

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

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, April 2, 2024, at 3:00 p.m. in the Commissioners' Meeting Room, Burke County 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: Jeffrey C. Brittain, Chairman
Scott Mulwee, Vice Chairman
Randy Burns
Johnnie W. Carswell
Phil Smith

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

STAFF ABSENT: Brian Epley, County Manager (Medical.)

CALL TO ORDER

Chairman Brittain called the meeting to order at 3:01 p.m.

APPROVAL OF THE AGENDA

Motion: To approve the agenda as amended: removal of a closed session and an addition of a proclamation declaring April as Child Abuse Prevention Month as Consent Item No. 18.

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

PRESENTATIONS

BOC - RECOGNITION OF KATHY BAILEY, PRESIDENT, UNC HEALTH BLUE RIDGE

Chairman Brittain relayed that the recognition of Kathy Bailey, President and CEO of UNC Health Blue Ridge, is requested for her 19 years of leadership and dedicated service at the hospital. Ms. Bailey is retiring in June.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT:	MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.
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LJAWNS - LAKE JAMES LITTER CLEAN-UP REPORT (PLACE HOLDER)

Kay Draughn, Clerk to the Board, reported that at the regular meeting, Mr. Howard Morgan with the Lake James Area Wildlife and Nature Society will present a report on the Lake James clean-up effort held on March 16, 2024.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CM - RECOGNITION OF ANIMAL SERVICES EMPLOYEES FOR CERTIFICATE COMPLETION

Alan Glines, Planning Director / Deputy County Manager, substituting for the County Manager, communicated that recognition of Animal Services' employees Kaitlin Settlemyre and Elizabeth Guffey will be requested at the regular meeting for their certification achievements.

Information from the agenda packet:

Animal Services is an important profession and calls for proficiency with a complex skill set in order to be successful. Over the past 20 years, Animal Welfare has evolved quickly, and leaders have had little guidance in this discipline.

Southern Utah University has developed 6-month certificate programs, the Management Leadership Certification and the Executive Leadership Certification, for animal welfare professionals. The curriculum includes the evolution of animal welfare, personal leadership defined, data-driven decision making, leading people and leading change, performance metrics, pilot programs, community relationships and marketing, non-profit relationships, legislation and advocacy, and wellbeing and resiliency. For both courses, participants are nominated by Best Friends regional and national leadership and approved by a selection team.

Elizabeth Guffey, Animal Services Coordinator, completed the Management Leadership Certification (MLC) program, which provides animal services managers, coordinators and supervisors with the knowledge and support necessary to influence and manage change within their organizations. The MLC program prioritizes efforts to align organizations with the culture and needs of the communities they serve. The program facilitates the development of management leadership skills for the purpose of increasing lifesaving in animal shelters.

Kaitlin Settlemyre, Animal Services Director, completed the Executive Leadership Certification (ELC) program which strengthens leadership skills and provides support for existing top-level animal welfare leaders. The ELC is intentionally designed to focus on the areas most critical to

creating lifesaving organizations. The program strengthens connectivity with other animal services leaders across the nation and connects practitioners with experts for targeted support. The program is also an opportunity for professionals who are transitioning into animal services from another field.

These courses are helping align goals and missions through best practices for current and future leaders.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING TEXT AMENDMENT ZTA 2024-01 & PUBLIC HEARING - 6:00 P.M.

Alan Glines, Planning Director / Deputy County Manager, explained the framework of local governance in North Carolina, which adheres to Dillon's Rule, whereby cities and counties can only exercise powers expressly granted by the State Legislature. This principle has significant implications for land use regulations, historically delineated in NC § 153A for counties and NC § 160A for cities and towns. Discrepancies between these regulations over time led to confusion and inconsistencies. Recognizing the need for uniformity, a concerted effort began around 2015 to consolidate land use regulations statewide. A task force comprising legal experts, legislators, and planners, including faculty from institutions like UNC Chapel Hill's School of Government, collaborated on this initiative. After numerous iterations, the new regulations were ratified by the NC Legislature in 2020, effective January 1, 2021. In response, communities, including Burke County, undertook substantial revisions to align their ordinances with the new code. Burke County's Community Development staff, in conjunction with the planning board, initiated the process of rewriting zoning regulations, which was subsequently approved by the Board of Commissioners in the Spring of 2021. The revised regulations, governed by NC § 160D, offer various zoning options, though Burke County presently utilizes only two (2) of the available five (5). Staff advocates for expanding the commissioners' toolkit to enhance flexibility in land use decisions. Conventional zoning, the current norm in Burke County, lacks the customized conditions characteristic of conditional zoning. Unlike conventional zoning, which necessitates alignment with community plans like the Blueprint Burke Land Use Plan, conditional zoning permits tailored conditions or limitations tied to specific properties. The actual land uses proposed on the site can be limited with Conditional Zoning. The property owner would submit either:

1. with a specific site development plan linked to a development proposal, with land uses specified, and / or
2. a list of development conditions for the parcel(s) that will apply to future development uses and plans.

Conditional zoning is open to all areas within Burke County; however, the review process for conditional zoning applications occurs on a case-by-case basis, with staff evaluating

submissions upon receipt from the property owner. The conditions placed on a specific parcel and use require a nexus or rough proportionality intended to manage the potential impacts that may come with a proposed development at a specific location. The proposal and conditions are also reviewed for concurrence with adopted community plans that are applicable such as recommendations found in the Blueprint Burke Land Use Plan. The Board of Commissioners must approve the conditions, and the conditions also must be consented to by the property owner. Further, the Board of Commissioners may not include conditions or requirements not authorized by otherwise applicable law, such as specific impact fees and taxes, unless consented to in writing by the petitioner. Both conventional rezoning and conditional zoning processes entail the same notification requirements. This includes holding a public hearing conducted by the Board of Commissioners and publishing legal notices in the paper twice prior to the meeting date. Burke County goes beyond the minimum requirements stipulated in NC § 160D by sending notification letters to adjoining property owners for the Planning Board meeting, posting the 'Z' sign on affected properties ahead of the Planning Board meetings, as well as facilitating public comment opportunities during the Planning Board meeting itself. This comprehensive approach ensures that affected stakeholders are adequately informed and engaged throughout the rezoning process.

Information from the agenda packet:

Conditional zoning is a zoning option that, along with conventional zoning, is approved for North Carolina counties and cities to manage land use through a legislative approval process. This is outlined in N.C.G.S. § 160D-703, Zoning Districts, which provides the statutory framework. Conditional zoning is a zoning tool that includes customized conditions that are tied to the specific property in a rezoning application. By contrast, conventional zoning that is currently utilized in Burke County does not allow customized conditions specific to a parcel. This means that all uses allowed in the zoning table are available to the parcel. In addition, only general development standards can be required as found in the zoning ordinance that apply to similar uses and zoned parcels.

With Conditional Zoning, the application can be submitted in one (1) of two (2) formats:

1. with a specific site development plan linked to a development proposal, and / or
2. a list of development conditions for the parcel(s) that will apply to future development uses and plans.

The conditions placed on a specific parcel require a nexus or rough proportionality intended to manage the potential impacts that may come with a proposed development at a specific location. Conditional zoning can also be used to limit the types of approved activities with the rezoning request. The proposal and conditions are also reviewed for concurrence with adopted community plans that are applicable, such as recommendations found in the Blueprint Burke Plan. The Board of Commissioners must approve the conditions, and the conditions also must be consented to by the petitioner. Further, the Board of Commissioners may not include conditions or

requirements not authorized by otherwise applicable law, such as specific impact fees and taxes, unless consented to in writing by the petitioner.

Conventional zoning is expected to be the more typical zoning tool and conditional zoning may be reserved for the unusual zoning requests where special conditions are appropriate.

The following is the current proposed ordinance:

Exhibit A

The Zoning Ordinance of Burke County be amended in the following ways:

Item A, Under section 8.11 Creating Other Use Districts and / or Changes Between Other Use Districts, a new section number be added at the top of the first paragraph: "**8.11.1 *Conventional Zoning***"

Item B, Section 2., in compliance with NC § 160D-604, the timeframe for the Planning Board to submit its recommendation to the Board of Commissioners be changed from ~~sixty (60) days~~, to, **thirty (30) days**;

Item C, A new section be added pertaining to *Conditional Zoning*:
"8.11.2 *Zoning Amendment via Conditional Zoning* is a rezoning process that incorporates with it a site plan and / or a list of development conditions related to the specific use(s) of the property as permitted by N.C.G.S. § 160D-703(b).

1. Conditional zoning is available in lieu of any of the general zoning classifications enumerated in this ordinance. Conditional zoning is a means by which the Board of Commissioners, by designating a conditional district, may allow for the proper accommodation into the community of land uses which may be suitable only if such uses are designed in a particular manner utilizing site plans and individualized development conditions agreed upon for the development. The purpose of conditional zoning is to facilitate proposals that meet one or more of the following goals:

- a) To cluster development or manage uses on a parcel in a way that may not be permitted by conventional zoning while maintaining or enhancing the goals of the ordinance.
- b) To provide more options for conservation subdivisions that conserve and preserve natural resources and features and account for individual lots in ways unavailable under the ordinance.
- c) To provide areas for a mix of uses that function better under a single development plan sharing features such as amenities, access, parking, utilities, and open space.
- d) To provide flexibility for a site plan from specific dimensional or numerical standards of the zoning code where the intent of the ordinance is preserved or enhanced through the approval of a specific site plan and customized conditions.
- e) To provide for the design and operational requirements for

some uses that might otherwise be difficult to manage or be out of character for an area without the benefit and approval of a specific site plan and related conditions.

2. **Process.** Property may be placed in a conditional district only in response to an application by all owners of the property to be included. The application shall describe by address, property identification (PIN), Real Estate Identification Number (REID), or deed book and page reference for all property to be considered for conditional zoning. Specific conditions applicable to the district may be proposed by the owner or the county, but only those conditions mutually agreed to by the Board of Commissioners and the owner shall be incorporated into the conditional district. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to county ordinances, the Blueprint Burke Plan and other officially adopted plan(s), and those that address the impacts reasonably expected to be generated by the development of the site. The property owner or agent will select a zoning district utilizing the most basic zoning category that permits the proposed use(s) and from this base district, the conditional district will be designated (for example R-2 to R-2CD) followed by a unique numerical identifier for each conditional district.

The process for the review of the application will follow the steps outlined in section 8.11.1, Conventional Zoning, outlining the activities in sections 1, 2, and 3, for the Zoning Administrator, the Planning Board and the Board of Commissioners. For applications that include a site plan, the plan will be reviewed following the site plan review procedures found in 7.6 Site Plan Review.

3. **Application.** An application for a conditional zoning shall be submitted in one of the following formats:

- a) Application With a Site Plan and General Conditions- The application shall include the information outlined in the site plan submittal form, containing locations of structures, parking and activities, access, and other site features and completed to the level of preliminary site and engineering study (commonly referred to as a 30% plan or concept plan). These preliminary plans will be reviewed by the site plan committee members who will provide a comment letter concerning the submittal.
- b) Application With General Conditions Only- The application shall include a list of generalized conditions, uses, and development standards as applicable.

4. **Uses.** No use shall be permitted except those enumerated in the ordinance adopting the conditional district. No uses may be contemplated for a conditional zoning application unless they are a permitted use by right or a special use within the underlying zoning district. Reference the zoning

districts and the table of permitted uses found in section 3.0, Zoning Districts.

5. Conditions. All standards and requirements of the corresponding general use zoning district shall be met except for those conditions agreed to in the site plan and development conditions. The conditions imposed by the conditional district may be more or less restrictive than the standards of the corresponding general use zoning district.

6. Modifications. Minor modifications to the approved conceptual plan may be reviewed and approved administratively. A minor modification is a change(s) to the plan that alters the placement of structures or driveways so that they are only moderately adjusted compared to the locations approved on the plans, adjustments for additional heights of structures that are less than ten (10) percent of the height of structures on approved plans, or expansions of the size of approved structures by five (5) percent or less. Major modifications include a change in permitted uses, changes that increase the overall density of the proposal, and substantial changes to the configuration of the site that affect the operation or impacts of the development. Any other modification of the conditions and standards in a conditional district shall be approved by the Board of Commissioners following this review process including a recommendation of the Planning Board, as an amendment to the ordinance creating the conditional district. It will be at the sole discretion of the planning director whether the modification(s) proposed is of a minor nature or is substantial enough to require Board of Commissioner review and approval.

7. Approvals. Approvals of conditional districts shall be by ordinance approved by a majority of the Board of Commissioners in the manner required by Chapter 160D Article 6 of the North Carolina General Statutes and designated by the underlying zoning classification and "Conditional District" (zoning classification -CD) and the applicable numerical identifier on the official zoning map of the county.

8. Final Plans. If the application is approved by the Board of Commissioners, final complete plans will be submitted to zoning staff for review and compliance with the development conditions and the approved site plan, following the process for section 7.6 Site Plan Review Process. If the final plans are approved, a zoning permit will be issued for the project."

Chairman Brittain opened the floor for questions or comments and then asked if conditional zoning was available to all citizens. Mr. Glines confirmed that conditional zoning was available to all citizens. Commissioner Burns emphasized the urgent need for housing in the community and highlighted conditional zoning as a beneficial tool for increasing residential areas. Mr. Glines noted the widespread use of conditional zoning for housing purposes. Commissioner Burns then inquired about the requirements for a residential parcel, to which Mr. Glines provided details. Vice Chairman Mulwee asked about the prevalence of conditional zoning in neighboring counties, and Mr. Glines mentioned several while acknowledging ongoing research of the zoning

practices of neighboring counties. Commissioner Carswell mentioned the expertise of the University of North Carolina's School of Government in explaining the legal requirements of conditional zoning. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2024-01 & PUBLIC HEARING - 6:00 P.M.

Alan Glines Planning Director / Deputy County Manager, relayed highlights from the following rezoning request:

REZONING REQUEST

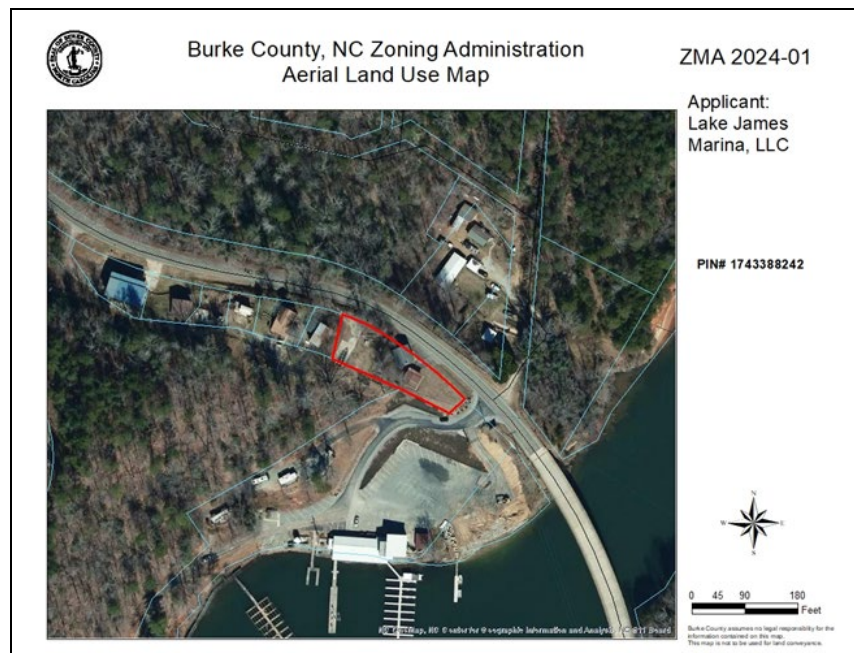
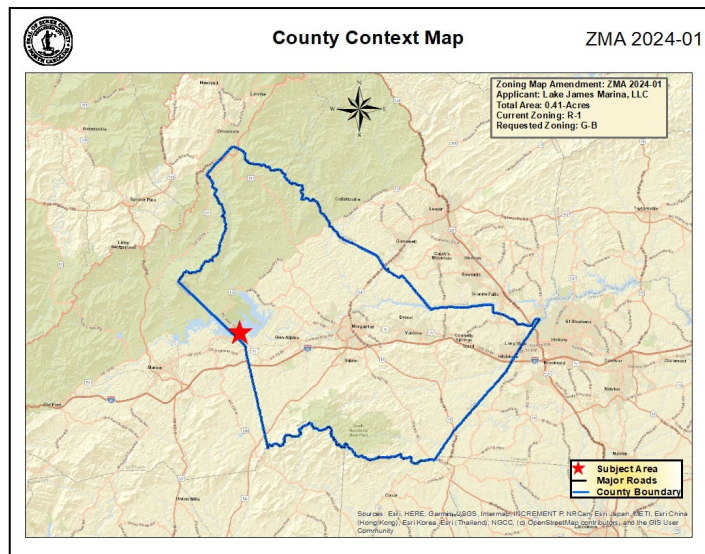
Applicant: Tim Newton / Lake James Marina, LLC

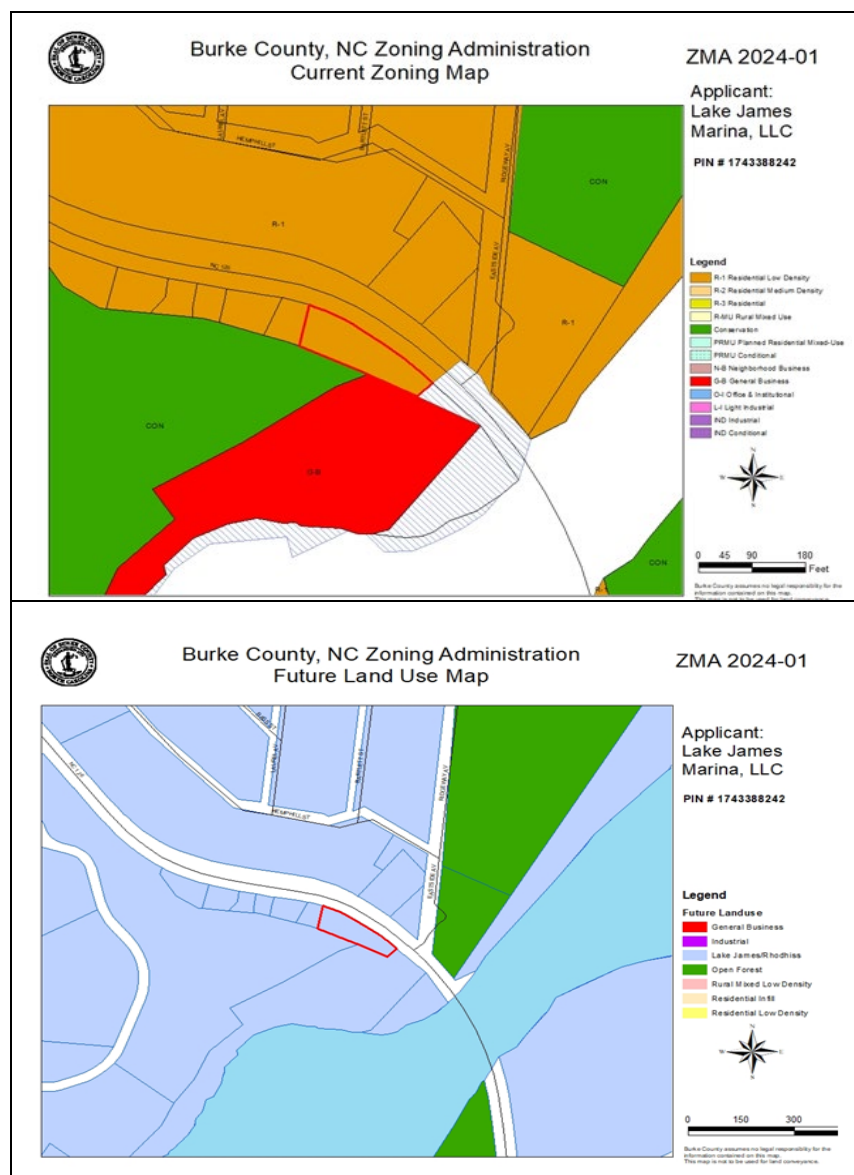
PIN#: 1743388242

Request: Change the zoning district *from* Residential One (R-1) *to* General Business (G-B).

Property Area: Approximately 0.41-acre.

Location: The parcel is located at 8896 NC 126 Nebo, NC 28761.





BLUEPRINT BURKE LAND USE PLAN

Lake James Scenic Area: this area includes Lake James and parts of the surrounding lake overlay and scenic overlay zoning districts as well as Lake James State Park and some lands belonging to North Carolina Wildlife. The natural and environmental resources in the area make it a center for multiple outdoor recreation uses as well as major residential subdivisions. Lake James Marina is one such recreational use that provides a popular and useful service to boaters and anglers on the eastern side of the lake.

STAFF COMMENTS

In staff's opinion, rezoning the parcel from the Industrial District to the Residential Three District is appropriate for this area for the following reasons:

- The Blueprint Burke Future Land Use Map supports recreation and tourism uses in this area. The map would not need to be amended for this property.

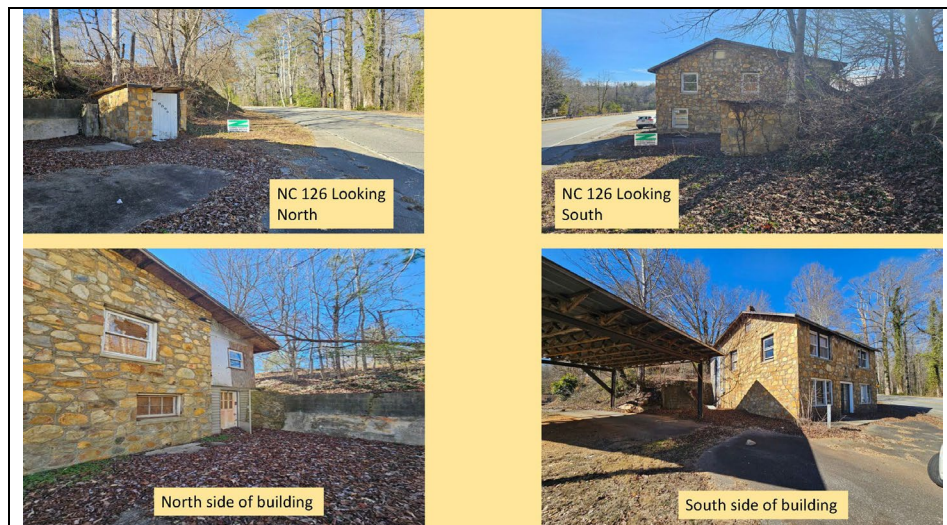
- Lake James Marina is located on the adjacent property and is zoned General Business (G-B). The marina would use the subject property and building as an office.
- There is limited commercial business around the lake. In appropriate locations, more commercial businesses could support and enhance the area.
- The subject property is located on a Rural Major Collector Road maintained by the NC Department of Transportation.

For these reasons, staff supports the rezoning request.

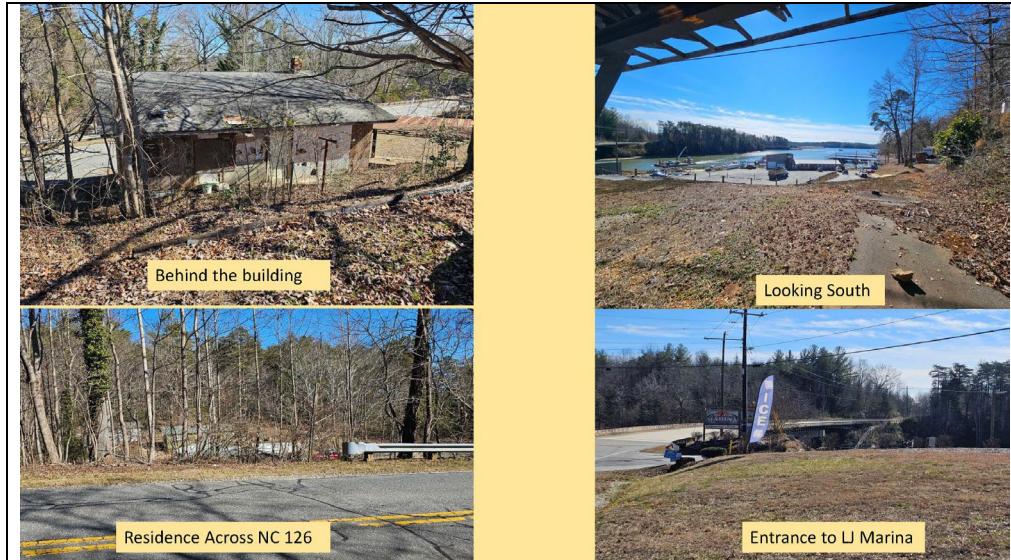
PLANNING BOARD RECOMMENDATION

The Planning Board met on February 22, 2024, to hear the rezoning request. Staff presented the report, and the Chair asked the applicant if they wanted to speak about the request. The applicant stated that the marina building was out of space, and they wanted to use the property for office use. The Chair then opened the floor to public comment. One (1) person spoke to inform the Board that the old structure on the property, which dates from 1820, should be preserved due to its historic significance. His family owned the marina when it was first developed. The Chair asked for a decision from the Board and a motion to approve the rezoning was made and seconded. The Board voted 5/0 to recommend approval of the rezoning request.

ADDITIONAL INFORMATION



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Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2024-02 & PUBLIC HEARING - 6:00 P.M.

Alan Glines, Planning Director / Deputy County Manager, relayed highlights from the following rezoning request:

REZONING REQUEST

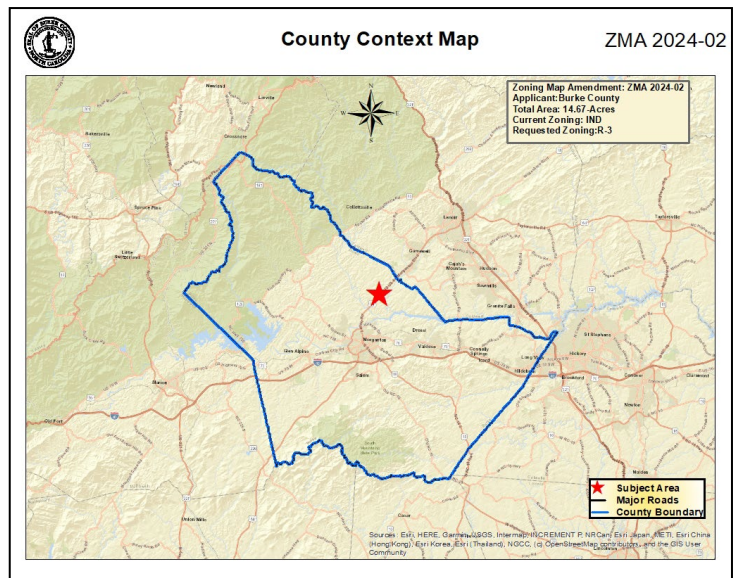
Applicant: Burke County Community Development

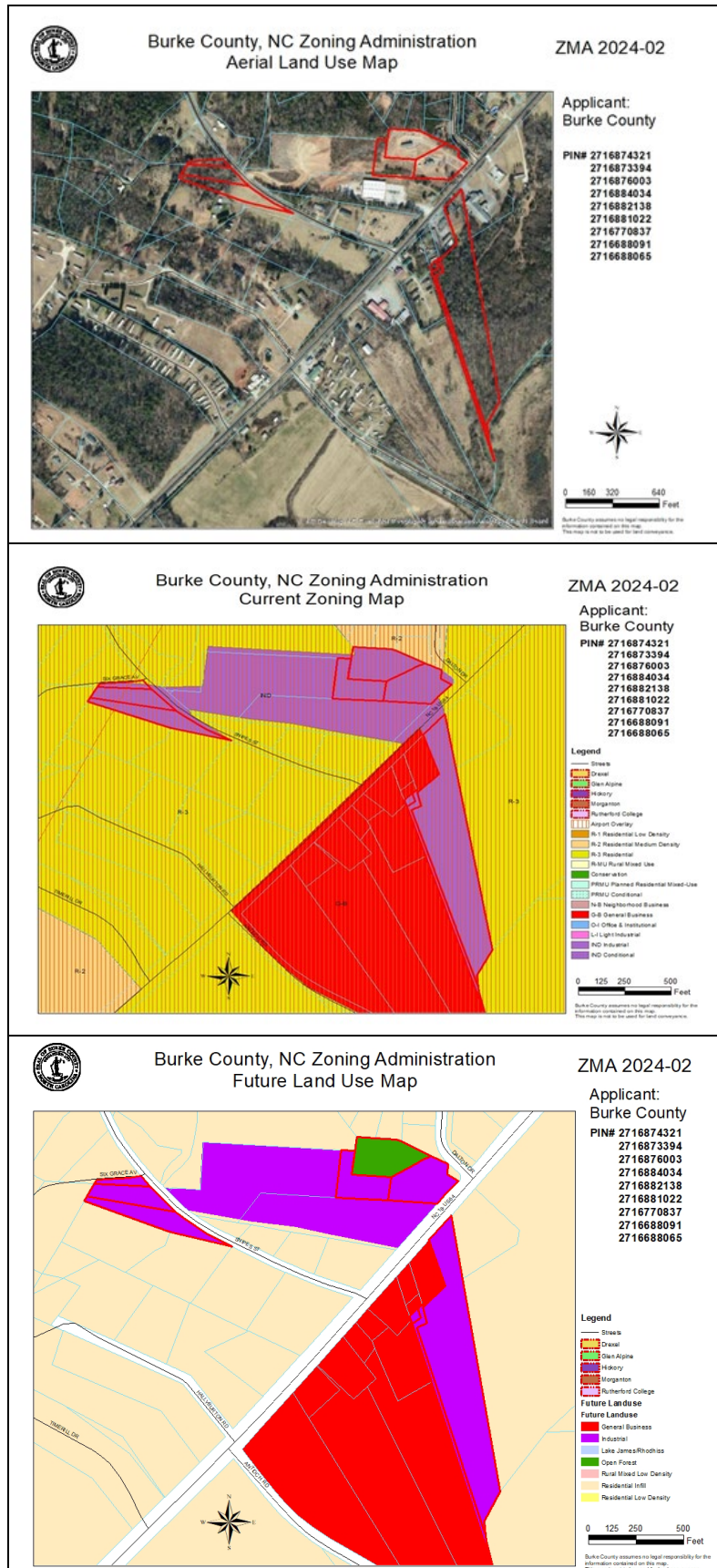
PIN#s: 2716874321, 2716873394, 2716876003, 2716884034, 2716882138, 2716881022, 2716770837, 2716688091, and 2716688065

Request: Change the zoning district from Industrial (IND) to Residential Three (R-3).

Property Area: Approximately 14.67-acres.

Location: The parcels are located off Snipes St. and NC-18 / US-64.





BLUEPRINT BURKE LAND USE PLAN

Both the Zoning Map and the Future Land Use Map identify this area as Industrial. This land use category was established to accommodate the existing and future expansion of the furniture and woodworking businesses that are based on one of the properties in the area. The parcel colored in green (Open Space) received that designation in error.

STAFF COMMENTS

In staff's opinion, rezoning these parcels from the Industrial District to the Residential Three District is appropriate for this area for the following reasons:

- Although the Blueprint Burke Future Land Use Map shows industrial uses for these properties, upon review, the parcels are relatively small, are mostly individually owned, and are either vacant or have existing residential homes on them. Rezoning the properties to a residential district would be more consistent with the actual use(s) of the properties and the surrounding area. A favorable rezoning would amend the Future Land Use Map to Residential Infill.
- The county has made contact with all affected property owners, and they are in full support of rezoning the parcels to residential.
- The zoning change would bring existing non-conformities (residential uses) into compliance.

For these reasons, staff supports the rezoning request.

PLANNING BOARD RECOMMENDATION

The Planning Board met on February 22, 2024, to hear the rezoning request. Staff presented the report, and the Chair asked the applicant if they wanted to speak about the request. Staff acknowledged the report was their comment. The Chair then opened the floor to public comment and the owner of a neighboring parcel spoke in favor of the application. The Chair asked for a decision from the Board and a motion to approve the rezoning was made and seconded. The Board voted 5/0 to recommend approval of the rezoning request.

ADDITIONAL INFORMATION



Chairman Brittain opened the floor for questions or comments. Commissioner Carswell inquired if there was enough land to meet the residential zoning requirements. Mr. Glines explained that while a few parcels may not have sufficient space individually, they could potentially be combined with adjacent parcels to meet requirements. He also mentioned that many individuals were unaware of having industrial-zoned parcels and had constructed residential housing on them. Mr. Glines highlighted that this would put them in alignment with the Blueprint Burke Land Use Plan. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

COMM. DEV. - JONAS RIDGE CRANBERRY BOG PARK MASTER PLAN PARTF GRANT - PUBLIC HEARING - 6:00 P.M.

Alan Glines, Planning Director / Deputy County Manager, reported that the Cranberry Bog at Jonas Ridge is a rare example of a high-elevation mountain bog with many wetland species including native cranberry plants. The site was formerly farmland but in spite of this high-impact use, the ecological values were not diminished. Recognizing the unique qualities of the property, the Foothills Conservancy of North Carolina sought to purchase the property for its protection in partnership with Burke County.

Since that time, Burke County has been developing plans for the new community park in Jonas Ridge. The proposed park master plan is being shared with the Board of Commissioners to seek public comment and to apply for Parks and Recreation Trust Fund (PARTF) funding for the project. The following is a timeline of activities for the land and the plan development:

- 2019 - the approximately 20-acre tract is purchased as a partnership with the Foothills Conservancy of North Carolina and Burke County. There was a

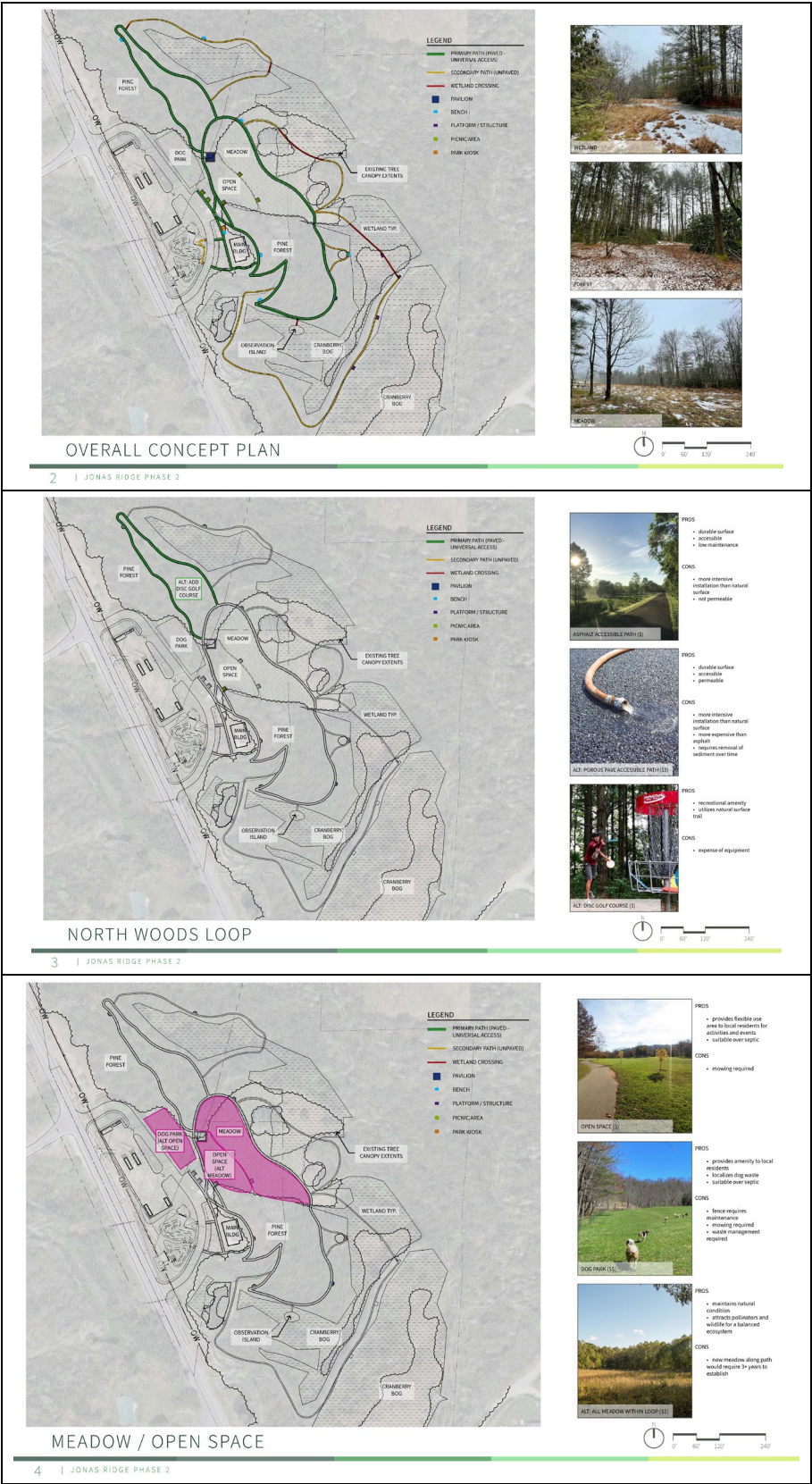
carve-off of three acres for the county to develop a new convenience site for the residents of Jonas Ridge; an initial budget was provided to develop initial masterplan concepts.

- 2020 - Equinox Environmental and McGill and Associates were selected via an RFQ process to develop plans for Cranberry Bog Park and the new convenience site located on the three-acre neighboring tract. The concept plans for the park were posted to the county website and left at the Jonas Ridge Volunteer Fire Department and with the attendants at the Jonas Ridge Convenience Site for the month of September. Over 50 comment sheets and letters were collected. The concept plans were shared with the Board of Commissioners at their formal meeting on October 20, 2020.
- 2021 - the Burke County Board of Commissioners accepted the Cranberry Bog property from the Foothills Conservancy. The North Carolina Clean Water Management Trust Fund holds a conservation easement on the property.
- 2023 - Burke County entered into a contract with Equinox Environmental to complete the final master plan and construction documents for Cranberry Bog Park. The concept plan was reviewed with the Board of Commissioners at their formal meeting on September 19, 2023.

The master plan provides several features for community members to enjoy the park, as well as observe the natural beauty and ecology of this unique site. The plan proposes a small dog park adjacent to the parking area. This could be utilized by community members to let their pets get some exercise off-leash. The plan provides an approximately 0.75-mile paved walking path circulating around a natural wildflower meadow with benches and picnic tables throughout. A covered picnic pavilion is located near the parking spaces. Closer to the wetland areas are a series of boardwalks that meander into the bog to allow visitors to experience the flora and fauna of this unique high-elevation habitat. Several areas of viewing platforms will be provided and accessed from sections of natural surface trail that total about 0.7 miles in length. Last but not least, the proposal includes renovating the old existing home on the site and transforming it into a small visitor center with restrooms and a meeting room that can hold up to 20 people. Opportunities for historical displays and environmental educational opportunities abound on this exciting property. There are some funds available to develop the park but the grant, if successful, will provide a 50% match. A rough estimate of costs to fully develop the park is \$900,000. If the grant is not successful, then some features will need to be phased in at a later date.

Mr. Glines also gave a brief presentation of the proposed Master Plan, highlights of which, were as follows:





LEGEND

- PRIMARY PATH (PAVED - UNIVERSAL ACCESS)
- SECONDARY PATH (UNPAVED)
- WETLAND CROSSING
- RAILROAD
- BENCH
- PLATFORM / STRUCTURE
- PICNIC AREA
- PARK KIOSK

PROS

- inexpensive
- natural material

CONS

- potential lack of trail definition in some areas

NATURAL SURFACE / MOWED PATH (S)

PROS

- creates level surface
- natural aesthetic

CONS

- possible need to replace or rebarb granite lines
- more expensive

DECOMPOSED GRANITE (S)

5 | JONAS RIDGE PHASE 2

LEGEND

- PRIMARY PATH (PAVED - UNIVERSAL ACCESS)
- SECONDARY PATH (UNPAVED)
- WETLAND CROSSING
- RAILROAD
- BENCH
- PLATFORM / STRUCTURE
- PICNIC AREA
- PARK KIOSK

PROS

- inexpensive
- movable if needed
- natural material
- easy to replace segments

CONS

- may degrade faster than other options due to contact with ground and water

PUNCHBUSH (S)

PROS

- out of water
- more durable than punchbush
- natural material

CONS

- may require some maintenance of wood over time
- more intensive construction requirements

WETLAND CROSSING (S)

PROS

- most durable
- smooth finishes available
- grated surface allows vegetation to grow below

CONS

- most expensive
- more intensive construction requirements

FIBERGLASS BOARDWALK (S)

6 | JONAS RIDGE PHASE 2

LEGEND

- PRIMARY PATH (PAVED - UNIVERSAL ACCESS)
- SECONDARY PATH (UNPAVED)
- WETLAND CROSSING
- RAILROAD
- BENCH
- PLATFORM / STRUCTURE
- PICNIC AREA
- PARK KIOSK

PROS

- less expensive
- movable if needed
- natural material

CONS

- may wear faster than other materials

WOODEN BENCH (S)

PROS

- less expensive
- durable
- lightweight, movable options available
- recycled material

CONS

- may fade in sun
- could get hot in sun

RECYCLED PLASTIC BENCHES (S)

PROS

- durable
- smooth finishes available

CONS

- heavy - not movable

CONCRETE BENCHES (S)

PROS

- durable
- lightweight, movable options available

CONS

- most expensive
- could get hot in sun

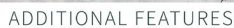
COATED METAL BENCHES (S)

7 | JONAS RIDGE PHASE 2

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JONAS RIDGE PHASE 2



9 | JONAS RIDGE PHASE 2



ALF - REPLACE BUILDING WITH PAVILION (RESTROOM+COMBO)

A17: REPLACE BUILDING WITH PAVILION / RESTROOM COMB

10 | JONAS RIDGE PHASE 2



Jonas Ridge Bog / Meadow



Visitors & NCSSM Summer Intern Students



Grassy Meadow



Existing Home

Chairman Brittain opened the floor for questions or comments; there being none, this item was

moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CONSENT AGENDA

CLERK - APPOINTMENT TO LEPC SEAT NO. 11, MEDIA

Kay Draughn, Clerk to the Board, reported that Seat No. 11 on the Local Emergency Planning Committee is designated for a media representative. Lisa Propst has held this position since 2016 but has decided not to seek reappointment. Marty Queen, the county government reporter for The Paper, has submitted an application for this seat which has an unexpired term ending January 31, 2027. Mr. Queen is a resident of McDowell County; therefore, a waiver of the residency requirement was requested.

11	Media	Lisa Propst	A	1/19/2016
			R	1/16/2018
			R	1/19/2021
			TE	1/31/2024

Chairman Brittain opened the floor for questions or comments and then asked a clarifying question. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CLERK - RUTHERFORD COLLEGE PB / BOA ETJ APPOINTMENTS

Kay Draughn, Clerk to the Board, reported that the County appoints two (2) ETJ members to the Rutherford College Planning Board / Board of Adjustment. Mr. Icard (Seat No. 1, Regular) and Mr. Van Horn (Seat No. 2, Alternate) have served in this capacity since 2014. Both members are seeking reappointment. The unexpired terms end December 15, 2026.

Rutherford College Planning Board & Board of Adjustment				
County Appoints Two (2) ETJ Members				
3-Year Terms				
Seat No.	Position	Name-Address		Term
1	ETJ - Regular	Douglas Icard	A	12/15/2014
		5794 John Icard Road	R	12/19/2017
		Connelly Springs NC 28612	R	12/15/2020
			TE	12/15/2023
2	ETJ - Alternate	Glenn Van Horn	A	12/15/2014
		2733 Rutherford College Road	R	12/19/2017
		Connelly Springs NC 28612	R	12/15/2020
			TE	12/15/2023

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CLERK - REAPPOINTMENTS TO THE PARKS & RECREATION COMMISSION

Kay Draughn, Clerk to the Board, reported that the terms of appointment for the following members of the Parks & Recreation Commission ended March 31st. Nikki Costello (Forest Hill), Sandy Clark (Glen Alpine), Valerie Mullis (George Hildebrand), Chris Newton (WA Young), and Scott Bollinger (Mull). All members except Ms. Mullis and Mr. Newton desire reappointment for new 3-year terms ending March 31, 2027. Their removals were requested along with the appointment of Rose Cook representing George Hildebrand, pending receipt of her application.

Seat No.	Elem. School District	Name-Address		Term
1	Forest Hill	Nikki Costello	A-UT TE	3/15/2022 3/31/2024
2	Glen Alpine	Sandy Clark	A-UT TE	3/15/2022 3/31/2024
3	Drexel	Mendell Derreberry 2035 Zion Road Morganton NC 28655	A R TE	3/17/2020 5/17/2022 3/31/2025
4	Valdese / R. College	Jonathan Carter 211 Windsor St Connelly Springs NC 28612	A-UT R TE	4/19/2022 5/16/2023 3/31/2026
5	George Hildebrand	Valerie Mullis	A-UT TE	5/16/2023 3/31/2024
6	Hildebran / Icard	Ricky Barnes 3001 Hodges St Connelly Springs NC 28612	A-UT R TE	4/19/2022 5/16/2023 3/31/2026
7	W. A. Young	Chris Newton	A-UT R TE	10/17/2023 3/31/2024
8	Ray Childers	Curtis Hildebran	A-UT R TE	3/15/2022 5/16/2023 3/31/2026
9	Mull	Scott Bollinger	A-UT TE	3/15/2022 3/31/2024

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CLERK - APPROVAL OF AMENDMENTS TO COUNCIL ON AGING BYLAWS

Kay Draughn, Clerk to the Board, reported that the Council on Aging requests approval of the following amendments to their bylaws:

Article IV, Meetings

The Council on Aging will abide by North Carolina General Statute §143-318.9-18, commonly called the "open meetings" statute. The Council will meet ~~ten (10)~~ **four (4)** times per year.

Article V, Officers

Section 1. Election and Terms of Office

Officers shall be elected by a majority of the Council at the ~~November~~ **fourth** meeting **of the year** and will begin their terms of office the following January.

Article VII, Committees

A Nominating Committee will be named by the Chairperson ~~each September~~ at the third meeting of the year. **The Committee will present a slate of officers at the October meeting for the coming year at the fourth meeting.** Officers will be elected at the ~~November~~ **fourth** Council meeting and take office the following January.

The Council approved these amendments on February 28, 2024. These modifications align the Burke Council on Aging with the other COA's in the WPCOG Area Agency on Aging. Further, the reduction in meetings may aid in attracting new members.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CM - APPROVAL OF BUDGET AMENDMENT NO. 8 - \$75,000

Alan Glines, Planning Director / Deputy County Manager, substituting for the County Manager, presented Budget Amendment No. 8, which recognizes grant funding awarded from the Homeland Security Search Exercise Grant.

BUDGET AMENDMENT NO. 8			
REVENUES			
ACCOUNT NUMBER	DESCRIPTION	INCREASE	DECREASE
100-46503-01-433404	HOMELAND SECURITY GRANT	\$75,000	
EXPENSES			

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
100-46503-10-533404	SECURITY EXERCISE GRANT	\$75,000	
Purpose: The NC Department of Public Safety sent a notification that the Burke County Emergency Management will receive a total of \$75,000 in state grant aid for FY 23 / 24. These funds will cover a state exercise on flood disaster response. No local funding will be required.			
A copy of these amendments shall be furnished to the Budget Officer and the Finance Officer of the County to be kept on file for direction in the disbursement of funds.			

Chairman Brittain opened the floor for questions or comments. Margaret Pierce, Finance Director / Deputy County Manager, responded to a clarifying question. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CM - APPROVAL OF BUDGET AMENDMENT NO. 9 - \$75,000

Alan Glines, Planning Director / Deputy County Manager, substituting for the County Manager, presented Budget Amendment No. 9, for \$75,000. It recognizes grant funding provided to the WPCOG by Dogwood Health Trust / Institute of Emerging Issues to implement strategies in the County's Digital Access Plan.

BUDGET AMENDMENT NO. 9			
REVENUES			
<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
100-00000-06-433400	DOGWOOD DIGITAL ACCESS PLAN GRANT	\$75,000	
EXPENSES			
<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
100-44500-05-533400	DOGWOOD DIGITAL ACCESS PLAN GRANT	\$75,000	
Purpose: Western Piedmont Council of Government sent a notification that Burke County will receive a total of \$75,000 in grant aid for FY 23 / 24. These funds were provided to WPCOG by Dogwood Health Trust / Institute of Emerging Issues. These funds are to be used to implement strategies in the County's Digital Access Plan. No local funding will be required.			
A copy of these amendments shall be furnished to the Budget Officer and the Finance Officer of the County to be kept on file for direction in the disbursement of funds.			

Chairman Brittain opened the floor for questions or comments. Commissioner Carswell inquired about efforts to enhance the Digital Access Plan. Mr. Glines explained that the focus was on smaller projects aimed at broadening opportunity and access, such as the Senior Center's request for laptops and devices to train seniors to enhance their skill sets. Commissioner Smith sought clarification on any conditions attached to the grant funding. Mr. Glines clarified that

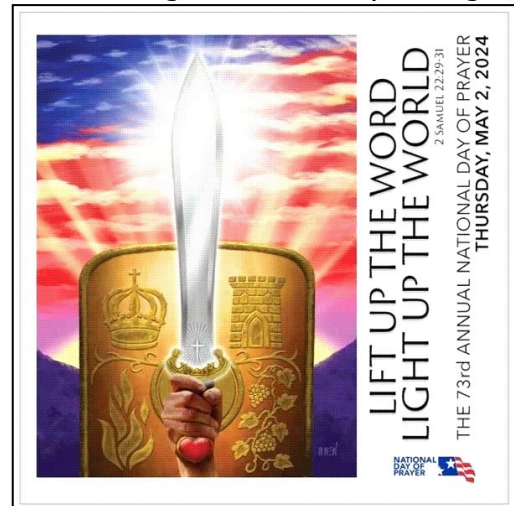
while there are no specific conditions, the County must report its intended plan for fund usage for approval to ensure compliance with allowable purposes. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CM - PROCLAMATION DECLARING MAY 2, 2024, AS NATIONAL DAY OF PRAYER

Alan Glines, Planning Director / Deputy County Manager, substituting for the County Manager, informed that the National Day of Prayer tradition predates the founding of the United States of America, evidenced by the Continental Congress' proclamation in 1775 setting aside a day of prayer. In 1952 Congress established an annual day of prayer and in 1968 that law was amended, designating the National Day of Prayer as the first Thursday in May.

Though the National Day of Prayer focuses most of its efforts on promoting the annual day of prayer, it is understood that true life-altering, world-changing prayer cannot happen in a single day. It must become a discipline. The theme for the 2024 National Day of Prayer is "Lift up the Word, Light Up the World." The Board was requested to approve a proclamation.



Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

CM - PROJECT ORDINANCE FOR 201 AVERY AVENUE PROPERTY

Alan Glines, Planning Director / Deputy County Manager, presented the capital project budget ordinance for the purchase and renovation of real property located at 201 Avery Avenue property as follows:

201 AVERY AVENUE PROPERTY
CAPITAL PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Burke County, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase and renovation of the 201 Avery Avenue property, to be financed by a transfer from the General Fund.

Section 2. The officers of the County are hereby directed to proceed with the capital project within the budget contained herein.

Section 3. The following revenues are available to complete this project:

Burke County General Fund - Transfer	<u>\$ 888,328</u>
Total	<u>\$ 888,328</u>

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

Property purchase	\$ 578,213
Renovation and furnishing	<u>\$ 310,115</u>
Total	<u>\$ 888,328</u>

Section 5. The Finance Director is hereby directed to maintain within the Capital Project fund sufficient specific detailed accounting records.

Section 6. Copies of this capital project budget ordinance shall be furnished to the Clerk to the Board, for direction in carrying out this project.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

DE - PROCLAMATION DECLARING APRIL 18, 2024, AS LINEMAN APPRECIATION DAY

On behalf of Duke Energy, Chairman Brittain presented a proclamation declaring April 18, 2024, as Lineman Appreciation Day in Burke County for consideration at the regular meeting.

Chairman Brittain opened the floor for questions or comments. Commissioner Burns praised the linemen for their dedication and hard work. Clerk Draughn proposed moving this item to the presentations section of the regular meeting. There being no objections, this item was moved to the following meeting as a presentation item.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

FINANCE / FC - CANOE CREEK RESTORATION GRANT BID - \$200,000 & BUDGET AMENDMENT

Michael Gaffney, Conservation and GIS Specialist, Foothills Conservancy, reported that a \$200,000 grant from the North Carolina Department of Environmental Quality was awarded to Burke County in partnership with Foothills Conservancy and Catawba Riverkeepers to begin the restoration of Canoe Creek. Canoe Creek runs through Foothills Conservancy's 652-acre Oak Hill Community Park that, due to historical land use, is severely degraded with steeply incised banks, poor floodplain connection, and inadequate habitat for wildlife. The plan is to restore this creek with a two-phase project, with this grant helping to fund Phase I.

A Request for Qualifications (RFQ) was issued on December 13, 2023, for qualified professional firms and proposals from four (4) firms were received. A committee made up of representatives from Foothills Conservancy, Catawba Riverkeepers, and the County met to review the

submissions. Two (2) firms were selected for virtual interviews on February 5, 2024: Wildlands Engineering, Inc. and Ecosystem Planning and Restoration. The committee has recommended Wildlands Engineering, Inc. for the project.

BID #:			
2024-0110			
PROJECT:			
CANOE CREEK STREAM RESTORATION - PHASE I			
Vendor:	Contact:	Phone:	Email:
Civil & Environmental Consultants, Inc	Gregory Babbit	865-314-2244	gbabbit@cecinc.com
Wildland Engineering, Inc	Shawn Wilkerson	704-458-1836	swilkerson@wildlandseng.com
Ecosystem Planning and Restoration	Kevin Tweedy	919-999-0262	ktweedy@eprusa.net
Michael Baker International	Dwain Hathaway	919-455-6318	dhathaway@mbakerintl.com

Budgetary Effect: None. Funding is provided by a grant from the North Carolina Department of Environmental Quality. Burke County is the pass-through agency for the funding. This funding was included in Budget Amendment No. 2, approved on September 19, 2023. However, approval is requested to move the \$200,000 from the General Fund (100-00000-01-433100) to the Governmental Capital Projects Fund (215-21513-25-569007).

Chairman Brittain opened the floor for questions or comments. Mr. Gaffney responded to a clarifying question from Commissioner Burns. At a question from Vice Chairman Mulwee, he informed the Board that there would be 2,000 feet of restoration work. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

FINANCE - APPLICATIONS FOR PUBLIC SCHOOL BUILDING CAPITAL FUNDS

Margaret Pierce, Finance Director / Deputy County Manager, reported that a portion of lottery proceeds are deposited into a special fund administered by the North Carolina Department of Public Instruction called the Public School Building Capital fund. This fund is used by counties to address their school capital needs. Monies deposited into the fund accumulate and earn interest until drawn down by the county. In order to draw down funds, the Board of County Commissioners and the Board of Education must approve and submit an application for an eligible project. Historically, the County has used debt service on school construction as their projects. Requested for the Board's consideration was an \$821,000 application for debt service on Patton and Draughn High Schools. This application will be presented for approval by the Board of Education at their April 2024 meeting.

A portion of lottery proceeds are deposited into a special fund administered by the North Carolina Department of Public Instruction called the Public School Building Repair and Renovation fund. This fund is used by counties to address their school capital needs. Monies deposited into the fund accumulate and earn interest until drawn down by the county. In order to draw down funds, the Board of County Commissioners and the Board of Education must approve and submit an application for an eligible project. The Burke County Public Schools are requesting \$1,000,000 from these funds to replace Freedom High School HVAC units that are at

end of life. This project meets the guidelines for the use of these funds.

Budgetary Effect: None.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

FM - REQUEST FOR APPROVAL OF A WRITTEN AGREEMENT BETWEEN HOME TRUST BANK AND TRIPLE COMMUNITY FIRE DEPARTMENT, INC.

Mike Willis, Fire Marshal, reported that Triple Community Fire Department, Inc. is entering into an agreement with Home Trust Bank for the purchase of new fire apparatus (pumper / tanker) and related equipment. The Board of Directors of the fire department believes the department is fiscally responsible and financially able to buy the fire apparatus and respectfully requests the Burke County Board of Commissioners to endorse the verification documents from Home Trust Bank pertaining to the loan agreement. The endorsement would not in any way constitute a financial obligation to the County of Burke.

Budgetary Effect: None.

Chairman Brittain opened the floor for questions or comments. Commissioner Burns asked about the type of truck being purchased. Josh Smith, Triple Fire Chief, explained that the funds were allocated to replace a 33-year-old engine. Chairman Brittain observed the rising cost of equipment, to which Mr. Smith responded that a new engine purchased in 2016 cost around \$450,000, whereas the current one is priced at \$760,000, nearly doubling in cost. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

HEALTH / OPIOID - RFQ VENDOR SELECTION VIDEOGRAPHY

Katie Varnadoe, Human Services Planner, reported that on February 29, 2024, Burke County Public Health initiated a search for qualified consulting firms to conduct a qualitative research project focused on collecting information from individuals with lived experience related to opioid use disorder. The primary medium for data collection will be videography, with the final deliverables to include videos in both English and Spanish. The request for qualifications (RFQ) concluded on March 21, 2024, with five (5) submissions received. Following a thorough review and scoring process in accordance with Burke County Finance's requirements, EW Visions LLC is the recommended vendor for this service.

BID #:
2024-0321

PROJECT:
Videography Services to Design & Develop a Qualitative Data Collection Project for the County's Collaborative Strategic Plan for the Use of Opioid Settlement Funding

Vendor:	Contact:	Phone:	Email:	Bid:
EW Visions LLC	Eddie Williams Jr	850-570-7378	ewvisions@gmail.com	\$ 15,000.00
Eye Candy Digital Video	Mike Martine	757-560-9512	mmartine@eyecandydv.com	\$ 19,650.00
Springer Studios	David Springer	910-769-7855	david@springerstudios.com	\$ 24,765.00
Initium Health	James Corbett	303-928-8511, ext 702	james@initiumhealth.org	\$ 24,953.91
Three Dog Films	David Sabbath	503-739-1951	sabbath@threedogfilms.com	\$ 34,199.00
NCITE Creative LLC	Christopher Campbell	208-916-8868	chris@ncitecreative.com	\$ 52,500.00

Budgetary Effect: None. The funds will be allocated from Opioid Settlement funds that were designated for this project under Option A: Collaborative Strategic Planning, not to exceed the approved amount of \$30,000.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

HEALTH / OPIOID - RFQ/VENDOR SELECTION FOR STRATEGIC PLAN (PLACE HOLDER)

Katie Varnadoe, Human Services Planner, requested this item be moved to the May docket to allow for adequate time for a thorough review.

BID #:
2024-0320

PROJECT:
Consulting Services for the Development of Burke County's Strategic Plan for the Expenditure of Opioid Settlement Funding

Vendor:	Contact:	Phone:	Email:
OMNI Institute	Katie Gelman	303-839-9422, ext 143	kgelman@omni.org
Community Education Group	Lee Storrow	828-337-6573	lstorow@communityeducationgroup.org
Initium Health	James Corbett	303-928-8511, ext 702	james@initiumhealth.org
Facente Consulting	Shelley Facente	415-999-1310	shelly@facenteconsulting.com
Evident Analytics	Wesley Rich	910-890-3257	wes@evidentanalytics.com
WestEd	Rajwant Virk	415-615-3136	contracts@wested.org

Information from the agenda packet:

On February 29, 2024, Burke County Public Health initiated a search for qualified consulting firms to provide facilitation and consulting services for the development of Burke County's Strategic Plan for the expenditure of Opioid Settlement funding. This project will involve facilitating the strategic planning working group with the goal of (1) selecting priorities and key indicators, (2) collecting and presenting health data and other indicators to aid in the selection of priorities, (3) developing documents to support the

requirements in North Carolina's collaborative strategic planning process as outlined in the NC Memorandum of Agreement between the State and Local Governments, (4) implementation planning for selected interventions, and (5) feasibility studies for selected interventions. The request for qualifications (RFQ) concluded on March 20, 2024, with six (6) submissions received. Following a thorough review and scoring process in accordance with Burke County Finance's requirements, _____ is the recommended vendor for this service.

Budgetary Effect: None. The funds will be allocated from Opioid Settlement funds that were designated for this project under Option A: Collaborative Strategic Planning, not to exceed the approved amount of \$65,000.

Chairman Brittain opened the floor for questions or comments. There being no objection, this item was moved to the May agenda.

RESULT: MOVED WITHOUT OBJECTION TO THE MAY MEETING ON MAY 7, 2024, AT 3:00 P.M.

HEALTH - PUBLIC HEALTH MONTH PROCLAMATION

Miranda Smith, Public Health Educator, requested a proclamation declaring April as Public Health Month in Burke County. The proclamation was included in the Board's agenda packet and is hereby incorporated into the meeting minutes by reference.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

TAX DEPT. - RELEASE REFUND REPORT FOR MARCH 2024

John Bridgers, Tax Administrator, reviewed the Tax Release Report for March 31, 2024, as follows:

Tax System Refunds and Releases			
Report Amount	Rebilled Amount	Net Release	Refund Amount
\$31,217.27	\$24,667.26	\$6,550.01	\$0.00

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$946.58

*Note: The net release amount is a result of the reported amount minus the rebilled amount.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

TAX DEPT. - TAX COLLECTION REPORT FOR MARCH 2024

John Bridgers, Tax Administrator, Reported the Tax Collection Report for March 31, 2024, as follows:

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$52,699,577.00	\$52,499,546.75	96.62%	\$200,030.25
Motor Vehicle Tax	\$6,200,000.00	\$4,104,000.54	66.19%	\$2,095,999.46
Current Year Taxes	\$58,899,577.00	\$56,603,547.29	96.10%	\$2,296,029.71
Delinquent Taxes	\$700,000.00	\$571,331.74	81.62%	\$128,668.26
Penalty & Interest	\$329,000.00	\$347,280.73	105.56%	(\$18,280.73)

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	\$52,833,740.04	\$52,499,546.75	97.52%	\$1,664,193.29

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

GAL - PROCLAMATION DECLARING APRIL 2024 AS CHILD ABUSE PREVENTION MONTH

Amy Jackson-Kincaid, Program Supervisor, District 36, Guardian ad Litem, presented a proclamation declaring the month of April 2024 as Child Abuse Prevention Month in Burke County. The proclamation was included in the Board's agenda packet and is hereby incorporated into the meeting minutes by reference.

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

ITEMS FOR DECISION

BOC - RESOLUTION ESTABLISHING THE BURKE CO. AMERICA 250TH PLANNING COMMITTEE (PLACEHOLDER)

Kay Draughn, Clerk to the Board, reported that in 2026, America will celebrate its 250th birthday. In preparation for the semiquincentennial anniversary, Dr. Linda Bryant and Dr. Bryant Lindsey have participated in the NC Department of Natural & Cultural Resources' America 250 planning meetings since they began, several years ago. Local grant funds are available during FY 2023 - 2024 and FY 2024 - 2025 to underwrite the costs of local commemorative events and programming. One type of local grant is available exclusively to official county committees during FY 2023 - 2024. To access the grant funding, an official America 250 Committee must be created by the following authorizing resolution. The following 12 names are suggested candidates to serve on the Burke County America's 250 Committee:

RESOLUTION OF COUNTY RECOGNIZING AND APPROVING
OF THE COUNTY OFFICIAL AMERICA 250 NC COMMITTEE

A resolution of County, North Carolina, supporting the America 250 NC committee for the United States semiquincentennial (AMERICA 250 NC).

WHEREAS, Roy Cooper, Governor of North Carolina, created AMERICA 250 NC to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the United States and North Carolina's integral role in that event and the role of its people on the nation's past, present, and future: and

WHEREAS, AMERICA 250 NC has a mission to engage ALL North Carolinians and ALL 100 counties through their many signatures and officially recognized programs, projects, and events over the commemoration by inspiring future leaders and celebrating North Carolina's contributions to the nation over the last 250 years; and

WHEREAS, by adoption of America 250 NC's mission, the County Committee is officially formed to achieve the goals of AMERICA 250 NC.

NOW, THEREFORE, BE IT RESOLVED, that the County of hereby endorses AMERICA 250 NC and its mission; and

RESOLVED, the County of Burke officially establishes an AMERICA 250 NC Committee made up of a diverse group of citizens to work with AMERICA 250 NC on any and all activities. The participants of the County Committee will be strictly voluntary roles and there will be no compensation for participation.

IT IS FURTHER RESOLVED that a copy of this resolution be sent to the legislative delegation and the AMERICA 250 NC Committee.

Name	Representing	Term
Phil Smith	County Commissioner	1 Year
TBD	Morg. City Councilperson	2 Years
Robert Patton	Historic Burke Foundation	3 Years
Dr. Linda Lindsey	Revolutionary War Days Committee	1 Year
Waits Gordon	History Museum	2 Years

Laurie Johnson	Burke Co. Library NC Room	3 Years
Ed Phillips	Tourism Development Authority	1 Year
Deborah Jones	Burke Arts Council	2 Years
Kevin Hancock	Sons of American Revolution	3 Years
Patricia Wells	Daughters of American Revolution	1 Year
Bryant Lindsey	OVNCST	2 Years
Mike Swan	BC Public Schools	3 Years
Designee of Dr. Joel Welch	WPCC	1 Year
TBD	Citizen At-large	2 Years
TBD	Citizen At-large	3 Years

The citizens / public officials mentioned above are willing to serve on this committee if appointed.

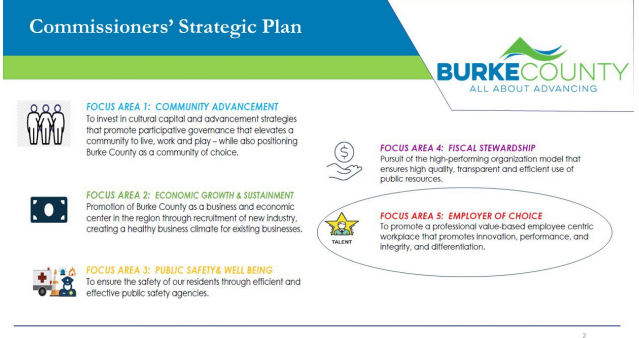
Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

HR - HR POLICY MODERNIZATION- PHASE I

Joe Lutz, HR Policy & Project Manager, presented revisions to the Burke County Personnel Policy concerning recruitment, selection, and advancement, pursuant to the petition for substantial equivalency with the Office of State Human Resources (OSHR) policy. As part of that process, the adoption of a resolution is requested. Highlights of his presentation were as follows:





Policy Modernization – Why? Employer of Choice: 2023 – 2024 Focus Area 5 Operating objectives align with the organization's Focus Area 5 ➤ Compensation and Classification Study – policies must be in sync with upcoming strategies, career ladders, and market methodologies for determining fair pay grades and salary. ➤ Substantial Equivalency – policies that reflect OSHR guidance and position us to receive certification. ➤ Modernization of HR Policies and Procedures– best practices, more empowerment and culture-defining, less control focused. ➤ Reduce Risk – compliance with current federal, state and local employment law. ➤ Clarity – clear mission, vision and expectations to achieve them for the citizens of Burke County.	Policy Modernization – Part 1 Several policy areas need action immediately to underpin Substantial Equivalency initiative: ➤ Article IV – “Recruitment and Employment” of current Burke County Personnel Policies - Hiring ➤ Article II – “Classification Plan” – Job duties, responsibilities and relative weight ➤ Article III – “Wage and Salary Administration” – How we determine pay ✓ Crucial to underpin our upcoming Compensation and Classification Plans ✓ Critical to obtaining Substantial Equivalency ✓ Will make us more competitive for the best talent ✓ Will reset the playing field and realign our job classifications for a more reasonable balance ✓ Will take advantage of all our employment upgrades to attract the best employees ✓ Will aid retention: a well-staffed and fairly compensated workforce will perform better
Policy Modernization – First Revision Article IV – “Recruitment and Employment” of current Burke County Personnel Policies This is how we will fill open positions in County Government Staff Proposed Policy: Recruiting, Selection and Advancement Policy Philosophy: Professionally define and describe positions: basing required education, experience, knowledge, skills and abilities on objective assessment of the job. Use that description to advertise, search for and select candidates for employment in a lawful and fair manner which ensures the County is choosing from the best available talent for every position while encouraging development and promotion of internal staff.	Policy Revision Process: Recruitment and Selection Proposed Policy: Recruiting, Selection and Advancement Policy Major differences between the old policy (Article IV) and the proposed Recruiting policy. Proposed Policy: ➤ Establishes preference for recruiting externally and internally for all vacant positions ➤ Charges HR with developing and administering consistent professional staffing practices ➤ Stipulates pre-planning and purposeful execution of staffing tasks and selection methods ➤ Centralizes HR as an integral partner in staffing of all departments ➤ Complies with Equal Employment Opportunity ➤ Hopefully meets the OSHR standard for substantial equivalency certification in recruitment Our consultant, Drake Maynard, former Director, Employee Relations Division, OSHR has advised us on the language of our policy to meet OSHR standards.
Policy Revision Process Overview – How? Revision Process Workflow Steps Update ➤ What policies should be included/excluded? Research best practices. ➤ Consistent formatting so all policies are structured uniformly. ➤ Identify which policies have been problematic and make changes/updates/deletions accordingly Review- Review policy draft with employees, Department Heads, legal counsel, and County Manager. Approve- Review final draft with Commissioners; Commissioners approve. Implement- Implement policies, update procedures and rollout to the organization.	Stakeholder Groups – Who? ➤ Steering Committee = Human Resources Subcommittee ➤ Leadership focus Group: all Department Heads, County Executive Leadership, and Directors ➤ Employee Listening Groups: ➤ Three listening groups ➤ 6-10 members each (half from Service and half from Administrative Departments) ➤ Each Listening Group will cover the same agenda, and feedback will be consolidated ➤ 3 groups provide greater employee involvement while maintaining a manageable process ➤ Legal Counsel (Board and specialized employment outside counsel) ➤ Board of Commissioners
Human Resources Subcommittee Current members: ➤ County Manager ➤ Deputy County Manager/Finance Director ➤ HR Director ➤ Register of Deeds ➤ County Social Services Director ➤ Parks and Recreation Director ➤ Assistant HR Director ➤ Budget Strategy and Performance Analyst ➤ HR Project/Policy Manager HR Subcommittee drives all issues relating to the human capital of the organization.	Human Resources Subcommittee What things is the HR Subcommittee working on right now: ➤ Recruitment Policy ➤ Compensation and Classification studies ➤ Substantial Equivalency ➤ Performance Evaluations and Performance Management ➤ FMLA and FLSA regulatory compliance ➤ MUNIS upgrade more functionality and better reporting and analysis ➤ KPIs for Human Capital: i.e. Turnover, separations voluntary and involuntary, grievance processes ➤ Wellness and Benefits ➤ New Hire Orientation: culture, expectations, values ➤ Vertical integration, one team, service is our purpose ➤ Employer of Choice ➤ Overall Policy Revision/Update

Questions?   11	Human Resources Requested Actions  The requested actions of the Board of Commissioners are: 1. Approve the Recruiting- Selection - Advancement Policy as presented, and 2. Approve the resolution to petition the North Carolina Human Resources Commission (HRC) for certification of Substantial Equivalency for Burke County in the Area of Recruitment and Selection of Employees as established in N.C.G.S. §126-11. 12
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The proposed resolution reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION DEALING WITH SUBSTANTIAL EQUIVALENCY

WHEREAS, the Burke County Board of Commissioners has identified making the County an "Employer of Choice" as a Strategic Priority for fiscal year 2023 - 2024; and

WHEREAS, the Burke County Board of Commissioners has identified pursuing "Substantial Equivalency" as an Operating Objective for fiscal year 2023 - 2024 in support of the Strategic Priority of becoming an "Employer of Choice"; and

WHEREAS, North Carolina General Statute § 126-11 allows local personnel systems to be established for all employees of the county subject to its jurisdiction with prior approval by the State Human Resources Commission as substantially equivalent to the standards established; and

WHEREAS, The State Human Resources Commission is authorized to promulgate rules and regulations to implement the federal merit system standards and these regulations at a minimum shall include: recruitment and selection of employees; position classification; pay administration; training; employee relations; equal employment opportunity; and records and reports; and

WHEREAS, the staff and resources are available to Burke County to maintain a substantially equivalent human resources system in the area of Recruiting, Selection and Advancement; and

WHEREAS, Burke County Board of Commissioners may petition for a determination of substantial equivalency in the area of Recruiting, Selection and Advancement.

NOW, THEREFORE, BE IT RESOLVED, that the Burke County Board of Commissioners approves and supports this resolution to the North Carolina

Human Resources Commission to determine if Burke County meets the requirements for substantial equivalency with the State Human Resources Act.

Chairman Brittain opened the floor for questions or comments. Chairman Brittain sought clarification on the process of obtaining certification from OSHA. Mr. Lutz explained that certification is facilitated through the local government division of the NC Office of State Human Resources, overseen by Dominick D'Erasmus. Certification requests are forwarded to the State Human Resources Committee for approval or denial. Chairman Brittain inquired about the need to align the County's standards with OSHA's for certification, which Mr. Lutz confirmed. He emphasized that certification would streamline administrative processes, eliminating bureaucratic obstacles with OSHA. Chairman Brittain expressed concerns over the slow pace of OSHA's approval process for new hires, which could disadvantage Burke County in recruiting talent. Commissioner Burns questioned the impact of certification on alignment with local and state government retirement systems, prompting Mr. Lutz to commit to researching the matter. Commissioner Carswell asked about policies safeguarding internal staff's opportunities for advancement. Mr. Lutz explained that Burke County policy, in accordance with OSHA regulations, allows preference for internal hires if deemed beneficial by the Human Resources Director. Commissioner Carswell sought clarification on whether this policy was the current policy or part of the proposed changes. Mr. Lutz confirmed it was the current policy. With no further discussion, the item was scheduled for further consideration at the next meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 16, 2024, AT 6:00 P.M.

REPORTS

HEALTH - BIMONTHLY OPIOID UPDATE

Katie Varnadoe, Human Services Planner, presented an update on Burke County's Opioid settlement strategic planning process and approved strategies, highlights of which, were as follows:

Substance Use Projects Bimonthly Update April 2024 Katie Varnadoe, Ed.D., MBA, CPH Burke County Public Health	Opioid Settlement Update
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Contents 1.Regional Planning Update 2.Update on Approved Strategies 1.SUD Project Manager 2.Naloxone 3.Strategic Plan 4.Qualitative Data Collection Project 5.PPE 6.OFR 3.Grant-funded Projects	Regional Planning
Project Plan • Fletcher Group will be managing the project • Inventory of regional "Recovery Capital" • Facilitate regional meetings that will eventually become formalized partnerships • Development of Memorandum of Agreements • The Regional Partnership will be able to work together to bring in funding from other sources, share recovery capital, and collectively address systemic issues	Approved Strategies
SUD Project Manager • Facilitation of the Opioid Settlement Workgroup, Overdose Fatality Review, and Peers Partnering for Excellence meetings • Grant planning & writing • Strategic planning coordination • RFQ management • Oversight of approved strategies • Represented Burke County at the National Overdose Fatality Review Forum and at the Public Health Leaders Conference	Naloxone Distribution • Naloxone vending machine project • School nurse project • HD strategic goal: 1000 doses/year 
Strategic Plan Update • Purpose: To finalize the County's long-term spending plan for Opioid Settlement funding • RFQ Process to select vendor • Scope of work: • Synthesize data into key indicator and root cause analysis reports • Make recommendations to the Board of Commissioners • Finalize reports required to "unlock" Option B of the NC MOA	Qualitative Video Project Update • Purpose: To complete a videography project that will collect quantitative information from individuals in recovery • RFQ Process to select vendor • Scope of work: • Complete interviews with individuals and/or family members in Recovery • Videos will be used to inform the Strategic Plan and spread a message of hope

Peers Partnering for Excellence (PPE) • Meeting monthly after Burke Substance Abuse Network (BSAN) • Currently in the process of establishing bylaws/governance structure • Will assist in Collaborative Strategic Planning and Qualitative Video projects, as well as regional partnership development	Overdose Fatality Review • OFR Conference in March • Partnering with Onslow County • Establishing data dashboards and data collection tools- Redcap, Biospatial, and ARC GIS • Developing interagency sharing, confidentiality, and data use agreements
 Grant-Funded Projects • BJA HARBOR • Harbour Coordinator • BJA Recovery Court • All Rise Conference • Dogwood- Community Forums • Upcoming grants: • SAMHSA Recovery Court Enhancement Grant • BJA COSSUP	Next update June 2024 

Chairman Brittain opened the floor for questions or comments; there being none, this item was moved without objection to the next meeting.

Note: During the "Other Discussion Items" portion of the meeting, at a question from Clerk Draughn, Chairman Brittain clarified the opioid update would not need to be presented again at the April 16, 2024, meeting.

RESULT: NO ACTION TAKEN.

OTHER DISCUSSION ITEMS

Chairman Brittain asked Board members to submit their reports to the Clerk for inclusion in the regular agenda packet. He issued reminders for the upcoming BOC meeting and invited youth groups to sign up to lead the Pledge of Allegiance at Commissioners' meetings. Clerk Draughn asked a clarifying question in regard to the opioid update agenda item moving to the next meeting. Chairman Brittain 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 in addition to highlighting the County's Community Beatification webpage where people can report litter that needs to be addressed. Commissioner Carswell inquired about any updates on Katherine Graff's allegations. JR Simpson, County Attorney, relayed that it would be best discussed individually or in a closed session.

ACTION ITEMS – NONE

CLOSED SESSION

RESULT: REMOVED FROM THE AGENDA.

ADJOURN

Motion: To adjourn at 4:29 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER: Scott Mulwee, Vice Chairman

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

Approved this 16th day of July 2024.



Scott Mulwee, Vice Chairman
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board