

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

The Burke County Board of Commissioners held a pre-agenda meeting on Tuesday, June 4, 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](http://www.burkenc.org), several days prior to the meeting as usual. Those present were:

**COMMISSIONERS:** Jeffrey C. Brittain, Chairman  
Randy Burns  
Johnnie W. Carswell  
Phil Smith

**COMMISSIONERS ABSENT:** Scott Mulwee, Vice Chairman (Out of town.)

**STAFF:** Brian Epley, County Manager  
Margaret Pierce, Deputy County Manager/Finance Director  
J.R. Simpson, II, County Attorney  
Kat Wright, Deputy Clerk to the Board

**STAFF ABSENT:** Kay Honeycutt Draughn, Clerk to the Board (Vacation.)

**CALL TO ORDER**

Chairman Brittain called the meeting to order at 3:00 p.m.

**APPROVAL OF THE AGENDA**

**Motion: To approve the agenda as presented.**

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

**PRESENTATIONS**

**VB - RECOGNITION OF GOVERNOR'S VOLUNTEER SERVICE AWARD**

Alicia Wilson, Volunteer Burke, requested recognition of the recipients of the Governor's Volunteer Service Award and the Governor's Medallion Award at the regular meeting.

Information from the pre-agenda packet:

The Governor's Volunteer Service Award honors the true spirit of volunteerism by recognizing individuals, groups and businesses that make a significant contribution to their community through volunteer service. Any person, group, or entity from the public, non-profit and private sector may be nominated for an award to their county award coordinator. County award coordinators submit their top 10 volunteer nominations per county. There are

categories for the type of nominee (senior, youth, faith-based, family, group, business, etc.). Additional categories are based upon the area of service (animal, environmental, disaster, youth, preservation, etc.)

Burke County's 2024 Governor's Volunteer Service Award Winners are:

|                 |                                                  |
|-----------------|--------------------------------------------------|
| Debbie Hawkins  | Burke County / Animal Services Foundation / BCAS |
| Allan Polischak | Burke United Christian Ministries                |
| Gary Jennings   | AMOREM                                           |
| Karen Milner    | Guardian ad litem                                |
| Emma Travis     | J. Iverson Riddle Development Center Volunteers  |
| Sharon Elliot*  | Walkin' Roll Activities League                   |

The 2024 Governor's Medallion Award Winner is:  
Sonya Reid                      American Red Cross

\*The Walkin' Roll Activities League won in the "Group" category and Ms. Elliot will be representing the group.

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 JUNE 18, 2024, AT 6:00 P.M.**

#### **FM - FIRE MARSHAL / EMERGENCY MANAGEMENT DEPARTMENTAL UPDATE (PLACE HOLDER)**

Mike Willis, Fire Marshal / EM Director, stated that he would provide a report of the current activities and status of the Burke County Fire Marshal / Emergency Management Division at the regular meeting.

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 JUNE 18, 2024, AT 6:00 P.M.**

#### **SCHEDULED PUBLIC HEARINGS**

#### **COMM. DEV. - ZONING MAP AMENDMENT ZMA 2024-03 & PUBLIC HEARING - 6:00 P.M.**

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

#### REZONING REQUEST

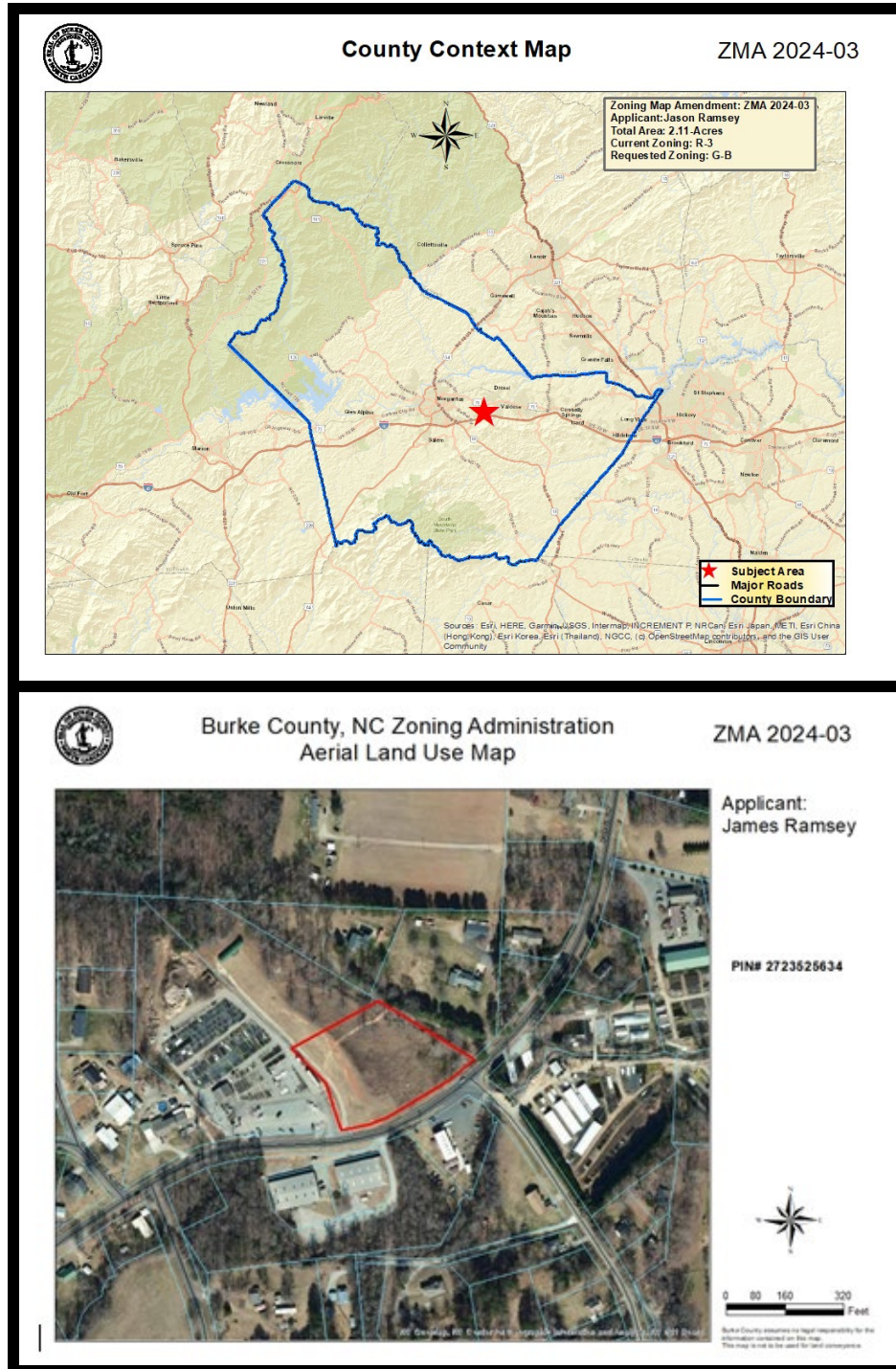
Applicant: Jason Ramsey

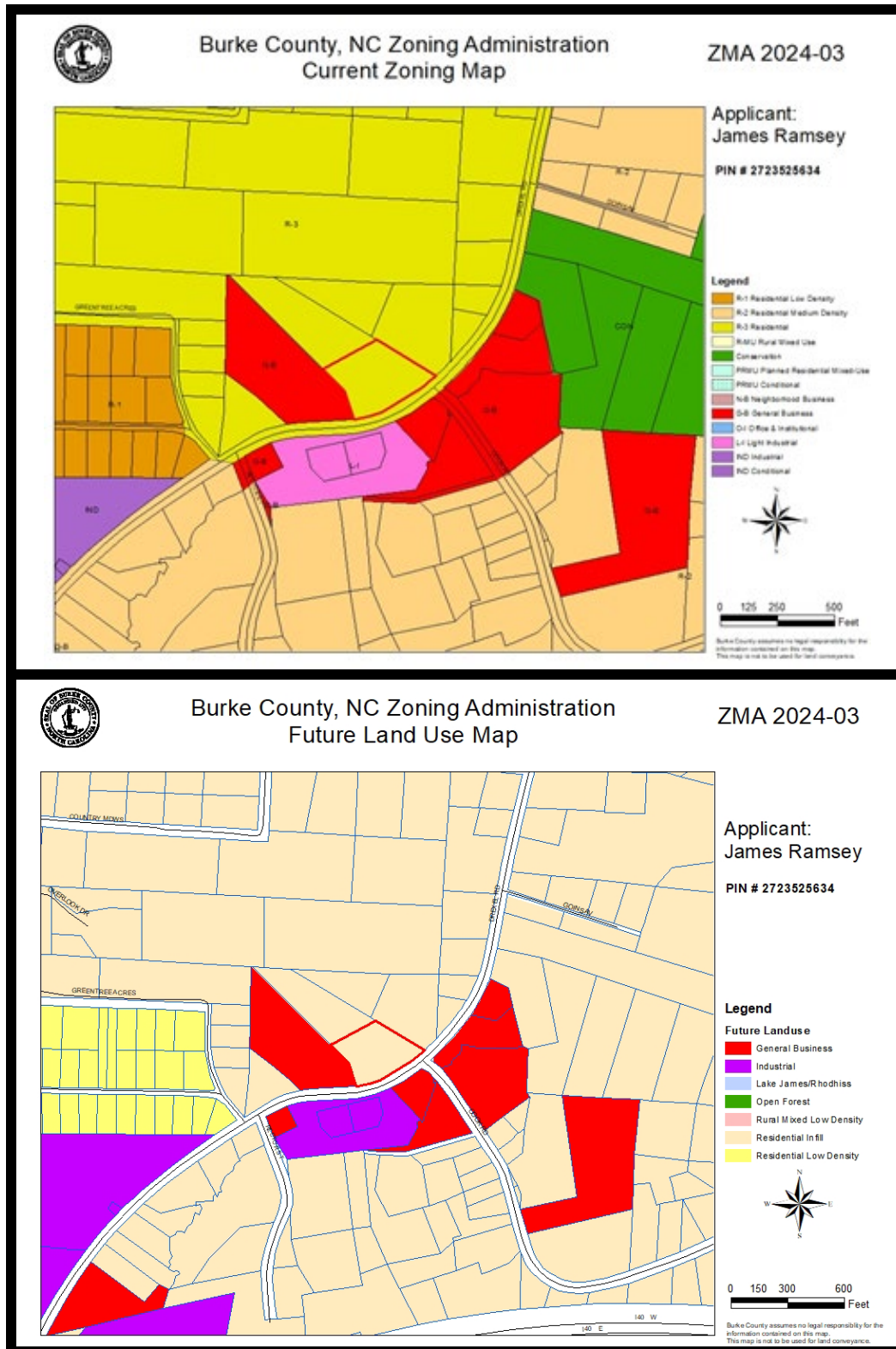
PIN#: 2723525634

Request: Change the zoning district from Residential Three (R-3) to General Business (G-B) for a single tract on Drexel Road.

Property Area: Approximately 2.11-acres

Location: The parcel is located at 0-Drexel Road, Valdese, NC 28690





### BLUEPRINT BURKE LAND USE PLAN

The Plan currently designates the property in the Residential Infill land use category. Characteristics of the Residential Infill are medium to high-density neighborhood settings;

sufficient access from a major road or a road connected to a major road maintained by the NCDOT, access to public water and / or public sewer services is preferred for large-scale residential developments.

### STAFF COMMENTS

In staff's opinion, rezoning the parcel from the Residential Three (R-3) District to the General Business District is appropriate for this area for the following reasons:

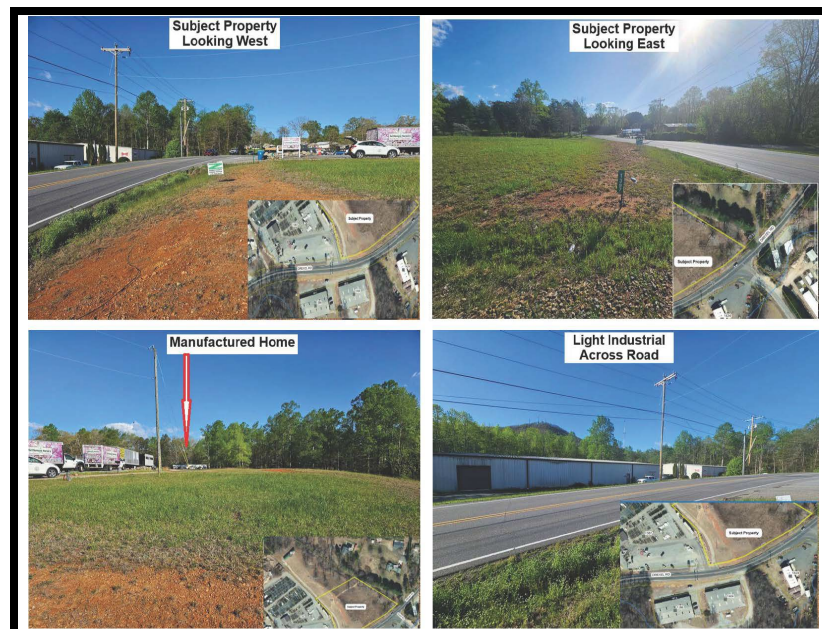
- The Blueprint Burke Future Land Use Map (FLUM) supports both Residential Infill and General Business land uses in this area. The FLUM would need to be amended for this property.
- Drexel Road is a North Carolina Primary Road (NC 114) and a travel corridor between the City of Morganton and the Town of Drexel.
- There are existing light industrial and commercial businesses in this area.
- The subject property is adjacent to one (1) of those businesses.
- Any non-residential development would be subject to the Site Development Plan requirements of the Zoning Ordinance and reviewed by multiple state and local departments.

For these reasons, Staff supports the rezoning request.

### PLANNING BOARD RECOMMENDATION

The Planning Board met on April 25, 2024, to hear the rezoning request. Staff presented the report, and the Chair invited the applicant to speak about the request. The applicant stated that he would like to establish a business on the site. The Chair then opened the floor for public comment, and nobody chose to speak. The Chair asked for a decision 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; there being none, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

**COUNTY MANAGER - ADOPTION OF FY 24 - 25 BUDGET AND PUBLIC HEARING - 6:00 P.M.**

Brian Epley, County Manager, stated that he presented the recommended budget for FY 2024 - 2025 to the Board of Commissioners on Tuesday, May 21, 2024. A copy of the recommended budget was filed in the office of the Clerk to the Board that day and was available for public inspection on the County's website, [www.burkenc.org](http://www.burkenc.org), libraries and senior centers. Mr. Epley said he will present a short overview of the FY25 proposed budget at the regular meeting, then a public hearing on the recommended budget is required and citizens are encouraged to attend and present written or oral comments.

Mr. Epley highlighted a list of proposed Budget Ordinances, which are grant-funded, for the Board's consideration in conjunction with the budget:

- Courthouse renovation
- County parks and trails
- East Burke County Elementary School
- Indian Hills pump station

Chairman Brittain opened the floor for questions or comments and then encouraged citizens to review the proposed budget and to direct any questions to the County Manager. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

**CONSENT AGENDA**

**AAA - HOME & COMMUNITY CARE BLOCK GRANT FY 24-25**

Tina Miller, Aging Director, WPCOG, reported that each year, Burke County receives funds through the Home and Community Care Block Grant ("HCCBG") program for the provision of services to the County's older adults. The Burke County Council on Aging, working with the Western Piedmont Council of Governments, makes recommendations to the Board of County Commissioners as to the use of these funds. The recommendations of the Burke County Council on Aging, serving as the HCCBG advisory committee, are listed below. There are no changes in services or providers for FY 24 - 25.

Budgetary Effect: The grant requires a 10% local match which is the responsibility of the provider organization. The \$669,313 allocation includes an increase of \$3,912 in State / Federal funds from the prior FY 23 - 24 allocation.

| Home and Community Care Block Grant for Older Adults |                     |         |        |        |                      |                  |              |               |                       | DAAS-731 (Rev. 2/16)               |                         |                       |
|------------------------------------------------------|---------------------|---------|--------|--------|----------------------|------------------|--------------|---------------|-----------------------|------------------------------------|-------------------------|-----------------------|
| County Funding Plan                                  |                     |         |        |        |                      |                  |              |               |                       | County BURKE                       |                         |                       |
| County Services Summary                              |                     |         |        |        |                      |                  |              |               |                       | July 1, 2024 through June 30, 2025 |                         |                       |
|                                                      | A                   |         |        |        | B                    | C                | D            | E             | F                     | G                                  | H                       | I                     |
| Services                                             | Block Grant Funding |         |        |        | Required Local Match | Net Service Cost | NSIP Subsidy | Total Funding | Projected HCCBG Units | Projected Reimbursement Rate       | Projected HCCBG Clients | Projected Total Units |
|                                                      | Access              | In-Home | Other  | Total  |                      |                  |              |               |                       |                                    |                         |                       |
| Adult Day Care                                       |                     | 95400   |        | 95400  | 10600                | 106000           |              | 106000        | 2120                  | 50.0000                            | 15                      | 2120                  |
| Medical Transportation                               | 51295               |         |        | 51295  | 5699                 | 56994            |              | 56994         | 2392                  | 23.8700                            | 156                     | 2405                  |
| Congregate Nutrition                                 |                     |         | 7957   | 7957   | 884                  | 8841             | 884          | 9725          | 1105                  | 8.0090                             | 7                       | 1105                  |
| Home Delivered Meals                                 |                     | 129378  |        | 129378 | 14375                | 143753           | 14375        | 158128        | 17969                 | 8.0001                             | 90                      | 17969                 |
| Senior Center Operations                             |                     |         | 49037  | 49037  | 5449                 | 54486            |              | 54486         |                       |                                    |                         |                       |
| Housing & Home Improvement                           |                     |         | 117000 | 117000 | 13000                | 130000           |              | 130000        |                       |                                    | 61                      |                       |
| In-Home Aide Level II                                |                     | 61400   |        | 61400  | 6822                 | 68222            |              | 68222         | 3248                  | 21.0000                            | 4                       | 3248                  |
| In-Home Aide Level III                               |                     | 147047  |        | 147047 | 16339                | 163386           |              | 163386        | 7780                  | 21.0000                            | 11                      | 7780                  |
| General Transportation                               | 10799               |         |        | 10799  | 1200                 | 11999            |              | 11999         | 502                   | 23.9024                            | 10                      | 502                   |
|                                                      |                     |         |        |        |                      |                  |              |               |                       |                                    |                         |                       |
|                                                      |                     |         |        |        |                      |                  |              |               |                       |                                    |                         |                       |
|                                                      |                     |         |        |        |                      |                  |              |               |                       |                                    |                         |                       |
|                                                      |                     |         |        |        |                      |                  |              |               |                       |                                    |                         |                       |
| Total                                                | 62094               | 433225  | 173994 | 669313 | 74368                | 743681           | 15259        | 758940        | 35116                 |                                    | 354                     | 35129                 |

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 JUNE 18, 2024, AT 6:00 P.M.**

#### CLERK - APPOINTMENT OR REAPPOINTMENT TO WPCC BOT

Kat Wright, Deputy Clerk, stated that the Western Piedmont Community College Board of Trustees is a 12-member board. Four (4) members are appointed by the County for a term of four (4) years. Seat No. 4 is occupied by Kim Kling whose term ends June 30, 2024. Currently, there is only one (1) application on file from Kim Kling for this position.

|   |          |                               |    |           |
|---|----------|-------------------------------|----|-----------|
| 4 | At-Large | Kim Kling                     | A  | 6/21/2016 |
|   |          | 5504 Mineral Springs Mtn Ave. | R  | 6/16/2020 |
|   |          | Valdese NC 28690              | TE | 6/30/2024 |

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 JUNE 18, 2024, AT 6:00 P.M.**

#### CLERK - APPOINTMENTS / REMOVALS TO JCPC

Kat Wright, Deputy Clerk, reported that the following seats on the JCPC have terms ending in June of 2024:

|         |                                  |                 |
|---------|----------------------------------|-----------------|
| Seat 1: | School Superintendent / Designee | Sara LeCroy     |
| Seat 4: | District Attorney / Designee     | Ally Mashburn   |
| Seat 6: | Mental Health or Designee        | Paul Holden     |
| Seat 9: | Substance Abuse Prof.            | Joseph Martinez |

|          |                           |                |
|----------|---------------------------|----------------|
| Seat 13: | Student < 18              | Jacob Hanlon   |
| Seat 14: | Juvenile Defense Attorney | Brooke Mills   |
| Seat 18: | United Way or Nonprofit   | Sarah Crisp    |
| Seat 21: | At Large                  | Wesley Hendrix |
| Seat 24: | At Large                  | Chris Norman   |

All members desire reappointment except Sara LeCroy (Seat No. 1), who has retired, Jacob Hanlon (Seat No. 13), who graduated, and Sarah Crisp (Seat No. 18). An application was received from Dillon Sain for Seat No. 1, Dayonna Wilkerson for Seat No. 13 and Deisy Zavala, Work in Burke, for Seat No. 18.

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

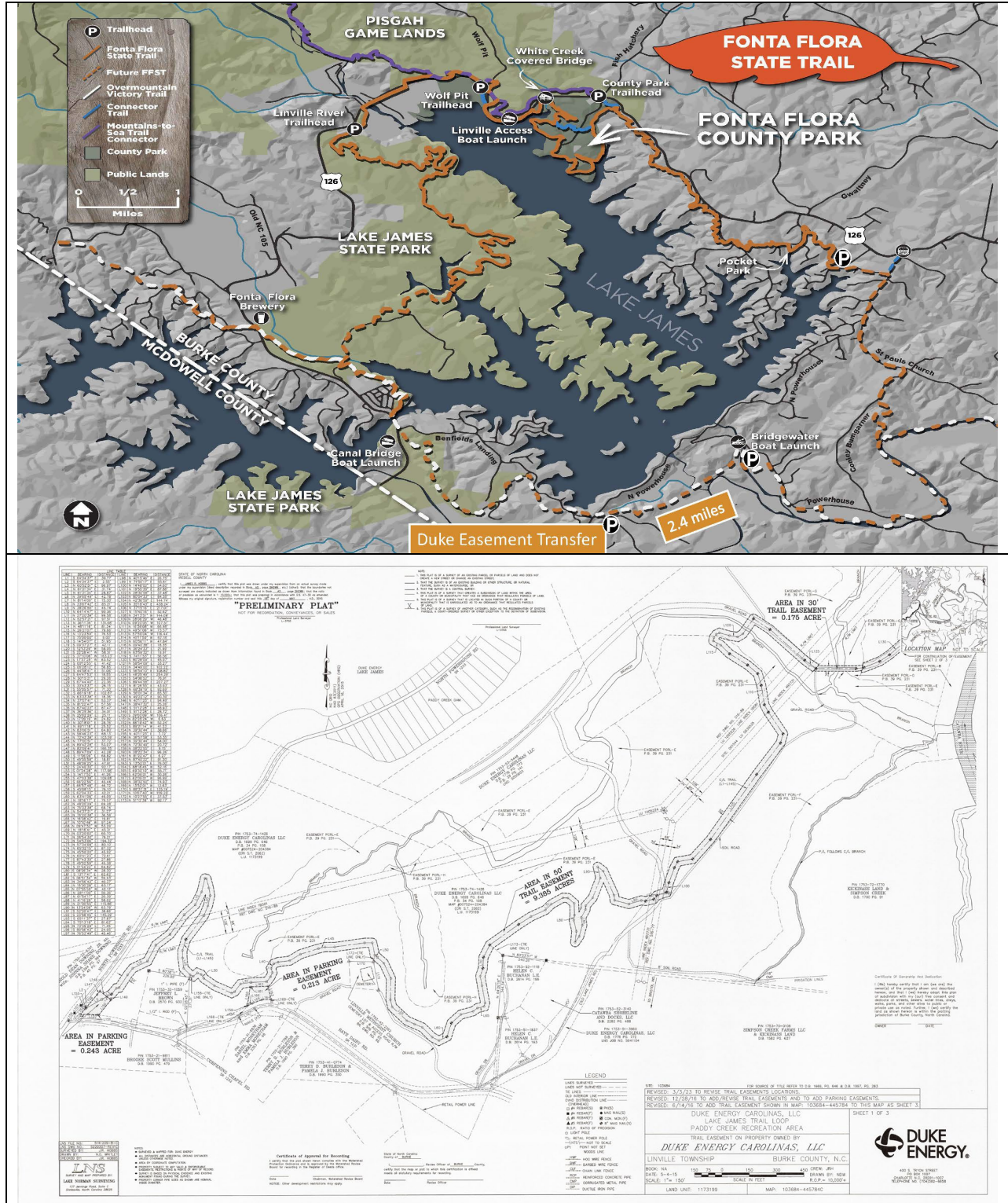
**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

#### **CD - ACCEPTANCE FOR PADDY'S CREEK TRAIL AND PARKING EASEMENT AGREEMENT**

Sarah Chabaane, Trails Specialist, acknowledged the presence of Tami Styre, Senior Project Manager, Duke Hydro Licensing and Lake Services Division, who has been integral to this easement agreement, and then relayed that as part of the Catawba-Wateree Comprehensive Relicensing Agreement (CRA), Duke Energy has agreed to provide Burke County with trail easements below Paddys Creek Dam, connecting to Powerhouse Road. These easements are shared by both the Overmountain Victory National Historic Trail and the Fonta Flora State Trail, covering approximately 22 acres of land and spanning 3.2 miles of the trail area. Accessible from North Powerhouse Road at Corpening Chapel Road, the easement traverses through the Bridgewater Fishing Access area and the portage section up to North Powerhouse Road on the dam. The easement terminates at a designated trail parking area along Powerhouse Road.



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Budgetary Effect: There are no direct costs involved in accepting this trail easement.

Chairman Brittain opened the floor for questions or comments. Ms. Chabaane responded to a clarifying question from Commissioner Carswell. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

#### **CD / ROD - RESOLUTION REQUIRING TRAINING FOR PLAT REVIEW OFFICERS**

Alan Glines, Planning Director / Deputy County Manager, informed that to record a plat in North Carolina, a series of information must be included in the plat map, as outlined in General Statute § 47-30 plats and subdivisions; mapping requirements.

Burke County recognizes the need to improve this process, given that there are multiple municipalities within Burke County, each with its own unique planning and zoning regulations. Plat review officers, who must be officially designated by the County Commissioners by ordinance (G.S. § 47-30.2), should ideally be experienced in mapping or land record management. However, there is currently no specific training required for these roles.

In order to improve uniformity in applications, the Register of Deeds, along with Information Technologies, the Tax Department, and Community Development, are planning to offer a free mandatory training class for plat reviewers. This training aims to ensure consistency and improve accuracy in plat reviews.

The program is designed to be an annual requirement for plat review officers, enabling them to sign plats with confidence and adherence to regulations. Consideration of a resolution requiring training for plat review officers was requested.

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 JUNE 18, 2024, AT 6:00 P.M.**

#### **CM - APPROVAL OF THE FY 23 - 24 YEAR END BUDGET AMENDMENT, NO. 15**

Brian Epley, County Manager, requested approval of the Year-End Budget Amendment No. 15. This amendment includes the receipt of \$5 million allocated to the County as part of the NC General Assembly's budget, of which, \$4 million is for the volunteer fire departments and \$1 million is to be distributed to various community partners. This amendment also accounts for the reallocation of Crescent Point funds, which will be discussed during the next agenda item.

| BUDGET AMENDMENT NO. 15 |                       |             |          |
|-------------------------|-----------------------|-------------|----------|
| REVENUES                |                       |             |          |
| ACCOUNT NUMBER          | DESCRIPTION           | INCREASE    | DECREASE |
| 215-21515-01-433100     | SCIF-Fire Departments | \$4,000,000 |          |
| 215-21516-01-433100     | SCIF-Outside Agencies | \$1,000,000 |          |

|                                                                                                                                                                          |                                  |                 |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------|-----------------|
| 100-50000-06-433498                                                                                                                                                      | BCBS Grant                       | \$12,500        |                 |
| 100-50000-06-433100                                                                                                                                                      | Dogwood Trust Grant              | \$15,000        |                 |
| 175-00000-00-439900                                                                                                                                                      | Fund Balance Appropriation       | \$1,000,000     |                 |
| 210-21175-09-439175                                                                                                                                                      | Transfer From Crescent Pointe    | \$1,000,000     |                 |
| 181-18100-00-436100                                                                                                                                                      | ARP Interest Income              | \$500,000       |                 |
| 410-00000-11-439100                                                                                                                                                      | Transfer From General Fund       | \$2,500,000     |                 |
| 100-00000-11-439100                                                                                                                                                      | Transfer From ARP Fund           | \$2,500,000     |                 |
| EXPENSES                                                                                                                                                                 |                                  |                 |                 |
| <u>ACCOUNT NUMBER</u>                                                                                                                                                    | <u>DESCRIPTION</u>               | <u>INCREASE</u> | <u>DECREASE</u> |
| 215-21515-10-554000                                                                                                                                                      | SCIF-Fire Departments            | \$4,000,000     |                 |
| 215-21516-05-554000                                                                                                                                                      | SCIF-Outside Agencies            | \$1,000,000     |                 |
| 100-50000-20-575000                                                                                                                                                      | Harm Reduction Vending Machine   | \$12,500        |                 |
| 100-50000-20-533002                                                                                                                                                      | Consulting                       | \$15,000        |                 |
| 175-00000-55-595210                                                                                                                                                      | Transfer To Water/Sewer Capital  | \$1,000,000     |                 |
| 210-21175-60-554000                                                                                                                                                      | Funding Distribution             | \$435,000       |                 |
| 210-21175-60-559000                                                                                                                                                      | Contingency                      | \$565,000       |                 |
| 181-18101-00-569100                                                                                                                                                      | Public Health Category           |                 | \$2,000,000     |
| 181-18100-55-595100                                                                                                                                                      | Transfer To General Fund         | \$2,500,000     |                 |
| 100-59000-55-595410                                                                                                                                                      | Transfer To Capital Project Fund | \$2,500,000     |                 |
| 410-00000-05-599999                                                                                                                                                      | Project Set Aside                | \$2,500,000     |                 |
| Purpose: recognize additional funding from various sources.                                                                                                              |                                  |                 |                 |
| 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. |                                  |                 |                 |

Budgetary Effect: \$12,527,500 of funds appropriated over the original estimated appropriation.

Chairman Brittain opened the floor for questions or comments. Mr. Epley responded to a couple of clarifying questions from Commissioner Carswell. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

#### **CM - JOINT RESOLUTION AMENDING 1997 AGREEMENT BETWEEN BURKE, MORGANTON & CRESCENT RESOURCES**

Brian Epley, County Manager, reported that in 1997, the Burke County Board of Commissioners entered into an agreement with the City of Morganton and a private corporation, which subsequently dissolved in 2014. Although the original purpose of the contract has expired, it has left behind underutilized resources.

Mr. Epley has drafted a contract amendment, currently under review by JR Simpson, County Attorney, to allow for a broader use of these water and sewer resources. This amendment would ensure that these resources are no longer limited to a single development but can be

utilized for water and sewer infrastructure throughout Burke County. The City of Morganton is scheduled to consider this item at its June 17<sup>th</sup> meeting.

If approved, this amendment would free up approximately \$500,000, making it available for broader use in water and sewer infrastructure projects across the community.

Budgetary Effect: Reallocation of approximately \$500,000 between funds to use for water and sewer purposes.

The proposed resolution reads as follows:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| <p>BURKE COUNTY<br/>NORTH CAROLINA</p> <p>RESOLUTION NO. _____</p> <p>AMENDMENT TO AND JOINT RESOLUTION RATIFYING AGREEMENT DATED AUGUST 28, 1997 BETWEEN CRESCENT RESOURCES, INC., BURKE COUNTY, AND THE CITY OF MORGANTON ("AMENDMENT")</p> <p>WHEREAS, on August 28, 1997, Crescent Resources, Inc. ("Crescent"), Burke County (the "County"), and the City of Morganton (the "City") entered into an agreement (the "Agreement") regarding the development of certain property owned by Crescent and located on the waters of Lake James in Burke County, North Carolina;</p> <p>WHEREAS, the Agreement contemplates the provision of public water service and public sanitary sewer service to this subdivision and contemplates that it is for the benefit of the future residents of the subdivision;</p> <p>WHEREAS, Part III Section 9(A)(vii) of the Agreement provides, in relevant part (with additional context included from Part III Section 9):</p> <p><i>"Individual users and customers connected to either the on site facilities or the off site facilities and provided water and/or sewer service under this Agreement may be required to pay as a condition of receiving and for such service those fees and charges normally imposed by the City of Morganton including . . . [a] County tap or connection surcharge for each water and sewer customer connected directly to the off site project lines in such amount as may be designated by the County, to be collected by the City but remitted to the County on a quarterly basis to be set aside and used by the County for the extension of water and sewer lines in the Lake James area..."</i></p> <p>WHEREAS, Section 16 of the Agreement recognizes that "certain provision of this Agreement relate only to the County and the City . . . and as to those provisions, this Agreement is binding only on those parties."</p> <p>WHEREAS, Crescent was dissolved in December of 2000;</p> <p>WHEREAS, the County and the City reasonably believe that Section 9(A)(vii) of the Agreement is a term that relates only to the County and the City;</p> <p>WHEREAS, Section 15 of the Agreement contemplates that the City and the County may, without the consent or involvement of Crescent, "negotiate in good faith a new service agreement;"</p> <p>WHEREAS, Section 15 of the Agreement further provides that "County monthly surcharges, County tap or connection surcharges, utility availability fees and cost recovery fees shall</p> | <p>terminate at the end of the initial twenty (20) year term and without its prior agreement, the City shall not thereafter be required to collect such fees or charges;"</p> <p>WHEREAS, the City has in practice continued to collect the County tap or connection surcharges beyond the end of the initial twenty (20) year term; and</p> <p>WHEREAS, the County and the City are each acting through their respective governing boards at duly-called meetings thereof, and these governing boards hereby execute and ratify both the Agreement and this Amendment and determine that both are of reasonable duration;</p> <p>NOW THEREFORE, the County and the City mutually agree and resolve as follows:</p> <ol style="list-style-type: none"> <li>Section 9(A)(vii) of the Agreement is deleted in its entirety, with the following provision substituted in lieu thereof:</li> </ol> <p><i>"(vii) A County tap or connection surcharge for each water and sewer customer connected directly to the off site projects lines in such amount as may be designated by the County, to be collected by the City with one-half thereof kept by the City and one-half thereof remitted to the County on a quarterly basis to be set aside and used by the City and the County, respectively, for any expenses, costs, or activities related in any way to their respective provision of water and sewer services, and/or"</i></p> <p>Except as amended by this Amendment, the Agreement is hereby ratified by the County and the City, and it shall continue in full effect for 99 years from this Amendment's effective date, unless sooner amended or terminated by the parties.</p> <ol style="list-style-type: none"> <li>By executing this Amendment, the City indicates its "prior agreement" to collect the County tap or connection surcharges described in this Amendment.</li> <li>As consideration for this Amendment, and as separately authorized by N.C.G.S. § 160A-464(9) and N.C.G.S. § 160A-466, the County agrees to pay to the City the sum of \$435,000 out of fees previously remitted to the County by the City under the Agreement.</li> <li>This Amendment may be executed in several counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. Signatures to this Amendment delivered by facsimile or other electronic means shall be equally as effective as delivery of an original signature and shall in no way affect the validity, enforceability, or binding effect of this Agreement.</li> </ol> <p>In witness whereof, the duly authorized representatives of the County and the City have executed this Amendment as of the date last signed by a party named below (the "Effective Date"):</p> |
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Chairman Brittain opened the floor for questions or comments. Commissioner Carswell inquired how the County Manager discovered this underutilized resource, to which Mr. Epley responded that it was due to diligent oversight. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

## TAX DEPT. - TAX COLLECTION REPORT FOR MAY 2024

John Bridgers, Tax Administrator, presented the Tax Collection Report for May 31, 2024, as follows:

| Category           | Annual Budget   | Amount Collected YTD | % Collected | Balance to Collect |
|--------------------|-----------------|----------------------|-------------|--------------------|
| Property Tax       | \$52,699,577.00 | \$53,096,638.08      | 100.75%     | (\$397,061.08)     |
| Motor Vehicle Tax  | \$6,200,000.00  | \$5,041,634.71       | 81.32%      | \$1,158,365.29     |
| Current Year Taxes | \$58,899,577.00 | \$58,138,272.79      | 98.71%      | \$761,304.21       |
| Delinquent Taxes   | \$700,000.00    | \$603,946.75         | 90.14%      | \$69,053.25        |
| Penalty & Interest | \$329,000.00    | \$425,651.61         | 129.38%     | (\$96,651.61)      |

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 | \$53,827,716.35 | \$53,096,638.08      | 98.64%      | \$731,078.27       |

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 JUNE 18, 2024, AT 6:00 P.M.**

#### **TAX DEPT. - RELEASE REFUND REPORT FOR MAY 2024**

John Bridgers, Tax Administrator, presented the Releases and Refund Report for May 31, 2024, as follows:

| Tax System Refunds and Releases |                 |             |               |
|---------------------------------|-----------------|-------------|---------------|
| Report Amount                   | Rebilled Amount | Net Release | Refund Amount |
| \$11,323.63                     | \$6,565.07      | \$4,758.56  | \$0.00        |

| VTS Refunds Over \$100 |               |
|------------------------|---------------|
|                        | Refund Amount |
| VTS Adjustments        | \$1,743.37    |

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

Chairman Brittain opened the floor for questions or comments. Commissioner Carswell inquired about the tax and tag revenue. Mr. Bridgers responded that revenue was still down due to decreased motor vehicle values and rising interest rates, which discouraged the purchase of new vehicles. Brian Epley, County Manager, mentioned that he had discussed this issue with other counties, all of which are experiencing similar decreases. He expects tax and tag revenue to be \$1 million under budget for this fiscal year, which has been factored into next year's proposed budget. Mr. Epley anticipates that the revenue will likely plateau at the current rate. Commissioner Carswell noted that the NC DOR could not provide an explanation for this trend. Mr. Epley highlighted that while the number of vehicles has remained the same, but they do not

generate the same value. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

## ITEMS FOR DECISION

### CM - APPROVAL OF COURTHOUSE CONSTRUCTION CONTRACT (PLACE HOLDER)

Brian Epley, County Manager, reported that at the January 16, 2024, Board of Commissioners' regular meeting, the Board voted unanimously to approve a design-build team consisting of architects, engineers, and general contractors to design and construct renovations within the existing Burke County Courthouse. Holland & Hamrick Architects, P.A. completed the design portion of this project, and now BEAM Construction Company, Inc., which will implement Holland & Hamrick's design, is ready to begin construction, pending Board approval of the contract. This will help extend the life of the building.

He relayed the primary upgrades as follows: moving the District Attorney's (DA) office to the basement, adding a courtroom in the basement, relocating the records room and repairing the roof.

Budgetary Effect: None, pending approval of the proposed Project Ordinance No. 2024-09.

Chairman Brittain opened the floor for questions or comments. Commissioner Bruns inquired about potential security upgrades regarding the relocation of the DA's office to the basement. Mr. Epley relayed that the steering committee determined that no additional security measures were necessary since there is no exterior access to that area; individuals will enter through the main entrance and take the stairs to the office. Mr. Epley responded to a clarifying question from Commissioner Smith, emphasizing that all the needs for the courthouse renovation were addressed in the engineering design, except for increasing the building's square footage. Chairman Brittain asked about plans for the elevator with the proposed changes to the building. Mr. Epley explained that the goal is to direct most foot traffic to the stairs. Then he responded to Commissioner Burns' question regarding staff security. There being nothing further, this item was moved without objection to the next meeting.

**RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 18, 2024, AT 6:00 P.M.**

## REPORTS

Chairman Brittain asked Board members to submit their reports to the Clerk for inclusion in the regular agenda packet. He issued reminders for several upcoming meetings and community events, in addition to inviting youth groups to sign up to lead the Pledge of Allegiance at Commissioners' meetings.

**RESULT: NO ACTION TAKEN.**

**OTHER DISCUSSION ITEMS - NONE**

**ACTION ITEMS - NONE**

**ADJOURN**

**Motion: To adjourn at 3:33 p.m.**

**RESULT:** **APPROVED [UNANIMOUS]**

**MOVER:** Phil Smith, Commissioner

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

**ABSENT:** Scott Mulwee

Approved this 17<sup>th</sup> day of September 2024.



Jeffrey C. Brittain, Chairman  
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMC  
Clerk to the Board