

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

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, April 4, 2023, at 3:00 p.m. in the County Board Room, Burke Services Building, 110 N. Green Street in Morganton, N.C. The meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast 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
Phil Smith

COMMISSIONERS ABSENT: Johnnie W. Carswell (Medical.)

STAFF: Brian Epley, 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 3:03 p.m.

APPROVAL OF THE AGENDA

Motion: To approve the agenda.

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

PRESENTATIONS

AS - PET OF THE MONTH

Kay Draughn, Clerk to the Board, reported that Animal Services staff will present a dog and cat in need of their "forever" home at the regular meeting. In the month of March, the animal shelter took in 91 cats, 95 dogs, one (1) chicken, and two (2) rats. Cat intake was up 17%, dog intake was up 47%, and owner reclamation was down 52% compared to the prior year.

RESULT:	MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.
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BCCOC - PROCLAMATION DECLARING APRIL 24-29, 2023, AS SPRING LITTER SWEEP

Tonia Stephenson, President, Burke County Chamber of Commerce, announced the second annual litter sweep and requested a proclamation declaring April 24-29, 2023, as "Spring Litter Sweep" in Burke County approved at the regular meeting.

During the inaugural litter sweep, there were 13 teams registered that collected 95 bags of trash. Ms. Stephenson encouraged anyone interested to sign up to participate and that supplies will be provided. The top three (3) teams that collect the most trash will receive a cash prize; 1st place will receive \$500, 2nd place will receive \$250, and 3rd place will receive \$100. Due to the partnership with Republic Services, they will be able to provide recycling as well.

Chairman Mulwee opened the floor to questions or comments. Commissioner Burns requested this item be made an action item for exposure. Clerk Draughn reported that last year the winners were recognized at the following Board of Commissioners' meeting. Commissioner Burns was in favor of doing that again this year.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

SCHEDULED PUBLIC HEARINGS

BDI - BUILDING REUSE GRANT FOR PROJECT PIANO AND PUBLIC HEARING – 6:00 P.M.

Brian Epley, County Manager, reported that there is a Building Reuse grant available to support Project Piano and that the County can serve as a pass-through entity. In prior years, the grant management was handled by a partnership with the Council of Government, but Burke County is currently capable of administering the grant in-house. This grant does have a \$25,000 grant match requirement and there will be a resolution for the Board to consider at the regular meeting.

Information from the pre-agenda packet:

Burke Development Inc. will present a resolution for the County to support Project Piano through a Building Reuse grant at the regular meeting. Project Piano, a local company, will be upfitting their current location to meet their growing needs. The grant being submitted will be for up to \$500,000 and the County will provide a maximum of up to a 5% match, up to \$25,000, through in-kind grant administration. Project Piano will be investing approximately \$500,000 towards this project and will create 25 new jobs with the project. The jobs will exceed the weekly wage standard and will include healthcare benefits. The Grant will be administered by Burke County, if a grant award is received.

Budgetary Effect: The County's portion of the local match, up to \$25,000, was not included in the FY 2023-24 budget, as it would be produced through in-kind grant administration.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

Alan Glines, Planning Director / Deputy County Manager, presented the following rezoning request:

Rezoning Request:

Applicant: Buddy Fisher
 Owners: Venture Capital, LLC
 PIN#: (Portion of 1764487507)
 Request: Changing the zoning district from General Business (G-B) to Residential One (R-1).
 Size: Area to be rezoned is approximately 2.92-acres portion of a 30.56-acre tract.
 Location: The subject parcels are located on Hawksbill Drive near NC 126.



Current Uses of Subject Area and Surrounding Properties

Subject Properties Uses: The subject property is currently vacant and is not being utilized at this time. The subject parcel was originally part of the concept for the Hawksbill Subdivision which included commercial and residential uses. The owner wishes to rezone the property to residential in order to subdivide the land and build more residential single-family dwellings.

Adjacent Area Uses: The surrounding area primarily consists of vacant land aside from one single-family home at the entrance to Hawksbill Subdivision. Land to the south and across NC 126 is a mixture of residential dwellings and a community church.

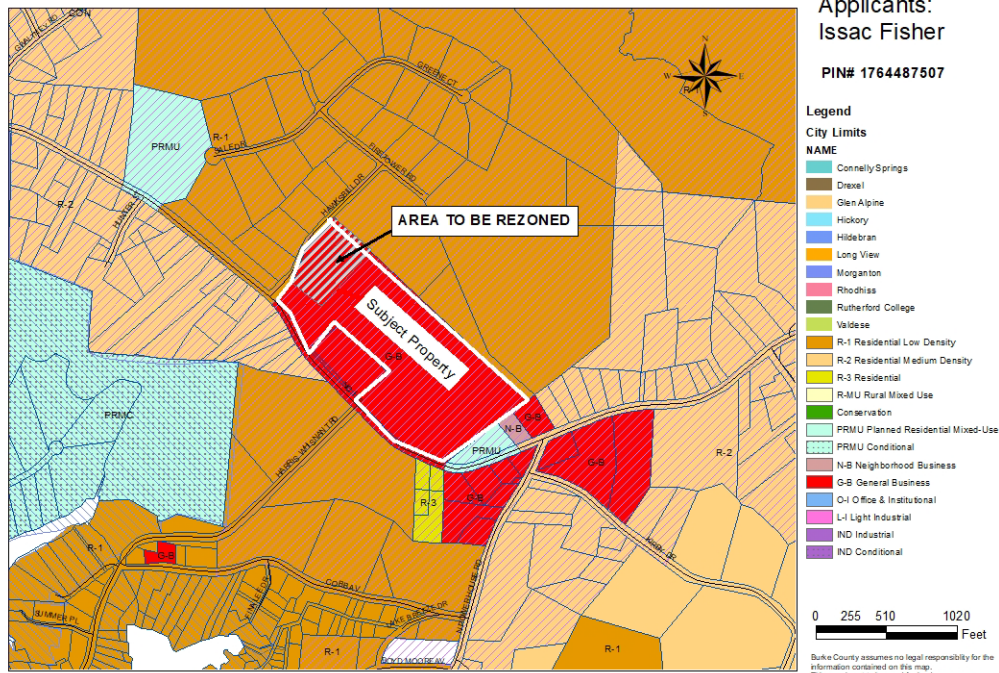


Burke County, NC Zoning Administration Current Zoning Map

ZMA 2023-02

Applicants:
Issac Fisher

PIN# 1764487507



Current Zoning

Application of Current Zoning: The subject property is currently zoned General Business (G-B). Properties to the north, west, and south of the subject parcel are primarily zoned Residential One (R-1) and Residential Two (R-2). The Water's Edge Subdivision to the west is zoned Planned Residential Mixed Use Conditional District. Properties to the east are zoned Neighborhood Business (N-B) and General Business (G-B).

District Comparison

General Business: The General Business District (GB) is intended for those commercial activities which serve the general public, including those which function rather independently of each other.

Residential One: The R-1 Residential District is intended for low density residential development utilizing site built or modular construction.

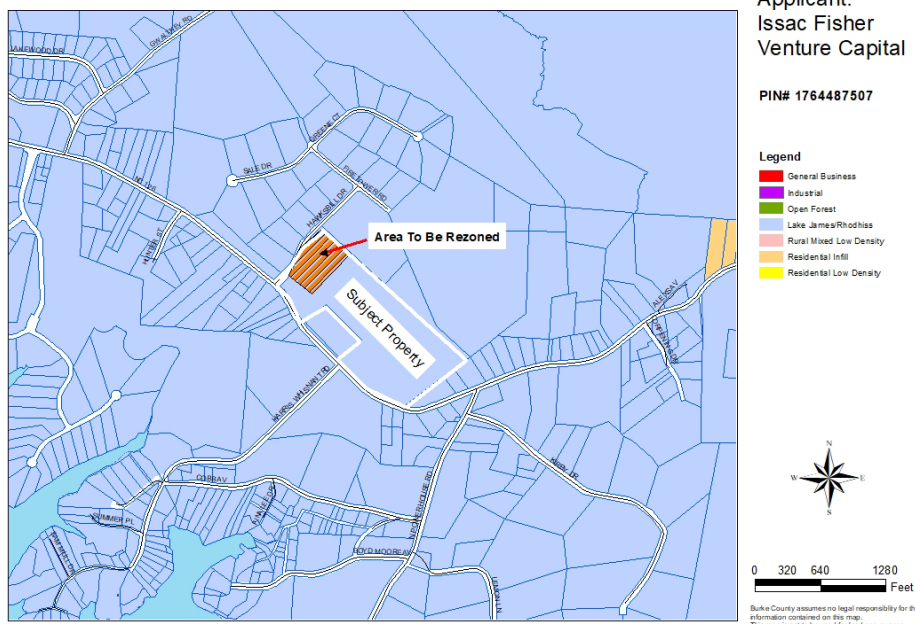


Burke County, NC Zoning Administration
Future Land Use Map

ZMA 2023-02

Applicant:
Issac Fisher
Venture Capital

PIN# 1764487507



Blueprint Burke Strategic Land Use Plan

The current land use plan for Burke County is the Blueprint Burke Strategic Land Use Plan (*Blueprint Burke Plan*). The subject property is located in close proximity to Lake James. The Blueprint Burke Plan places this area of the county within the Lake James Scenic Area (LJSA).

Characteristics:

The natural and environmental resources in the area make it a center for multiple outdoor recreation uses as well as major residential subdivisions. It is necessary to balance development and recreational uses while maintaining the area's natural resources.

- Uses allowed: single family residential, lake focused commercial activities such as restaurants, resorts, Agri-tourism, recreation tourism focused uses.
- Uses requiring special approval: marinas, motorized sports tracks, multifamily residential, campgrounds, and hotels.

Staff Comments

In staff's opinion, rezoning the parcel from the General Business (G-B) zoning district to the Residential One (R-1) District would be appropriate for this area and be consistent with the Blueprint Burke Plan.

Planning Board Recommendation

The Planning Board met on February 23, 2023, to hear the proposed rezoning request. Staff presented the report provided above. The applicant presented their request, and the Board asked several questions. The floor was then opened to public comment. No one spoke at the meeting. The public meeting was closed, and the Chairperson asked the Board if they had any other questions. The Board asked several questions of staff and then the Chairperson asked for

a motion. A motion to approve the rezoning was made and seconded. The Board voted 4/1 to recommend approval of the rezoning request.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

CONSENT AGENDA

BOC - RESOLUTION IN SUPPORT OF THE INNOVATION CAMPUS PROJECT OF THE INDUSTRIAL COMMONS

Chairman Mulwee presented a resolution that supports the Industrial Commons' Innovation Campus project and encourages the NC General Assembly to support the project through an appropriation in the amount of \$5 million presented at the regular meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

CLERK - REAPPOINTMENTS TO CPCFPT

Kay Draughn, Clerk to the Board, requested the reappointment of Sheriff Hinceman, (Seat 1, Law Enforcement), Nicole Hudson (Seat 2, EMS) and Chris Jernigan (Seat 4, At-large) on the Child Protection Child Fatality Prevention Team for 3-year terms ending April 30, 2026.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

CM - PROCLAMATION DECLARING MAY 4, 2023, AS NATIONAL DAY OF PRAYER

Brian Epley, County Manager, presented a proclamation declaring May 4th as National Day of Prayer. This year's theme is "Pray Fervently in Righteousness and Avail Much."

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

GS - PROJECT ORDINANCE FOR JONAS RIDGE CONVENIENCE CENTER

Mark Delehant, General Services Director, reported that an adoption of a project ordinance for the Jonas Ridge Convenience Site is requested. Funding for the construction of this asset was approved in November 2022.

Burke County General Fund	\$1,567,100
Total	<u>\$1,567,100</u>

Section 4. The following amounts are appropriated for the project:

Professional Services	\$ 67,000
Construction	\$1,400,000
Contingency	<u>\$ 100,100</u>
Total	<u>\$1,567,100</u>

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

TAX DEPT. - TAX COLLECTION REPORT FOR MARCH 2023

Dawn Hutchins, Revenue Collections Supervisor, presented with the Tax Collection Report for March 31, 2023, as follows:

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$45,800,000.00	\$46,621,855.80	101.79%	(\$821,744.80)
Motor Vehicle Tax	\$6,000,000.00	\$4,543,429.98	75.72%	\$1,456,570.02
Current Year Taxes	\$51,800,000.00	\$50,536,450.70	97.56%	\$1,263,549.30
Delinquent Taxes	\$700,000.00	\$589,244.07	84.16%	\$110,855.93
Late List Penalty	\$315,000.00	\$283,493.15	90.00%	\$31,506.85

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	\$47,901,269.02	\$46,621,744.80	97.33%	\$1,279,524.22

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

TAX DEPT. - RELEASE REFUND REPORT FOR MARCH 2023

Dawn Hutchins, Revenue Collections Supervisor, presented the Tax Release Report as follows:

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$12,038.50	\$2,255.99	\$9,452.51	\$0.00

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

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

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

ITEMS FOR DECISION

HEALTH - APPROVAL OF DOGWOOD TRUST GRANT OPIOID PLANNING GRANT

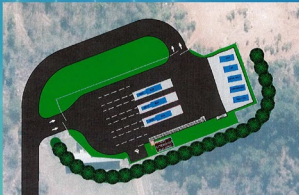
On behalf of the Health Department, Brian Epley, County Manager, reported that the Health Department was awarded a \$275,000 Opioid planning grant from the Dogwood Health Trust for the creation of a regional residential treatment facility. Funding is for staff, travel, meeting space rental, advertising, technology-related expenses as well as paper and copy supplies. Suggested refinements to the grant's outcomes and performance measures were approved by the Dogwood Health Trust personnel.

Chairman Mulwee opened the floor for questions or comments. Mr. Epley received a comment from Vice Chairman Brittain.

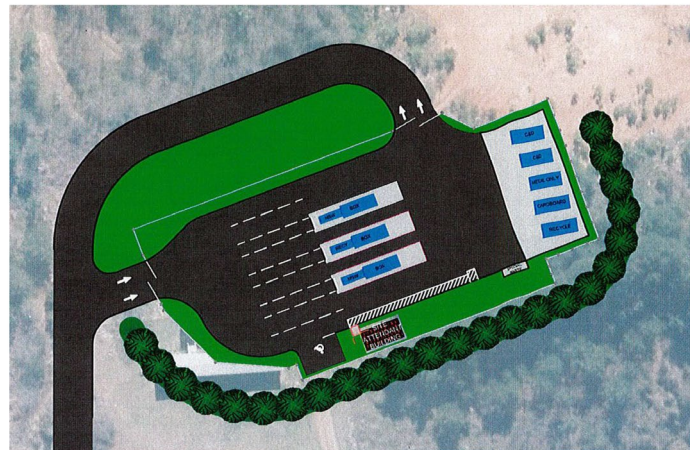
RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.

GENERAL SERVICES - AWARD OF CONSTRUCTION BIDS FOR THE EAST BURKE CONVENIENCE SITE (PLACE HOLDER)

Mark Delehant, General Services Director, presented an update of the East Burke Convenience Site as follows:

EAST BURKE CONVENIENCE SITE PROJECT UPDATE  	2354 US Hwy 70 Connelly Springs, NC Property Features 14.7 Acres 570 Feet of Hwy 70 Road Frontage - Water & Sewer already available - I - 40 Exit 116 Ramp Access - It is zoned industrial - Property includes a 200' x 100' building with a 100' x 50' building alongside of it - A security fence around the buildings has been installed. - Plenty of space is still available for future county needs. 
County Property Purchased in Aug. 2021 	East Burke Convenience Site Old East Burke Landfill  Current Convenience Site 

Building To Be Demolished 	Large Storage Facilities 100 ft x 200 ft and another 50 ft x 100 ft 
Interior of Both Buildings (25,000 SQ FT with 35-foot ceiling at the peak) 	



Information from the pre-agenda packet:

In August of 2021, 14.7 acres off Hwy 70 in Connelly Springs was purchased as part of a plan to build a new convenience site as a replacement for the current failing location. West Consultants began design work on the new site last year and some design ideas were presented to the board last June. The design work was completed, and the project was advertised for bid on March 13th with an April 14th deadline for responses. Bid results will be presented at the April 18 meeting.

Chairman Mulwee opened the floor for questions or comments. Vice Chairman Brittain inquired about the distance between the old site and the new site, to which Mr. Delehant estimated it to be approximately three (3) miles. Chairman Mulwee confirmed from Mr. Delehant that there will be bathrooms and better signage at the new site. In response to a question from Commissioner Smith, Mr. Delehant informed the Board that there will be a designated place to dispose of motor oils at the East Burke Convenience Site. Mr. Delehant also answered questions about the potential future use of the buildings on the site.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.
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REPORTS

Chairman Mulwee asked Board members to submit their reports to the Clerk for inclusion in the regular agenda packet. He also encouraged citizens to spay or neuter pets and to adopt or foster a pet from Animal Services. Further, he encouraged citizens to not litter, to pick up trash and to cover their loads during transit to the landfill or convenience centers. Chairman Mulwee issued reminders for several upcoming meetings and public events. Commissioner Smith stated the tours of the County facilities he attended were excellent and then complemented Burke County staff.

OTHER DISCUSSION ITEMS - NONE**ADJOURN**

Motion: To adjourn at 3:35 p.m.

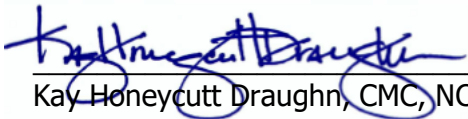
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, and Phil Smith
ABSENT:	Johnnie W. Carswell

Approved this 21st day of November 2023.



 Scott Mulwee, Chairman
 Burke Co. Board of Commissioners

Attest:

A handwritten signature in blue ink, appearing to read "Kay Honeycutt Draughn", is written over a horizontal line.

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board