

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

The Burke County Board of Commissioners held a regular meeting on Tuesday, July 16, 2024, at 6:00 p.m. in the County Board Room, Burke Services Building, 110 N. Green Street in Morganton, N.C. The meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast on the local cable systems. The agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. Those present were:

COMMISSIONERS: Scott Mulwee, Vice Chairman
Randy Burns
Johnnie W. Carswell (late – arrived at 6:21 p.m.)
Phil Smith

COMMISSIONERS ABSENT: Jeffrey C. Brittain, Chairman (Mission trip.)

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

CALL TO ORDER

Vice Chairman Mulwee called the meeting to order at 6:03 p.m.

INVOCATION

Pastor Tamika Garrison, Carolina Caring, delivered the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion: To approve the agenda as amended, with the removal of Presentation Item No. 3 due to illness of the presenter.

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

APPROVAL OF MEETING MINUTES

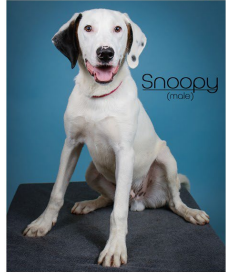
Motion: To approve the meeting minutes of March 7, 2024 (recessed / budget), March 8, 2024 (recessed / budget), March 19, 2024 (regular), April 2, 2024 (pre-agenda), and April 16, 2024 (regular) as written.

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

PRESENTATIONS

AS - PET OF THE MONTH

Kaitlin Settlemyre, Animal Services Director, presented a dog, Snoopy, and a cat, Ketchup, in need of their “forever” homes. She then gave a brief presentation on key department metrics and announced that she had been awarded a \$12,500 grant from Best Friends Animal Society. Highlights of her presentation were as follows:

 Pets of the Month July 2024	Meet Snoopy Name: Snoopy Breed: Hound Mix Personality: Fun & Loving Loves: Playing with Other Dogs Snoopy is a cheerful hound mix with a heart full of love and energy! He gets along great with other dogs and is always ready for a new adventure. If you're looking for a loyal companion who will bring joy and excitement into your home, Snoopy is the perfect match for you! Adopt Snoopy today and give him the loving home he deserves! 
Meet Ketchup! Age: 10 weeks Gender: Female Personality: Playful and Silly Introducing Ketchup, the 10-week-old kitten who's already stealing the show! This little condiment queen is full of playful antics and goofy charm. She's always the star of the litter, outshining her siblings with her silly shenanigans. Whether she's chasing imaginary mice or pouncing on her own shadow, Ketchup is guaranteed to add a dash of fun to your life. Ready to spice up your home? Ketchup is waiting to meet you! 	6-month recap - Took in 979 animals. Adopted, sent to rescue, and returned home 663 animals. - Implemented proactive programs to help keep pets with their families and out of the shelter. - Comparing the first 6 months of 2023 – our euthanasia rate was decreased by 345%. In 2023, 335 animals lost their lives in the first 6-months and in 2024, that number was 97.
 Due to our life-saving efforts, our organization won a Lifesaving Trailblazer Award last week at the Best Friends National Conference in Orlando. This came with a \$12,500 grant for our Animal Services Foundation, Inc. to use towards our lifesaving programs.	 For more information on adopting or fostering please contact us at.... 425 Kirksey Drive Morganton, NC 28655 (828) 764-9588 – option 3 animalservices@burkenc.org  Petfinder Link:

Vice Chairman Mulwee opened the floor for questions or comments and then asked for clarification regarding the grant. He also mentioned the upcoming 5-year anniversary of the Animal Shelter. Ms. Settlemyre announced that they had some celebratory activities planned. Commissioner Burns congratulated Ms. Settlemyre on winning the award. There being nothing further, Vice Chairman Mulwee moved on to the next agenda item.

RESULT: NO ACTION TAKEN.

IT - DEPARTMENTAL UPDATE

Scott Black, IT Director, presented a departmental update at the regular meeting, highlights of which were as follows:

Information Technology Departmental Update 	Commissioners' Strategic Plan   FOCUS AREA 1: COMMUNITY ADVANCEMENT To invest in cultural capital and advancement strategies that promote participative governance that elevates a community to live, work and play – while also positioning Burke County as a community of choice.  FOCUS AREA 4: FISCAL STEWARDSHIP Pursuit of the high-performing organization model that ensures high quality, transparent and efficient use of public resources.  FOCUS AREA 2: ECONOMIC GROWTH & SUSTAINMENT Promotion of Burke County as a business and economic center in the region through recruitment of new industry, creating a healthy business climate for existing businesses.  FOCUS AREA 5: EMPLOYEE OF CHOICE To promote a professional value-based employee centric workplace that promotes innovation, performance, and integrity, and differentiation.  FOCUS AREA 3: PUBLIC SAFETY & WELL BEING To ensure the safety of our residents through efficient and effective public safety agencies.
Who is IT?  The Information Technology Department has 15 staff across two divisions – IT and GIS • IT • 3 – IT Technicians – provide tier 1 support to all county staff • 2 – Senior Technicians – provide tier 2 support, and focus on networks, phones, radios • 3 – Systems Administrators – manage our servers, networks, cybersecurity, user accounts, and applications (MUNIS, Tax, 911, etc.) • Administrative Assistant – helpdesk call ticketing, purchasing • Director and Assistant Director	Who is IT?  The Information Technology Department has 15 Staff across two divisions – IT and GIS • GIS • 3 – GIS Technicians (1 vacant) • Property Mapping, Street Addressing, and other projects • 1 – 911 GIS/MSAG Specialist • Maintains 911 CAD related data layers
What does IT do?  We manage the tech needs of 750 employees Including: • Break/fix of hardware and software • Equipment: laptops, email, phones, radios • Maintaining Servers, Network, WiFi, Cybersecurity • Backing up our data – 57 Terabytes • If you were to print this on standard sheets of paper the stack would be 2,250 miles tall. Roughly the distance from New York City to Las Vegas!	What does IT do?  The equipment we manage includes: • 75 Servers • 900 laptops, desktops, public devices • 1200 software applications • 350 Mobile cellular devices • Radios • 364 – County – Sheriff, EMS, etc – 19% • 852 – Volunteer Fire depts and Valdese - 44% • 1946 – total radio IDs
What does IT do?  In 2024 we began to centrally manage County cell phones – ensuring that the appropriate staff are issued cell phones Public Safety Radios – working with the Emergency Management, Sheriff, EMS, and Volunteer Fire departments to ensure that radios are correctly programmed, and getting them onto replacement schedules	What does IT do?  Aligning our equipment replacement planning with the Capital Improvement Plan looking out 5-10 years to identify upcoming needs before equipment becomes end of life. In the next couple of years, we will conduct an IT Strategic Plan to outline our technology goals, objectives, and initiatives. Serving as a roadmap to leverage technology to support the county's needs.

HRC Network Replacement



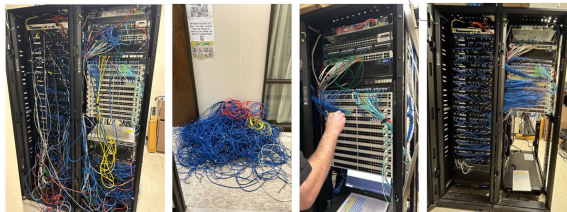
Our largest project this year was replacing the Human Resources Center network. We spent two months preparing for the switchover on the weekend of January 13th.

- 14 new 48-port network switches
- 2 UPS battery backups
- Reconnect 350 network jacks
- Installed 24 wireless access points – doubling the coverage

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HRC Network Replacement





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Network Replacement Projects



- Foothills – Parks & Rec, Elections, BDI, and the Conference Center
- Sheriff's Office
- Morganton Library

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Cybersecurity



➤ Significant cyber attacks happen every 14 seconds worldwide

NC Public Sector Statistics

➤ 2021: 20+ significant cyber incidents; 160+ orgs remediated*

➤ 2022: 15+ significant cyber incidents as of October 15, 2022 (+6-10 smaller cases)

➤ 2023: 15+ significant cyber incidents as of May 1, 2023

➤ Downtime from significant cyber incidents increased 200 percent

➤ NC public sector incident costs average ~\$700k-\$1.5 million

Burke County Cybersecurity Budget

- \$300,000 of our \$1.5M operating budget (20%) is dedicated to cybersecurity tools

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Cybersecurity Threats



- Social Engineering
- Ransomware
- Phishing
- Business Email Compromise

333 Threat Messages Last 30 days

BEC 1952

Business Email Compromise (BEC) are sophisticated scams that use social engineering and intrusion techniques to cause financial damage to the organization.

28 Last 30 days

341 1 year projection

Scam 1392

Scams are focused on causing financial harm to individuals using techniques such as lottery or extortion fraud.

130 Last 30 days

1.6K 1 year projection

Phishing 492

These messages have been convicted of fraudulently copying or mimicking legitimate services in an attempt to acquire sensitive information such as user names, passwords, credit card numbers, and more.

12 Last 30 days

146 1 year projection

Malicious 4952

These messages have been convicted of containing, sending, or supporting the delivery or propagation on malicious software.

163 Last 30 days

2K 1 year projection

The answer is not just to have strong and secure IT systems, but to have personnel who are trained to recognize the threats, giving the IT department support in creating a human firewall.

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Security Awareness Training



- Started in July 2018
- Annual training for all employees with email accounts
- Secure Passwords, Phishing, Social Engineering
- Monthly phishing tests are emailed to users
- Our Phish-prone = 1.4%
- Industry average = 4.3%

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Customer Access Improvements



Working with departments to enhance the website by creating more accessible forms to simplify the application process.

BUILDING INSPECTIONS

SCHEDULING AN INSPECTION

To schedule an inspection, please fill out the inspection request form by clicking the link. Once the request has been submitted you will receive an email confirmation from our office. You will need your permit number to schedule an inspection weekly. You may view them on our GIS page. Inspections are scheduled on a specific time. Inspections will be scheduled for the next day we scheduled two days later depending on the availability of inspectors.



COMMERCIAL PERMIT APPLICATION



RESIDENTIAL PERMIT APPLICATION



SCHEDULE AN INSPECTION



PAYMENT PORTAL/CHECK STATUS OF INSPECTION



SINGLE TRADE STANDALONE PERMIT

BURKE COUNTY RESIDENTIAL BUILDING PERMIT
Phone: 828.744.9020 www.burkecountync.gov
Submit Completed Application: community.burkecountync.gov
Drop by in person at 1001 Green Street, Morganton, NC 28655 or Mail PO Box 217 Morganton 28655

☐ NEW SINGLE FAMILY ☐ ADDITION ☐ RECONSTRUCTION ☐ DUPLEX ☐ OTHER
☐ SECONDARY STRUCTURE (GARAGE, PORCH, DETACHED POOL, SUNL, DOCK, ETC.)
PROPERTY OWNER: _____ PHONE: _____
ADDRESS: _____ CITY: _____
PERMIT TYPE: _____
☐ OWNER-BUILDER (THE OWNER ACTING AS GENERAL CONTRACTOR FOR HIS/HER OWN HOME - ATTACH OWNER EDUCATION CERTIFICATE WITH PERMIT)
GENERAL CONTRACTOR NAME: _____ PHONE: _____
ADDRESS: _____ CITY: _____
STATE: _____ ZIP: _____
CITY: _____
DESCRIPTION OF PROPOSED WORK: _____
SINGLE TRADE STANDALONE PERMIT

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GIS



- Upgraded parcel mapping tools to ArcGIS Pro
- Creating webapps – for tax appraisal
- Developing Field Maps (apps that run on a cell phone) to capture well and septic tank locations, to improve the permitting process.
- Future plans to digitize & georeference the historical septic tank records into the map layer

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GIS



- Parcel mapping – we have eliminated our backlog
- Process and map most deeds/plats with 1 day of them being recorded, and kept that up for last 6 months

Year	Transfer	Affix	Addl	Split	Combine	Plat	No Act.	Total	# Parcels
2022	3637	208	103	242	150	245	485	5070	5808
2023	3551	143	96	167	177	235	516	4885	5423
2024	1619	74	34	3	67	150	206	2153	2326

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Thank You!

Questions?

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Motion: To accept the report as presented.

IT - RECOGNITION OF BRANT MEREDITH ON COMPLETING THE CGCIO COURSE

Note: This item was removed during the approval of the agenda.

SCHEDULED PUBLIC HEARINGS

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

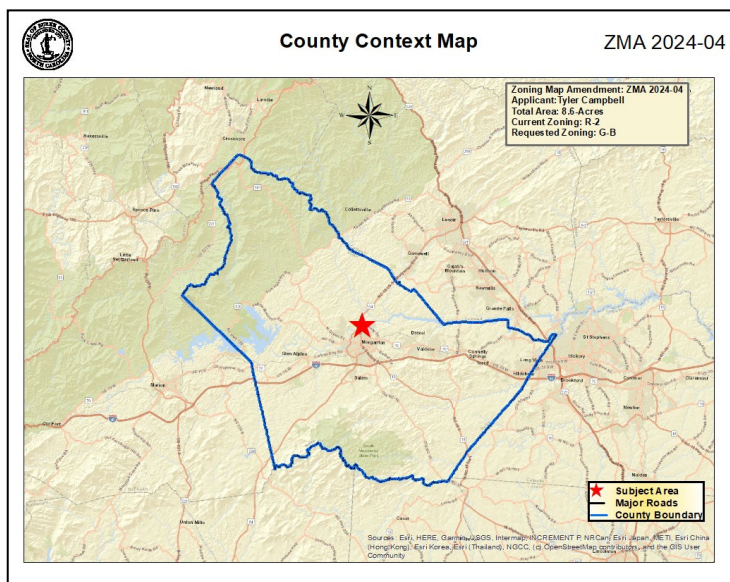
APPLICANT: Tyler Campbell

ADDRESS: 796 Lenior Rd. (NC18 / US64) Morganton, NC 28655

PIN#: 2705307320

REQUEST: To rezone approximately 8.63-acres from Residential Two (R-2) to General Business (G-B).

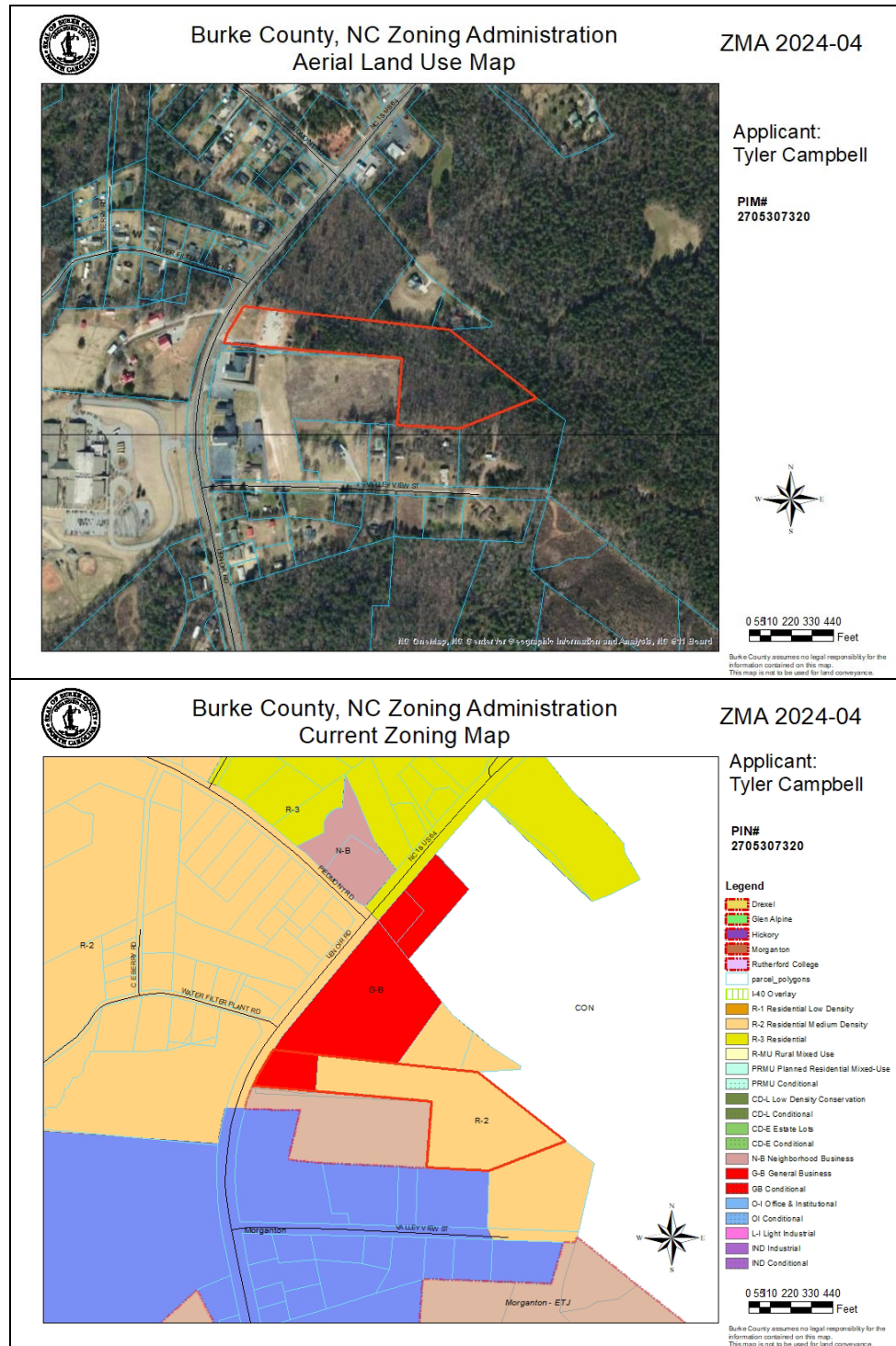
PARCEL SIZE: 9.86-acres. The area to be rezoned is 8.63-acres.

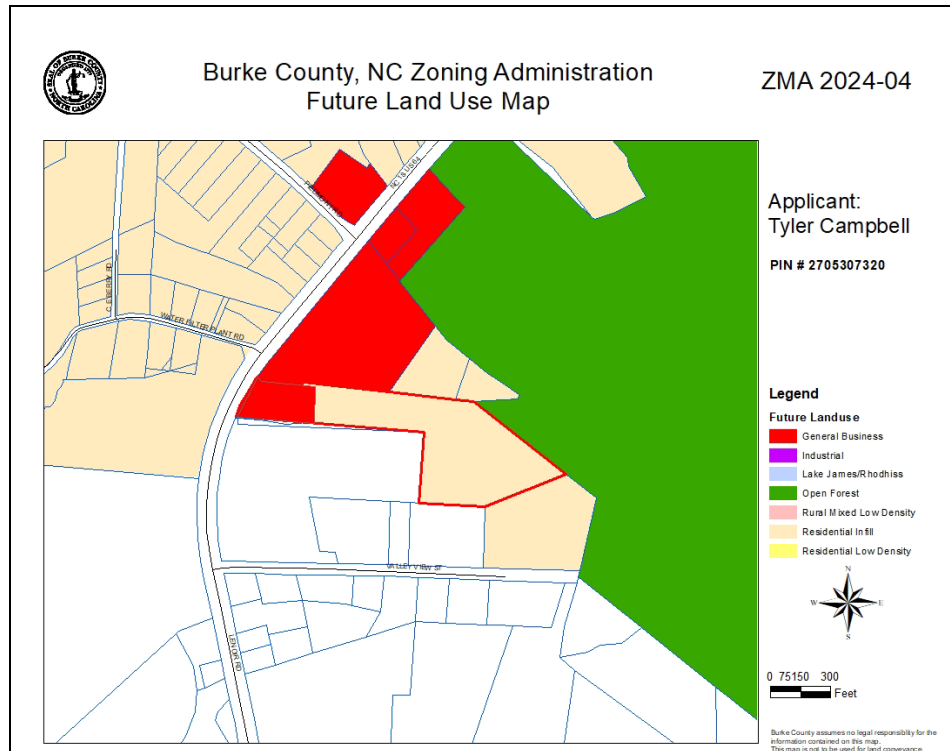


BACKGROUND AND SITE ANALYSIS:

Back in May of 2021, the applicant requested that 1.23-acres of the property be rezoned to General Business. The Planning Board voted to approve the rezoning, and the Board of Commissioners followed suit during their July 2021 regular meeting. The property owner established a tree service at the location. The business is doing so well that the owner is requesting to rezone the remainder of the property in order to expand the existing commercial use of the property.

The parcel has approximately 217 linear feet of frontage on NC18 / US64. This road is a state-maintained US Route. The parcel is not located within any Overlay District.





BLUEPRINT BURKE LAND USE PLAN:

The current land use plan for Burke County is the 2022 - 2030 Blueprint Burke Strategic Land Use Plan. The subject parcel is located in the area designated as *Residential Infill* (see map above.) Characteristics of the Residential Infill include medium to high-density neighborhood settings and sufficient access from a major road, or a road connected to a major road maintained by the NCDOT. Similar standards for *General Business* are noted in the plan including access to a major NC DOT maintained road along with approved access and buffers to nearby residential areas.

STAFF COMMENTS:

In staff's opinion, rezoning the remainder of the parcel fronting on NC18 / US64 to the General Business zoning district would be in keeping with the overall character of the area. Staff can foresee the potential for additional commercial rezoning applications along this corridor in the future. The parcel is located within the Quaker Meadows Township and the Chesterfield Fire District of Burke County. The parcel is located within a WS-IV PA Water Supply Watershed. The watershed ordinance allows for up to 36% to be built upon the area of the property. The Zoning Ordinance requires a site development plan to be submitted and approved for any new development or expansion of existing development. The review would include impervious surface evaluation and stormwater management as well as require buffers and screening to neighboring residential uses.

PLANNING BOARD RECOMMENDATION:

The Planning Board met on May 23, 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 expand his existing business and provide for future expansion over time so further rezonings are not required. The Chair opened the floor to public comment, and nobody

chose to speak. The Chair asked for a decision from the Board and motion to approve the rezoning and seconded. The Board voted 6/0 to recommend approval of the rezoning request.

ADDITIONAL INFORMATION:



Vice Chairman Mulwee opened the floor for questions or comments; there being none, he opened the public hearing at 6:30 p.m. The Public Hearing Notice was published in the News Herald on July 6 and June 11, 2024. Further, the notice was also posted on the County's website (www.burkenc.org) on July 6, 2024. There being no one present to address the Board, the public hearing was closed at 6:30 p.m.

Motion: To adopt Ordinance No. 2024-13 as it relates to ZMA 2024-04, a request to rezone 8.63-acres of land located at 796 Lenior Rd. Morganton, NC and corresponding to (PIN# 2705307320) from the Residential Two (R-2) to the General Business (G-B) Zoning District. The Board finds the rezoning to be consistent with the intent of the Blueprint Burke Land Use Plan and the Future Land Use Map because of the range of uses in this area. The Land Use Map shall be adjusted to General Business.

Furthermore, the Board finds that the request is reasonable and in the public interest because:

- **Lenior Road corresponds to US-64 / NC-18. It is a North Carolina Minor arterial road and a main travel corridor between the City of Morganton and the City of Lenior.**
- **The subject property is located in the immediate vicinity of several existing light industrial and commercial businesses and adjacent to G-B property.**
- **Approval of the rezoning would help the existing business to expand and provide more jobs and services to Burke County.**

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

Ordinance No. 2024-13 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2024-04

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

An 8.63-acre portion of a parcel located at 796 Lenior Road Morganton, NC and identified by PIN: 2705307320 shall be rezoned from the Residential Two (R-2) zoning district to the General Business (G-B) district.

Consistency Statement

The Commissioners find that Ordinance No. 2024-13 related to rezoning application ZMA 2024-04 and located at 796 Lenior Road Morganton, NC, to be consistent with the broader goals of the Blueprint Burke Plan and is consistent with the intent of the Future Land Use map because of the broad range of uses near this property. Further, the Commissioners find that the plan supports economic growth, and the owner is seeking to expand an existing business here. The Future Land Use Map will be amended to General Business.

Adopted this 16th day of July 2024.

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

Attest:

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

INFORMAL PUBLIC COMMENTS

Vice Chairman Mulwee opened the floor for informal public comments and asked speakers to

limit their comments to three (3) minutes.

Tim Buff spoke against the proposed Article 46 ¼ cent sales and use tax. He relayed his past advocacy for the Blue Ribbon for Schools sales tax back in 1983 and emphasized that sales and use taxes are the fairest method of taxation. Mr. Buff asserted that the Burke County Board of Commissioners requested state legislators to lift restrictions on the use of the Blue Ribbon for Schools tax funds. This move, he argued, disregarded the taxpayers who initially voted for the tax to be used specifically for school buildings. Instead, the funds were redirected towards staff pay increases and replacing low-wealth money. He questioned whether the sales tax would revert to its original purpose or continue to be diverted elsewhere. He also pointed out that, although a ¼ cent might seem insignificant, the struggling economy means people are already facing financial difficulties.

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

CONSENT AGENDA

At the request of the Board, Brian Epley, County Manager, reviewed the following items on the consent agenda, which were approved by a single motion.

CLERK - REAPPOINTMENTS TO THE ANIMAL ADVISORY BOARD

The terms of appointment end July 31st for AAB members Gwen Hood (Seat No. 1), Gwen Stephens (Seat No. 3), Jeff Robinson (Seat No. 5) and Denise Smith (Seat No. 7). All applicants are seeking reappointment for 2-year terms ending July 31, 2026.

Motion: To reappoint Gwen Hood (Seat No. 1), Gwen Stephens (Seat No. 3), Jeff Robinson (Seat No. 5) and Denise Smith (Seat No. 7) to the Animal Advisory Board for 2-year terms ending July 31, 2026.

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

CLERK - APPOINTMENT AND REAPPOINTMENTS TO THE CPCFPT (CHILD PROTECTION & CHILD FATALITY PREVENTION TEAM)

An appointment and reappointment to CPCFPT at-large Seats No. 6 and 8 was requested. The terms for these seats are for three (3) years. An application has been received from Elizabeth "Beth" Dagenhart for Seat No. 6 and Damion Patton has reapplied to serve in Seat No. 8.

Motion: To appoint Elizabeth Dagenhart to Seat No. 6 and reappoint Damion Patton to Seat No. 8 to the CPCFPT to complete the remainder of 3-year terms ending April 30, 2027.

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

CLERK - APPOINTMENT TO LEPC

Burke County is required to organize and maintain the Local Emergency Planning Committee (LEPC) as a requirement of the federal law known as the Emergency Planning and Community Right-to-Know Act (EPCRA). EPCRA requires facilities with more than the threshold planning quantities of hazardous materials to report to the LEPC, Fire Departments, and the State Emergency Response Commission. This reporting is done through Tier II reporting on a program called E-Plan. E-Plan can be viewed by the LEPC, Fire Departments, and Emergency Services personnel. The LEPC was formed to work on the planned response and general safety measures in dealing with hazardous materials at fixed facilities and transportation routes. This committee is designed to work together with emergency response agencies, business and industry organizations and the general public.

The LEPC is required to have a certain cross-section of representation with a minimum of 14 members or more as needed according to the by-laws. The addition of Seat No. 18 representing at-large was requested. An application has been received by Patti Nelson, the Director of Operations / Chief Safety Officer at Greenway Transportation.

Motion: To approve the addition of Seat No. 18, at-large, to the LEPC. To grant an exception to Section 2-88, membership requirements of the Burke Co. Code of Ordinances and to appoint Patti Nelson to complete the remainder of a term ending January 31, 2026.

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

CLERK - REAPPOINTMENT TO THE REGIONAL AGING ADVISORY COMMITTEE

The Older Americans Act of 1965 requires Area Agencies on Aging to establish an advisory council consisting of older individuals to advise the Area Agency on all matters relating to the development of an area / regional plan on aging and the administration of the plan and the operations conducted under the plan. At least 51% of advisory council members must be age 60+ and include minority individuals as well as individuals residing in rural areas. Advisory Council Members are appointed by County Commissions from each of the four (4) counties that comprise Region E (Alexander, Burke, Caldwell, and Catawba).

The current council consists of 16 members who assist the Area Agency on Aging by providing direction for programming and services for adults ages 60 and over who reside in the region. The council meets quarterly at the Western Piedmont Council of Governments in Hickory. Council members serve as the "eyes and ears" of their communities and must be aware of the needs of older adults in their respective counties as well as being familiar with existing services / programs that may prove beneficial to the senior population.

Roslyn "Rosie" O'Hearn's term expired June 30, 2024, and her reappointment for an additional 2-year term was requested.

Motion: To reappoint Rosie O'Hearn (Seat No. 3) to the Regional Aging Advisory Committee for the remainder of a 2-year term ending June 30, 2026.

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

CLERK - REAPPOINTMENT TO BURKE CO. SMART START (PARTNERSHIP FOR CHILDREN)

The reappointment of Thadd Hodge (DSS Designee) to the Burke County Smart Start, Inc. (Burke Partnership for Children) Board of Directors for a 3-year term ending June 30, 2027, was requested.

Motion: To reappoint Thadd Hodge (DSS Designee) to the Burke County Smart Start, Inc. (Burke Partnership for Children) Board of Directors for a 3-year term ending June 30, 2027.

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

CLERK - RESOLUTION APPOINTING & REMOVING REVIEW OFFICERS

As requested by the Town of Glen Alpine and the Town of Drexel, this resolution designates the following as Plat Review Officers: Crystal Reed for Glen Alpine and Bill Carroll for Drexel. Further, the resolution removes the following Plat Review Officers: Melissa Lalonde and William "Max" Boliek for Glen Alpine, and Sherri Bradshaw for Drexel.

Motion: To adopt Resolution No. 2024-13.

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

Resolution No. 2024-13 reads as follows:

Burke County
North Carolina

Resolution
Appointing New Review Officers
Removing Review Officers

Whereas, Section 47-30.2 of the North Carolina General Statutes requires that the Board of Commissioners of each county designate one or more persons experienced in mapping or in land records management, as Review Officers, to review each map and plat required to be submitted for review before the map or plat is presented to the Register of Deeds for recording; and

Whereas, the Review Officer reviews subdivision plats for property located within the Town's land use jurisdiction; and

Whereas, the Town of Glen Alpine requests that Town Administrator Crystal Reed be designated as a Plat Review Officer; and

Whereas, Melissa Lalonde and is no longer employed by the Town of Glen Alpine and William "Max" Boliek has retired; therefore, the Town requests the removal of their names from the list of designated Plat Review Officers for the Town of Glen Alpine; and

Whereas, the Town of Drexel requests that Town Manager Bill Carroll be designated as a Plat Review Officer; and

Whereas, Sherri Bradshaw has retired from the Town of Drexel; therefore, the Town requests the removal of her name from the list of designated Plat Review Officers for the Town of Drexel; and

NOW, THEREFORE, BE IT RESOLVED THAT the Burke County Board of Commissioners do hereby appoint Crystal Reed as a Review Officer for the Town of Glen Alpine and Bill Carroll as a Review Officer for the Town of Drexel pursuant to NC General Statute § 47-30.2 and gives them the authority to perform all responsibilities as such.

BE IT RESOLVED THAT Melissa Lalonde, William Max Boliek and Sherri Bradshaw are hereby removed as Review Officers for the Town of Glen Alpine and Town of Drexel, respectively.

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

Adopted this 16th day of July 2024.

/s/: Scott Mulwee
Scott Mulwee, Vice Chairman
Burke County Board of Commissioners

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

CLERK - APPOINTMENT TO MORGANTON PLANNING BOARD ETJ

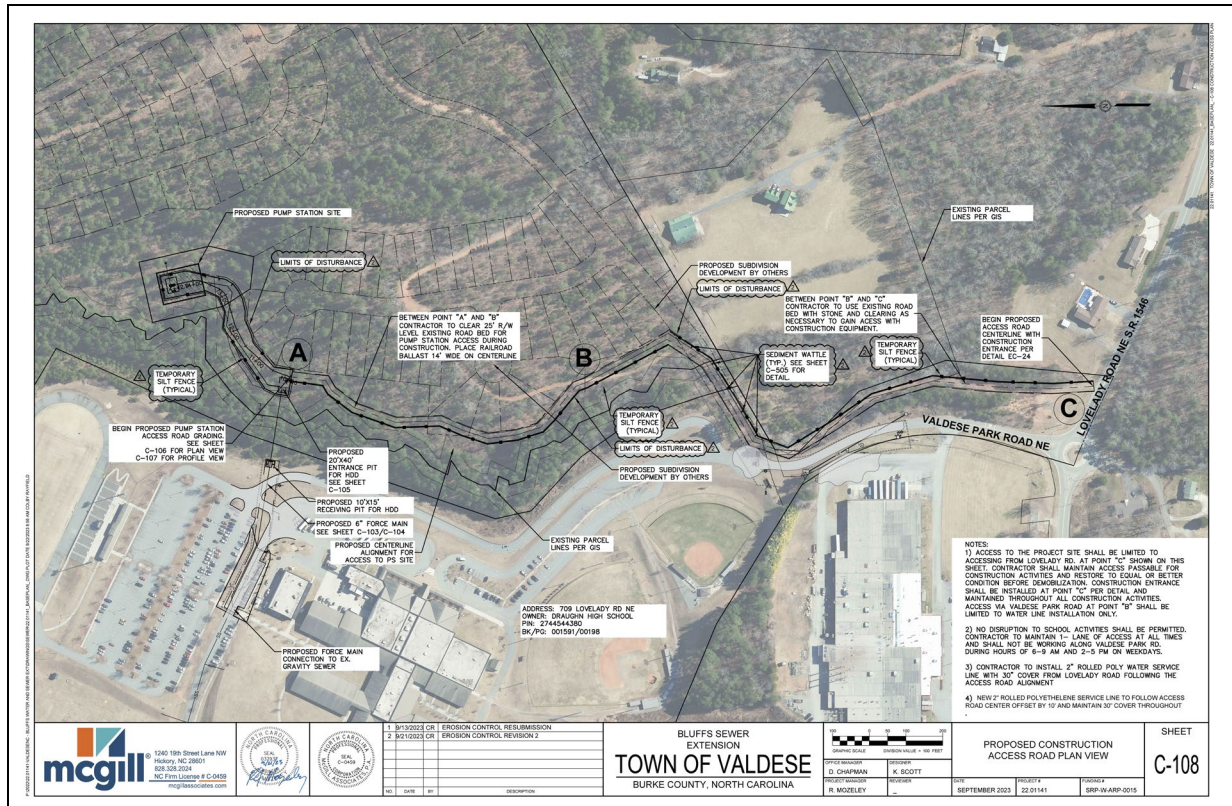
Burke County appoints two (2) members to the Morganton Planning Board for the ETJ (Extra Territorial Jurisdiction). An application was received from Mr. Gregory Smith who resides in the Morganton ETJ area. His appointment to complete the remainder of a 3-year term ending June 3, 2027, was requested.

Motion: To appoint Gregory Smith to Seat No. 1 - ETJ on the Morganton Planning Board to complete the remainder of a 3-year term ending June 3, 2027.

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

CM – TOV – APPROVAL OF UTILITY EASEMENT FOR THE TOWN OF VALDESE

The Town of Valdese requested a 25' permanent utility easement for water and sanitary sewer connections.



Motion: To approve the Deed of Easement (Permanent Access and Utility Easement and Temporary Access Easement) between Burke County and the Town of Valdese as presented. Authorize the Chairman to execute the easement on behalf of the Board, subject to review and / or revision by the County Attorney.

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

FM - REQUEST FOR APPROVAL OF A WRITTEN AGREEMENT BETWEEN HOME TRUST BANK AND DROWNING CREEK VOLUNTEER FIRE DEPARTMENT, INC.

Drowning Creek Fire Department, Inc. is entering into an agreement with Home Trust Bank for the financing of land for a new fire station. The Board of Directors of the fire department believes the department is fiscally responsible and financially able to purchase the land 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.

Motion: To support Drowning Creek Fire Department, Inc.'s effort to purchase the land needed for a new fire station and endorse the verification documents for the purchase and finance of real property through Home Trust Bank.

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

TAX DEPT. - RELEASE REFUND REPORT FOR JUNE 2024

Releases in value and / or refunds of taxes typically occur when:

- ☐ Taxpayers submit information that creates a reduction in value.
- ☐ Situs is corrected between counties and / or municipalities.
- ☐ Valuation appeals reduce the value of real or personal property.
- ☐ The postmark reveals a payment was timely sent.

The Board of Commissioners was presented with the following list of releases and refunds for consideration. The Net Release is a result of the Report Amount minus the Rebilled Amount.

Tax System Refunds and Releases			
Report Amount	Rebilled Amount	Net Release	Refund Amount
\$25,642.22	\$9,126.02	\$16,516.20	\$0.00

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Adjustment							
0000018456-2023-2023-0000-	CONLEY, SHIRLEY	7/3/2023	LINDA WILBUR	6/18/2024	342.68	342.68	0.00
0000024569-2023-2023-0000-	SMART, SUSIE LAIL	7/3/2023	LINDA WILBUR	6/5/2024	887.77	887.77	0.00
0024074552-2023-2023-0000-	HENSLEY, JUSTIN	5/31/2024	LINDA WILBUR	5/31/2024	113.26	113.26	0.00
Subtotal					1,343.71	1,343.71	0.00
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Billing Correction							
0000014123-2024-2024-0000-	VALDESE MILLS, LLC	6/5/2024	CAROLL SMITH	6/20/2024	53.69	53.69	0.00
0000030874-2024-2024-0000-	VALDESE MILLS, LLC	6/5/2024	CAROLL SMITH	6/20/2024	596.71	596.71	0.00
0000038679-2023-2023-0000-	CENTRAL BAPTIST CHURCH	12/18/2023	AMANDA	6/10/2024	985.41	985.41	0.00
0024021042-2024-2024-0000-	WILSON, RACHEL T	2/20/2024	ADJUSTMENT	6/4/2024	101.56	101.56	0.00
Subtotal					1,737.37	1,737.37	0.00
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Deceased							
0000024569-2023-2023-0000-	SMART, SUSIE LAIL	7/3/2023	LINDA WILBUR	6/5/2024	542.72	542.72	0.00
0000036135-2022-2022-0000-	SHOOK, JUDY REBECCA	7/1/2022	JOHN BRIDGERS	6/21/2024	41.00	41.00	0.00
0000036135-2023-2023-0000-	SHOOK, JUDY REBECCA	7/3/2023	JOHN BRIDGERS	6/21/2024	100.39	100.39	0.00
Subtotal					684.11	684.11	0.00
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Duplicate Billing							
0024077514-2024-2023-0000-	BUCHANAN, TYLER	6/11/2024	KAYLA	6/17/2024	47.04	7.84	39.20
0024077514-2024-2023-0000-	BUCHANAN, TYLER	6/11/2024	KAYLA	6/17/2024	39.20	39.20	0.00
0024077532-2024-2023-0000-	HARROLD, TAMMY	6/11/2024	KAYLA	6/17/2024	10.08	10.08	0.00
0024077534-2024-2023-0000-	ALAN, DWIGHT	6/11/2024	KAYLA	6/17/2024	60.48	60.48	0.00
Subtotal					156.80	117.60	39.20

TAX DISTRICT: BURKE COUNTY RELEASE REASON: Exempt Property

0000047290-2022-2022-0000-	WILLOW RUN HARMONY	7/1/2022	AMANDA	6/4/2024	11,355.90	11,355.90	0.00
Subtotal					11,355.90	11,355.90	0.00

TAX DISTRICT: BURKE COUNTY RELEASE REASON: Not in Burke County

0000056387-2023-2023-0000-	MONTOYA, SANTIAGO LOPEZ	7/3/2023	JOHN BRIDGERS	6/21/2024	113.56	3.08	110.48
0000056387-2023-2023-0000-	MONTOYA, SANTIAGO LOPEZ	7/3/2023	JOHN BRIDGERS	6/21/2024	110.48	6.16	104.32
0000056387-2023-2023-0000-	MONTOYA, SANTIAGO LOPEZ	7/3/2023	JOHN BRIDGERS	6/21/2024	104.32	6.16	98.16
0024069658-2023-2023-0000-	ALLEN, MARC B	7/3/2023	LINDA WILBUR	6/3/2024	72.07	72.07	0.00
Subtotal					400.43	87.47	312.96

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)
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TAX DISTRICT: BURKE COUNTY RELEASE REASON: Release LFUF

0000024648-2023-2023-0000-	WRIGHT, JESSICA RENEE	7/3/2023	LINDA WILBUR	6/6/2024	266.66	88.00	178.66
0024009772-2023-2023-0000-	MORGANTON WOODS MHP LP	7/3/2023	LINDA WILBUR	6/25/2024	178.73	176.00	2.73
Subtotal					445.39	264.00	181.39

TAX DISTRICT: BURKE COUNTY RELEASE REASON: Sold/Traded

0000079173-2023-2023-0000-	VAZQUEZ, OSCAR DE JESUS	7/3/2023	KAYLA	6/7/2024	198.36	9.24	189.12
0000079173-2023-2023-0000-	VAZQUEZ, OSCAR DE JESUS	7/3/2023	KAYLA	6/7/2024	189.12	88.00	101.12
0024033400-2023-2023-0000-	MCCLURE, BILLY LEE	7/3/2023	LINDA WILBUR	6/27/2024	162.93	73.37	89.56
0024059809-2022-2022-0000-	HAMBY, ARTHUR	7/1/2022	LINDA WILBUR	6/28/2024	87.70	87.70	0.00
0024059809-2023-2023-0000-	HAMBY, ARTHUR	7/3/2023	LINDA WILBUR	6/28/2024	96.01	96.01	0.00
Subtotal					734.12	354.32	379.80

TAX DISTRICT: BURKE COUNTY RELEASE REASON: Value Change

0000000458-2023-2023-0000-	HAYENGA, JEFFERY	7/3/2023	AMANDA	6/4/2024	8,784.39	571.72	8,212.67
Subtotal					8,784.39	571.72	8,212.67

Grand Total

\$25,642.22	\$16,516.20	\$9,126.02
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VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$0.00

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

Motion: To approve the Tax Releases and Refunds for June 2024 as presented.

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

TAX DEPT. - TAX COLLECTION REPORT FOR JUNE 2024

The Board of Commissioners was presented with the Tax Collection Report for the period between July 1, 2023, and June 30, 2024. This reflects the status of collections by the Burke County Tax Collection's Staff. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$52,699,577.00	\$53,226,356.37	101.00%	(\$526,789.37)
Motor Vehicle Tax	\$6,200,000.00	\$5,591,745.71	90.19%	\$608,254.29
Current Year Taxes	\$58,899,577.00	\$58,818,112.08	99.86%	\$81,464.92
Delinquent Taxes	\$700,000.00	\$633,445.77	90.49%	\$66,554.33
Penalty & Interest	\$329,000.00	\$446,043.11	135.58%	(\$117,043.23)

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	\$53,826,900.88	\$53,226,366.37	98.8%	\$600,534.51

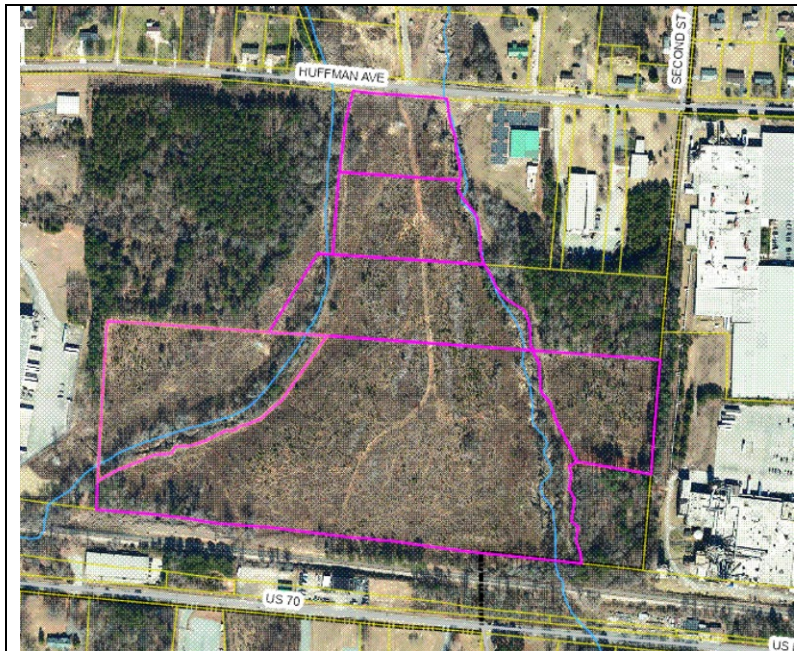
Motion: To accept the Tax Collection Report for June 2024 as presented.

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

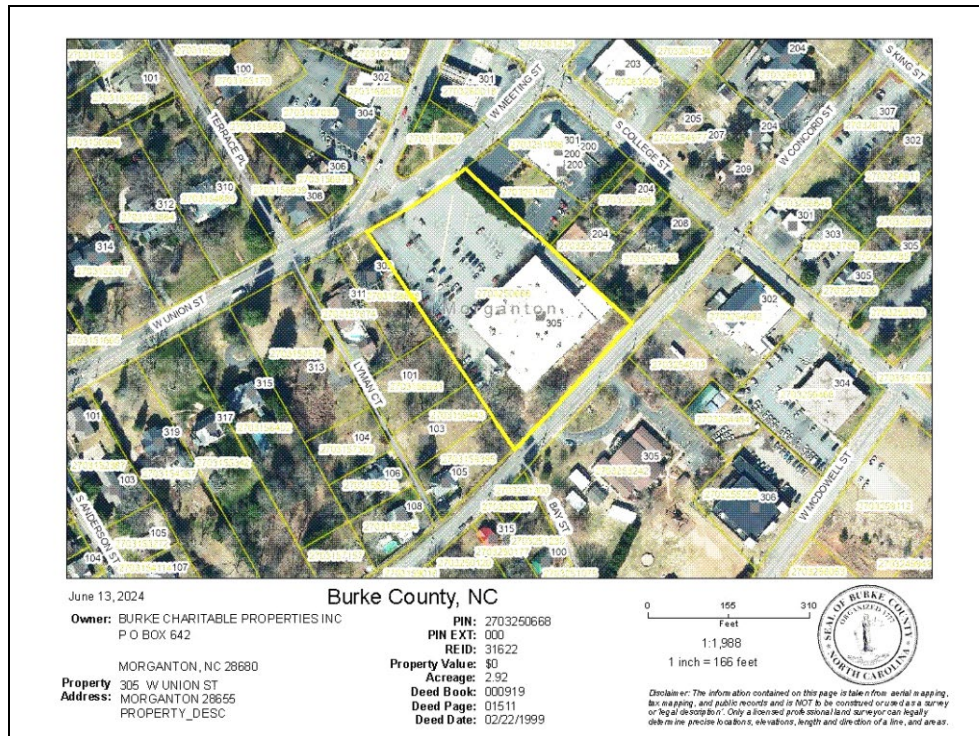
ITEMS FOR DECISION

BCPS - APPROVAL OF PURCHASE OF REAL PROPERTY

Keith Lawson, Finance Officer, BCPS, stated that pursuant to N.C.G.S. § 115C-426(f) the Burke County Board of Education (BoE) requests the Board of Commissioners (BOC) approve the purchase price of \$1 million for six (6) parcels totaling 43.1 acres on Huffman Avenue in Connelly Springs for the potential construction of a new East Burke Elementary School.



Additionally, the BoE requests that the BOC approve the purchase price of \$1.5 million for a 2.831-acre parcel located at 305 West Union Street Morganton, NC, 28655 for use as a new administrative building for the Burke County Public School system.



Vice Chairman Mulwee opened the floor for questions or comments. Mr. Lawson addressed a question from Commissioner Carswell regarding a different school property from a few years prior, highlighting traffic issues as the main reason for not building a new East Burke Elementary School at that location. When asked by Commissioner Carswell about the current plans for that property, Mr. Lawson stated there are none.

Commissioner Carswell also inquired about the differences in square footage between the leased property currently used by the school system for administrative staff and the new property they wish to purchase, and how long the new property would last. Mr. Lawson responded that the new property should last many years.

Commissioner Burns asked about the timeline for moving from the leased building to the purchased building, should the Board approve the purchase. Mr. Lawson estimated the move-in date to be Spring of 2026, provided there are no setbacks. In response to another question from Commissioner Burns, Mr. Lawson clarified that the purchase is not funded by the \$42 million lottery funds, which are designated only for construction-related expenditures.

Commissioner Smith inquired about the impact on the overcrowded building that houses Health and DSS once the school system vacates the leased portion. Brian Epley, County Manager, explained that the building is approximately 65,000 square feet, with the school system leasing about 14,000 square feet. Despite freeing up this space, the building was one of the lowest scorings in the 2020 facility needs assessment. Currently, 50 staff members are required to work remotely due to space constraints and 35 Adult Protective Services staff members are working out of the Tax Office. These staff members will move into 201 Avery Avenue once the building is ready. A space analysis determined that Health and DSS need 92,000 square feet, so while the additional space will help, it may not be sufficient.

Vice Chairman Mulwee and Commissioner Burns briefly discussed that decisions like this are made over long periods, mentioning the quarterly Board of Commissioners and Board of Education meetings. Commissioner Burns, upon hearing that Burke County Public Schools has no current plans to surplus the 28-acre parcel not in use, suggested they consider giving the County the first right of refusal if they decide not to use it.

Motion: To approve the Board of Education's purchase of real property located off Huffman Avenue in Connelly Springs for \$1 million and at 305 West Union Street, Morganton, NC, for \$1.5 million as presented.

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

CLERK - APPOINTMENT TO THE PLANNING BOARD

Kay Draughn, Clerk to the Board, requested an appointment be made to fill the vacancy for Seat No. 5, at-large, on the Planning Board. The term for this seat is to complete the remainder of a 3-year term, which expires on September 30, 2025. Applications have been received from Andrew Lowdermilk, Horace "Buddy" Vance and Gregory Smith.

Vice Chairman Opened the floor for nominations. There being none, he closed the floor for nominations and called for a motion.

Motion: To appoint Andrew Lowdermilk to Seat No. 5, at-large, on the Planning Board to complete the remainder of a 3-year term ending September 30, 2025.

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

CM - RESOLUTION REGARDING KROGER OPIOID SETTLEMENT

Brian Epley, County Manager, requested the adoption of a resolution to secure additional opioid settlement funds from a recently negotiated settlement with Kroger. North Carolina has already secured over \$50 billion in national opioid settlements, with \$1.4 billion allocated to the state. An additional \$1.37 billion settlement with Kroger will bring \$40 million more to North Carolina, including up to \$713,209.85 specifically allocated for Burke County. To receive these funds, Burke County must sign onto the Kroger settlement and the Second Supplemental Agreement for Additional Funds from Additional Settlement of Opioid Litigation (SAAF-2) by August 12, 2024.

Budgetary Effect: Up to an additional \$713,209.85 in opioid settlement funds paid out from FY25 - FY34.

Vice Chairman Mulwee opened the floor for questions or comments; there being none, he opened the floor for a motion.

Motion: To adopt Resolution No. 2024-15 and authorize the County Manager or

County Attorney to execute all documents necessary to enter into opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

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

Resolution No. 2024-15 reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION BY THE COUNTY OF BURKE
AUTHORIZING EXECUTION OF KROGER OPIOID SETTLEMENT AND APPROVING THE SECOND
SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS

WHEREAS, the opioid overdose epidemic has taken the lives of more than 37,000 North Carolinians since 2000; and

WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, the overdose death rate in Burke County was 67 out of 100,000 people compared to the state average of 39 out of 100,000 people in 2021; and

WHEREAS, the overdose emergency department visit rate in Burke County was 248 out of 100,000 people compared to the state average of 161 out of 100,000 people in 2022; and

WHEREAS, the overdose death illicit drug involvement rate in Burke County was 72 out of 100 overdose deaths compared to the state average of 78 out of 100 overdose deaths in 2021; and

WHEREAS, the percent of people prescribed opioids in Burke County was 15 out of 100 people compared to the state average of 13 out of 100 people in 2021; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, a settlement has been reached in litigation against the Kroger Co. ("Kroger") as well as its subsidiaries, affiliates, officers, and directors named in the Kroger Settlement; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association

of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of these settlements; and

WHEREAS, by joining the settlements and approving the SAAF-2, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Burke County and its residents, to sign onto the settlements and SAAF-2 and demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the SAAF-2 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Burke County hereby authorizes the County Manager or County Attorney to execute all documents necessary to enter into opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this 16th day of July 2024.

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

Attest:

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

BOC - RESOLUTION REGARDING ARTICLE 46 SALES TAX

Commissioner Burns explained that the County needs to diversify its income. Think of it like a toolkit; it doesn't just have a hammer. A toolkit needs a screwdriver, a wrench, and maybe even a pair of pliers. Similarly, the County needs to ease the burden on property owners in this county by exploring additional revenue streams.

Commissioner Burns emphasized the importance of placing Article 46 on the ballot this November. This decision shouldn't be made behind closed doors; it must be presented to the voters. Putting Article 46 on the ballot respects democratic principles and trusts in the wisdom of the citizens. He stated that he would never deny the citizens the chance to vote on something as significant as this.

The Burke County community values tradition, responsibility, and the right to have a say in important matters. By allowing voters to decide, it ensures that the outcome aligns with their values and priorities. This move also upholds the principles of limited government, preventing a

small group of officials from making decisions that affect everyone. Instead, it places power where it rightfully belongs—with the people. Trusting voters to make the final call reinforces Commissioner Burns' belief in individual responsibility and local control.

Placing Article 46 on the ballot is a clear affirmation of a commitment to democracy and our conservative values. It ensures that the voices of the Burke County community are heard and respected.

Commissioner Burns noted that last year, the $\frac{1}{4}$ cent sales tax would have generated \$3 million in revenue. That equates to three (3) cents on our property tax rate. There's been much discussion about property values rising after the last revaluation, and they did—his included. However, those whose property taxes stayed the same or even decreased are the quietest of voices. Commissioner Burns hears from people daily, and it is clear that setting a property tax rate that pleases everyone is impossible. There would have to be 50,000 different tax rates for 50,000 property owners, which is unfeasible.

Commissioner Burns expressed how proud that the Board voted to lower the tax rate by 20% which kept additional revenue at around 7%, about half of inflation. The County did a responsible job last time on the revaluation, and he is grateful that the rate was maintained this year, thanks largely to the county manager and his staff's hard work and their zero-budget approach, which found millions in savings. This allowed the County to maintain the rate even in these inflationary times.

He encouraged the Board to vote to give the voters the opportunity to decide. By gathering revenue from the 13,000+ people who drive into our county daily, whether commuting, visiting, or vacationing, the taxing pressure can be reduced on property owners. For example, a \$100 purchase at Rural King would cost just 25 cents more with the new tax. If this tax can generate \$3 million and relieve property owner's burden, it's worth considering and those who commute here daily and use county services should contribute to the costs.

Commissioner Burns urged the Board to support adding the Article 46 referendum to the ballot this November.

Vice Chairman Mulwee highlighted that Ed Phillips, CEO, TDA, presents his quarterly reports to the Board, and on average, visitors generate \$130 million in revenue in the County. He explained that an additional $\frac{1}{4}$ cent sales and use tax could further diversify and increase revenue. He also pointed out that several surrounding counties already charge this tax, meaning Burke County residents are currently paying it when they shop or eat in those areas. Commissioner Smith mentioned that he campaigned on lowering property taxes and sees this as a viable alternative that also allows for citizen input and expressed his support for it.

Vice Chairman Mulwee opened the floor for questions or comments. Commissioner Burns reiterated his desire to let the people vote on whether to implement this tax. There being nothing further, Vice Chairman Mulwee opened the floor for a motion.

Information from the agenda packet:

Burke County is considering the adoption of Article 46, a local option sales tax.
This tax, if implemented, would levy an additional quarter-cent sales tax on

Local Option Sales Taxes

Article	Rate	Distribution	Restrictions	Shared with Towns	Notes
Article 39	1% (1¢)	Point of Sale	None.	Yes	} Jointly called "the first 2¢," these 3 taxes are levied by all 100 counties
Article 40	0.5% (1/2¢)	Per Capita	Counties must use 30% on school capital.	Yes	
Article 42	0.5% (1/2¢)	Point of Sale	Counties must use 60% on school capital.	Yes	
Article 43	0.25% (1/4¢) or 0.5% (1/2¢)	Point of Sale	100% to Transit.	Yes, if a city runs a transit system.	Rate is 0.5% for Durham, Forsyth, Guilford, Mecklenburg, Orange & Wake; 0.25% in all other counties.
Article 46	0.25% (1/4¢)	Point of Sale	None.	No	

Tax Rate	Counties
6.75% 4.75% State 2.00% The First 2¢	51 counties: Alamance, Avery, Beaufort, Bladen, Brunswick, Burke, Caldwell, Camden, Carteret, Caswell, Chowan, Cleveland, Columbus, Craven, Currituck, Dare, Davie, Franklin, Gates, Granville, Guilford, Henderson, Hoke, Hyde, Iredell, Johnston, Lenoir, Macon, McDowell, Mitchell, Nash, Northampton, Pamlico, Pender, Perquimans, Person, Polk, Richmond, Scotland, Stokes, Transylvania, Tyrrell, Union, Vance, Warren, Washington, Watauga, Wayne, Wilson, Yadkin, Yancey
7.00% 4.75% State 2.00% The First 2¢ 0.25% Art. 46	45 counties: Alexander, Alleghany, Anson, Ashe, Bertie, Buncombe, Cabarrus, Catawba, Chatham, Cherokee, Clay, Cumberland, Davidson, Duplin, Edgecombe, Forsyth, Gaston, Graham, Greene, Halifax, Harnett, Haywood, Hertford, Jackson, Jones, Lee, Lincoln, Madison, Martin, Montgomery, Moore, New Hanover, Onslow, Pasquotank, Pitt, Randolph, Robeson, Rockingham, Rowan, Rutherford, Sampson, Stanly, Surry, Swain, Wilkes
7.25% 4.75% State 2.00% The First 2¢ 0.50% Art. 43	Mecklenburg and Wake
7.50% 4.75% State 2.00% The First 2¢ 0.50% Art. 43 0.25% Art. 46	Durham and Orange



**North Carolina Association
of County Commissioners**

NCACC County Map Book, 2023 | 6

Map of North Carolina showing county sales tax rates. The map is color-coded by rate: 6.75% (light yellow), 7.00% (medium yellow), 7.25% (dark green), and 7.50% (darkest green). A legend in the bottom right corner provides the key. The map also includes a scale bar and a note that rates include all state and local sales taxes.

Rates shown include all state and local sales taxes.

Legend:

- 6.75%
- 7.00%
- 7.25%
- 7.50%

North Carolina Association of County Commissioners

Map Scale 1:3,750,000
 NCAC County Map Book, 2023 | 64

Budgetary Effect: An additional \$1.5 million in revenue is estimated for the latter half of the fiscal year should this initiative prevail.

Motion: To adopt Resolution No. 2024-14 as presented.

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

Resolution No. 2024-14 reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION APPROVING NOVEMBER 5, 2024, REFERENDUM
FOR A ONE-QUARTER CENT (1/4¢) COUNTY SALES AND USE TAX

WHEREAS, under N.C.G.S. Chapter 105 Article 46, pursuant to SL 2007-323, 5.31.17(b) (House Bill 1473), the General Assembly authorized the Burke County Board of Commissioners to direct the Burke County Board of Elections to conduct a referendum on the question of whether to levy a one-quarter cent (1/4¢) local sales and use tax in the county; and

WHEREAS, Burke County satisfies the statutory pre-requisites to call for a referendum on the question of the one-quarter cent (1/4¢) sales and use tax, and

WHEREAS, the one-quarter cent (1/4¢) sales and use tax, even if approved by a majority of those voting in the referendum, still requires additional action on the part of the Board of Commissioners to actually levy the tax; and

WHEREAS, even if approved by a majority of those voting in the referendum, the Board of Commissioners has the authority not to levy the tax; and

WHEREAS, if rejected by a majority of those voting in the referendum, the Board of Commissioners may not levy the tax; and

WHEREAS, it is in the best interest of the citizens of Burke County to have their voices heard with regard to whether to levy the one-quarter cent (1/4¢) sales and use tax within Burke County.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Burke County Board of Commissioners hereby directs the Burke County Board of Elections to conduct a referendum on the question of whether to levy a one-quarter cent (1/4¢) local sales and use tax in the county.
2. That the Burke County Board of Commissioners recommends the referendum to be held on November 5, 2024.
3. That the question on the ballot shall be:
" [] FOR

[] AGAINST

Local sales and use tax at the rate of one-quarter percent (0.25%) in addition to all other State and local sales and use taxes.”

Adopted this 16th day of July 2024.

/s/: Scott Mulwee

Scott Mulwee, Vice Chairman

Burke County Board of Commissioners

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

REPORTS AND COMMENTS

Vice Chairman Mulwee opened the floor for reports and comments from Board members and professional staff. Commissioner Smith expressed excitement to see East Burke getting a new elementary school. Commissioner Burns relayed information on an upcoming WPCOG Policy Board meeting. Commissioner Carswell reported on his visit to Tampa, Florida, where he represented Burke County at the National Association of Counties Conference. North Carolina now has an officer on the NACo Board for the first time in 20 years. Commissioner Carswell discussed highlights of his latest opioid presentation and the status of opioid litigation and settlements. He also issued a reminder about the upcoming NCACC conference in August. Vice Chairman Mulwee thanked staff for attending the Charlotte IBT (Inter Basin Transfer) meeting at the CoMMA (City of Morganton Municipal Auditorium). He shared information on upcoming meetings and community events, highlighting that there is no pre-agenda scheduled for the month of August and that there was a grand opening for Jonas Ridge. Additionally, he invited youth groups to sign up to lead the Pledge of Allegiance at Commissioners' meetings and encouraged citizens to spay or neuter pets and to adopt or foster a pet from Animal Services. He then issued friendly reminders to not litter, to pick up trash, to cover your loads when transporting trash to the landfill or a convenience site. Vice Chairman Mulwee also highlighted the Community Beautification initiative and explained how citizens can report areas that need to be addressed.

RESULT: NO ACTION TAKEN.

VACANCY ANNOUNCEMENTS

CLERK - BOARDS AND COMMITTEES VACANCY REPORT

Kay Draughn, Clerk to the Board, announced the following vacancies on county boards or committees as follows:

- Adult Care & Nursing Home Community Advisory Committee
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Burke County Board of Health
- Hickory Regional Planning Commission

- Drexel Planning Board - ETJ Alternate
- Burke County Board of Adjustment
- Burke County Planning Board

Vice Chairman Mulwee opened the floor for questions or comments and then encouraged citizens to participate and get involved.

RESULT: NO ACTION TAKEN.

CLOSED SESSION – NOT NEEDED, NOT HELD

ADJOURN

Motion: To adjourn the meeting at 7:05 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER: Phil Smith, Commissioner

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

ABSENT: Jeffrey C. Brittain

Approved this 15th day of October 2024.


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

Attest:


Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board