government.
2. Board of Commissioners members should respect the legitimacy of the goals and interests of other Board of Commissioners members and should respect the rights of others to pursue goals and policies different from their own.

B. Adjudicative Responsibilities

1. Board of Commissioners members should be faithful to the general and local laws pertaining to the office and strive for professional competence in them. They should be un-swayed by partisan interests, public clamor, or fear of criticism.
2. Board of Commissioners members should demand and contribute to the maintenance of order and decorum in proceedings before the Board of Commissioners.
3. Board of Commissioners members should be honest, patient, dignified and courteous to those with whom they deal in their official capacity, and should require similar conduct of their staff and others subject to their direction and control.
4. Board of Commissioners members should accord to every person who is legally interested in a proceeding before the Board full right to be heard according to law.

5. Board of Commissioners members should dispose promptly of the business of the County for which they are responsible.

C. Administrative Responsibilities

1. Board of Commissioners members should clearly distinguish legislative, adjudicatory and administrative responsibilities and should refrain from inappropriate interference in the Impartial administration of County affairs by County employees. Board of Commissioners members should diligently discharge those administrative responsibilities that are appropriate, should maintain professional competence in the administration of these duties and should facilitate the diligent discharge of the administrative responsibilities of fellow Board of Commissioners members and other County officials.
2. Board of Commissioners members should conserve the resources of the County in their charge. They should employ County equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
3. Board of Commissioners members should require County employees subject to their direction and control to observe the standards of fidelity and diligence that apply to Board of Commissioners members as well as those appropriate for employees.
4. Board of Commissioners members who become aware of improper conduct by a County employee should promptly inform the County Manager, or, in the case of a County employee who reports directly to the Board, initiate appropriate disciplinary measures.
5. Board of Commissioners members should not employ or recommend the appointment of unnecessary employees and should exercise the power of employment only on the basis of merit, avoid favoritism and refrain from illegal discrimination and nepotism. They should not approve compensation of employees beyond the fair value of services rendered.

V. A Board of Commissioners Member Should Conduct the Affairs of the Board of Commissioners in an Open and Public Manner

Board of Commissioners members should be aware of the letter and intent of the State's Open Meetings Law, should conduct the affairs of the Board of Commissioners consistent with the letter and spirit of that law and consistent with the need to inspire and maintain public confidence in the integrity and fairness of County government and the office of Board of Commissioners. Consistent with this goal of preserving public trust and in compliance with the State's Open Meetings Law, Board of Commissioners members should be aware of the need for discretion in deliberations when the lack of discretion would pose a threat to the resources of the County, to the reputation of current or potential County employees, to orderly and responsible decision making, to the integrity of other governmental processes or to other legitimate interests of the County.

This Code of Ethics is adopted and effective this the 20th day of December 2022 and shall apply to all Board of Commissioners members holding office on that date. Upon the effective date of this Code of Ethics, the previously adopted Code of Ethics of Burke County is hereby repealed.

/s/: Jeffrey C. Brittain

Jeffrey C. Brittain, Commissioner

/s/: Randy Burns

Randy Burns, Commissioner

/s/: Johnnie W. Carswell

Johnnie W. Carswell, Commissioner

/s/: Scott Mulwee

Scott Mulwee, Commissioner

/s/: Phil Smith

Phil Smith, Commissioner

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

BOC - ADOPTION OF RULES OF PROCEDURE FOR 2023

It is the Board's practice to review, amend as needed and adopt its Rules of Procedures (ROP) on an annual basis. The DRAFT 2023 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.

Motion: To adopt the 2023 Rules of Procedure for the Burke County Board of Commissioners as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Note: The 2023 Rules of Procedure are hereby incorporated into the meeting minutes by reference.

CLERK - RESOLUTION ESTABLISHING THE BOC 2023 MEETING SCHEDULE

In accordance with NCGS 153A-40, the following resolution sets the Board's meeting schedule for 2023.

Motion: To adopt Resolution No. 2022-18.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Resolution No. 2022-18 reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION
ESTABLISHING THE REGULAR MEETING SCHEDULE
BURKE COUNTY BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2023

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 February and December as indicated below; 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 except in the month of February; and

WHEREAS, Commissioners Mulwee and Carswell will be in Chapel Hill, NC, for educational training during Feb. 5 – 10, 2023 and desire to reschedule the February pre-agenda meeting as well as the regular meeting for Feb. 14 and 28th, respectively; and

WHEREAS, the December pre-agenda meeting is scheduled for Monday, December 4, 2023, to allow the Board of Commissioners to participate in the City of Morganton's annual Christmas parade, which is held on the first Tuesday of December at 6 p.m.; and

WHEREAS, the first Tuesday in July is Independence Day, a national holiday, and county offices are closed. Therefore, the July pre-agenda meeting is scheduled for Wednesday, July 5; and

WHEREAS, it is the County's normal practice to provide a live stream of the Board's pre-agenda, recessed, regular and special meetings to its YouTube Channel, BurkeCountyNC. In addition, these recordings are posted to the County website, www.burkenc.org and aired on the local cable networks.

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

- NCACC Annual Conference in Wake County, NC, August 23-27, 2023.

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 3, 2023	July 5, 2023**
February 14, 2023^	August 1, 2023
March 7, 2023	September 5, 2023
April 4, 2023	October 3, 2023
May 2, 2023	November 7, 2023
June 6, 2023	December 4, 2023*

^Second Tuesday

**Wednesday

*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:

January 17, 2023	July 18, 2023
February 28, 2023^^	August 15, 2023
March 21, 2023	September 19, 2023
April 18, 2023	October 17, 2023
May 16, 2023	November 21, 2023
June 20, 2023	December 19, 2023

^^Fourth Tuesday

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.

Adopted this 20th day of December 2022.

/s/: Scott Mulwee

Scott Mulwee, Chairman

Burke Co. Board of Commissioners

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

CLERK - REAPPOINTMENTS TO BLUE RIDGE COMMUNITY ACTION

The County appoints three (3) members to the Blue Ridge Community Action Board of Directors. The terms of appointment for Michael Cloy (Seat 1), Barbara Myers (Seat 2) and James Smith (Seat 3) end December 15, 2022. All three seats are "public at-large" seats and have 2-year terms. All the current members desire reappointment.

Motion: To reappoint Michael Cloy (Seat 1), Barbara Myers (Seat 2) and James Smith (Seat 3) to the Blue Ridge Community Development Board of Directors for 2-

year terms ending December 15, 2024.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - APPOINTMENT TO THE BURKE CO. BOARD OF ADJUSTMENT

Seat No. 2 (East) on the Burke County Board of Adjustment is vacant. An application was received from Tommy Craig of Valdese to fill this vacancy. The unexpired term ends September 30, 2024.

Motion: To appoint Tommy Craig to Seat No. 2 on the Burke County Board of Adjustment to complete the remainder of a 3-year term ending September 30, 2024.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - REAPPOINTMENTS TO THE BOARD OF HEALTH

The terms of appointments for the following members of the Board of Health end December 31st: Melinda Zimmerman (Pharmacist), Dr. Thomas Wallrichs (Veterinarian), Dr. Anthony Frank (Physician), Dr. Joel Welch (Engineer), and Gwen Stephens (at-large). Dr. Frank, Dr. Welch and Gwen Stephens desire reappointment and are eligible to complete additional 3-year terms ending December 31, 2025. The removals of Melinda Zimmerman (Pharmacist) and Dr. Thomas Wallrichs (Veterinarian) are requested. They have served the maximum number of terms allowed.

An application from Pharmacist Jessi Stout was received after the pre-agenda meeting. Her appointment to Seat No. 1 to complete the remainder of a 3-year term ending December 31, 2024, is requested.

Motion: To reappoint Dr. Anthony Frank (Physician, Seat 4), Dr. Joel Welch (Engineer, Seat 8) and Gwen Stephens (At-large, Seat 11) to the Board of Health for 3-year terms ending December 31, 2025. To remove Melinda Zimmerman and Dr. Wallrichs from the official roster for the Board of Health and thank them for their service to the community. To appoint Jessi Stout to Board of Health Seat No. 1 (Pharmacist) to complete the remainder of a 3-year term ending December 31, 2024.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - REAPPOINTMENTS TO THE BOARD OF E & R

Ms. Betty Greer occupies Seat No. 1 on the Board of Equalization and Review, and her term ends December 31, 2022. She has served on this board since 2015 and is willing to serve another 3-year term ending December 31, 2025. Her reappointment is recommended by the Tax Administrator.

Motion: To reappoint Betty Greer, Seat No. 1, to the Board of Equalization & Review for a 3-year term ending December 31, 2025.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - REAPPOINTMENTS TO THE EMS PEER REVIEW COMMITTEE

The terms of appointment on the EMS Peer Review Committee ended November 15 for: Leonora Mahoney (Seat 2, Nurse), April Traxler (Seat 4, Frye Medical Center), Mike Willis (Seat 5, Emergency Management) and Allen Hudson (Seat 8, First Responder South). All members desire reappointment and the terms are for two (2) years ending November 15, 2024.

Motion: To reappoint Leonora Mahoney (Seat 2, Nurse), April Traxler (Seat 4, Frye Medical Center), Mike Willis (Seat 5, Emergency Management) and Allen Hudson (Seat 8, First Responder South) to the EMS Peer Review Committee to complete the remainder of 2-year terms ending November 15, 2024.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - APPOINTMENT OF REVIEW OFFICER FOR MORGANTON & BURKE COUNTY

The City of Morganton requests the designation of Wendy Smith, Development and Design Director, as the review officer the City of Morganton in accordance with a resolution (No. 22-40) to be adopted by the City Council later today, Dec. 5, 2022. The removal of Phillip Lookadoo, the former Director of Development and Design, as a review officer is also requested by the City. Further, the Commissioners are also asked to appoint Alan Glines and Bradley Kirkley as plat review officers for Burke County.

Motion: To adopt Resolution No. 2022-22.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Resolution No. 2022-22 reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION UPDATING PLAT REVIEW OFFICERS

WHEREAS, the North Carolina General Statutes (GS 47-30.2) requires the board of commissioners in each county, by resolution, to appoint persons to serve as Plat Review Officers to review each plat before it is presented to the register of deeds for recording and certify that it meets the statutory requirements for recording; and

WHEREAS, the City of Morganton, via Resolution No. 22-40, adopted on the 5th day of December 2022, requests the designation of Wendy Smith as a plat review officer for the City of Morganton in the place and stead of Phillip Lookadoo; and

WHEREAS, the designation of Alan Glines and Bradley Kirkley as plat review officers for the unincorporated areas of Burke County is also requested.

NOW, THEREFORE, BE IT RESOLVED, that the Burke County Board of Commissioners appoints Wendy Smith as a plat review officer for the City of Morganton in the place and stead of Phillip Lookadoo; and

NOW, THEREFORE, BE IT RESOLVED, that the Burke County Board of Commissioners appoints Alan Glines and Bradley Kirkley as plat review officers for the unincorporated areas of Burke County; and

BE IT FURTHER RESOLVED, that a copy of this resolution designating the Plat Review Officer be recorded in the Burke County Register of Deeds Office and indexed in the name of the Review Officers.

Adopted this 20th day of December 2022.

/s/: Scott Mulwee
Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:

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

CLERK - REAPPOINTMENTS TO THE TDA

The terms of appointment for the following members of the Tourism Development Authority end December 31, 2022: Samantha Reid (Seat 4, COT Hotel/Motel), Dianne Reihl (Seat 6, Travel/Tourism At-large), and Mitch Kerce (Seat 8, COT Hotel/Motel). All three (3) members desire reappointment and the terms are for two (2) years. The reappointment of Scott Mulwee as chair of the TDA for 2023 is also requested.

Motion: To reappoint Samantha Reid (Seat 4, COT Hotel/Motel), Dianne Reihl (Seat 6, Travel/Tourism At-large), and Mitch Kerce (Seat 8, COT Hotel/Motel) to the Tourism Development Authority for 2-year terms ending December 31, 2024. To reappoint Scott Mulwee as Chairman of the TDA for 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CLERK - REMOVALS FROM JCPC

The removal of Dorian Palmer (Seat # 23) and Jeffrey Beck (Seat # 21) from the JCPC (Juvenile Crime Prevention Council) is requested for attendance issues. Both members have failed to comply with the County's attendance criteria:

Code of Ordinances:

Sec. 2-92. - Attendance.

(a) Regular attendance at board and commission meetings by the members is expected by the board of commissioners.

(b) No member of any board or commission shall, without good and sufficient reason, fail to attend three consecutive meetings or fail to attend 50 percent of all the regularly scheduled meetings in one calendar year. Any member who at any time does not comply with this requirement shall be deemed to have abandoned and forfeited membership on such board or commission and the term of office of such absentee shall thereby terminate. It shall be the responsibility of the chairperson to then notify the clerk to the board of commissioners that a vacancy exists on the board or commission.

Motion: To remove Dorian Palmer and Jeffrey Beck from the JCPC and thank them for their service to the community.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

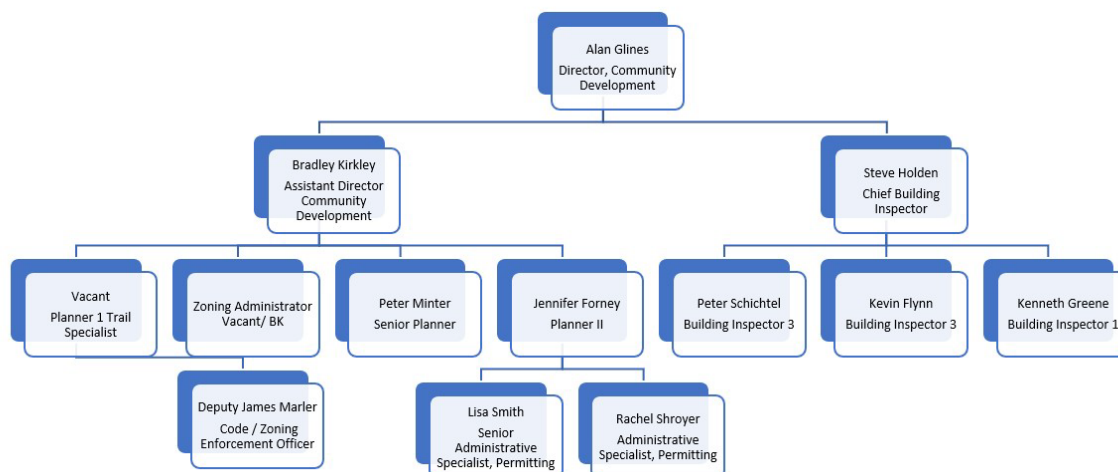
COMM. DEV. - COMMUNITY DEVELOPMENT DEPARTMENT ORGANIZATION

The Community Development Department would like to reclassify two existing positions within the department. The reclassifications, if approved, will have the benefit of providing an added level of management within the department and an improved career path for planning staff who have the expertise and are taking on new duties.

The first reclassification is for an Assistant Director for Community Development. It would be helpful to formally develop the position within the department. The current position, Operations Manager, was the position that Shane Prisby held. Over time the duties of the operations manager evolved and were similar to what would be appropriate for an assistant director. Formalizing this position will provide greater cover for department operations and assure continuation of department functions should the director be unavailable. The proposed pay grade level would be 31 which would be in-line with pay ranges for benchmark communities. If the reclassification is approved, the position of Operations Manager will be removed from the job classification. Bradley Kirkley, Zoning Administrator, is working as the interim Operations Manager and would move into the Assistant Director position if approved. Bradley has been employed with Burke County for 16 years.

The second reclassification is for a Planner II position for Community Development. Currently there is a Planner and Senior Planner position. To improve career path options for staff the second tier of Planner II is something someone could work towards as their experience and expertise expands. Built into the Planner II description is the management of a specific program or component of work of the Community Development Department. Having tiered levels for planning positions is customary in many planning departments in North Carolina. The proposed

pay grade level would be 27 which is higher than the Planner position but lower than the Senior Planner. Jennifer Forney is the current planner who would be recommended for this promotion and now manages the activities of the permit center along with other planning duties. Jennifer has been employed with Burke County for almost 20 years.



Staff is requesting that the changes be effective at the beginning of the next pay period and funding for the changes will be covered by the open positions within the department (Operations Manager and Trail planner).

Budgetary Effect: None. Using lapsed funds, the budget changes for staff salaries will be covered within the current approved budget.

Motion: To approve the proposed reclassifications for two (2) Community Development positions: Assistant Comm. Dev. Director (Pay Grade 31), and Planner II (Pay Grade 27), effective at the beginning of the next pay period. Further, modify the pay plan to add the Assistant Comm. Dev. Director and the Planner II positions and remove the Operations Manager position.

RESULT: APPROVED [UNANIMOUS]

MOVER: Randy Burns, Commissioner

AYES: Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

GENERAL SERVICES - ROOFING PROJECTS - ROD BUILDING AND SHERIFF DEPT BUILDING

A Request for Proposals (RFP) was posted on the county website on October 11, 2022, soliciting sealed bids from qualified vendors for the installation of insulation and TPO membrane on the existing roof of the Burke County Register of Deeds building. The county received seven (7) bids from vendors and after review, Barger-Ashe Roofing Company has been selected as the most responsive responsible bidder. The cost of the project is bid at \$104,300. Funds are available for the project from a budget allocation in FY 22-23.

Additionally, a Request for Proposals (RFP) was posted on the county website on October 12, 2022, soliciting sealed bids from qualified vendors for the installation of insulation and TPO

membrane on the existing roof of the Burke County Sheriff's Office building. The county received nine (9) bids from vendors and after review, Johnson Roofing Concepts has been selected as the most responsive responsible bidder. The cost of the project is bid at \$118,762. Funds are available for the project from a budget allocation in FY 22-23.

The funds for the Sheriff's Office building roof were originally provided in the budget for re-roofing in the Burke Services building budget. Due to a number of recent leaks that were discovered and patched on the Sheriff's Office Building and the fact that the Burke Services building roof seems to be holding up, General Services is requesting to have the funds that were allocated for the Burke Services building roof to be used for the Sheriff's Office building roof.

BID #:
2022-1104-ROD

PROJECT:
ROD Roof Replacement

Vendor:	Total Quote	Note
Barger-Ashe Roofing	\$ 104,300.00	
Ajmeri Properties, LLC	\$ 114,000.00	
AAR of North Carolina, Inc.	\$ 122,510.00	
Land Roofing Company	\$ 136,000.00	
BM Roofing Contractors	\$ 148,387.00	
BAR Roofing & Maintenance	\$ 161,250.00	
ATD Restoration	\$ 162,000.00	

BID #:
2022-1104-BCSO

PROJECT:
Sheriff's Office Roof Replacement

Vendor:	Total Quote	Note
Johnson Roofing Concepts	\$ 118,762.00	
ATD Restoration	\$ 125,000.00	
Etheridge Roofing	\$ 134,630.00	
BM Roofing Contractors	\$ 141,977.00	
CJ Deans Roofing, Inc	\$ 149,400.00	
AAR of North Carolina, Inc.	\$ 157,500.00	
Land Roofing Company	\$ 159,500.00	
BAR Roofing & Maintenance	\$ 184,250.00	
Ajmeri Properties, LLC	\$ 212,000.00	

Budgetary Effect: None

Motion: Authorize the County Manager to execute a contract with Barger-Ashe Roofing Company in the amount of \$104,300 for the roofing project at the Burke County Register of Deeds building. Also, allow budgeted allocation of funds for roofing project to be transferred from Burke Services building to Sheriff's Office building. Authorize the County Manager to execute a contract with Johnson Roofing Concepts in the amount of \$118,762 for the roofing project at the Burke County Sheriff's Office building.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

HEALTH - APPROVAL OF DOGWOOD TRUST GRANT - HARM REDUCTION & HEALTH

The Health Department was awarded a \$350,000 grant from the Dogwood Health Trust to create a "Harm Reduction and Health Equity Support Program". This program will focus on addressing social determinants of health through harm reduction and extend health equity to high-risk populations including but not limited to: inmates (recently released), unsheltered persons, LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, and asexual) individuals and people who use drugs.

The Health Department will work with a nonprofit, Olive Branch Ministry, to accomplish the grant directives:

- To increase mobile syringe exchange services in Burke County,
- Hepatitis C screenings,
- Community education, including overdose/Naloxone training, and
- Purchasing harm reduction supplies.

Budgetary Effect: \$350,000 in new grant funds.

Motion: To accept the \$350,000 grant award from the Dogwood Health Trust for the Harm Reduction and Health Equity Support Program and to authorize the Local Health Director to execute the grant agreement on behalf of the Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

HR - APPROVAL OF CONTRACT FOR NEOGOV SOFTWARE

Money was allocated in the 2022 - 2023 fiscal budget for HR software (NeoGov) for a web-based employment application which can be completed from a cell phone and in poor bandwidth regions, and for improved efficiency in the processing of employment applications and resumes. Commissioners' approval is required due to it being a 3-year contract / expense exceeding \$90,000 over the 3-year period.

Budgetary Effect: None. Funding is included in the FY 22-23 budget. Funding for FY 24 and FY 25 will be budgeted.

Motion: To approve the contract with NeoGov (Governmentjobs.com, Inc.) as presented and authorize the Chairman or Interim County Manager or authorized signer to execute the contract on behalf of the Board, subject to review and / or revisions by the County Attorney.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

SHERIFF - NEW PROVIDER FOR INMATE MEALS

The current contract for the vendor who provides inmate meals at the Burke County Jail (Aramark Food Services) is set to expire December 31, 2022. Bids were solicited to select a new service provider. These bids were due November 4, 2022. Two bids were received, and Summit Food Services is the recommended vendor.

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BID #:
2022-1102

PROJECT:
Inmate Food Services

Vendor:	Contact:	Email:	Per Meal	Note
Trinity Services Group	Stephen Sleigh	SteveS@trinityservicesgroup.com	No price Listed	Fixed Price
			\$2.429 - \$7.421	Sliding Scale from 70 - 310+ Inmates
			No price listed	Staff Meal Price

Summit Food Services	Karen Sorensen	karen.sorensen@summitfoodservice.com	\$ 4.30	Fixed Price
			\$3.372 - \$6.669	Sliding Scale from 60 - 150+
			\$ 5.00	Staff Meal Price

Budgetary Effect: Funding is available in the FY 22-23 budget for the remainder of the fiscal year. The balance will be requested in the FY 23-24 budget.

Motion: Award the bid to Summit Food Services in an amount calculated on a sliding scale price of between \$3.372 - \$6.669 dependent upon inmate populations ranging from 60 - 150+ inmates and authorize the County Manager to execute the contract on behalf of the Board pending County Attorney review.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

ITEMS FOR DECISION

BOC - ANNOUNCEMENT OF NEW COUNTY MANAGER & APPROVAL OF EMPLOYMENT AGREEMENT

Chairman Mulwee announced that Brian C. Epley was selected as the new county manager for Burke County. Approval of the employment agreement is the next step in the transition process.

Budgetary Effect: \$23,000.

Motion: To approve the employment agreement between Burke County and Brian C. Epley as presented and appropriate \$23,000 of General Fund, Fund Balance.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Chairman Mulwee invited the new County Manager to the podium. Mr. Epley introduced himself and his family. He expressed how excited he was to be here, that he has huge respect for all the staff and that he cannot wait to begin working on February 1, 2023.

Note: The employment agreement is on file in the Human Resources department and the County Manager's office. Further, the employment agreement as set forth in the agenda packet is hereby incorporated into the meeting minutes by reference.

FINANCE - SIGNATURE CARDS UPDATE

Margaret Pierce, Deputy County Manager / Finance Director, reported that the account signature cards for all county bank accounts need to be updated in accordance with NCGS 159-25 (b) due to County Manager Steen's retirement and Deputy Sheriff / Captain Greg Huntley's retirement. An interim county manager or temporary signer needs to be added as an authorized signatory to all accounts effective December 22, 2022. The County Manager to be named must be added as an authorized signatory to all accounts effective on his / her first date of employment. Further, the new Deputy Sheriff / Captain named (James Huffman) will need to be designated as an authorized signatory for the Inmate Trust Account and as a Deputy Finance Officer with the sole duty of signing checks on this account, effective January 1, 2023, in accordance with NCGS 159-25 (b).

Further, Kenneth B. Steen needs to be removed as authorized signatory due to his retirement effective December 22, 2022, and Greg Huntley removed as an authorized signature due to his retirement effective December 31, 2022.

Motions:

To remove Kenneth B. Steen's name from all account signature cards for all of Burke County's bank accounts, effective December 22, 2022, due to retirement.

To designate Alan Glines as an interim county manager and authorized signer for all account signature cards for all of Burke County's bank accounts, effective December 22, 2022, in accordance with NCGS 159-25 (b).

Further, designate the new County Manager as an authorized signer on all County accounts effective his first day of employment with Burke County.

To remove Greg Huntley's name from the Inmate Trust Account signature card, effective December 31, 2022, due to retirement.

Further, designate the new Deputy Sheriff / Captain as an authorized signer on the Inmate Trust Account and as a Deputy Finance Officer with the sole duty of signing checks on this account, effective January 1, 2023, in accordance with NCGS 159-25 (b).

To remove the interim county manager's name from all account signature cards for all of Burke County's bank accounts, effective on the first day of the new County Manager's employment in accordance with NCGS 159-25 (b).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

COMM. DEV. - CANOE CREEK STREAM RESTORATION GRANT

Alan Glines, Interim County Manager / Planning Director, reported that Foothills Conservancy of North Carolina, in partnership with Catawba Riverkeeper and Wildlands Engineering, along with grant support from Burke County is seeking to restore a portion of Canoe Creek that flows within the boundaries of Oak Hill Community Park and Forest. The Oak Hill Community Park and Forest is a 650-acre community park being developed by the Foothills Conservancy. Due to historical use of this land in agriculture, much of the riparian area around Canoe Creek no longer functions naturally: the walls of the stream bank are so steep that water flows directly downstream during storms instead of spreading out across the floodplain. Foothills Conservancy's stream restoration project would regrade the bank, allowing the stream to flow properly. Benefits from this project include habitat restoration for native wetland species, downstream flood mitigation, water quality improvement in the Catawba River, and increased tourism and educational opportunities at the park.

Foothills Conservancy is seeking the help from Burke County to be the actual applicant for the portion of the grant through the Department of Environmental Quality-Water Resources Development Grant Program (DEQ). Only cities and counties are eligible for the grant. The grant will be submitted no later than December 30, 2022. The grant request will be \$200,000 which is the maximum amount available for this grant. Foothills Conservancy will pursue other grants to be the required match for the DEQ grant. The match is also expected to be \$200,000 to be applied for from NC Land and Water Fund to complete the full project.

Foothills Conservancy would:

- write the DEQ Water Resources Development Grant, and
- manage the development of the construction plans, and
- submit for necessary permits
- oversee the construction process.

Burke County would:

- submit the grant to DEQ, and
- provide the actual construction bidding process based on the plans developed by Foothills Conservancy, and
- manage the reimbursement when the work is complete.

The actual budget amendment will come back to the Board of Commissioners for approval if and when the grant is awarded. The Memorandum of Agreement between Burke County and the Foothills Conservancy will also be prepared at that time.

Mr. Glines introduced Michael Gaffney, Conservation Program Associate, Foothill Conservancy, and Grant Buckner, North Basin Watershed Manager, Catawba River Keeper, to the Board. Mr. Gaffney stated that nothing has changed since the discussion during the pre-agenda meeting and that he is happy to answer any question from the Board.

Agenda information:

Mr. Gaffney handles restoration projects and land acquisition projects. He estimates that this project will cost approximately \$530,000, of which, the Conservancy will apply for a \$200,000 grant through the Division of Water Resources, \$300,000 would come from the land and water fund, and the remaining \$30,000 will be matched through Foothills Conservancy, Catawba Riverkeeper and a few other organizations. Mr. Gaffney emphasized that Foothills

Conservancy would handle the writing of the grant, and the County would primarily handle distribution of the funding.

Budgetary Effect: There is no budget effect at this time.

Motions: To approve the grant partnership between Foothills Conservancy of North Carolina and Burke County for the grant to be applied for the Canoe Creek Stream Restoration Project through the N.C. Department of Environmental Quality and authorize the County Manager to complete the grant documents for submittal with the Department of Environmental Quality.

To adopt Resolution No. 2022-23.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey C. Brittain, Vice Chairman
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Resolution No. 2022-23 reads as follows:

BURKE COUNTY
NORTH CAROLINA

SUPPORT FOR THE GRANT APPLICATION
FOR THE CANOE CREEK STREAM RESTORATION GRANT

WHEREAS, the County of Burke desires to sponsor, Phase 1: Canoe Creek Stream Restoration, a project that aims to restore a significant section of Canoe Creek, a stream that runs for approximately one mile through Foothills Conservancy's Oak Hill Community Park and Forest; and

WHEREAS, the project has two planned phases: phase 1 includes the northwest upper portion of the stream (approximately 2,200'); phase 2 includes the remaining lower portion of the creek. Both phases address the most impaired portions of the stream through improvements that include constructed riffles, brush toes, j-hook vanes, and bankfull benches; phase 2 may also include a wetland restoration; and

WHEREAS, expected benefits from the project include increased tourism and educational opportunities at the park, habitat restoration for native species, flood mitigation, and water quality improvement; and

NOW, THEREFORE, BE IT RESOLVED

- 1) The Board requests the State of North Carolina to provide financial assistance to Burke County/Foothills Conservancy of North Carolina for Phase 1: Canoe Creek Stream Restoration in the amount of \$ 200,000 or 50 percent of project construction cost, whichever is the lesser amount;
- 2) County of Burke assumes obligation for the amount of this grant and Foothills Conservancy of North Carolina assumes full obligation for payment of the balance of project costs above this grant;

- 3) Foothills Conservancy of North Carolina will obtain all necessary State and Federal permits;
- 4) County of Burke and Foothills Conservancy of North Carolina will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local government.
- 5) Foothills Conservancy of North Carolina will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Foothills Conservancy of North Carolina will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State.
- 7) Foothills Conservancy of North Carolina will ensure that the project is open for use by the public on an equal basis with limited restrictions;
- 8) County of Burke and Foothills Conservancy of North Carolina will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Foothills Conservancy of North Carolina will accept responsibility for the operation and maintenance of the completed project in perpetuity.

Adopted this 20th day of December 2022.

/s/: Scott Mulwee
 Scott Mulwee, Chairman
 Burke Co. Board of Commissioners

Attest:

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

TAX DEPT. - RELEASE REFUND REPORT FOR NOVEMBER 2022

John Bridgers, Tax Administrator, presented the Tax Refund Release Report for November 2022 as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$1,874.36	\$550.44	\$1,323.92	\$0.00

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Adjustment							
0024064218-2022-2021-0000-00-REG	COOK, LONDON SHAIN	8/18/2022	LOIS WHITESIDE	11/15/2022	151.35	151.35	0.00
0024068046-2022-2022-0000-00-REG	MINKS, KENNETH D SR	11/3/2022	LOIS WHITESIDE	11/10/2022	83.75	83.75	0.00
Subtotal						235.10	
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Duplicate Billing							
0024043735-2022-2022-0000-00-REG	SPORT CLIPS HAIR MORG. HEIGHTS	7/1/2022	LINDA WILBUR	11/15/2022	339.61	339.61	0.00
Subtotal						339.61	
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Value Change							
0024063083-2022-2022-0000-00-REG	DOBSON, WILLIAM E	7/1/2022	LINDA WILBUR	11/14/2022	1,299.65	749.21	550.44
Subtotal						749.21	
Total						1,323.92	

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$748.96

Payee Name	Primary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Description	Refund Reason	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
EMERY, MARK DAVID	EMERY, MARK DAVID	PO BOX 1104	MORGANTON, NC 28680	Adjustment >= \$100	0069001154	Refund Generated due to adjustment on Bill #0069001154-2022-2022-0000-00	Adjustment	01	Tax	(\$174.44)	\$0.00	(\$174.44)
								30	Tax	(\$22.59)	\$0.00	(\$22.59)
								Refund			\$197.03	
MASON, ROGER LEONARD JR	MASON, ROGER LEONARD JR	1675 RAWLEIGH ST	DREXEL, NC 28619	Adjustment >= \$100	0068867453	Refund Generated due to adjustment on Bill #0068867453-2022-2022-0000	Situs error	01	Tax	\$0.00	\$0.00	\$0.00
								57	Tax	(\$108.97)	\$0.00	(\$108.97)
								57	Vehicle Fee	(\$20.00)	\$0.00	(\$20.00)
								27	Tax	\$14.91	\$0.00	\$14.91
Refund			\$114.06									
NORELL, GREGORY BOHDAN	NORELL, GREGORY BOHDAN	1377 OLD DRY CREEK RD	MORGANTON, NC 28655	Adjustment >= \$100	0068690781	Refund Generated due to adjustment on Bill #0068690781-2022-2022-0000-00	Adjustment	01	Tax	(\$257.15)	\$0.00	(\$257.15)
								20	Tax	(\$29.60)	\$0.00	(\$29.60)
								Refund			\$286.75	
SCHALTEN BRAND, WALTER ROBERT	SCHALTEN BRAND, WALTER ROBERT	1640 LINVILLE POINTE	MORGANTON, NC 28655	Adjustment >= \$100	0069026989	Refund Generated due to adjustment on Bill #0069026989-2022-2022-0000-00	Adjustment	01	Tax	(\$135.52)	\$0.00	(\$135.52)
								20	Tax	(\$15.60)	\$0.00	(\$15.60)
								Refund			\$151.12	
Refund Total											\$748.96	

*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 November 2022 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

TAX DEPT. - TAX COLLECTION REPORT FOR NOVEMBER 2022

John Bridgers, Tax Administrator, presented the Tax Collection Report through November 30, 2022, as follows:

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$45,800,000.00	\$35,007,749.67	76.44%	\$10,792,250.33
Motor Vehicle Tax	\$6,000,000.00	\$2,495,941.88	41.60%	\$3,504,058.12
Current Year Taxes	\$51,800,000.00	\$37,503,691.15	72.40%	\$14,296,308.85
Delinquent Taxes	\$700,000.00	\$389,161.52	55.60%	\$310,838.48
Late List Penalty	\$315,000.00	\$112,626.37	35.76%	\$202,373.63

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	\$47,816,100.71	\$35,007,749.67	73.21%	\$12,808,351.04

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Phil Smith, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

John Bridgers, Tax Administrator stated that collections for December are going well and that approximately \$530,000 was collected on December 19th.

REPORTS AND COMMENTS

BOC - REPORTS & COMMENTS

Vice Chairman Carswell opened the floor for reports and comments from Board members and professional staff.

County Attorney Simpson reported on the items he has worked on since the last Commissioners' meeting. Clerk Draughn reported that Commissioner Burns and Commissioner Smith completed their two (2) hours of required ethics training. She then expressed what an honor and privilege it has been to work with County Manager Steen, and she wished him the best in his future endeavors. County Manager Steen expressed what a privilege and honor it has been to serve the citizens. Commissioner Smith wished everyone a Merry Christmas and a happy new year. Commissioner Burns did likewise, and then reported on his training and thanked the Clerk for her assistance with the arrangements. Commissioner Carswell stated the County Manager transition will be seamless and that gives him a measure of solace. He then spoke on how Burke County is "all about advancing" and the Board will continue to always do what is right. Commissioner Carswell expressed his confidence that Brian Epley, the new County Manager, will ensure that vision continues. He too, echoed the sentiments of wishing everyone a merry Christmas and a happy New Year. Vice Chairman Brittain welcomed Commissioner Burns, Commissioner Smith, and Mr. Epley to the team. He also expressed appreciation to County Manager Steen and Mabel Lowman for their service. Chairman Mulwee appreciated all the groundwork Mr. Steen has laid over the last 12 years and looks forward to the baton passing to Mr. Epley. He was excited to welcome the new commissioners and the new county manager to the family. He also wished everyone a merry Christmas and a happy New Year, then praised Clerk Draughn for the new furnishings in the meeting room. He also thanked the Clerk and Executive Assistant Lance Riddle for their hard work decorating the Board room. Commissioner Carswell encourage everyone to view the lights on his house, which was seconded by both Chairman Mulwee and Commissioner Burns as a spectacular sight to behold. Chairman Mulwee announced the office closures for Christmas and New Year's Day. He then issued friendly reminders to not litter, to pick up trash, to cover your loads when transporting trash to the landfill or a convenience site, to spay and neuter your pets and to adopt or foster a pet from Animal Services.

RESULT: NO ACTION TAKEN.
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VACANCY ANNOUNCEMENTS

CLERK- BOARDS AND COMMITTEES VACANCY REPORT

Kay Draughn, Clerk to the Board, announced the following vacancies on county boards or

committees as follows:

- Adult Care & Nursing Home Community Advisory Committee
- 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)
- Hickory Regional Planning Commission

RESULT: NO ACTION TAKEN.

CLOSED SESSION - NOT NEEDED, NOT HELD.

ADJOURN

Motion: To adjourn at 7:34 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER: Randy Burns, Commissioner

AYES: Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

Approved this 15th day of August 2023.



Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board