MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
QUASI-JUDICIAL MEETING

The Burke County Board of Commissioners held a special quasi-judicial meeting on Thursday, April 10, 2025, at 3:30 p.m., in the Commissioners' Meeting Room, Burke County Services Building, 110 N. Green Street, Entrance E, in Morganton, North Carolina. The purpose of the special quasi-judicial meeting was to conduct an appeal hearing regarding an Order to Vacate issued by the Chief Building Inspector for property owned by Marshallese New Beginnings Church, located at 8123 George Hildebran School Road, Connelly Springs (PIN No. 2659-35-1635). Chairman Brittain executed the public notice, which was published on April 3, 2025. 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. Those present were:

COMMISSIONERS:	Jeffrey C. Brittain, Chairman Phil Smith, Vice Chairman Brian Barrier Mike Stroud
COMMISSIONERS ABSENT:	Randy Burns (Sick.)
STAFF:	Brian Epley, County Manager Margaret Pierce, Finance Director/Deputy County Manager Dylan Laws, Wilson, Lackey, Rohr & Hall P.C. (County Attorney – Representing staff) Kay Honeycutt Draughn, Clerk to the Board Steve Holden, Chief Building Inspector Robert Bishop, Fire Marshal Alan Glines, Planning Director/Deputy County Manager
OTHERS PRESENT:	Martha Thompson, Outside Legal Counsel, (Representing the Board.) Pastor Tommy Laibwij, Petitioner Bethany Fisher, Interpreter Media Community members

OVERVIEW OF QUASI-JUDICIAL PROCEEDINGS
Martha Thompson, Attorney, presented an overview of the quasi-judicial process, the highlights of which were as follows:

Note: The information contained in the agenda packet is hereby incorporated into the meeting minutes by reference. The exhibits accepted as evidence for this meeting/hearing are in the appendix.

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BUILDING INSPECTIONS APPEALS

*Developed in part using UNC School of Government Materials: https://canons.sog.unc.edu/2023/04/making-quasi-judicial-decisions/

N.C.G.S. § 160D-1122

"Order to take corrective action. If, upon a hearing held pursuant to the notice prescribed in G.S. 160D-1119, the inspector **shall** find that the building or structure is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, the inspector shall make an order in writing, directed to the owner of such building or structure, requiring the owner to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or structure or taking other necessary steps, within such period, not less than 60 days, as the inspector may prescribe, provided that where the inspector finds that there is imminent danger to life or other property, the inspector may order that corrective action be taken in such lesser period as may be feasible."

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N.C.G.S. § 160D-1123

"Any owner who has received an order under G.S. 160D-1122 may appeal from the order **to the governing board** by giving notice of appeal in writing to the inspector and to the local government clerk within 10 days following issuance of the order . . . The governing board shall hear an appeal **in accordance with G.S. 160D-406** and render a decision within a reasonable time. The governing board may affirm, modify and affirm, or revoke the order."

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N.C.G.S. § 160D-406

- Governs **quasi-judicial** hearings.
- The Board of Commissioners can have two (2) different roles: **legislative** or **quasi-judicial.**
- **Legislative** matters are typically policy matters that impact all people in a similar way.
- **Quasi-judicial** matters typically involve only a particular person or people and the specific circumstances of their situation.

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QUASI-JUDICIAL VS LEGISLATIVE

	Legislative	Quasi-judicial
Boards that can sit in each role	• Board of Commissioners • Planning Board • Library Board of Trustees	• Board of Commissioners • Board of Equalization • Board of Adjustment
Matters heard before Board	• Public hearings on economic development contracts • Citizen input on new ordinances	• Building inspection appeals • Tax appeals • Requests for variances
Board Actions	• Approve economic development contract • Pass ordinance • Adopt general personnel rules	• Affirm, reverse, or modify a building inspector decision • Grant or deny a variance
Basis of Decision-making	• Board's policy priorities and goals • What Board believes is best for community • Community input	• Competent, materials, and substantial evidence in the record • Application of the evidence to the applicable law

The Board of Commissioners can sit in **either role** in different situations.

WHAT KIND OF EVIDENCE CAN BE CONSIDERED?

	Right ✓	Wrong ✗
Competent	• Witnesses with first-hand knowledge • Authenticated documents • Expert testimony (on matters within their expertise)	• Media coverage • Opinion of a non-expert on a matter requiring expert opinion
Material	• Relates to the issue before the Board	• Considering community feedback
Sufficient	• Tends to support a finding that a relevant standard is met	• Does not make it more or less likely that the Board should rule one way or the other
On the Record	• Evidence should be in the documentary record presented at the hearing • Appealing party has the right to respond to evidence presented	• Gathering or receiving evidence outside of a public evidentiary hearing • Having an unannounced site visit for Board members to review the area

*Developed using UNC School of Government Materials: https://canons.sog.unc.edu/2023/04/making-quasi-judicial-decisions/

Chairman Brittain opened the floor for questions or comments; there were none.

CALL TO ORDER

CHAIRMAN BRITTAIN: Welcome everyone, again. I'll note that all of our commissioners are present today, with the exception of Mr. Burns, who is out due to illness, and we've already introduced Ms. Thompson. Mr. Dillon Laws is our attorney representing professional staff. Also, acknowledge Pastor Tommy, and Tommy, I'm going to ask you to pronounce your name for me one time, if you would please.

TOMMY LAIBWIJ: [inaudible]

CHAIRMAN BRITTAIN: If you will turn that right button. If you press it, a red light should come on. On the bottom there, toward the base of the – there you go, you got it. OK. Just leave it just like that. Now tell me your name.

TOMMY LAIBWIJ: Tommy Laibwij. Laibwij. [pronounced lay – bwis]

CHAIRMAN BRITTAIN: OK, I might go with Tommy. Will that be OK?

TOMMY LAIBWIJ: It's OK.

CHAIRMAN BRITTAIN: Thank you. I don't want to mess up your name.

CHAIRMAN BRITTAIN: All right. I will remind all speakers, including Commissioners, and when you come to the podium, please be sure the red light is on, and just be sure yours is on, Mr. Laws, if you speak from the table there. OK? All right, gentlemen, I'll entertain a motion to approve the agenda as presented today.

VICE CHAIRMAN SMITH: So moved, Mr. Chair.

CHAIRMAN BRITTAIN: All those in favor signify with an uplifted hand.

[Commissioners all raise their hands.]

CHAIRMAN BRITTAIN: 4-0, Madame Clerk.

APPROVAL OF THE AGENDA
Motion: To approve the agenda as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Phil Smith, Vice Chairman
AYES:	Jeffrey C. Brittain, Phil Smith, Brian Barrier, and Mike Stroud
ABSENT:	Randy Burns

ITEM FOR DECISION

COMM. DEV. - APPEAL ORDER TO VACATE 8123 GEORGE HILDEBRAN SCHOOL ROAD - MARSHALLESE NEW BEGINNINGS CHURCH

CHAIRMAN BRITTAIN: All right, this does bring us to the decision item for today, Community Development - Appeal Order to Vacate 8123, George Hildebrand School Road - Marshallese New Beginnings Church, and with that, I'll recognize Mr. Dylan Laws, our County Attorney representing our professional staff today, Mr. Laws.

DYLAN LAWS: Thank you, Sir. I'm going to give my opening up here, if that's OK, and you'll have heard a little bit of this already, but I think it's important. Today, you are being asked to proceed in a manner that you may not be particularly familiar with. This is a quasi-judicial evidentiary hearing. That means it's like a court hearing, like you see on TV, and you are all our judges. While you may see yourself in a political role, and that is true in most cases, today you are not. You are acting as judges, and this is not a political forum. The political decision has already been made, and that is what has been appealed to you today.

Quasi-judicial hearing is not a popularity contest. It is a decision constrained by the standards in the law, and based on the facts presented, your discretion is limited. Your decision can rest only upon the competent, relevant, and substantial evidence that is entered into the record today. And what exactly will that evidence tend to show? You'll hear that this building is 1) purely designed for education and not for residential occupancy. You'll hear from experts that'll speak to the terrible conditions currently in place at the Marshallese New Beginnings Church, from exposed live wiring and overloaded electrical systems to leaking sewer gases. You'll also hear about the extended time frame that these issues have been occurring and the numerous chances that have been granted for the church to remedy said issues. Lastly, it is clear from the appeal filed by the church that no allegations were made about the law or even that the prior order was incorrect.

I ask that you listen carefully to the evidence presented today that was compiled by these experts and use only that to make your decision. That is what is intended by the General Assembly, what is required under the law for a quasi-judicial hearing. The burden of proof is on them to prove that that decision was incorrect. Thank you.

CHAIRMAN BRITTAIN: All right. Thank you, Mr. Laws. At this time, I'll ask you to call your first witness.

DYLAN LAWS: Yes, at this time, I will call Mr. Holden to the stand.

[Clerk administers the oath, and the witness is sworn in.]

DYLAN LAWS: Yes, Mr. Holden. I'm not used to sitting beside my people. I'm questioning, so –

STEVE HOLDEN: That's all right.

DYLAN LAWS: – I hope you can keep track of me.

STEVE HOLDEN: OK.

DYLAN LAWS: Mr. Holden, how long have you been with the Building Inspection Department?

STEVE HOLDEN: Building Inspection—July 1st this year, I'll be 25 years.

DYLAN LAWS: And before then, what were you doing?

STEVE HOLDEN: I was with Catawba County Building Inspection.

DYLAN LAWS: OK, and how long did you do that?

STEVE HOLDEN: Two (2) years.

DYLAN LAWS: OK. And what were you doing before that?

STEVE HOLDEN: I was a police officer for the City of Morganton.

DYLAN LAWS: OK. And have you any other relevant experience in this area?

STEVE HOLDEN: I'm a licensed plumber with the State of North Carolina.

DYLAN LAWS: And did you prepare the prior report in the order?

STEVE HOLDEN: I did.

DYLAN LAWS: OK. At this time, I would move to qualify Mr. Holden as an expert witness.

CHAIRMAN BRITTAIN: OK, thank you.

MARTHA THOMPSON: Mr. Chairman, you would need to [inaudible] as qualified.

CHAIRMAN BRITTAIN: You are qualified, Mr. Holden. Is there a special way I need to do that?... Thank you.

MARTHA THOMPSON: You could probably [inaudible] ask the petitioner if he has any objections.

CHAIRMAN: If you will —
[overlapping speakers]

CLERK DRAUGHN: — Is her microphone on? —

CHAIRMAN BRITTAIN: — turn your microphone on. It's behind you. [inaudible] move it around there. Do you have any objections to that, Tommy?

TOMMY LAIBWIJ: No.

CHAIRMAN BRITTAIN: All right.

DYLAN LAWS: I would actually object to him objecting to anything. The board, or the entity he represents, is a corporation, and under the laws of North Carolina, a corporation cannot be represented pro se by an individual. They must be represented by an attorney that qualifies in quasi-judicial hearings as well. I have some law on that, if I may present it.

CHAIRMAN BRITTAIN: Any counsel on that?

MARTHA THOMPSON: North Carolina Supreme Court has ruled that administrative actions are not, do not qualify under 84-4 for the unauthorized practice of law. So, he is permitted to—

DYLAN LAWS: I would disagree with that, and if I may, I'd like to present some evidence as to why I disagree.

CHAIRMAN BRITTAIN: OK.

[Dylan Law distributes documents to the petitioner, the Board of Commissioners, and Martha Thompson.]

COMMISSIONER STROUD: Mr. Chairman, may I ask a question?

CHAIRMAN BRITTAIN: Yes, sir.

COMMISSIONER STROUD: Dylan, what is the—now, you're saying that he represents a corporation and that a corporation cannot be—Is that what you're saying?

DYLAN LAWS: Yes, that is correct. Under this first, this case I just presented to you, a corporation cannot practice law. It is a personal right of the individual. It cannot appear and represent itself either in proper person or by its officers. It can only do so by an attorney admitted to practice law, and a corporation must be represented by duly admitted and licensed attorney and then provided in there as well.

The state's ethics opinion specifically applies to quasi-judicial hearings on zoning and land use. It says the role of the governmental bodies to receive evidence and make decisions and is clear on that on the appearance of behalf of another person, form or corporation. The representative capacity which they are a registered corporation on the Secretary of State's website. But it cannot present evidence, cross-examine others, and argue on the law that quasi-judicial hearing in these proceedings. And, as I understand it, the law was fairly clear on that, and the ethics would follow that as well. And that it is a Class 1 misdemeanor to do so.

CHAIRMAN BRITTAIN: Perhaps you have another opinion?

MARTHA THOMPSON: Yeah. Mr. Chairman, there in 2014, the Supreme Court of North Carolina ruled that, although this is a case from 2002, from the Court of Appeals, it's not a definitive answer on this, but it the Court of Appeals has been overturned in that respect on a case that went up in 2014, the Twin County Motorsports case that said that it's not an unauthorized practice of law for a corporate officer to appear before the DMV because that's an administrative proceeding and not an action or proceeding as the statute contemplates in 84-4.

North Carolina general statutes talk about, specifically talk about, a judicial body, including the Industrial Commission or the Utilities Commission, but it doesn't say anything about administrative actions for the Supreme Court, has says administrative actions fall outside that, so nothing specifically talks about a quasi-judicial proceeding, which falls under the administrative actions.

In my opinion, and I think it best, the law is gray, I think there's an argument, that is certainly a strong argument, that he would be permitted to proceed, but that would be a decision by this body as to whether to allow him to proceed on his own behalf or not, because the law is not clear as Mr. Laws is arguing.

CHAIRMAN BRITTAIN: All right. Thank you, Counsel. I appreciate the opinion of both. I'm going to allow Tommy to represent himself here and—

DYLAN LAWS: —and I would just like to state, for the record, that my objection applies to every action he takes that could be considered the unauthorized practice of law—so I don't have to interrupt every single time, if that's OK.

CHAIRMAN BRITTAIN: OK.

MARTHA THOMPSON: You can just note that objection as a continuing objection.

CHAIRMAN BRITTAIN: Duly noted. Thank you very much.

CHAIRMAN BRITTAIN: All right, continue on.

DYLAN LAWS: Did he, just to clarify, was he objecting in any way to the qualification of an expert witness?

CHAIRMAN BRITTAIN: Tommy, did you object to any of the qualifications of the witness?

PASTOR TOMMY LAIBWIJ: His qualification?

CHAIRMAN BRITTAIN: Yes.

PASTOR TOMMY LAIBWIJ: No.

CHAIRMAN BRITTAIN: Thank you.

DYLAN LAWS: Mr. Holden, do you have a copy of what's been marked as Exhibit No. 1?

STEVE HOLDEN: I do.

DYLAN LAWS: OK, and what is that?

STEVE HOLDEN: It's a condition of structure report that the staff and I have made on the structure.

DYLAN LAWS: OK, and is that what you used to make your prior decision?

STEVE HOLDEN: Yes.

DYLAN LAWS: And are those records kept in the regular course of your business and these actions?

STEVE HOLDEN: Yes.

DYLAN LAWS: And is it a fair and accurate representation of those?

STEVE HOLDEN: Yes.

DYLAN LAWS: I would move to admit that as Exhibit No.1, and I believe you all actually have a copy of that one, and I believe one's already been presented to the church.

CHAIRMAN BRITTAIN: All right. Thank you, Mr. Laws. For the record, I'll announce Exhibit No. 1 has been accepted in the evidence. Are there any objections to this exhibit? [pause] Seeing none, we will continue.

DYLAN LAWS: Mr. Holden, could you briefly just describe the property for me that's located at 8123 George Children School Road?

STEVE HOLDEN: It's a previous educational occupancy and assembly, which was used as a school. And we had a complaint that it was being used as residential. We, our staff, went and made a visit, and we found out that it was not only being used for a church, but also for Residential R-2.

DYLAN LAWS: OK, so it is not being used the way it is designed.

STEVE HOLDEN: That's correct.

DYLAN LAWS: OK, and can you just switch occupancy types like that?

STEVE HOLDEN: You cannot.

DYLAN LAWS: What sort of process is required to switch occupancy types?

STEVE HOLDEN: The process would require—

CHAIRMAN BRITTAIN: Excuse me, Steve. Mr. Laws, would you move that microphone over more in front of you, if you don't mind? You might have to move—there you go.

DYLAN LAWS: Is that any better?

STEVE HOLDEN: I wanted to read the law of the code first, if that is OK. [inaudible] So sections 302, it advises us that structures or portions of structure shall be classified with respect to occupancy in one or more of the groups listed in this section, a room or space that is intended to be occupied at different times for different purposes shall be—comply with all the requirements that are applicable to each of the purpose for which the room or space will be occupied. Structures with multiple occupancies where a structure is proposed for a purpose that is not specifically provided for in this code, such structures shall be classified in the group that the occupancy most nearly resembles according to the fire safety and relative hazard involved.

DYLAN LAWS: OK, and so has the church ever completed any process to switch designations?

STEVE HOLDEN: No.

DYLAN LAWS: OK, and have they been given the opportunity to do so?

STEVE HOLDEN: Yes.

DYLAN LAWS: OK, and then let's just move, sort of the current condition of the property. Did you go out and inspect that property?

STEVE HOLDEN: I did.

DYLAN LAWS: And do you remember when that was?

STEVE HOLDEN: [flipping through paperwork] I have to look at my timeline… I've been on September the 16th, 2022.

DYLAN LAWS: OK. So, that was one of your earliest ones.

STEVE HOLDEN: Yes.

DYLAN LAWS: And did you inspect it again in—

STEVE HOLDEN: Yes.

DYLAN LAWS: —preparation of the most recent ruling.

STEVE HOLDEN: Yes.

DYLAN LAWS: Do you remember when that one was?

STEVE HOLDEN: We did it January 2024. We did a room-by-room inspection and noted any

code violations.

DYLAN LAWS: OK. And out of those violations, what was the most important issue you found?

STEVE HOLDEN: The first one was, it was an educational occupancy, and it was being used as a residential occupancy.

DYLAN LAWS: OK, and what about the electrical system?

STEVE HOLDEN: The electrical system was one of the main reasons because of life and safety and dangers to the children that were occupying it, and the people that were there.

DYLAN LAWS: OK. Can you speak a little bit about those electrical issues for us?

STEVE HOLDEN: So, we found there to be open wiring, under, we found open electrical panels, which was one of our first violations that we found that was, what we thought was the most severe life safety problem, and under NEC Article 230, all panels must be covered so that nobody can just actually walk up and put their hands into it and get electrocuted.

DYLAN LAWS: OK, and are there any pictures of that in here [Exhibit 1]?

STEVE HOLDEN: There is.

DYLAN LAWS: Could you please—

STEVE HOLDEN: —photo one—

DYLAN LAWS: —OK—

STEVE HOLDEN: —on page five—

DYLAN LAWS: OK, and so those do violate code.

STEVE HOLDEN: They do.

DYLAN LAWS: And you stated that—could you please reiterate the danger of that?

STEVE HOLDEN: So, with a panel open, all your bus bars and electrical are open to, for anyone subject to just walk up to it and touch it and be electrocuted.

DYLAN LAWS: So, in your opinion, could someone die?

STEVE HOLDEN: Yes.

DYLAN LAWS: So, this is a matter of safety, life safety.

STEVE HOLDEN: Very unsafe.

DYLAN LAWS: OK, and then what other electrical issues did you see?

STEVE HOLDEN: So, on photo two (2), we found that there was a panel in the bathroom and in the with a panel in the bathroom, it's that is under NEC 240.24 B electrical panel shall be readily accessible and shall not be located in bathrooms or in the vicinity of easy ignitable materials such as enclosed closets. We found this in the bathroom, where you can just reach up and touch it in the bathroom. It also had Romex coming out of it, which was not installed per code for the connectors, and also Romex being exposed.

DYLAN LAWS: Can you explain what that is for?

STEVE HOLDEN: So, Romex in residential is behind sheetrock. Normally, you can cover it, but Romex cannot be exposed, except it cannot be exposed because of the nature of it being torn or somebody skinning it touching it and getting electrocuted. It has to be in conduit or behind sheetrock.

DYLAN LAWS: Were there more electrical issues?

STEVE HOLDEN: There was.

DYLAN LAWS: Can you go into some of those for us?

STEVE HOLDEN: So, photo three (3) shows a panel with the same thing with exposed wiring, and then photo four (4) we have exposed Romex and then not supported every four (4) feet. Photo five (5) is exposed Romex. Photo six (6) is exposed Romex and then we have just receptacle box and not, it isn't in the box correctly because you need the correct connectors. Also, it has, it's not in conduit.

DYLAN LAWS: OK.

STEVE HOLDEN: So, photo seven (7) would be the same thing. Exposed Romex and photo eight (8) would be the same thing. It'd be exposed Romex and not properly secured and supported.

DYLAN LAWS: OK. So, those same dangers you mentioned earlier, those present in these pictures as well.

STEVE HOLDEN: Yes.

DYLAN LAWS: So, it's not just one violation, it's more—

STEVE HOLDEN: —that's right, it's multiple.

DYLAN LAWS: And then what about—

COMMISSIONER STROUD: Mr. Chairman, can I interrupt for just a second? The first inspection you did was in 2022, is that correct?

STEVE HOLDEN: Yes, sir.

COMMISSIONER STROUD: That's when this was first acknowledged.

STEVE HOLDEN: Yes, sir.

COMMISSIONER STROUD: And then in 2024 was the last time we actually did a walkthrough, and this is where we're at now –
[overlapping speakers]
STEVE HOLDEN: —yes, sir—
COMMISSIONER STROUD: —on this. What was the difference in 2022? The first is –
STEVE HOLDEN: Nothing.

COMMISSIONER STROUD: OK.

DYLAN LAWS: So, after that, are there any issues with the heating of the facility?

STEVE HOLDEN: So, in the heating, we found that there wasn't proper, the circuits were overloaded from the heating sources. The code would require you to have a heating source that would maintain 68° three (3) feet above the floor, and we found no heat source except for portable heaters. Some of them were kerosene heaters, and then again, with the electrical drop cords and the amount of heaters. It was overloading the circuits.

DYLAN LAWS: So, you mentioned overloaded circuits. Can you speak a little bit more about the potential issues with that?

STEVE HOLDEN: So, in the code. [flipping through paperwork] Electrical panels, let's see here, it said, drop cord powered heaters, and they're over 80% heating electrical capacity. When we do the calculations. One heater usually meets this and when you do multiple, two (2) or three (3) heaters, then you're over 80% on one circuit. And we had multiple heaters on one (1) circuit.

DYLAN LAWS: OK, and —

STEVE HOLDEN: And that would be NEC Article 240.24.

DYLAN LAWS: OK, and what sort of danger does that pose?

STEVE HOLDEN: Fire hazard because of overloading the cords, they would overheat and then cause a fire.

[Chairman Brittain can be seen having a sidebar with Martha Thompson]

VICE CHAIRMAN SMITH: Mr. Holden, while the Chairman's doing that, did you notify the property owner in September 2022 of the violations?

STEVE HOLDEN: We did. He was with us—
[overlapping speakers]

VICE CHAIRMAN SMITH: OK.
STEVE HOLDEN: —during the walkthroughs.
[overlapping speakers]
VICE CHAIRMAN SMITH: [inaudible]
STEVE HOLDEN: —all walkthroughs. He was very—
VICE CHAIRMAN SMITH: [inaudible]
STEVE HOLDEN: —pleasant and let us walk with us.
VICE CHAIRMAN SMITH: —well over two years ago?

STEVE HOLDEN: Yes, sir.

VICE CHAIRMAN SMITH: OK, thank you.

[Chairman Brittain returns to his seat]

DYLAN LAWS: Then you also mentioned kerosene heaters.

STEVE HOLDEN: Yes.

DYLAN LAWS: Are those, were those being used as they're intended?

STEVE HOLDEN: The only issue we seen was how close they were to the beds.

DYLAN LAWS: OK, and so does that pose [inaudible] –
[overlapping speakers]
STEVE HOLDEN: – Yeah, just catching the material on fire.

DYLAN LAWS: OK, so that poses a fire hazard, and then what about structural issues? Do you have any issues with those?

STEVE HOLDEN: We found structural defects and roof leaks.

DYLAN LAWS: What sort of—do you have pictures of those in here as well?

STEVE HOLDEN: On the structural, on Chapter 14 or Chapter 15, we, the roof deck has to be covered with approved covering, and the lumber must be kept at 15% or less moisture content to avoid rot. So, our—with no windows and no roof covering—we're getting water into the structure, which is causing wood rot.

DYLAN LAWS: OK, and you have pictures of that in here?

STEVE HOLDEN: We do.

DYLAN LAWS: Which pictures [inaudible]

STEVE HOLDEN: OK. Photos 15, 16, 17, and 18 on page eight (8).

DYLAN LAWS: And then were there issues with the plumbing?

STEVE HOLDEN: There was.

DYLAN LAWS: What sort of issues did you see there?

STEVE HOLDEN: OK, so in the plumbing, I'm going to read 102.3, which is the maintenance. Plumbing systems, materials, and appurtenances—both existing and new—and parts thereof shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code shall be maintained in compliance with the edition of the code under which they were installed. The owner or the owner's authorized agent shall be responsible for maintenance of plumbing systems to determine compliance with this provision. The code official shall have the authority to require any plumbing systems to be reinspected.

DYLAN LAWS: And are the pictures of those issues in the report?

STEVE HOLDEN: They are.

DYLAN LAWS: Which pictures were those?

STEVE HOLDEN: OK, photo 19 through 30 on page nine (9).

DYLAN LAWS: And can you speak to any of the particular issues in those pictures?

STEVE HOLDEN: So, on photo 19, you'll see that one of the lavatories is missing, and you'll notice that the uncapped pipes are admitting sewer gases into the structure.

DYLAN LAWS: And what about the rest of the pictures? What are those showing?

STEVE HOLDEN: So, photo 20 is just—it doesn't make code because the p-trap is not installed correctly. Photo 21—we're missing some water outlets, some toilets with just open pipes in the floor. Photo 22—not sure on that one. On the plumbing, I believe that was just a leak. But in photo 23, we have a makeshift shower. We have just a toilet, and most of these don't have water. They're using water out of a bucket. Photo 24 is just showing the condition of it, and 25 is showing the buckets of water, which it doesn't have. Photo 26 is just a shower with mold. Photo 27—the buckets with the water. Photo 28—none of these lavatories work properly. And in photo 29, we're missing a lavatory with an open pipe. Then photo 30—we have a shower, and some of the—we're also required to have hot water. It's saying that hot water requirement is for culinary, plumbing systems, laundry, bathing, and washing, etc. And that's North Carolina Building Code 607.1, and we do not have hot water to every fixture.

DYLAN LAWS: OK. So, is this, I believe the Board is already slightly prepared for this, but is this the first time you've interacted with the church?

STEVE HOLDEN: No.

DYLAN LAWS: And have you ever had a hearing on the property before?

STEVE HOLDEN: Yes.

DYLAN LAWS: Show you what's been marked as Exhibit No. 2.

[Mr. Laws hands out documents to Mr. Holden, Mr. Laibwij, the Board, and Martha Thompson.]

DYLAN LAWS: Mr. Holden, what is this exhibit?

STEVE HOLDEN: This is the notice of condemnation of the property, and it was to set the hearing for a certain date.

DYLAN LAWS: And did you—Is that your signature on there?

STEVE HOLDEN: It is.

DYLAN LAWS: Is this a fair and accurate copy of that letter?

STEVE HOLDEN: Yes, sir.

DYLAN LAWS: Have you altered it in any way?

STEVE HOLDEN: No, sir.

DYLAN LAWS: I would move to accept that as Exhibit No. 2.

CHAIRMAN BRITTAIN: Exhibit No. 2 is accepted.

DYLAN LAWS: See, so this letter—does it say anything about a prior hearing?

STEVE HOLDEN: Yes.

DYLAN LAWS: And did you, as far as you recall, did you have that hearing?

STEVE HOLDEN: We did.

DYLAN LAWS: OK. And what was the date of that hearing?

STEVE HOLDEN: The hearing was November the 9, 2022, at 8:00 a.m.

DYLAN LAWS: [inaudible] is marked as Exhibit No. 3.

[Mr. Laws hands out documents to Mr. Holden, Mr. Laibwij, the Board, and Martha Thompson.]

DYLAN LAWS: Mr. Holden, what is that?

STEVE HOLDEN: It is an order of remedy of the property for 8123 George Hildebran School Road.

DYLAN LAWS: And did you prepare that as well?

STEVE HOLDEN: I did.

DYLAN LAWS: Is it a fair and accurate copy of that letter?

STEVE HOLDEN: Yes.

DYLAN LAWS: Have you altered it in any way?

STEVE HOLDEN: No, sir.

DYLAN LAWS: I'd move to accept that as Exhibit No. 3 at this time.

CHAIRMAN BRITTAIN: Exhibit No. 3 is accepted.

DYLAN LAWS: Mr. Holden, what was this letter for?

STEVE HOLDEN: This letter was the order given by me, due to an unsafe educational occupancy structure located on the noted property. It was also, an issuance of this order was allowing 60 days for remedy of the structure.

DYLAN LAWS: And what was the date of this letter?

STEVE HOLDEN: The date of the letter was November 9, 2022.

DYLAN LAWS: This one was prepared after that first hearing.

STEVE HOLDEN: Yes.

DYLAN LAWS: And was any, let's see, was that any remedy conducted within 60 days of this letter at that time?

STEVE HOLDEN: No.

DYLAN LAWS: This time, I am showing you what's been marked as Exhibit No. 4.

[Mr. Laws hands out documents to Mr. Holden, Mr. Laibwij, the Board, and Martha Thompson.]

DYLAN LAWS: Do you recognize that?

STEVE HOLDEN: I do.

DYLAN LAWS: And what is that?

STEVE HOLDEN: That is a permit for the Marshallese New Beginnings Church—

DYLAN LAWS: Do—

STEVE HOLDEN: —to renovate the, for the school.

DYLAN LAWS: OK. Is that a fair and accurate copy of that report?

STEVE HOLDEN: Yes.

DYLAN LAWS: Has it been altered in any way?

STEVE HOLDEN: No.

DYLAN LAWS: At this time, I'd move to accept that as Exhibit No. 4.

CHAIRMAN BRITTAIN: Exhibit No. 4 is accepted.

DYLAN LAWS: Mr. Holden, do you, are you able to tell me the date that that permit was issued?

STEVE HOLDEN: The date was December the 19, 2022.

DYLAN LAWS: And when did that permit expire?

STEVE HOLDEN: It would have been December the 19, 2023.

DYLAN LAWS: This time, I'll show you what has been marked as Exhibit No. 5.

[Mr. Laws hands out documents to Mr. Holden, Mr. Laibwij, the Board, and Martha Thompson.]

DYLAN LAWS: Mr. Holden, what is this document?

STEVE HOLDEN: This would have been a, to schedule an inspection and make an inspection on the church.

DYLAN LAWS: And is this a fair and accurate copy of that sheet?

STEVE HOLDEN: It is.

DYLAN LAWS: And has it been altered in any way?

STEVE HOLDEN: No.

DYLAN LAWS: At this time, I move to accept that as Exhibit No. 5.

CHAIRMAN BRITTAIN: It is, Exhibit No. 5 is accepted.

DYLAN LAWS: So, Mr. Holden, what exactly does this document—

STEVE HOLDEN: This would have been an inspection scheduled on a certain date to look at a certain item in the church, which this one would have been an above-ceiling electric.

DYLAN LAWS: OK. So…what does this document show about the permit's status at this time?

STEVE HOLDEN: That it was—

DYLAN LAWS: [inaudible] top right.

STEVE HOLDEN: Expired on December the 19, 2023.

DYLAN LAWS: OK, and from this document, does it show that any progress was ever made on the permit?

STEVE HOLDEN: No. No inspections and no progress.

DYLAN LAWS: OK. So just to clarify, no inspections were ever made before this permit expired—

STEVE HOLDEN: That's right.

DYLAN LAWS: —or no progress was ever made before this permit expired.

STEVE HOLDEN: That's correct.

DYLAN LAWS: OK... So, in that case, are the issues you previously mentioned—from your recent inspection, are those new?

STEVE HOLDEN: No.

DYLAN LAWS: Has the church been previously given an opportunity to rectify those issues?

STEVE HOLDEN: Yes.

DYLAN LAWS: And have they done so?

STEVE HOLDEN: No.

DYLAN LAWS: So, when these issues were found, and you did your most recent inspection, did you post the building as unsafe?

STEVE HOLDEN: I did.

DYLAN LAWS: OK. Did you find the building to appear especially dangerous to life because of the bad condition of the walls, overloaded floors, defective construction decay, unsafe wiring, and inadequate means of egress?

STEVE HOLDEN: Yes.

DYLAN LAWS: And then did you affix a notice of dangerous character to a conspicuous place on

an exterior wall of the building?

STEVE HOLDEN: Yes.

DYLAN LAWS: And did the church fail to take prompt corrective action, as required?

STEVE HOLDEN: Yes.

DYLAN LAWS: For that prior hearing, did you all mail and hand-deliver a notice of hearing to the property owner?

STEVE HOLDEN: Yes.

DYLAN LAWS: And did you have that hearing?

STEVE HOLDEN: We did.

DYLAN LAWS: And do you remember your findings from that hearing?

STEVE HOLDEN: For the building to be, it was unsafe for life and habitation.

DYLAN LAWS: Is the building in such condition that it constitutes a fire and safety hazard?

STEVE HOLDEN: Yes.

DYLAN LAWS: Is it dangerous to life, health, and other property?

STEVE HOLDEN: Yes.

DYLAN LAWS: What did you order to be done?

STEVE HOLDEN: The order to be done is to vacate the property.

DYLAN LAWS: Does that mean that they can't continue to operate as a church?

STEVE HOLDEN: No.

DYLAN LAWS: And have you given the church guidelines to try to rectify these issues?

STEVE HOLDEN: Yes.

DYLAN LAWS: OK, and is, at this time, is there anything else you think it's important for this body to hear?

STEVE HOLDEN: No, sir.

DYLAN LAWS: OK. That would be all my questions for him.

CHAIRMAN BRITTAIN: All right. Thank you, Mr. Holden. At this time, Mr. Laws, will you call your next witness?

MARTHA THOMPSON: Well, at this time, you would ask Tommy if he has any questions of this witness.

CHAIRMAN BRITTAIN: OK, thank you. Yes, Mr. Holden, if you will, come back. Tommy, do you have any questions for Mr. Holden?

TOMMY LAIBWIJ: Not at this.

CHAIRMAN BRITTAIN: OK, thank you. All right, Mr. Laws, now you may call your second witness.

DYLAN LAWS: At this time, I would call Mr. Robert Bishop.

[Clerk administers the oath, and the witness is sworn in.]

DYLAN LAWS: Sir, could you please state your name for the record?

ROBERT BISHOP: Robert B. Bishop.

DYLAN LAWS: And what is your current occupation?

ROBERT BISHOP: The Chief Fire Marshal for Burke County.

DYLAN LAWS: OK, and how long have you been doing that?

ROBERT BISHOP: Well, this July I'll make six (6) years.

DYLAN LAWS: OK, and what were you doing before then?

ROBERT BISHOP: The Fire Engineer for the Town of Long View Fire Department.

DYLAN LAWS: And, so, how long have you been in the fire service industry?

ROBERT BISHOP: 23, almost 24 years.

DYLAN LAWS: OK, and did you help prepare part of the prior report for this order?

ROBERT BISHOP: Yes.

DYLAN LAWS: At this time, I'd move to admit Mr. Bishop as an expert witness in this case.

CHAIRMAN BRITTAIN: No objections. Mr. Bishop, you will be considered an expert witness.

DYLAN LAWS: Mr. Bishop, so you—

CHAIRMAN BRITTAIN: Any objection, Mr.—

TOMMY LAIBWIJ: No.

DYLAN LAWS: Mr. Bishop, so you say that you did prepare part of the report for this?

ROBERT BISHOP: Yes.

DYLAN LAWS: Could you, does that begin on page 18, as far as you're aware?

ROBERT BISHOP: That is correct.

DYLAN LAWS: So, for most of us, this is, you know, not a routine document. Would you be able to just sort of speak on some of your findings from this property?

ROBERT BISHOP: So, pretty much, we're going to go down a checklist. When we do an inspection, you know it's pass or fail. So anytime we fail, whatever component of that inspection is, we'll get a reference back to the code, and then we have an option to put a comment in there to either highlight the repair that needs to be done, or just what we can do to mitigate the present issue.

DYLAN LAWS: OK.

ROBERT BISHOP: So, I can, you want me to just go down the line, or you want—

DYLAN LAWS: Yeah, as of right now, if you can just sort of speak to some of the findings you have in this report.

ROBERT BISHOP: That's just starting at the top of the inspection report. It starts with our exits. Doors serving rooms or spaces and an occupant load of 50 or more should not be provided with a latch or lock unless it's panic hardware or fire exit hardware. So, we had some spots in the church where we had furniture, things like that, in the way. During the initial inspection, if it was something they could take care of while we were there, they did move it. That kind of falls into your next fail, which was means of egress and obstructions. On the comment, you see the main hallway near the sanctuary has emergency exit door location that's been altered to be inoperable. That's a corridor from the front to the rear of the building. It was an exit door that went to the courtyard that had been bolted up. So, you know, it's against fire code and building code. Going down, door opening force. So anytime we open a door to a designated emergency exit, it shouldn't take more than five (5) pound pushing force. You did have several doors, you kind of had to shoulder into to get to open.

DYLAN LAWS: What sort of danger does that pose in a real live fire situation?

ROBERT BISHOP: The inability to safely exit the building during a fire.

DYLAN LAWS: And are there certain parts of the population that are more susceptible to those issues?

ROBERT BISHOP: Younger folks or elderly.

DYLAN LAWS: OK—
[overlapping speakers]
ROBERT BISHOP: [inaudible]
DYLAN LAWS: —you can continue down the list—
ROBERT BISHOP: —All right—
DYLAN LAWS: —if you want.

ROBERT BISHOP: Just kind of continuing on, your multiple emergency exit doors in the building are difficult to operate or do not operate as designed. And not operating as designed could be anywhere from being, you changed over to being an inward swing door versus an outward swing door, or residential hardware, locking hardware being put on it. Just various types of situations—

DYLAN LAWS: Then, I see in here that there's also quite a lot of lists in the category of electrical checklist, and I previously heard Mr. Holden speak on the electricals. Would you mind speaking on that a little bit?

ROBERT BISHOP: Yeah. The fire code is a maintenance code; it's, you know, we're going to go in every one (1), two (2), three (3) years, depending on the type of occupancy. You know, the electrical component is significant just because of the, you know, the danger just with electricity, blocked breaker panels, overloaded outlets, drop cords being used as permanent wiring. So, it would block those areas. It's hard for, if you have fires and firefighters get in there and try to identify what's what on the breaker panel. Just buildup of heat, naturally, you're going to have heat buildup in a breaker panel, so—

DYLAN LAWS: OK. So, would you say that there's, is there a high amount of potential for fires in this building?

ROBERT BISHOP: Yes, sir.

DYLAN LAWS: And from what you said earlier, there's also difficulty getting out in case of a fire.

ROBERT BISHOP: In some areas, yes.

DYLAN LAWS: OK. So, would you consider this building to be safe?

ROBERT BISHOP: No.

DYLAN LAWS: Would you consider it to be dangerous to life and safety?

ROBERT BISHOP: Yes.

DYLAN LAWS: And would you consider it safe at all for anyone to be residing in currently?

ROBERT BISHOP: No.

DYLAN LAWS: And do you agree with Mr. Holden's findings that this building should be vacated for anything other than religious gatherings until this, these issues are fixed?

ROBERT BISHOP: Yes.

DYLAN LAWS: Nothing further.

CHAIRMAN BRITTAIN: Tommy, do you have any questions for this witness?

TOMMY LAIBWIJ: No.

CHAIRMAN BRITTAIN: Any questions from the Commissioners?

Several audience members spoke out of turn during the proceedings, raising concerns regarding the petitioner's ability to understand the notices and participate in the hearing due to language barriers. The Chairman called for order and instructed one (1) individual to be seated. After continued interruptions, a couple of individuals chose to leave the meeting voluntarily.

Chairman Brittain noted that an interpreter was present and asked the petitioner if one was needed. Upon the petitioner's affirmative response, the interpreter, Bethan Fisher, provided assistance for the remainder of the hearing.

TOMMY LAIBWIJ: Yes, sir. So, I was wondering if there is a possibility that we can move this to a later date so I can have time to go over everything and really understand it.

Commissioner Stroud attempted to make a statement. Chairman Brittain ruled the comment out of order and struck it from the record.

TOMMY LAIBWIJ: Yes. So, we did follow the findings that they had presented to us, and I have all of these reports here. I have all this stuff here in front of me.

CHAIRMAN BRITTAIN: Mr. Bishop, was there ever an interpreter present when you were on the scene?

ROBERT BISHOP: Yes.

CHAIRMAN BRITTAIN: There was an interpreter present when inspections were made?

ROBERT BISHOP: Yes. Stand by, and I'll give you a date. [flipping through paperwork]

MARTHA THOMPSON: Mr. Chair, I think the appropriate question for the petitioner at this point is…

ROBERT BISHOP: Do—

MARTHA THOMPSON: The fact that he is now asking for more time, has he at any point until just a moment ago asked for a continuance or additional time?

ROBERT BISHOP: If you look on page 21, the 1/31/24 inspection date, in my comment section, I listed all the inspection participants, and the last one was a DSS interpreter. During that inspection, they interpreted statements, went around the whole time, kind of explained—
[overlapping speakers]
BETHANY FISHER: Excuse me, sir—
ROBERT BISHOP: —what we were finding—
BETHANY FISHER: —Can you give me a second to grab Page No. 21? Is it under the unstapled copy of the report here, sir?

[Mr. Bishop approached to assist the petitioner and his interpreter in finding photo 21.]

CHAIRMAN BRITTAIN: Tommy, at any time during this process, have you asked for a continuation of this case?

TOMMY LAIBWIJ: No. Like, honestly, I didn't understand all the proceedings, and I wasn't quite clear on what I was supposed to do on my end, sir.

CHAIRMAN BRITTAIN: Can you ask him if he has ever requested a continuation of this case?

BETHANY FISHER: [speaking Marshallese]

TOMMY LAIBWIJ / BETHANY FISHER: Yes. Thank you, sir. So, like I said before, I wasn't really aware of the process and that I would be able to do that. I had spoken to the Marshallese Embassy, as well as the consulate in Washington, to seek some additional support, but I was not aware that continuation was allowed for me.

DYLAN LAWS: Mr. Chairman, we would object to any continuation. This has been an ongoing issue for years, at this time. He's had the opportunity to speak with a lawyer way before now, and I've just been given two (2) invoices for Marshallese interpretation for two (2) different site visits—on 1/31 and 4/23, both in the year 2024. The opportunity to continue this or seek counsel was long ago. It, I don't believe it's proper to halfway through decide that things aren't going well for you and that you should have prepared and just ask it to be continued. We've been prepared. We're here, and this has been scheduled, and it's, as mentioned, it’s been a year-long process of issues.

CHAIRMAN BRITTAIN: OK. Thank you.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. So, actually, yeah, regarding that, I just wanted to direct your attention to some of the pictures and the findings that they had here on the doorknob here.

CHAIRMAN BRITTAIN: What page are you looking at?

TOMMY LAIBWIJ / BETHANY FISHER: It, you know, I don’t, I'm so sorry, sir. I don't have a page number on here. These are my own findings, and I didn’t realize that I was supposed to bring them and give copies to everyone present, but I have them here in front of me.

MARTHA THOMPSON: He doesn’t have to have copies for everyone. He can just show you guys

those.

CHAIRMAN BRITTAIN: If you'll bring them up so we can see them, please.

DYLAN LAWS: May I see those as well, first?

CHAIRMAN BRITTAIN: Yes, if you'll show them to counsel, please.

[Mr. Laibwij shows the documents to Mr. Laws.]

[Chairman Brittain has a sidebar with Martha Thompson.]

[Mr. Laibwij shows the documents to Chairman Brittain.]

TOMMY LAIBWIJ / BETHANY FISHER: You can see here the one messed up; we fixed all this here. It didn't work before; we fixed it. Now it's working.

DYLAN LAWS: Objection, this needs to be on the record, and I can't hear any part of it.

CHAIRMAN BRITTAIN: Yeah. Hold on, just a moment. If… you'll need to explain the picture and then tell us what we're seeing.

MARTHA THOMPSON: I think, Mr. Chairman, I think what he's doing at this point, the question is, is this about a request for continuance, or is this about evidence he would like to present?

CHAIRMAN BRITTAIN: The question at this point is: Is he requesting to present evidence, or is he wishing to request a continuance?

BETHANY FISHER: [speaking Marshallese]

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. I'd like to ask for some grace time if we could do a continuation so that I can get all this set up correctly… And… Yes… Yes, sir. So, regarding the codes here, as you know, I'm not from America—

DYLAN LAWS: Objection. That's no relevance to a continuation at this.

CHAIRMAN BRITTAIN: This is, we're not presenting evidence.

MARTHA THOMPSON: So, if he wishes to present evidence that he's got with him, Mr. Chair, he can do that in a few minutes. He doesn't need to have copies for everybody. He can present what he has.

TOMMY LAIBWIJ / BETHANY FISHER: Yes. May I ask if we could have a grace period to have a continuation, so I can have some time to get this all set up correctly, sir?

DYLAN LAWS: I would object to that—
[overlapping speakers]
CHAIRMAN BRITTAIN: —It would be an appropriate time to have a recess where we can

discuss this matter. Thank you, [inaudible]. Go ahead and have a seat. We're going to call for just a moment of recess, and the Commissioners, let's go back in here to chambers where we can have a discussion. Is that acceptable?

DYLAN LAWS: I believe—
[overlapping speakers]
MARTHA THOMPSON: —We can take a less-than-majority out there.

CHAIRMAN BRITTAIN: Less than majority.

MARTHA THOMPSON: We can do it in shifts—
[overlapping speakers]
CHAIRMAN BRITTAIN: —So, hearing that we, OK. Given that we have an even number of Commissioners, can we take two (2) Commissioners and yourself?

MARTHA THOMPSON: [nods in the affirmative]

CHAIRMAN BRITTAIN: OK. OK, we're going to recess for just a moment, where we can have some discussion, and then we'll reconvene.

DYLAN LAWS: May I clarify if the witness is still on the stand at this time, or can he step down?

CHAIRMAN BRITTAIN: Yeah. Tommy, do you have any questions for this witness?

TOMMY LAIBWIJ / BETHANY FISHER: Yeah, I'm good. I don't need anything right now. I have no questions or further comments.

CHAIRMAN BRITTAIN: OK, thank you. You're dismissed. Thank you.

RECESS OF THE MEETING
Chairman Brittain called for a recess at 4:34 p.m., and the quasi-judicial special meeting resumed at 4:50 p.m.

COMM. DEV. - APPEAL ORDER TO VACATE 8123 GEORGE HILDEBRAN SCHOOL ROAD - MARSHALLESE NEW BEGINNINGS CHURCH CONTINUED

CHAIRMAN BRITTAIN: OK, we'll consider ourselves back in order. Tommy, I think you now have someone there who can interpret for you. So, you have, we consider that you requested a continuance. On what basis do you ask for that continuance?

TOMMY LAIBWIJ: [inaudible]

COMMISSIONER STROUD: Microphone

CLERK DRAUGHN: Turn your microphone on.

TOMMY LAIBWIJ / BETHANY FISHER: Hm? Oh, thank you. Yes, so, my understanding was that I did not need any legal representation and, but I'm hearing conflicting things now, and that

was what I initially had thought. Yeah, and so, I brought my own report here. I was just going to ask for an extension and continuation so I could have someone who would be able to properly represent me.

CHAIRMAN BRITTAIN: All right. Thank you very much. All right, gentlemen, we've heard a request for continuance—

DYLAN LAWS: And it, I would like to object to that and possibly also be heard on it if possible.

CHAIRMAN BRITTAIN: I'm sorry, repeat…

DYLAN LAWS: I would like to object to that and possibly be heard on it as well.

CHAIRMAN BRITTAIN: OK, please state your.

Dylan Laws: Yes, Sir. So, the pastor has mentioned not knowing that he needed to have legal representation, and the lack of an interpreter, but the issue is, that because of the amount of time this has been going on, he's well aware of the issue, has submitted appeal forms in English, that he has handwritten and that have been typed and signed by him. He had, there are invoices showing that interpreters were at site visits. Just because we got partway through a hearing and maybe he decided it wasn't going well for him, now trying to get an attorney is not sufficient grounds, and to say he didn't understand these proceedings or that he needed representation is something he should have gotten before. And just lastly, to say that he didn't understand his proceedings or has an issue with English. If he was able to go on the news just days ago in giving a public interview, speaking himself about these matters. So, either he can sufficiently understand these proceedings, or has the means to have sufficiently figured out what he needed to do these proceedings far before, essentially, we're finished up with our case.

CHAIRMAN BRITTAIN: Thank you, counsel.

MARTHA THOMPSON: Ask if he has a response.

CHAIRMAN BRITTAIN: Do you have a response to that?

TOMMY LAIBWIJ / BETHANY FISHER: Yes, I just wanted to say, it is correct when I spoke earlier, as well as had an interview. I can speak English and I had spoken English with them and I knew that the fire inspector had come as well as the building and I did understand all of that, but as far as the legal proceedings, it's pretty heady, and it's a different form of English with the legalese and so that was why I was requesting that.

CHAIRMAN BRITTAIN: OK. All right, hearing that, I'll ask the board of commissioners, is there a desire to continue this case?

COMMISSIONER STROUD: It's no for me. You know, just so everybody knows.

CHAIRMAN BRITTAIN: OK, I'm going to take that as a motion. All those in favor to not continue this case and move forward, please signify with uplifted hand.

[Chairman Brittain, Vice Chairman Smith, and Commissioner Stroud raise their hand.]

CHAIRMAN BRITTAIN: And those wishing to continue?

[Commissioner Barrier raises his hand.]

Motion: To deny the request for a continuance.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike Stroud, Commissioner
AYES:	Jeffrey C. Brittain, Phil Smith and Mike Stroud
NAYS:	Brian Barrier
ABSENT:	Randy Burns

CHAIRMAN BRITTAIN: That'd be three (3) to one (1). OK, so we'll continue with this case. First question, Tommy: Is there anything about the evidence that has been presented so far that you do not understand?

MARTHA THOMPSON: [inaudible] ask questions of the witnesses at all [inaudible]

TOMMY LAIBWIJ / BETHANY FISHER: Yeah, Page No. 5, photo one (1).

MARTHA THOMPSON: [inaudible] asking us this question [inaudible]

TOMMY LAIBWIJ / BETHANY FISHER : Yes. So, my understanding was so, in photo one, you'll see obviously the pictures from that inspection, and my understanding was there were people living there prior to us moving in, and they've been there—
DYLAN LAWS: —Objection—
[overlapping speakers]
TOMMY LAIBWIJ: —for some time—
DYLAN LAWS: —I feel like he's testifying at this point. And not only is, we're not to this point of questioning, at this point, he hasn't been sworn or anything.

CHAIRMAN BRITTAIN: The question is, did you have a question for the one (1) of the previous witnesses?

MARTHA THOMPSON: Tell him he will have—
[Overlapping speakers]
BETHANY FISHER: —I'm so sorry—
MARTHA THOMPSON: —his time to testify—
BETHANY FISHER: —Could you repeat for the interpreter? I apologize.

CHAIRMAN BRITTAIN: I'm sorry.

BETHANY FISHER: May you repeat the question for the interpreter? I was finishing interpretation to ensure the first part of your question, Sir.

CHAIRMAN BRITTAIN: Yes, the question right now is, does Tommy have any questions for the first two (2) witnesses?

MARTHA THOMPSON: And that he will have a chance to give his side of the story and present evidence.

TOMMY LAIBWIJ: I'm good for right now. No.

CHAIRMAN BRITTAIN: And please be sure he understands, he will have a chance to present his testimony afterwards.

BETHANY FISHER: Mhmm.

CHAIRMAN BRITTAIN: OK. All right, we've heard from two (2) witnesses. You have finished with your witnesses, Mr. Laws.

DYLAN LAWS: I have no further witnesses.

CHAIRMAN BRITTAIN: OK, all right, thank you. Tommy, at this time, you can present evidence if you'd like to be sworn, come forward to be sworn. And we also need the interpreter to be sworn as well.

[Clerk administers the oath, and the petitioner and interpreter are sworn in.]

CHAIRMAN BRITTAIN: OK, Tommy, you can call your first witness.

TOMMY LAIBWIJ / BETHANY FISHER: I don't currently have any witnesses at this time, sir.

CHAIRMAN BRITTAIN: OK. Is he prepared to present testimony on behalf of the church himself?

TOMMY LAIBWIJ / BETHANY FISHER: Yes.

CHAIRMAN BRITTAIN: OK. Go ahead with that, and if you need to interpret, please do so.

BETHANY FISHER: Sure, and may I go ahead and start, sir?

CHAIRMAN BRITTAIN: Yes.

MARTHA THOMPSON: [inaudible]

TOMMY LAIBWIJ / BETHANY FISHER: So, when we first purchased the property for the use of the church, I was not made aware that there were any issues with the property or the building there…

So, the issues that they had documented here in the reports were all issues that were there prior to us taking the property and residing there, and during that time, there was not one person that had warned us or told us that it was not safe for occupen— Sorry. Safe for living or occupancy...

And as I've mentioned before, I'm not from this country. We come from a different country, and over there, they do not have any form of building codes or any sort of—
[overlapping speakers]
DYLAN LAWS: —objection—
TOMMY LAIBWIJ: —code—
DYLAN LAWS: —the relevance of building codes elsewhere matters none to the proceedings today.

BETHANY FISHER: Was that overruled, sir? May I continue?

TOMMY LAIBWIJ / BETHANY FISHER: And so, in our country, our home country, they don't have building codes, and so we were not familiar with any of these codes and the things we had to do to maintain the property. We were just so excited to have a place to live, a place where we could also be together for church services…

Yeah, and then initially, when they had told me there were issues with the property, I was completely shocked. I was taken off guard. I didn't realize that there were issues that needed to be addressed, and I wasn't sure how to address those issues moving forward...

And also, I have here in the pictures that I brought myself for my own report, that when they addressed issues, I know there were some issues with locks and doors, and some of the other problems. There was a section that was particularly badly damaged, and we went ahead and we fixed those right away. We wanted to make it safe, especially for the children…

And then, according to my knowledge, there was sort of a pause in the process of all of this. I understood that the city wanted to help us, and so my understanding was there was kind of a pause on those inspections, and they wanted to assist us…

And so, I was waiting for assistance, and then it was during that time that they told us they were going to kick us out of the property…

My purpose for coming today, I was hoping to show you with the evidence I have here in these photos, that we did take care of some of the issues there. We fixed a lot of things, and I wanted to ask if we could get a full permit or possibly some extension time to resolve some of the other matters…

For example, in the cafeteria, you'll see in this picture, all of the windows were broken, and we were able to replace those and fix them in this picture here...

And we are trying to do the best with what we have here. We are trying to follow the codes and what they say. We know that this is how we're supposed to be doing things properly. However, there are some things that we differ on as far as what the city deems unsafe or not...

Yeah. So, I also wanted to just, again, sort of bring up the point that I would like to see if we could have sort of a grace period, an extension, to take care of some of these issues here. It is true that I believe it was in 2022 that there had been some issues raised, but as you know, it is a place of worship. It is a church. Therefore, it's, you know, nonprofit. We're trying to do the best that we can as a minority group living here in this state. We have several people living on

the property that are working right now, about 14 workers, and we're, they're doing the best they can so we can raise funds. I know one of the electrical issues that we had to take care of was between 1 to 2 grand…

Yeah, and the other thing I wanted to bring up too is that there are several people living on the property who, they were kicked out of their prior living situations and so as a church, we came together and tried to help them, provide them a place where there's a roof over their heads to help them and they aren't paying rent, but some of them have been able to go from being homeless to getting jobs. Yeah, and like I said, they're not renting.

BETHANY FISHER: Sorry. Repetition for the interpreter.

TOMMY LAIBWIJ / BETHANY FISHER: Yeah, so I wanted to kind of break down some of those costs. Like I said, the people that are living there, they've had to pay upwards of a thousand for electrical bills.

DYLAN LAWS: Objection. He can't speak to what others have had to pay.

BETHANY FISHER: [speaking Marshallese]

TOMMY LAIBWIJ / BETHANY FISHER: I guess what I was trying to say was that it affects every person that's a part of the community there, and I was trying to show how that affected them.

CHAIRMAN BRITTAIN: Was that the only copy of the photographs that he has?

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. That is correct. Like I said before, I had no prior knowledge before today that I was, you know, supposed to be here and bring multiple copies for everyone. I just thought if I made a report on my own and I submitted it to the board that that would suffice.

CHAIRMAN BRITTAIN: Should we make a copy of the [inaudible] of the photos?

MARTHA THOMPSON: He’s got another copy. You need to ask him if this is his only copy.

TOMMY LAIBWIJ: Yesterday, I spoke to the city, and they said I did not need a lawyer or anything—
[overlapping speakers]
DYLAN LAWS: —Objection—
TOMMY LAIBWIJ: —I just needed to bring a report—
DYLAN LAWS: —He can’t speak to what the city told him. It is hearsay.

CHAIRMAN BRITTAIN: Sustained.

MARTHA THOMPSON: Who is he talking about? Is the City involved?

CHAIRMAN BRITTAIN: No, he is referring to the County as the City, in my opinion.

MARTHA THOMPSON: [inaudible] it is [inaudible] county staff.

CHAIRMAN BRITTAIN: When you say city, do you mean county or city?

TOMMY LAIBWIJ: Mr. Holdman

MARTHA THOMPSON: He's confident. Objection's overruled.

CHAIRMAN BRITTAIN: So, can you repeat that statement about what, who he talked to?

TOMMY LAIBWIJ: Yes, sir. So, I spoke yesterday to Mr. Holdman, I believe. Holton, I'm sorry. Mr. Holton and his boss, they had told me I did not need legal representation at the time.

MARTHA THOMPSON: [inaudible]

CHAIRMAN BRITTAIN: Can he present those photographs as an exhibit?

TOMMY LAIBWIJ: Yes, sir.

CHAIRMAN BRITTAIN: OK. We'll accept that package of photographs as Exhibit No. 6, I believe. Any further testimony?

CLERK DRAUGHN: Are we going to get the exhibit?

CHAIRMAN BRITTAIN: If you'll present those photographs to the clerk, please.

[Exhibit No. 6 was given to the Clerk. The Clerk gave them to the Chairman.]

CHAIRMAN BRITTAIN: Was there any other testimony?

TOMMY LAIBWIJ / BETHANY FISHER: Yes. The last thing I would like to say is just, I see these pictures here. I see the reports and inspections. I know there are some things we need to take care of, and I know we can do them as a community. I know we can get together and take care of what needs to be taken care of, and all I am asking you to do is to just please give us some extra time, an extension, please. As you know, there are babies and children, and kids living here, and I don't know where anybody will go if we get kicked out. At least we're living somewhere where we have a roof over our heads, and I'm, you know, it's better than living out in the bushes with no support.

CHAIRMAN BRITTAIN: All right. That the end of your testimony?

BETHANY FISHER: Yes, hold on.

TOMMY LAIBWIJ / BETHANY FISHER: Yes. So, if there's anything else, I can let you know later at this time. I don't think I have anything to add except there are some extra pictures here, different buildings, and, I think, different property here. But there's certain people that I know who do not follow code. They're living—
[overlapping speakers]
DYLAN LAWS:—OK, objection—

TOMMY LAIBWIJ / BETHANY FISHER: —in a condition that—
DLYAN LAWS: — first, the pictures that are not in the record and to what other people are doing.

CHAIRMAN BRITTAIN: Sustained. Do you have any other relevant testimony?

TOMMY LAIBWIJ: I'm good for now. Thank you.

CHAIRMAN BRITTAIN: OK. Mr. Laws, would you like to cross-examine?

DYLAN LAWS: Yes. [inaudible]… You stated that nobody told you before the purchase that there were issues with occupancy. Is that correct?

TOMMY LAIBWIJ / BETHANY FISHER: That is correct. In the beginning, I did receive some paperwork that said, like, there's no lead poisoning and no other issues. All the other issues that have come after the fact are new to me.

DYLAN LAWS: But you did have a hearing on these over two (2) years ago. Isn't that correct?

TOMMY LAIBWIJ / BETHANY FISHER: To my knowledge, I'm not sure if hearing is the accurate word, but I remember that I came here. I filled out some forms and paperwork and submitted them, and that's all I remember. And I brought permits as well. And so, I was thinking that was what the hearing encompassed, so I did bring some forms.

DYLAN LAWS: Nothing further.

MARTHA THOMPSON: So, Mr. Chair, I think it's appropriate this time to let the petitioner know that this is his time to present all the evidence that he has. And his comment that he didn't have anything else to say at this time, this is the time to do that. And that he has any witnesses here who can testify or wish to speak.

CHAIRMAN BRITTAIN: All right. Tommy, this is now the time. If you wish to say anything further, if you have any other witnesses or wish to present anything else, we need to hear that now.

TOMMY LAIBWIJ / BETHANY FISHER: Thank you, sir. I don't have any witnesses at this time, but I will submit these photographs for the record.

DYLAN LAWS: Objection. I have not seen those yet.

CHAIRMAN BRITTAIN: OK, let opposing counsel take a look at those.

DYLAN LAWS: I would object to those. Those are random pictures of other properties throughout the community. They are nothing of this current property.

CHAIRMAN BRITTAIN: What's the relevance of those pictures?

MARTHA THOMPSON: If it is some evidence of anything, take them. If it is evidence of nothing,

don’t take them. Doesn’t have to be compelling.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. So, the purpose of these photographs that I wanted to give to you today is, I was just trying to show you that there are some other houses and properties within the community near us that are not following the codes or the law. And so—
[overlapping speakers]
DYLAN LAWS: — Objection—
TOMMY LAIBWIJ: —I was just asking why—
DYLAN LAWS: — He can't speak to whether they're following the code or not.

CHAIRMAN BRITTAIN: Sustained. Those cannot be accepted… OK, I. Tommy has finished with his testimony and…

TOMMY LAIBWIJ / BETHANY FISHER: Nothing further at this time, sir.

CHAIRMAN BRITTAIN: OK. I'll give our judge panel time to ask any questions they may have. I'll start with Mr. Barrier. Any questions?

DYLAN LAWS: Hey, Mr. Chair, sorry. I would, before closing, like to recall Mr. Holden to the stand when possible, for just a quick moment—
[overlapping speakers]
MARTHA THOMPSON: —[inaudible] premature—
DYLAN LAWS: —whenever that is possible.

CHAIRMAN BRITTAIN: Okay. Let's hold on that just a moment, please.

MARTHA THOMPSON: Ask the [inaudible]

[Chairman Brittain has a sidebar with Martha Thompson]

COMMISSIONER BARRIER: Pastor, this has been going on since before some of us were here as commissioners, and we've been given the evidence of the violations at the building, which is pretty heartbreaking and concerning. My question to you is, with these documents and an interpreter being shown as evidence being present at the time of the 2022 inspections, did you fully understand the documents you, the interpreter explained that to you? And I'm just curious if you have some interpreters, did somebody not say perhaps that you should have some legal counsel?

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. So, there weren't interpreters that fully explained everything in these documents. I did not have any legal counsel as well. I was just following what I was being told, and so that's what I did.

COMMISSIONER BARRIER: Mr. — I don't have any other questions, but and I'm not sure exactly how this judicial — how we take the vote—if it's all at once or not. But I do have comments. I'd prefer to vote individually when it's my turn to vote. I understand it's not time, but what I'm saying is, when we vote, if it's— I'd prefer to vote individually and make comments when I vote.

CHAIRMAN BRITTAIN: Mr. Smith, any questions?

VICE CHAIRMAN SMITH: Yes, sir. Is there a mortgage on the property, pastor?

BETHANY FISHER: Can you repeat for the interpreter, please? A what now?

VICE CHAIRMAN SMITH: Is there a mortgage presently on the property?

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. We are presently paying $500 a month towards the mortgage.

VICE CHAIRMAN SMITH: When you bought that property, were you represented by a real estate agent here in Burke County or somewhere in North Carolina?

TOMMY LAIBWIJ / BETHANY FISHER: No, sir. There was not a real estate agent. I spoke to some people that were part of a Baptist church, but I went myself and took care of things on my own.

VICE CHAIRMAN SMITH: Was Pastor Rice the minister there at Living Water when you purchased that property? Do you remember?

TOMMY LAIBWIJ / BETHANY FISHER: Are you referring to Chuck?

VICE CHAIRMAN SMITH: No, probably not. When I was the principal of George Hildebrand, he and I had a close relationship, and he would come over and minister to the children quite a bit. I didn't know if he was still there or not, but.

TOMMY LAIBWIJ/ BETHANY FISHER: No, sir. I do not know who that person is. I haven't met them yet.

VICE CHAIRMAN SMITH: Now, I'm sure you had a lawyer, legal counsel, when you purchased that property. Is that correct?

TOMMY LAIBWIJ / BETHANY FISHER: No, sir. Like I stated before, all of this is fairly new to us. So, all I knew was to go purchase the property and that we would be making monthly payments towards the mortgage, but I had no knowledge of any sort of legal representation, attorneys, or anything like that.

VICE CHAIRMAN SMITH: I may have more later, sir, if you want to go through.

CHAIRMAN BRITTAIN: Commissioner Stroud, any questions?

COMMISSIONER STROUD: Hey, pastor. I've done 40 years of ministry, so I know how it works on both sides, and I know that you got to do things that are right to honor God and, you know, if you believe those kinds of things. But here, I believe, me personally, you know, you've had plenty of time to figure all this out. You got a large support from people here in the community, it seems like. They really root for it, and all of us are. I know all of these people here are God

fearing people. So, we want the best for you and our county and everything else, but everything's got to be done right and has got to be proper. And I know we all struggle to do those things sometimes, but I just, I can't see going on any further just because of the liability. Now we might come up with something, I don't know, but I just, I don't, it just doesn't seem proper to me, and I like doing things properly. I've done things wrong, too. I know how it is in other ministries and churches and stuff like that. You know, you come in and you're just trying to do good, and we appreciate that. There's a lot of people trying to do that, but we want to do good right. We don't want to be liable. We don't want to be liable if a kid gets hurt. You know, everything's about helping people till somebody gets hurt, and then we're the bad guys. We're the ones that get sued and those kinds of things. So, I would like to set a standard of doing things the proper way moving forward, and I think there'll be a lot of support for you in our community, and things are going to be good for all of us. But that being said, it's just kind of a no for me.

TOMMY LAIBWIJ/ BETHANY FISHER: Excuse me, sir.—
[overlapping speakers]
CHAIRMAN BRITTAIN: [inaudible] question [inaudible]—
TOMMY LAIBWIJ / BETHANY FISHER: — Did you have a question for me?

VICE CHAIRMAN SMITH: He's talking to you, Mike.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, Mis—
[overlapping speakers]
COMMISSIONER STROUD: Question? Yes—
TOMMY LAIBWIJ / BETHANY FISHER: — Yes, sir—
COMMISSIONER STROUD: I'll ask a question. Why so long? After time, after time, after time after time, there would seem like somebody come up Living Waters – I don't know who they are, but it seemed like a minister or somebody would say, hey, man, we got to get this place right. We got to do this right. So why did it take so long to get it right from your perspective? Broken toilets and stuff.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. So, from my perspective, the reason it took so long was because we needed to be able to raise funds to pay for some of those issues to be fixed. There are quite a lot of expenses, and from a few years ago, from 2022 until now, we've been able to fix some of those issues on our own. We were told that there would also be some help coming from some different organizations, and so we were trying to get assistance and also waiting to be able to pay for some of these things, you know, because things are kind of tight these days, and so that was the main reason.

CHAIRMAN BRITTAIN: Thank you. All right, Mr. Laws, I believe you wanted to bring Mr. Holden back to the stand.

DYLAN LAWS: Just for a brief [inaudible]

[Clerk reminds the witness that he was still under oath.]

DYLAN LAWS: Mr. Holden, the pastor said that you told him that he did—

CLERK DRAUGHN: Microphone.

DYLAN LAWS: The pastor has mentioned that you spoke to him and told him he did not need legal representation. Is that true?

STEVE HOLDEN: No, sir.

DYLAN LAWS: Have you ever told him he did not need legal counsel?

STEVE HOLDEN: No, sir. I advise him everyone has the right to seek legal counsel.

DYLAN LAWS: Nothing further.

CHAIRMAN BRITTAIN: Any questions for this witness?

TOMMY LAIBWIJ / BETHANY FISHER: Yes. So, when I spoke earlier, I was speaking of Mr. Holton as well as his associate, and I know there are other people, higher ups, that he worked with, that they didn't, I don't know that they expressly said that I was not allowed to seek legal advice, but I was not aware that that was an option. So, I'm speaking of him and the other gentleman that came along with him as well to his inspections.

CHAIRMAN BRITTAIN: Mr. Holden, at this point, now that we've had this appeal, what is the time frame going forward?

STEVE HOLDEN: 60 days. It would be May the 20th.

CHAIRMAN BRITTAIN: There's 60 days from this—
[overlapping speakers]
STEVE HOLDEN: —From—
CHAIRMAN BRITTAIN: —date?—
STEVE HOLDEN: —the date of the hearing, of the order.

CHAIRMAN BRITTAIN: The date of the order.

STEVE HOLDEN: The date of the order that I give at the last hearing would be May the 20th.

CHAIRMAN BRITTAIN: When was the last inspection at this location?

STEVE HOLDEN: Let me look. Let me get my papers. April 23, 2024.

CHAIRMAN BRITTAIN: April 23, 2024… Tommy, how many days do you think it would take to make repairs sufficient to…?

TOMMY LAIBWIJ / BETHANY FISHER: Thank you, sir. I think that at this time, if I can get all the forms I need necessary, the permits, as well as everything moving forward, and trying to work on everything as best as I can. I think it might take somewhere around 12 months, sir.

CHAIRMAN BRITTAIN: Mr. Holden, so you haven't been on-site since 24. Is that correct?

STEVE HOLDEN: We were, I was last on the I was on the site last night at, say, 6 o'clock.

CHAIRMAN BRITTAIN: But as far as an inspection that would have seen any improvements, when was the last time that you—

STEVE HOLDEN: It would have been. I can look that date up, Commissioner. [shuffling through paperwork] We posted it as unsafe and was on the site on March 11, 2025.

CHAIRMAN BRITTAIN: So, was there an inspection at that time?

STEVE HOLDEN: At that time, I did a walk-through.

CHAIRMAN BRITTAIN: You did not see any improvements—
[overlapping speakers]
STEVE HOLDEN: —No, sir.—
CHAIRMAN BRITTAIN: —at that time?

STEVE HOLDEN: But I only went into, I didn't go into every room, but I only went into maybe four (4) or five (5) rooms and then over into the church.

CHAIRMAN BRITTAIN: Would staff consider an extension of 30 days to reinspect for any improvements?

STEVE HOLDEN: No, sir.

CHAIRMAN BRITTAIN: OK. Mr. Smith has a question.

Phil Smith, Vice Chairman: I've got a question, sort of for both of the pastor and Mr. Holden. Now, pastor, I see where it says you had an architect in there in November of 22, and a contractor, a local retired contractor, also met with building officials. Did they give you any kind of an estimate on price? And I know that's going to be different now. An estimate on price and timeline, how long it would take them to repair that, and I'm going to want your opinion on that, too, in a minute, Mr. Holden.

TOMMY LAIBWIJ / BETHANY FISHER: Yes. So, there was an architect that came to the property. I know there was some paperwork. I do not recall at this time if there was an estimation as far as how much money it would cost, and I don't recall that, but maybe it was there on paperwork, and I just didn't know where to look for it…

So, like I said, when the architect came, I know they did fill out some information. I'm not sure if they gave that to the city. My understanding was they were looking to see if there were walls and proper rooms and the structures there, and maybe they submitted those financial results. I'm not aware of that this time.

STEVE HOLDEN: So—

VICE CHAIRMAN SMITH: You go ahead.

STEVE HOLDEN: So, on April 23, 2024, with an interpreter, we went through the whole project, and then that quote, I believe, was $500,000.

VICE CHAIRMAN SMITH: $500,000.

TOMMY LAIBWIJ / BETHANY FISHER: I'm so sorry, Mr. Holtman. What was the date of that you just said?

STEVE HOLDEN: It was April 23, 2024.

TOMMY LAIBWIJ / BETHANY FISHER: Oh, yes. You are correct, sir. I remember that. And there was an interpreter present at that time, another Marshallese interpreter, and my understanding at that time, I thought that there were going to be people writing grants. That's what someone had mentioned. There'd be someone writing a grant to assist with the financial aspect of those repairs...

I was under the impression that they were coming on that day in April to help see where we needed assistance and what needed to be fixed. I didn't realize it was, like, an actual inspection that was going to be used to be submitted to the city. I thought it was supposed to be time. They're going to help us see what we needed help with and what we need to be fixed. That was my understanding.

STEVE HOLDEN: It was both. It was an inspection, and it was bringing in a group of people to look and see if there was help.

VICE CHAIRMAN SMITH: OK. Pastor, if you were to get a continuation based on the $500,000 estimate, which I don't know after everything that's going on the last few months, if that would even be feasible now to say it would be $500,000—is your church, and I don't know your finances through tithing and grants and all that. Would you be able to feasibly afford a $500,000 renovation within a reasonable time period, based on what the inspectors and contractors think it would take to repair that, those buildings?

TOMMY LAIBWIJ / BETHANY FISHER: Yes. Thank you for the question. So, that was kind of why I estimated maybe it would take 12 months due to the amount that is needed. We'll try our best, and I know, like, we work together as a community to do what we can, but I was thinking if we had that length of time, it would also help us to make sure that everyone living on the property has a place to go in case we have to vacate the premises. I want to make sure they have time to be able to fill out the paperwork to get housing or other things, and make sure that they are secure financially before having to be put out on the streets. I was thinking, you know, we'll do our best, we'll try, and that's why I mentioned 12 months earlier, sir.

VICE CHAIRMAN SMITH: In order to secure a line of credit or something of that nature, I know that would take probably in the neighborhood of 60 to 90 days just to get the line of credit, if you had to do that. I would, I mean, wha—and my next question before I make a statement is where would your tenants go while you were repairing the property? I don't imagine they could stay in there while you were doing that kind of work.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, sir. That's a great question. I know some of the people living on the property are filling out applications for townhouses, rental assistance, places for them that they can stay. I'm not sure when those will be processed and when we will find out if they have a place to stay, but I know that some of the parishioners are looking for stable housing at this time, and hopefully, it'll be soon.

CHAIRMAN BRITTAIN: Other questions? Any other questions for Mr. Holden?

TOMMY LAIBWIJ / BETHANY FISHER: I'm good. Just thank you for your time. Thank you, sir.

CHAIRMAN BRITTAIN: Any other questions, Mr. Laws?

DYLAN LAWS: [inaudible]

CHAIRMAN BRITTAIN: OK. Thank you, Mr. [inaudible].

CHAIRMAN BRITTAIN: All right. Mr. Laws, would you like to make a final statement?

DYLAN LAWS: Yes…Today's hearing, through all of the evidence presented, should show just how dangerous the conditions currently are at the Marshallese New Beginnings Church. The experts have testified to countless code violations, including exposed and overloaded wiring, no real source of heat, walls that are falling apart, completely unsanitary bathrooms, lead paint, and leakage, leaking sewage gases, just to name a few. This is all going on while the building is not even designed for residential occupancy. Drastic changes need to occur and have needed to occur for years in order to make something like that a viable option. And the county has been trying for years to remedy these issues. And at every juncture and every opportunity, they refused to take measurable steps to comply. And he admitted to knowing that these issues have existed for years. You've seen the prior building permit and the record that followed. That permit was allowed to expire after not a single thing was done. And I'd like to go back to what I briefly spoke about in my opening statement. A quasi-judicial hearing is not a popularity contest. It is a decision constrained by the standards in the law and based on the facts presented, and your discretion is limited. Your decision can rest only upon the competent, relevant, and substantial evidence that has been entered into the record today. Today's decision is not a political decision; despite, however, the contrary it may currently feel. The decision has already been made, and it hasn't been made lightly. The church has been given the necessary steps it needs to take in order to remedy the dangerous conditions at this property. Nothing in that prior order is stopping that. It's just merely, as it stands, it cannot continue to be used in a residential occupancy capacity. Nothing has been done to stop them from conducting religious gatherings or even making the repairs for future occupancy. It's clear that notice and hearing were conducted as the law required. The church is incredibly dangerous to life, health, and property, and those are the findings Mr. Holden was required to make under state law, and those findings don't actually appear to be very disputed. They have clearly not met their burden of proof here today to show otherwise. If you allow continued residency there as it stands, someone is going to get seriously injured or killed. For those reasons and everything else in the record today, we would ask that you affirm the decision as stated previously in Mr. Holden's order. Thank you.

CHAIRMAN BRITTAIN: Thank you, Mr. Laws. Tommy, do you have closing comments to make?

BETHANY FISHER: OK.

MARTHA THOMPSON: Pass this around.

CHAIRMAN BRITTAIN: Take a look at that before we make a decision.

TOMMY LAIBWIJ / BETHANY FISHER: Yes, so, first of all, I just want to say to everyone gathered here today, thank you so much for coming here. Thank you for your time, thank you for your safety concerns, and for the concerns of our community. I think the reality of the situation, from my perspective, is that although there were permits and codes and paperwork discussed, I didn't have a full understanding of everything presented. I didn't understand how dangerous some of the things were that they had mentioned in their reports. I don't know if it's proper for me to quote the Bible, but I was just reminded of a passage in Ecclesiastes, chapter 8, and it basically says that God is in control. Humans can make their decisions, but in the end, God has the final say. And I've seen from personal experience, and also in the news I've seen there are places that are up to code, and they collapse, or they have issues, and there are injuries to people. And, I mean, we've been living there at that property for over three (3) years now. We have not experienced any of these issues that were mentioned. There hasn't been any danger or loss of life. And that's why I'm kind of just reminded of that passage in Ecclesiastes that everything is in God's control. I'd like to say a little more as well…

What I also wanted to mention, I'm, you know, as I've mentioned before, we are not from here. We are a small community of believers that come from the Marshall Islands. I know a lot of people might not be aware of this, but when the United States was at war with Japan and Germany, and at the end of the war when they decided to drop the bombs on Nagasaki and Hiroshima, the ability to test those bombs and use them as an act of war is because of the Marshallese people and their sacrifice, because of what took place. We were a small nation. We still are a small nation with few people, but we were told by many, and specifically Henry Kissinger, that this was for the good of mankind. And so many of our people were sacrificed, and we still have repercussions with many illnesses due to this day, due to the poisoning of several of the islands out there during that bomb testing that took place in the '40s and '50s. We've always been a people at peril. We've always been in danger. We have always had issues due to the things that were done to us. And yet, we do remain hopeful. Which is why I had mentioned God before, that He's taken care of us. But every place that we have been, I feel like there have been issues and things and perils we've paced, excuse me, that we have faced, and we've still been able to overcome them…

The last thing I just wanted to say, to wrap things up, is that, as a nation, the Marshallese people have faced peril and danger due to the poison that was dropped on our islands many years ago due to testing, due to basically being guinea pigs by the government. We were deemed unsafe. We have always kind of lived with this mentality of we're not really safe, no matter where we are. And I understand that there are laws and codes and things for our safety and our own good. But I think because of the things that have happened to us in the past, we understand that nowhere is truly safe. And so, I think that's pretty much everything I just wanted to say today. I appreciate everyone's concern, and I appreciate everyone coming here to support us. I know there's people behind us, standing behind us. Again, I would just plead

that you would be able to give us a grace period, to be able to fix these things, these concerns that the city has, and that's everything. Thank you.

CHAIRMAN BRITTAIN: All right. Thank you. With that, we'll close the testimony at this time, and, gentlemen, in just a moment, I'm going to entertain a motion to either affirm, affirm with modification, or to revoke the order to vacate. And as we've been reminded, we are to consider the facts and evidence in the case. And just before I call for that motion, I will give you, the commissioners, one last opportunity to make a comment. This won't be a period of questions, but any comment that you wish to make before I call for the vote.

CHAIRMAN BRITTAIN: [inaudible] Barrier.

COMMISSIONER BARRIER: Thank you. Pastor, this is an unusual situation in that we are sitting up here in this capacity. It has been a little confusing to me, to be quite honest. However, when I agreed and got elected as a commissioner, we all had to take an oath that we solemnly swore that we would maintain the Constitution and laws of the United States and the Constitution and laws of North Carolina. And what's been presented here on the county's behalf, in my opinion, is direct evidence of violations of those laws. I personally don't care for that many laws, but I have to follow them, too. And it is heartbreaking. My concern, I haven't slept since we've talked about this because I have this fear. You, in your country, you may not experience the kind of electricity we have, the sewers, the things that are very dangerous here. Perhaps you haven't experienced that here, but our EMS and firefighters, and folks go out to these kinds of calls due to faulty wiring and these code violations. That's why we have the laws, because children have died. Adults, animals have died, and it's very difficult to know that that can happen, and that we would also be responsible. And our obligation is to follow the law. So, it's not personal to me. It's certainly not political. However, on one hand, we have the law that we are sworn to follow. And on the other hand, we have care and compassion for people in our community. So, it's a very difficult situation. My understanding is, if this ruling is affirmed by this body, you would have a right to appeal that decision befo—that would go to a superior court judge, I believe. I'm no expert, but I think that's correct. I have some concern that there was no legal representation here on your behalf. I feel like, as much of interpretation and the folks that have been with you for 2 years now, I kind of feel like that would be known, but I can't say that for sure. That’s all I have to say.

CHAIRMAN BRITTAIN: Mr. Smith?

VICE CHAIRMAN SMITH: Yeah. I'd like to say, first of all, that I'm responsible not just for the folks down there in George Hildebran, but for 90,000, about 90,000 other citizens. And I guess I've got another question. Let's just say that we did modify this or give a continuance or something. Would my other 90,000 citizens be responsible if something terrible happened down there or not? Who's qualified to answer that? We have two (2) attorneys here.

COMMISSIONER STROUD: Let me ask. So, you're saying if we modify, how are we going to be liable in the meantime?

VICE CHAIRMAN SMITH: Yeah.

COMMISSIONER STROUD: We're still going to be liable, right?

VICE CHAIRMAN SMITH: Would we, ma'am?

MARTHA THOMPSON: I don't have enough information about the background —
[overlapping speakers]
VICE CHAIRMAN SMITH:—OK —
MARTHA THOMPSON: at this [inaudible]

VICE CHAIRMAN SMITH: But I got to tell you, pastor. That's my community. That's where I went to school. That's where I grew up. I love George Hildebran. Outside of my wife and children, my fondest memories are of that place. And just looking at the pictures that you took at the cafeteria and the auditorium, I'm very impressed with what you've done. You are very, I don't know the word I'm trying to find now. I'm all choked up a little bit, but I'm impressed with what you've done with the cafeteria. If you could do that with the rest of it, because I would hate to see that building vacated and torn down and all that. And I'm tickled to death that we got folks in there, good people in there that want to continue that building and making it look good, and it's good for the community. And your children don't have to go far across the road. I was principal at George Hildebran also, and I went to school there for nine (9) years. I've got a lot of my life invested in that place. And I think y'all are a good group of people, and I'd like to see you stay down there. And anything I could do to help you, I would be more than willing to do. And I guess I'll close with that, but that's not to say that I don't have any faith in our county inspectors. I do. In fact, this young man over here, the head inspector, I told him a few years ago at George Hill—at East Burke High School. So, I know he's a good man. He's not out to get anybody. I know him personally for a long, long time, and I think you're a good man too. That's all I have for right now, sir.

CHAIRMAN BRITTAIN: Thank you, Mr. Smith. Mr. Stroud.

COMMISSIONER STROUD: Yeah. Thank you, pastor, once again, and all you guys. You know, we love you. It's a consensus here. You know, we, we're concerned about all our citizens completely. I appreciate you mentioning the scripture. You know, we all believe those kinds of things also. I always think about the scripture. My people are destroyed for lack of knowledge. That's one of the things we got to first apply. I've been doing a lot of things on laws and things like that, the ignorance of the law is no exception, right? That being said, I'm like Brian and Phil. I think the community will round up, gather around you. But outside of the things that's already been done, it's hard for me to say yes. I just think there's got to be a point where we're not liable. You know, it's, this is all good right now. I just think, you know, when somebody gets killed.

[Makes sound like "boomyeow" and points to self with thumbs.]

OK? What did y'all do? And I think, I know that you haven't had any problems. There's a lot of churches like that. A lot of churches are trying to build and expand and deal with monies and finances and all those kinds of things. I understand that completely. And this seems like an astronomical amount. But that being said, you know, with the law, you know, it's hard for me, you know, when this much time has gone by, that we can't get some kind of counsel from

Living Waters or whoever. I mean, I don't know. I just, I think the churches have to rise up and give some counsel like this. And, you know, we're going to help things out, but, you know, for me, it's a no still, you know, in this regard.

CHAIRMAN BRITTAIN: All right. Thank you, Mr. Stroud. With those comments, ladies and gentlemen, we've heard the evidence from both sides. I will entertain a motion at this time to either affirm, affirm with modification, or to revoke from the order to vacate these premises.

VICE CHAIRMAN SMITH: Mr. Chairman, I would like to make a motion to affirm and modify the order to vacate issued by the Burke County Chief Building Inspector for the annex structure of the Marshallese New Beginnings Church located 8123 George Hildebran School Road, Connelly Springs, as follows: the modification would be a 30 days continuance with written estimates from a con—from a reliable state approved contractor, a line of credit from a banking institution or some facility of that nature written that we could look at in 30 days, both of them, and / or grants that you get with, if you could come in with some kind of proof that you've applied for grants and stand maybe a good chance of getting those, I would make a motion that we do that.

CHAIRMAN BRITTAIN: Counsel, is that motion all doable, or not doable—
[overlapping speakers]
MARTHA THOMPSON: — just—
CHAIRMAN BRITTAIN: —but

MARTHA THOMPSON: So, I think what you're asking, what you're making a motion on, is to a 30-day continuance of this body's making a final determination based on the criteria that you just put out there for—

VICE CHAIRMAN SMITH: Yes, ma'am—
[overlapping speakers]
MARTHA THOMPSON: —for the church to come up with those three (3) criteria within the next 30 days, and at that point in time, have this body make a decision?

VICE CHAIRMAN SMITH: That's correct.

MARTHA THOMPSON: Your decision needs to be made within a reasonable time of this hearing, and what you're doing is ask for additional evidence in order to make that determination. And that, so I think that's what you're asking to do, and yes, you can do that.

VICE CHAIRMAN SMITH: OK.

CHAIRMAN BRITTAIN: And we are affirming the order to vacate with the modification that within 30 days, we'll schedule another hearing.

MARTHA THOMPSON: I don't know that he's asking for a hearing just for additional evidence to be considered, whether you want that in written for, you said written format, so it would be a written submission for your further consideration.

VICE CHAIRMAN SMITH: Yes. A written, from a state-approved contractor, a financial institution like Bank of America, First Citizens, Wells Fargo, something of that nature, and / or some type of private or government grants like Dogwood or something from the US government or whatever.

MARTHA THOMPSON: So, to clarify, you're asking that this order be affirmed, but that it not be acted upon, and basically giving another 30-day stay to see if the timeline may change.

VICE CHAIRMAN SMITH: Right, and I'm trying to give 30 days, I think, should be ample enough time to at least get a contractor and the financial institutions to tell us whether or not that's feasible and…

COMMISSIONER STROUD: Mr. Chair. [turns mic on] Mr. Chair, what are we going to do in the meantime? What I want to know is how are we liable in those 30 days? I mean, is this the same thing apply? They still operate with everything like it is now for 30 days, and something happens in those 30 days, and then we come back here, and he's presented all this stuff? Or what's the in between there, these 30 days, if this is accepted like this?

CHAIRMAN BRITTAIN: I think if it's accepted as 30 days, everything's going to stay just like it is for 30 days. At the end of those 30 days, the way I understand it, counsel, and you help me if I'm wrong, but at the end of the 30 days, the hearing's already over. We've already affirmed the vacation. If we don't see some evidence that they could obtain loan funds or they could obtain some means to repair and continue to occupy the building, then gig's over. We don't have another hearing. So, how do we go about coming together and reviewing that information, counsel?

MARTHA THOMPSON: Couple things you could do. One is modify this to give them an additional 30 days, 45 days, whatever, to come up with a, but with 30 days to come up with a plan to implement something and send that back to the building inspector for further consideration, that would be a modification. You could also continue this entire hearing for 30 days, whatever period of time, for continued consideration of how they can accomplish the modifications and the renovations that need to be made. And that would, something certainly would have to be reviewed by the Fire Marshal and the Building Code Inspector, Building Inspector as to the viability of it. In the meantime, you still have people living in a facility that this majority here has indicated they're concerned about the Building Inspector and Fire Marshal's order needs to be upheld if it's not corrected. So, corrective action, how long does that take? You do have the ability to extend the time for corrective action if you're seeing mov—and you're saying if we're seeing movement, we would extend that time. So, I would say reconvening after the written information is provided, which needs to be provided within 30 days. If it's not provided, then the order goes into effect. But you can reconvene to consider modification based on that information.

CHAIRMAN BRITTAIN: I guess I'm just trying to get us, you know, where do we end?

VICE CHAIRMAN SMITH: Yeah.

CHAIRMAN BRITTAIN: You know? So, 30 days, so you're suggesting that we make that as, to continue the hearing for 30 days, then we come back together and look at that evidence, this

body, and decide we're not hearing any more testimony. We're just going to look at that evidence. If it's not there—

VICE CHAIRMAN SMITH: That's what I'm suggesting. Yes, sir.

CHAIRMAN BRITTAIN: If it's not there, they, you know, they can't make those provisions, then the answer is easy. If they come up with something that we want to consider and give them any more time, then I suppose we can do that at that time.

COMMISSIONER STROUD: I guess my thing is still in is the liability with the kids. I mean, we still, I mean, okay. They get all the stuff together. That's great. I want it. I want it. Trust me. I want to build the whole county. Everybody knows that. But in the meantime, we're liable in that 30 are we not, counsel? I mean

BRIAN EPLEY: Can I, May I—
[overlapping speakers]
COMMISSIONER STROUD: —[inaudible]—
BRIAN EPLEY: May I just say something? If it's 30 days, that's still prior to May 20th. Right? So, 30 days are inside the window. They have until May 20th to vacate today. Thirty days gets you to May 10th. So, we're still inside that window to present additional evidence.

MARTHA THOMPSON: [inaudible]

BRIAN EPLEY: It doesn't extend that.

CHAIRMAN BRITTAIN: Okay. I think we all understand the motion, then. 30-day continuance of this hearing. We will need to schedule then, we'll have to figure out when we can schedule that hearing, but it will be at least 30 days. And then we will determine when we can have that hearing and—

MARTHA THOMPSON: Because you're asking for, to consider you're asking for the presentation of additional evidence to consider that must be presented to this body, and you'll be given di— you and they will be given direction as to how to do that, obviously. And then you will reschedule a hearing for the consideration of that additional evidence as a group, but not to consider more testimony.

CHAIRMAN BRITTAIN: That's right. So, will those directions be drafted by you?

MARTHA THOMPSON: mhmm.

CHAIRMAN BRITTAIN: Does everybody understand the motion?

MARTHA THOMPSON: Yeah. Have you modified your motion?

CLERK DRAUGHN: I di—
[overlapping speakers]
VICE CHAIRMAN SMITH – [inaudible] presented it.

MARTHA THOMPSON: No. Have you modified the motion that you presented, that you're asking for a 30-day continuance of the hearing to consider additional evidence of a, b, and c?

VICE CHAIRMAN SMITH: I thought I did, but I'll go do it again if you want me to. Mr. Chairman, I'll make the motion to affirm and modify the order to vacate issued by the Burke County chief building inspector for the annex structure of the Marshallese New Beginnings Church located at 8123 George Hildebran School Road, Connelly Springs, as follows: 30 days continuance, which will take us to May the 10th, I believe the manager said, with a written estimate from an approved North Carolina contractor, a written line of credit proof from a financial institution such as Wells Fargo, First Citizens, Bank of America, and / or proof of grants that they can obtain from either the government or a private entity.

CHAIRMAN BRITTAIN: One more clarification, and I'll address this to the inspector. The testimony that we heard, I believe, included evidence from both of the buildings that are on the property. And your order, I think, is to vacate 8123 George Hildebran School Road. So, I need to understand, are we talking about all the buildings on the property, or are we talking about just a particular building on the property?

STEVE HOLDEN: We're saying that with the educational occupancy and assembly, they can have church, just can't reside there. Both buildings.

CHAIRMAN BRITTAIN: Both buildings. So, in terms of vacating the premises, we're talking about vacating—

STEVE HOLDEN: Just the living.

CHAIRMAN BRITTAIN: The annex

STEVE HOLDEN: Just cannot live there.

CHAIRMAN BRITTAIN: What we would, it doesn't matter—

STEVE HOLDEN: that right—
[overlapping speakers]
CHAIRMAN BRITTAIN: in other words—
STEVE HOLDEN: —both structures—
CHAIRMAN BRITTAIN: so, it, our motion probably should not call out the—

COMMISSIONER STROUD: Yeah,

CHAIRMAN BRITTAIN: —annex, because what we're saying is we've looked at both buildings, and neither of them are satisfactory to live in.

STEVE HOLDEN: That's correct.

CHAIRMAN BRITTAIN: So, our motion should not include the word "annex," because we are talking about cannot live on either structure in this, on this premises.

STEVE HOLDEN: That's correct.

CHAIRMAN BRITTAIN: So—

VICE CHAIRMAN SMITH: It's my understanding that they use the basement area of the main building, which, when I went to school, there was the old special ed, what they called it then, classrooms. So, if we need to include, if we need to say annex and the basement part of the main building where the sanctuary is, do I need to modify that and say it that way, or what?

CHAIRMAN BRITTAIN: I think we just need to remove the word annex. I mean, the point of this is that you cannot live, neither of those buildings are liv—you know, to be a residential building... But they can continue to have church.

VICE CHAIRMAN SMITH: Yes, but—

MARTHA THOMPSON: For the purposes of assembly.

CHAIRMAN BRITTAIN: For the purposes of assembly, just—

VICE CHAIRMAN SMITH: But I think we need to amend whatever the attorney is going to write up. I think we need to say that, if it will, it's got to include the living portion of the main building when they get a contractor and a line of credit and the grants, not just the annex, but the living portion. Any part that they want to live in, that building's going to have to be...

MARTHA THOMPSON: Living —
[overlapping speakers]
VICE CHAIRMAN SMITH: —one of —
MARTHA THOMPSON –quarters.
VICE CHAIRMAN SMITH — the three (3) things I gave you there...Contractor's going to have to inspect it and all that, and see what, give an estimate on it.

MARTHA THOMPSON: So, one further clarification, this written evidence is to be provided by the church.

VICE CHAIRMAN SMITH: Yes. Yes. The church will go out and get, they'll have to get the contractor, the banks, and all that, because I don't think anybody up here wants to take that duty on. So, that pastor, that's going to fall on you, sir. OK? We won't be doing that. I want to make certain you understand that. It'll be the church and you getting, ram-rodding the contractor, the banks, and the grants, and all that.

CHAIRMAN BRITTAIN: OK. Do we, everybody understand the motion? Madam Clerk, do you understand the motion?

CLERK DRAUGHN: I do, but I have a procedural question. Are we, after some action, are we adjourning today, or are we continuing 30 days out? And if so, that's May 10th, and that's a Saturday. So, are we going to just adjourn this and reschedule a new meeting within 30 days?

CHAIRMAN BRITTAIN: Can we continue to sometime after 30 days? And then in the meantime,

we'll determine a date that we can meet. Is that acceptable?

MARTHA THOMPSON: Mhmm. So, he would need to have this information within 30 days. That becomes May 12th because it falls on a weekend. So, the church would need to have this information delivered to the clerk within 30 days on or before May 12th.

CHAIRMAN BRITTAIN: And between now and then, we would decide on a hearing date after May 12th. That work? You good, counsel?

MARTHA THOMPSON: Mhmm.

CHAIRMAN BRITTAIN: All right. Gentlemen, you've heard the motion. All those in favor of the motion signify by the uplifted hand.

[All the commissioners raise their hand.]

Madam Clerk, that's 4-0. I'd like to thank everyone for your presence today, for your testimony. I think it's clear that this board has a heart to try to help these folks do what they can. Or, we certainly want to say to our inspection folks that we appreciate all your efforts. Our primary concern, I believe I can speak for the board here, is the safety and well-being of the folks in those buildings. And we certainly wish you the best in some way that you can make this happen, and we'll reconvene —
[overlapping speakers]
MARTHA THOMPSON: —Before you—
CHAIRMAN BRITTAIN: — as the motion—

Motion: To affirm and modify the Order to Vacate issued by the Burke County Chief Building Inspector for the Marshallese New Beginnings Church property located at 8123 George Hildebran School Road, Connelly Springs. The modified order clarifies that residential occupancy is prohibited in both buildings until compliance is demonstrated, so non-residential uses, such as religious assembly, may continue, and it grants a 30-day continuance to allow the church to submit the following documentation to the Board Clerk by or before May 12, 2025:

- **a written estimate from a North Carolina licensed contractor regarding necessary repairs; and**
- **proof of financing in the form of a line of credit from a recognized financial institution; and / or**
- **proof of grant funding availability from public or private sources.**

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Phil Smith, Vice Chairman
AYES:	Jeffrey C. Brittain, Phil Smith, Brian Barrier, and Mike Stroud
ABSENT:	Randy Burns

MARTHA THOMPSON: Has the board given you, conferred upon you the authority to sign off on that order?

CHAIRMAN BRITTAIN: Don't, wont that happen when we reconvene—
[overlapping speakers]

MATHA THOMPSON: —This order—
CHAIRMAN BRITTAIN: —at the hearing?

MARTHA THOMPSON: The order that was just...

CHAIRMAN BRITTAIN: OK... Gentleman, Counsel advises that you need to give me the authority to sign the order that we've just affirmed together.

VICE CHAIRMAN SMITH: Mr. Chairman, I make a motion that this board give you the authority to sign the order that we have just voted on

CHAIRMAN BRITTAIN: All those in favor signify by the hand? That's 4-0. All right. Again, thank you very much. Appreciate everyone's presence, all those who participated.

Motion: To authorize the Chairman to sign the Modified Order to Vacate on behalf of the Board.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Phil Smith, Vice Chairman
AYES:	Jeffrey C. Brittain, Phil Smith, Brian Barrier, and Mike Stroud
ABSENT:	Randy Burns

The Modified Order to Vacate reads as follows:

ORDER FOLLOWING APPEAL FROM ORDER TO VACATE
8123 GEORGE HILDEBRAN SCHOOL ROAD
MARSHALLESE NEW BEGINNINGS CHURCH

FINDINGS OF FACTS:

Background:

1. The Marshallese New Beginnings Church ("church") operates at 8123 George Hildebran Church Road in Connelly Springs.

2. On March 3, 2025, Burke County Chief Building Inspector Steve Holden conducted an inspection, after reviewing minimum requirements of the North Carolina Building Code and pursuant to NCGS Chapter 160D-1119, where he found individuals residing in the former school facility currently being used as a church.

3. Chief Holden determined that both the annex classroom building (the Annex) and the main church structure posed significant safety concerns, including deteriorating walls, overloaded floors, defective construction, decay, unsafe electrical wiring, and inadequate means of egress, more thoroughly referenced with photographs in Exhibit 1, all in violation of the North Carolina Building Code.

4. On March 11, 2025, Chief Holden, pursuant to NCGS Chapter 160D-1119(c) officially, posted the buildings as "unsafe".

5. The former classroom areas were being used as both individual and shared living spaces.

6. A notice of hearing pursuant to NCGS 160D-1121 was hand-delivered on March 11, 2025, to Pastor Laibwij, the appropriate individual to be noticed on behalf of the church. The notice was also sent to Pastor Laibwij at his address via first-class and certified mail on March 11, 2025.

7. A condemnation hearing was held on March 21, 2025, at 8:00 a.m. at the Community Development offices, where Deputy Chief Building Inspector Kenneth Greene presented the Order to Vacate the structures and discussed the lack of progress to address deficiencies in electrical, heating, structural, plumbing, sanitation, and the associated electrical, building, plumbing, and heating sections of the North Carolina Building Code, as reflected in Exhibit 1 page 10. Photographs and diagrams of the buildings were also introduced and are contained in Exhibit 1, pages 1-9, 11-15. Pastor Laibwij was present and spoke on behalf of the church.

8. During the hearing, an order was hand delivered pursuant to NCGS 160D-1122 requiring all occupants to vacate the property by May 20, 2025, citing the structures as fire and safety hazards and dangerous to life, health, or surrounding property.

9. A copy of the order was hand-delivered and sent by both certified mail and first-class mail to Pastor Laibwij.

1

10. While the main church building may still be used for religious purposes, neither it nor the Annex may be used for residential occupancy.

11. Pastor Laibwij, on behalf of the church, appealed the condemnation order on the same day it was issued, and Community Development staff submitted the appeal form to the Clerk to the Board on March 21, 2025.

12. Pursuant to the applicable provisions of NCGS Chapter 160D, the hearing was noticed, and the record was compiled by county staff and delivered to the parties.

The Hearing:

13. The quasi-judicial hearing was held on April 10, 2025, at the Burke Services Building (County Board Room) after being duly noticed. Pastor Laibwij was present to speak on behalf of the church. Numerous church members and members of the community were present at the hearing. The Burke County Staff, represented by Attorney Dylan Laws, including Building Code Inspector, Chief Steve Holden, and Fire Marshal Robert Bishop were present. A quorum of the Burke County Commissioners (Board) was present, sitting as the quasi-judicial body. No one objected to the Notice or hearing.

14. The following witnesses presented sworn testimony: Chief Holden, Chief Bishop, and Pastor Laibwij through his interpreter Bethany Fisher.

15. Chief Holden testified about his inspection of the property and discussed the building code violations at the property, which included the deficiencies in electrical, heating, structural, plumbing, sanitation, and the associated electrical, building, plumbing, and heating sections of the North Carolina Building Code. He created and presented a list of violations by code (Exhibit 1, page 10). Photographs and diagrams of the buildings were taken and presented (Exhibit 1, pages 1-9, 11-15). Exhibit 1, pages 16-17 contain code and safety concerns room by room. Exhibit 1 was admitted into evidence.

16. The Burke County Fire Marshal testified that he made numerous trips to the property from 2022 – 2024, he presented detailed findings and deficiencies, and presented his compiled notes, which are contained in Exhibit 1, pages 18-25.

17. Exhibits 1-5 were accepted into evidence.

18. Pastor Laibwij was present and spoke on behalf of the church.

19. Pastor Laibwij testified and presented evidence, including answering questions from the Board. He discussed some of the history of the church, acquiring the building and cooperating with staff. He testified that they did not have the funds to make repairs but thought if they had another 12 months, they could work to raise the funds and accomplish the work necessary to bring the building up to code.

20. Exhibit 6 was admitted – photographs of some repairs undertaken since 2022. Exhibit 7 was not admitted as it was determined that the photographs were of other properties in Burke County and not relevant to the matter at hand.

2

21. Other evidence presented at the hearing included the following background: The original complaints regarding residential use of the property were received by Community Development on September 13, 2022. Following the complaints, staff made contact with Pastor Laibwij and engaged in multiple communications regarding the use of the church and its numerous building code deficiencies. A previous condemnation hearing resulted in an order of remedy for the property to either comply with the intended occupancy or obtain all proper permits and plans to change the occupancy. The church, through Pastor Laibwij, appealed that decision as well and submitted architectural plans for renovation, which were sealed by a licensed architect. A building permit to renovate the structures was subsequently issued on December 19, 2022, but later expired after one year without any renovations having been started. Community Development staff reached out to a local nonprofit funding agency in the Spring of 2024 to explore grant support for renovations. A local architect provided a rough estimate for restoring the Annex, which came to approximately $500,000. The nonprofit ultimately declined to fund the project.

Procedural Matters:

22. At the outset of the hearing, legal counsel for staff objected to Pastor Laibwij speaking for the Church. After hearing arguments and seeking advice of counsel to the Board, the Board overruled the objection and permitted Pastor Laibwij to speak for the church at the hearing.

23. During the presentation of evidence by County staff, Pastor Laibwij asked for more time and for an interpreter.

24. The Board immediately provided an interpreter.

25. The Board, after hearing from both sides, considering the history of this matter and consulting with legal counsel, voted 3-1 to deny the request for more time.

26. After the interpreter was engaged, the Board gave Pastor Laibwij another opportunity to question staff's witnesses.

CONCLUSIONS:

1. The church timely appealed the Order to Vacate due to building code violations;
2. The hearing was properly noticed before the Board of County Commissioners in its capacity as the appellate board sitting in quasi-judicial review of the issuance of the Order to Vacate;
3. The parties were present through representation;
4. The parties had the opportunity to present testimony and evidence, to call witnesses and conduct cross-examination;

3

5. Upon request, the spokesman for the church was provided with an interpreter;
6. There was no dispute of material facts;
7. The evidence presented revealed competent and substantial evidence that the structures at issue were in violation of the required building and fire codes to present significant safety hazards for residential use of the property;
8. The church has failed to carry its burden of proof that there was any error or mistake in the code violations and Order to Vacate issued on or about March 21, 2025.
9. The Board finds, by a vote of 4-0, that the Marshallese New Beginnings Church properties at 8123 George Hildebran School Road - consisting of the Annex and those portions of the main building used for residential purposes, is in violation of the North Carolina Building and Fire Code, as delineated on Exhibit 1, page 10, and that the Order to Vacate should be affirmed and modified as set forth below.

IT IS THEREFORE ORDERED that
The Order to Vacate is affirmed and modified as follows: on or before May 12, 2025, by 5:00 P.M., the church may deliver to Burke County, through its Clerk to the Board,

1. Written evidence from a licensed building contractor of an estimate of the cost to make the required repairs/modifications; and
2. Written evidence of a line of credit or other proof of financial means demonstrating the church's ability to fund the necessary improvements, or written documentation of grants secured by the church that are sufficient to cover the cost of the repairs.

Should the church provide the above written evidence by 5:00 P.M. on May 12, 2025, the Board will set a date to reconvene to determine what additional time, if any, will be provided to the church to bring its premises into compliance with North Carolina Building and Fire Codes. The Board will provide appropriate notice of the hearing.

Conversely, should the church fail to provide the documents required under this Order, then the Order to Vacate by May 20, 2025, shall be in full force and effect.

The structures may continue to be used for assembly.

The Board authorizes counsel to the Board to prepare the Order and its Chairman to enter the Order and directs staff to serve this Order on the church.

For the Burke County Board of Commissioners: Date: April 16, 2025

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

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

4

And at this time, I'll call for a motion to adjourn the meeting.

COMMISSIONER BARRIER: Mr. Chairman, I make a motion to adjourn.

Jeffrey C. Brittain, Chairman: Thank you, Commissioner Barrier. All those in favor, signify with uplifted hand. 4 to 0.

ADJOURN
Motion: To adjourn the meeting at 6:21 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian Barrier, Commissioner
AYES:	Jeffrey C. Brittain, Phil Smith, Brian Barrier, and Mike Stroud
ABSENT:	Randy Burns

Approved this 18th day of August 2025.

Phil Smith, Vice Chairman
Burke Co. Board of Commissioners

Attest:

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

APPENDIX

MARSHALLESE NEW BEGININGS CHURCH

8123 George Hildebran School Road
Connelly Springs, NC 28612

TABLE OF CONTENTS

- PAGE 3 PROPERTY OVERVIEW
- PAGE 4 SUMMARY
- PAGE 5-6 ELECTRICAL
- PAGE 7 HEATING
- PAGE 8 STRUCTURAL
- PAGE 9 PLUMBING AND SANITATION
- PAGE 10 CODE REFERENCES
- PAGE 11 REQUIREMENTS FOR CHANGE OF USE
- PAGE 12-15 BUILDING LAYOUT
- PAGE 16-17 CODE AND SAFETY CONCERNS BY ROOM
- PAGE 18-25 FIRE MARSHAL REPORT

OLD
CAFETERIA
MAIN BUILDING
ANNEX
ENTRY
ENTRY
GEORGE HILDEBRAN SCHOOL RD

This property and case falls under code section 302.1 form the NC Building Code. A structure must be classified in respect to its occupancy group. This structure was built and designed to be an Educational Occupancy. The structure is now being occupied as a residential multi-family R-2.

What happens when you change the occupancy of an existing building according to the NC Building Code? This requires plans stamped by a NC licensed architect or engineer. This would include a Life Safety Plan and Appendix B from the Code. The Appendix B is a chart that includes requirements for each proposed use. This documentation is provided by an architect or engineer. The plans would then need to show how they meet the current code. For a residential multi-family use, the minimum building requirements would include sprinklers in each room, firewalls between living units, minimum egress for bedrooms, minimum plumbing fixtures, minimum electrical requirements and heating requirements, which I will explain in this presentation.

Electrical

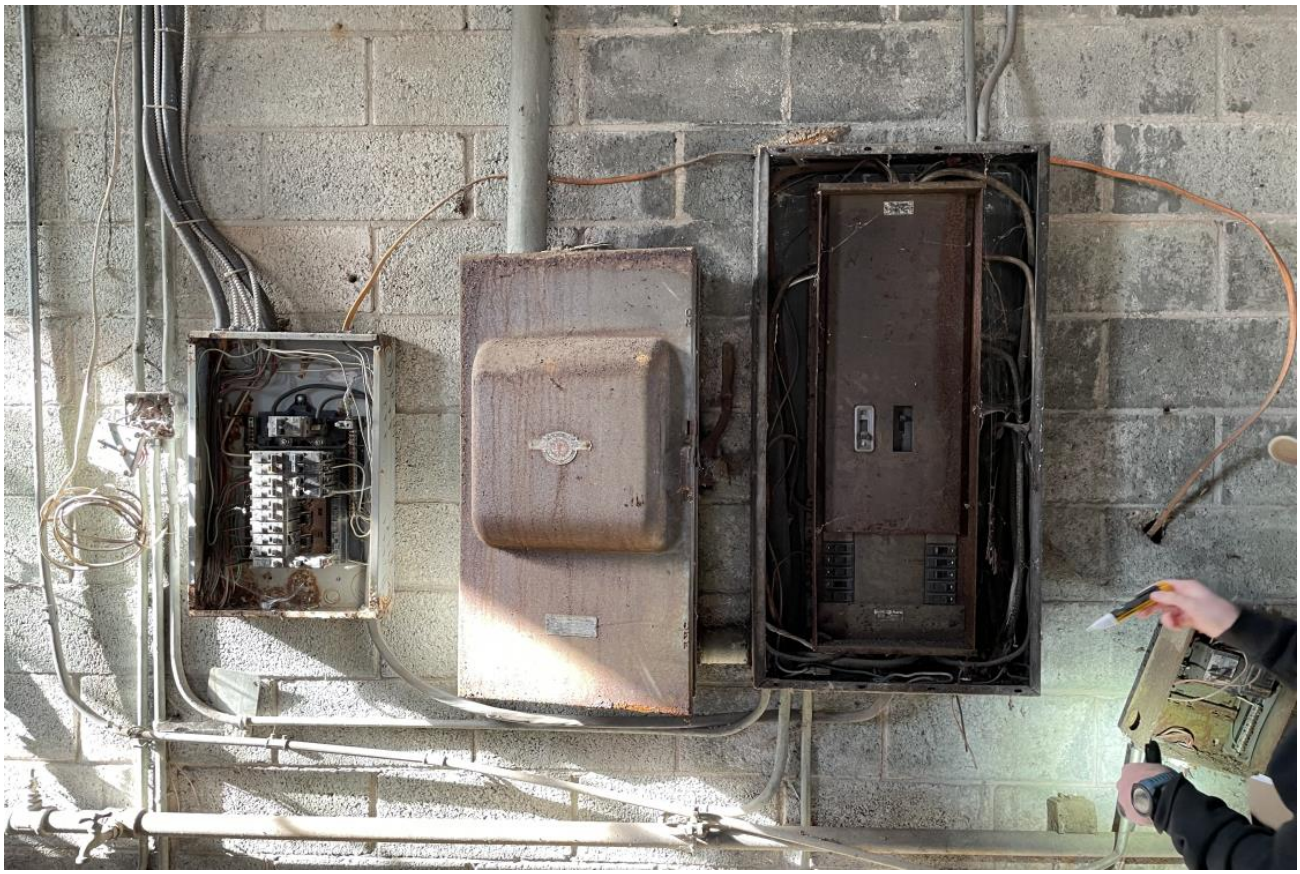


Photo 1

Photo 2

Photo 3

Electrical

Photo 4

Photo 5

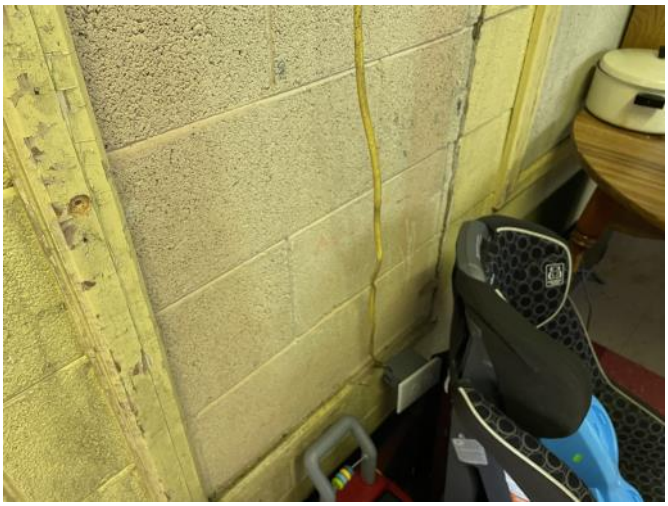


Photo 6

Photo 7

Photo 8

No Primary Heat Source

Portable space heaters should not be plugged into extension cords.

Photo 9

Photo 10

Photo 11

Photo 12

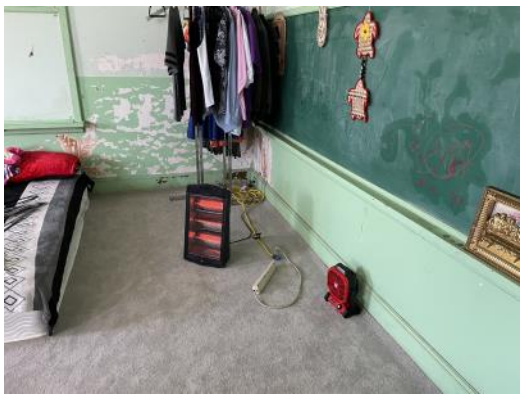


Photo 13

Photo 14

Structural Defects & Roof Leaks

Photo 15

Photo 16

Photo 17

Photo 18

Sewer Gases Leaking Into Building

Photo 19

Photo 20

Photo 21

Unsanitary Bathroom and Bathing Facilities

Photo 22

Photo 23

Photo 24

Photo 25

Photo 26

Photo 27

Photo 28

Photo 29

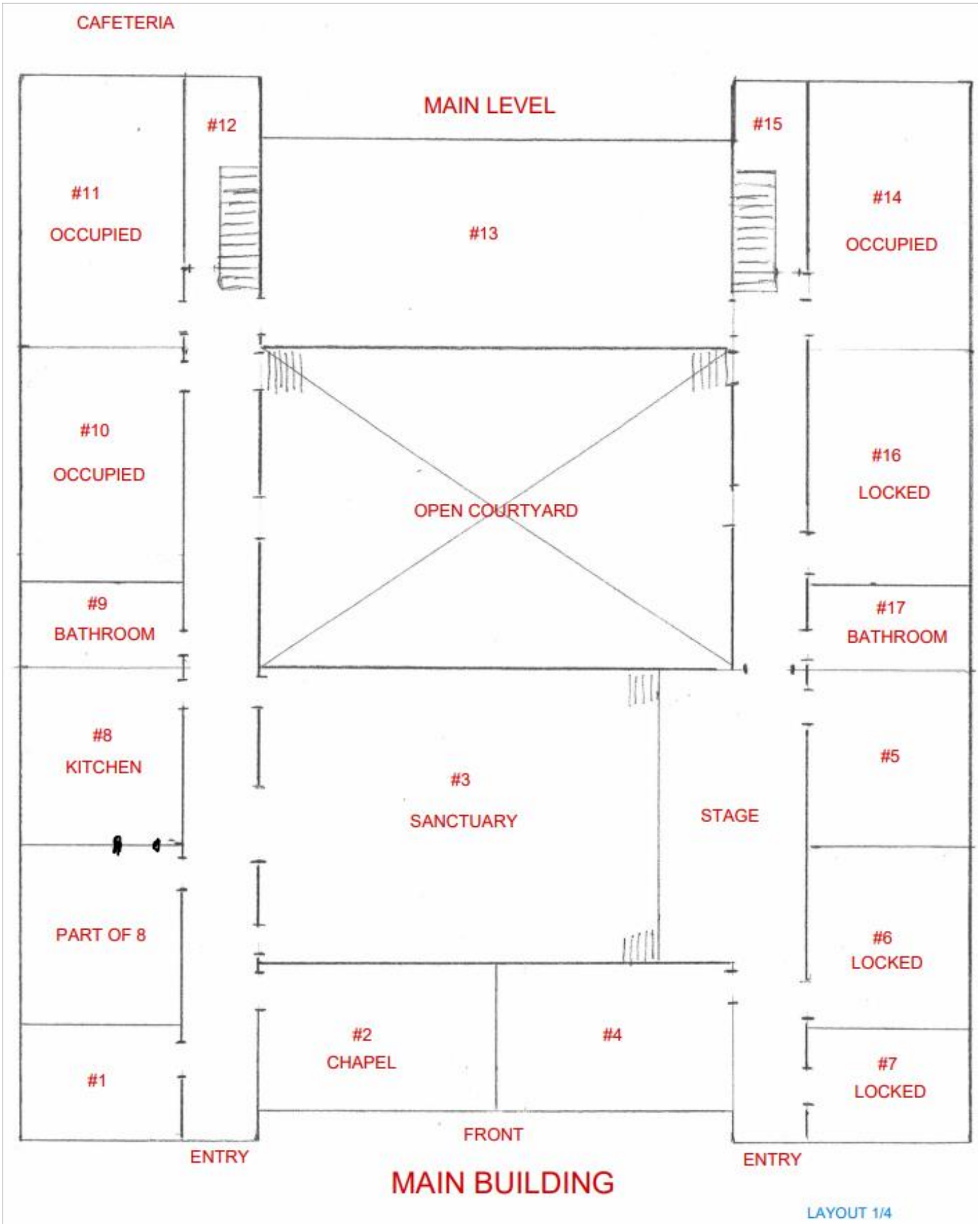
Photo 30

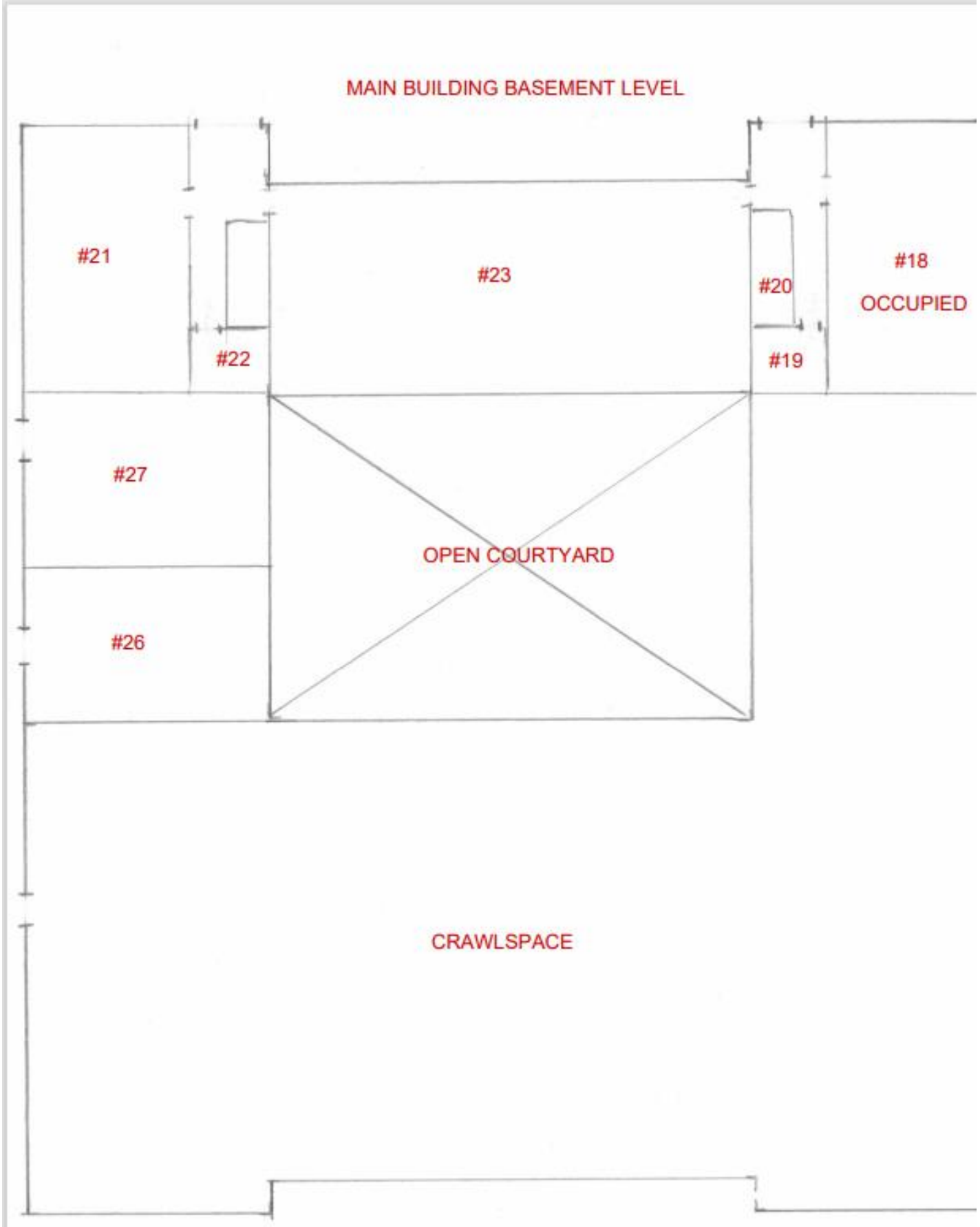
REPORT & PAGE NUMBER	REPORT PHOTO NUMBER	SYSTEM	DESCRIPTION OF FAILURE	CODE REFERENCE
5 and 6	1 through 8	Electrical	Constructed and designed for General Educational Occupancy. Currently being used as multi-family residen-tial. NEC requires each individual residential unit to maintain an inde-pendent and minimum 100 amp ser-vice.	NEC Article 230
5 and 6	1 through 8	Electrical	Open Electrical Panels	NEC Article 230
5 and 6	1 through 8	Electrical	NMC & NMS (Romex) - Protection & Exposure	NEC Article 334
5 and 6	1 through 8	Electrical	Ground Fault Circuit Interupter - Wet Areas (Kitchens/Baths)	NEC Article 210.08
5 and 6	1 through 8	Electrical	For a one-family dwelling, the electric service disconnect shall have a rating of not less than 100 AMP	NEC 230.19 (C)
5 and 6	1 through 8	Electrical	Each occupant shall have ready ac-cess to all over-current devices pro-tecting the conductors supplying that occupancy.	NEC 240.24(B)
5 and 6	1 through 8	Electrical	Electrical panels shall be readily accessible and shall not be located in bathrooms or in the vicinity of easily ignitable materials such as in clothes closets.	NEC Article 240.24
7	9 through 14	Heating / Electrical	Drop Cord Powered Heater (80% capacity)	NEC Article 210.23
7	9 through 14	Heating	Active / Passive Heating Systems to Maintain Heated Space 68 degrees F.	NCBC Section 1204
8	15 through 18	Structural	Exterior walls should provide the building with a warter resistant barrier.	Chapter 14
8	15 through18	Structural	Roof deck to be covered with approved covering.	Chapter 15
8	15 through 18	Structural	Lumber must be kept at 15 % or less moisture content to avoid rot.	Chapter 23
9	19 through 30	Plumbing Systems	New Construction & Changing of Occupancy Minimum Plumbing Re-quirements and Sewer Caps	NCBC 2902.1
9	19 through 30	Plumbing Systems	Hot Water Requirement - Culinary, Laundry, Bathing, Washing, Etc.	NCBC 607.1
9	19 through 30	Plumbing Systems	Uncapped Sewer Gas - Drain - Liquid sealed trap	NCBC 1002.1
9	19 through 30	Plumbing Systems	Plumbing should be maintained in operating condition and in a safe and sanitary manner.	NCPC 102.3

8123 George Hildebran School Road
Connelly Springs, NC 28612

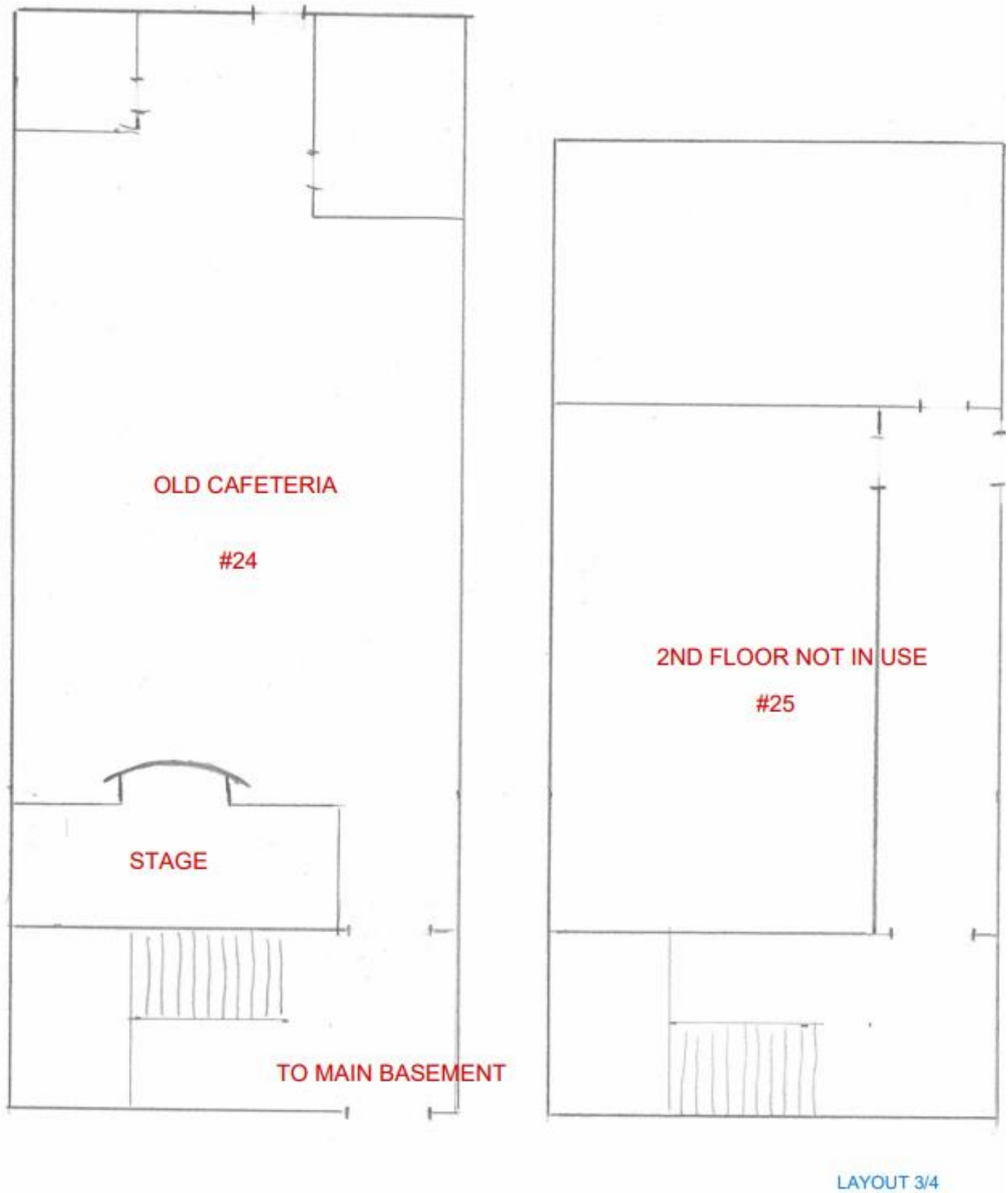
The buildings use and occupancy is Educational Group E and Assembly A-3 and is currently being used as a church. In order for the buildings to become code compliant the following must be done.

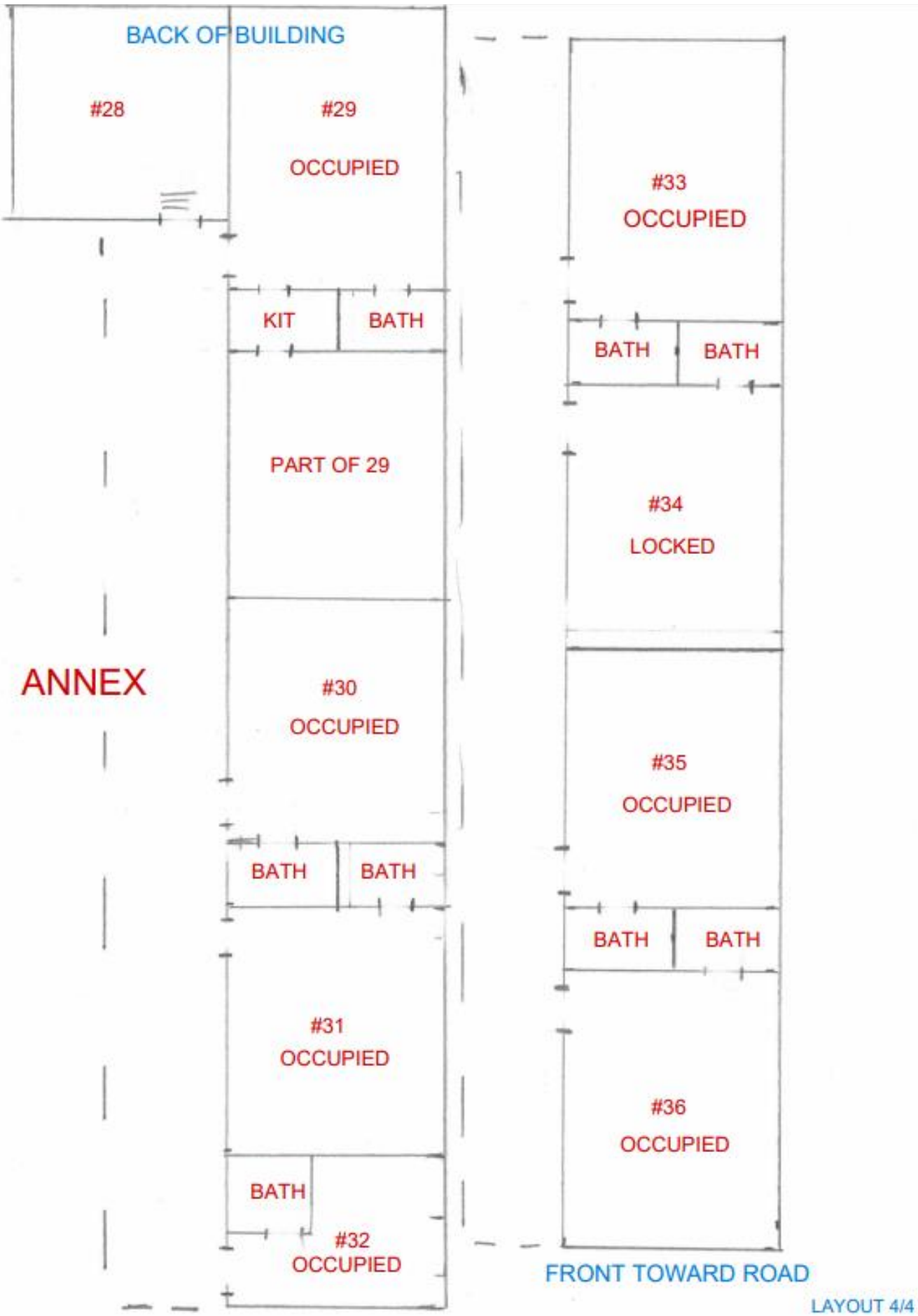
1. Must have environmental Health approval for the septic system.
2. The building needs evaluated for lead paint and other toxins.
3. A structural evaluation will have to be preformed and any necessary repairs made.
4. The buildings need permits and plans for its intended use.
   (Mixed use A-3 with R-1 Congregate living facilities for the main building & R-2 Apartments for the annex.)
5. The Plumbing system needs repaired and sufficient fixtures installed to accommodate the intended load.
6. The wiring in each building will need to be made safe and brought up to current electrical code (2020 Nec).
7. Each building will need a permanent heat source capable of maintaining 68 deg.


CAFETERIA
MAIN LEVEL
#12
#15
#11
OCCUPIED
#13
#14
OCCUPIED
#10
OCCUPIED
OPEN COURTYARD
#16
LOCKED
#9
BATHROOM
#17
BATHROOM
#8
KITCHEN
#3
SANCTUARY
STAGE
#5
PART OF 8
#6
LOCKED
#2
CHAPEL
#4
#1
#7
LOCKED
FRONT
ENTRY
ENTRY
MAIN BUILDING
LAYOUT 1/4


MAIN BUILDING BASEMENT LEVEL
#21
#22
#23
#20
#19
#18
OCCUPIED
#27
OPEN COURTYARD
#26
CRAWLSPACE

LAYOUT 2/4


OLD CAFETERIA
#24
STAGE
TO MAIN BASEMENT
2ND FLOOR NOT IN USE
#25
LAYOUT 3/4


BACK OF BUILDING
#28
#29
OCCUPIED
#33
OCCUPIED
KIT
BATH
BATH
BATH
PART OF 29
#34
LOCKED
ANNEX
#30
OCCUPIED
#35
OCCUPIED
BATH
BATH
BATH
BATH
#31
OCCUPIED
#36
OCCUPIED
BATH
#32
OCCUPIED
FRONT TOWARD ROAD
LAYOUT 4/4

CODE AND SAFETY CONCERNS BY ROOM

Refer to layout drawings for room refence #'s

MAIN LEVEL CHURCH

1. Roof leaks, broken windows, and open electrical box
2. Chapel- No obvious violations
3. Sanctuary- no egress lighting, egress door hard to open, exposed wiring, outlets missing covers, cords used as permanent wiring, and roof leaks.
4. Room used to store furniture and boxes could not properly inspect.
5. Mechanical room- open electrical boxes, hole in floor, kerosene can in room
6. Locked – people living in room.
7. Locked
8. Kitchen – open sewer gases, kerosene heaters, smoked electrical outlets, open ground.
9. Unsanitary bathroom- no working sink, one toilet, mold, and open sewer gases, two showers
10. People living in room- space heaters over heating drop cords, exposed wiring, no egress window, no co2 detectors for gas wall heater.
11. People living in room- space heaters plugged into drop cords, no egress.
12. Non-working bathroom, sewer gases
13. Rotten floor, leaking roof, and no windows.
14. People living in room- space heaters right next to flammable curtains used as room dividers, no egress
15. Non-working bathroom with open sewer gases, kids toys present in floor
16. People living in room- door locked
17. Unsanitary bathroom, mold present, no working sinks, one working toilet and shower

BASEMENT LEVEL

18. People living in room- multiple heaters plugged into one drop cord, no egress windows
19. Wash room

20. Closet under stairs

21. Empty room, appeared to be cleaning up for future use

22. Storge room, open wiring

23. Roof leaking and no windows

24. Old cafeteria- open sewer gases and exposed wiring

25. 2nd floor above cafeteria not in use

26. Mechanical room- plumbing for above showers wrong fittings, no vents, rotten floors above

27. Old boiler room- standing water, exposed wiring, possible asbestos

ANNEX

28. Electrical service with missing covers, exposed wiring, roof leaking

29. People living in room- sectioned off bedrooms with no egress, no smoke detectors, no GFIC protection for bathroom or kitchen, exposed wiring, propane tank and stove being used indoors with no UL listing, space heaters

30. People living in room- kerosene heater and space heaters being used, no egress, unsanitary bathroom

31. People living in room- space heaters, exposed wiring, no egress, unsanitary bathroom

32. People living in room- space heaters, exposed wiring, no egress, unsanitary bathroom

33. People living in room- exposed wiring, space heaters, no egress, unsanitary bathroom

34. People living in room- locked

35. People living in room- electrical panel in bathroom with water standing in floor from leak, exposed electrical plug hanging from ceiling, exposed wiring and feeder wire exposed and ran along wall to front of sub panel in other room, unsanitary bathroom, no egress

36. People living in room- water leaks, unsanitary bathroom, no egress, cracks in block wall

Burke County Fire Marshal Emergency Management
P.O. Box 219
200 Avery Avenue
Morganton, NC 28680
Phone: 828-764-9320 Fax: 828-764-9339

Fire Inspections

Group A-2 to A-5 Occupancy

Business Name: Marshallese New Beginnings Church

Address: 8123 GEORGE HILDEBRAN SCHOOL RD Connelly Springs, North Caroli

Fire District: 73 - George Hildebran Fire / Rescue

Occupancy: Assembly

Property Use: Church

Emergency Contact:

Tommy Laibwij

Inspection Date: 01/31/24 09:00:00 AM

Inspection Number: FI-01-RB-2024-0022

Inspection Cause: Periodic

Status: Fail

Checklist and Violations

EXITS Checklist	Answers
Doors serving rooms or spaces with an occupant load of 50 or more shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.	Fail
Means of egress obstructions	Fail

North Carolina State Building Code:Fire Prevention 1003.6 Means of egress continuity.

The path of egress travel along a means of egress shall not be interrupted by any building element other than a means of egress component as specified in this chapter. Obstructions shall not be placed in the required width of a means of egress except projections permitted by this chapter. The required capacity of a means of egress system shall not be diminished along the path of egress travel.

Comment: MAIN HALLWAY NEAR SANCTUARY HAS AN EMERGENCY EXIT DOOR LOCATION THAT HAS BEEN ALTERED TO BE INOPERABLE. EMERGENCY EXITS SHALL BE ACCESSIBLE AT ALL TIMES. A CHURCH BENCH WAS FOUND IN FRONT OF THIS PREVIOUS EGRESS PATH DURING THIS INSPECTION.EMERGENCY EXIT CORRIDOR AT SECONDARY ENTRANCE AT THE ALPHA DIVISION IS PARTIALLY BLOCKED BY FURNITURE.

Door Opening Force: The force for pushing or pulling open interior swinging egress doors, other than fire doors, shall not exceed 5 pounds. For other swinging doors, as well as sliding and folding doors, the door latch shall release when subjected to a 15	Fail

North Carolina State Building Code:Fire Code (2018) [BE] 1010.1.3 Door opening force.

The force for pushing or pulling open interior swinging egress doors, other than fire doors, shall not exceed 5 pounds (22 N). These forces do not apply to the force required to retract latch bolts or disengage other devices that hold the door in a closed position. For other swinging doors, as well as sliding and folding doors, the door latch shall release when subjected to a 15-pound (67 N) force. The door shall be set in motion when subjected to a 30-pound (133 N) force. The door shall swing to a full-open position when subjected to a 15- pound (67 N) force.

Comment: MULTIPLE EMERGENCY EXIT DOORS IN THE BUILDING ARE DIFFICULT TO OPERATE OR DO NOT OPERATE AS DESIGNED.

Panic hardware	Fail

Inspector Name:	Robert B. Bishop	Printed Date:	04/04/2025
Inspector Phone:	828-764-5150	Activity Number:	FI-01-RB-2024-0022
Secondary Inspector:	Michael Willis		
Inspector Phone:	828-764-9321		

EXITS Checklist — **Answers**

North Carolina State Building Code:Fire Prevention 1008.1.2 Door swing.
Egress doors shall be of the pivoted or side-hinged swinging type. Exceptions: 1. Private garages, office areas, factory and storage areas with an occupant load of 10 or less. 2. Group I-3 occupancies used as a place of detention. 3. Critical or intensive care patient rooms within suites of health care facilities. 4. Doors within or serving a single dwelling unit in Groups R-2 and R-3. 5. In other than Group H occupancies, revolving doors complying with Section 1008.1.4.1. 6. In other than Group H occupancies, horizontal sliding doors complying with Section 1008.1.4.3 are permitted in a means of egress. 7. Power-operated doors in accordance with Section 1008.1.4.2. 8. Doors serving a bathroom within an individual sleeping unit in Group R-1. 9. In other than Group H occupancies, manually operated horizontal sliding doors are permitted in a means of egress from spaces with an occupant load of 10 or less. Doors shall swing in the direction of egress travel where serving an occupant load of 50 or more persons or a Group H occupancy.

Comment: EXISTING PANIC HARDWARE ON EMERGENCY EXITS THROUGHOUT THE BUILDING ARE DIFFICULT TO ACTUATE.

Flush bolts / surface bolts on exit doors — Fail

CONTINUE REPLACING RESIDENTIAL DOOR LOCKING HARDWARE WITH COMMERCIAL SINGLE ACTION DOOR LEVERS ON DOORS INDICATED DURING 1.19.2023 FIRE INSPECTION

Means of egress back-up illumination — Fail

North Carolina State Building Code:Fire Prevention 1006.3 Illumination emergency power.
The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas: 1. Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress. 2. Corridors, exit enclosures and exit passageways in buildings required to have two or more exits. 3. Exterior egress components at other than their levels of exit discharge until exit discharge is accomplished for buildings required to have two or more exits. 4. Interior exit discharge elements, as permitted in Section 1027.1, in buildings required to have two or more exits. 5. Exterior landings as required by Section 1008.1.6 for exit discharge doorways in buildings required to have two or more exits. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Chapter 27 of the International Building Code.

Comment: NO EMERGENCY EGRESS BACK UP LIGHTING PRESENT THROUGHOUT THE BUILDING.

HOUSEKEEPING Checklist — **Answers**

Storage of combustible materials shall be orderly — Fail

North Carolina State Building Code:Fire Prevention 315.2 Storage in buildings.
Storage of combustible materials in buildings shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

Comment: MULTIPLE AREAS THROUGHOUT THE CHURCH BUILDING AND THE ANNEX BUILDING WHERE STORAGE OF COMBUSTIBLES IS TO CLOSE TO HEAT PRODUCING APPLIANCES SUCH AS WALL MOUNTED GAS HEATERS, HVAC COMPONENTS, WATER HEATERS, AND SPACE HEATERS.

Protection of combustibles stored in attic, under-floor, and concealed spaces — Fail

North Carolina State Building Code:Fire Prevention 315.2.4 Attic, under-floor and concealed spaces.
Attic, under-floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance-rated construction. Openings shall be protected by assemblies that are self-closing and are of noncombustible construction or solid wood core not less than 13/4 inches (44.5 mm) in thickness. Storage shall not be placed on exposed joists. Exceptions: 1. Areas protected by approved automatic sprinkler systems. 2. Group R-3 and Group U occupancies.

Comment: STORAGE OF COMBUSTIBLES UNDER STAIRS LEADING TO DESIGNATED EMERGENCY EXITS.

Inspector Name:	Robert B. Bishop	Printed Date:	04/04/2025
Inspector Phone:	828-764-5150	Activity Number:	FI-01-RB-2024-0022
Secondary Inspector:	Michael Willis		
Inspector Phone:	828-764-9321		

ELECTRICAL Checklist	Answers
Relocatable power tap grounding, protection and listing	Fail

North Carolina State Building Code:Fire Prevention 605.4.1 Power tap design.
Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363.

Comment: MULTIPLE EXTENSION CORDS THROUGHOUT CHURCH BUILDING AND ANNEX BUILDING THAT ARE NOT UL RATED.

Extension cords not used a substitute for permanent wiring — Fail

North Carolina State Building Code:Fire Prevention 605.5 Extension cords.
Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

Comment: MULTIPLE EXTENSION CORDS EXTENDED THROUGH WALLS AND CEILINGS IN THE CHURCH BUILDING AND THE ANNEX BUILDING.

Extension cords not affixed to structures, extended through walls, ceilings or floors — Fail

North Carolina State Building Code:Fire Prevention 605.5 Extension cords.
Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

Comment: EXTENSION CORDS TAPED OR ZIP TIED TO MULTIPLE STRUCTURAL COMPONENTS IN THE CHURCH BUILDING AND ANNEX BUILDING.

Extension cords plugged into approved recepticle, power tap or multiplug adapter — Fail

North Carolina State Building Code:Fire Prevention 605.5.1 Power supply.
Extension cords shall be plugged directly into an approved receptacle, power tap or multiplug adapter and, except for approved multiplug extension cords, shall serve only one portable appliance.

Comment: MULTIPLE NON-UL EXTENSION CORDS AND MULTI-PLUG ADAPTERS BEING UTILIZED THROUGHOUT THE CHURCH BUILDING AND THE ANNEX BUILDING.

Extension cord condition — Fail

North Carolina State Building Code:Fire Prevention 605.5.3 Maintenance.
Extension cords shall be maintained in good condition without splices, deterioration or damage.

Comment: MULTIPLE EXTENSION CORDS AND MULTI-PLUG ADAPTERS FOUND DAMAGED AND SHOWING EVIDENCE OF OVERLOADING IN THE CHURCH BUILDING AND THE ANNEX BUILDING.

Electrical service equipment (panel) working space - 30"W (or width of service equipment > 30") x 36"D x 78"H — Fail

North Carolina State Building Code:Fire Prevention 605.3 Working space and clearance.
A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space. Exceptions: 1. Where other dimensions are required or allowed by NFPA 70. 2. Access openings into attics or under-floor areas which provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm).

Inspector Name:	Robert B. Bishop	Printed Date:	04/04/2025
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Secondary Inspector:	Michael Willis		
Inspector Phone:	828-764-9321		

ELECTRICAL Checklist	Answers
Comment: COMBUSTIBLES NEAR BREAKER PANELS, MULTIPLE BREAKER PANELS ARE NOT LABELED TO INDICATE SERVICE PROVIDED.	
Approved junction boxes/covers provided for all junction boxes, wire splices, switch or outlet boxes	Fail
North Carolina State Building Code:Fire Prevention 605.6 Unapproved conditions. Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes. ***Comment: MULTIPLE JUNCTION BOXES FOUND UN SECURED AND OPEN THROUGHOUT THE CHURCH BUILDING AND ANNEX BUILDING.***	
Multiplug adapters comply with International Code Council Electrical Administrative Provisions	Fail
North Carolina State Building Code:Fire Prevention 605.4 Multiplug adapters. Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited. ***Comment: MULTIPLE UN-APPROVED MULTI-PLUG ADAPTERS FOUND IN USE IN THE CHURCH BUILDING AND THE ANNEX BUILDING.***	

HAZARDOUS MATERIALS Checklist	Answers
Portable LP-gas containers shall not be stored or used in a basement, pit or similar location where heavierthan- air gas might collect.	Fail
North Carolina State Building Code:Fire Code (2018) 2311.4.3 Ventilation. Where Class I liquids or LP-gas are stored or used within a building having a basement or pit wherein flammable vapors could accumulate, the basement or pit shall be provided with mechanical ventilation in accordance with the International Mechanical Code, at a minimum rate of 11/2 cubic feet per minute per square foot (cfm/ft2) [0.008 m3/(s · m2)] to prevent the accumulation of flammable vapors. ***Comment: MULTIPLE LP CYLINDERS FOUND THROUGHOUT THE CHURCH BUILDING AND THE ANNEX BUILDING BEING STORED OR UTILIZED TO POWER LP GAS BURNERS.***	

FIRE PROTECTION SYSTEMS Checklist	Answers
Fire extinguisher travel distance	Fail
North Carolina State Building Code:Fire Prevention 906.2 General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10. Exceptions: 1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies. 2. Thirty-day inspections shall not be required for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met: 2.1. Electronic monitoring shall confirm that extinguishers are positioned, charged and unobstructed. 2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal. 2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment. 2.4. Electronic monitoring devices and supervisory circuits shall be tested every three years. 2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10. 3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.	

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FIRE PROTECTION SYSTEMS Checklist	Answers
Comment: MIMINUM 5 POUND ABC FIRE EXTINGUISHER REQUIRED FOR EVERY 75 FEET TRAVEL DISTANCE IN CHURCH BUILDING. ALL CURRENT FIRE EXTINGUISHERS ARE PAST ANNUAL REQUIRED INSPECTION AND INDICATE A LEAK DOWN WITH CHARGE.SPACING ADEQUATE AT COMMON AREA FOR FIRE EXTINGUISHERS, HOWEVER, ALL HAVE LEAKED DOWN WITH CHARGE AND HAVE PASSED THEIR ANNUAL REQUIRED INSPECTION.	
Fire extinguisher installation	Fail
North Carolina State Building Code:Fire Prevention 906.7 Hangers and brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions. ***Comment: 5 POUND ABC FIRE EXTINGUISHERS SHOULD E INSTALLED EVERY 75 FEET TRAVEL DISTANCE THROUGH CHURCH BUILDING. EXTINGUISHERS SHOULD BE MOUNTED AT 4 TO 5 FEET FROM THE FLOOR TO THE TOP OF THE HANDLE.***	
Fire extinguisher service	Fail
North Carolina State Building Code:Fire Prevention 901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed. ***Comment: ALL FIRE EXTINGUISHERS AT THE CHURCH BUILDING AND ANNEX BUILDING ARE PAST THEIR ANNUAL REQUIRED SERVICE DATE. ALL HAVE LOST CHARGE.***	
Fire detection, alarm and extinguishing system maintenance	Fail
North Carolina State Building Code:Fire Prevention 901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed. ***Comment: MOST PRESENT SMOKE ALARMS IN THE CHURCH BUILDING AND ANNEX BUILDING WERE INOPERABLE OR EMITTING A LOW BATTERY ALERT.***	

MISCELLANEOUS Checklist	Answers
Occupant load posted for rooms and spaces	Fail
North Carolina State Building Code:Fire Prevention 1004.3 Posting of occupant load. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. ***Comment: ASSEMBLY AREAS LACK OCCUPANT LOAD POSTINGS DUE TO THE INABILITY TO DETERMINE OCCUPANT LOAD BECAUSE OF CONSTRUCTION.***	

Pre Existing Deficiencies

Inspector Name:	Robert B. Bishop	Printed Date:	04/04/2025
Inspector Phone:	828-764-5150	Activity Number:	FI-01-RB-2024-0022
Secondary Inspector:	Michael Willis		
Inspector Phone:	828-764-9321		

Original Date: 11/17/2022 8:59:32 AM Number: FI-11-RB-2022-0001

Reference Number: North Carolina State Building Code:Fire Prevention 1008.1.9.2 Hardware height.

Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height. Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the release of latch on self-latching devices at 54 inches (1370 mm) maximum above the finished floor or ground, provided the self-latching devices are not also self-locking devices operated by means of a key, electronic opener or integral combination lock.

Original Date: 1/19/2023 12:31:28 PM Number: FI-11-RB-2022-0001.B

Reference Number: North Carolina State Building Code:Fire Prevention 1008.1.9.3 Locks and latches.

Locks and latches shall be permitted to prevent operation of doors where any of the following exists: 1. Places of detention or restraint. 2. In buildings in occupancy Group A having an occupant load of 100 or less and Groups B, F, M and S, the main exterior door or doors are permitted to be equipped with key-operated locking devices from the egress side provided: 2.1. The locking device is readily distinguishable as locked and provided with a key that cannot be removed when locked from the egress side; 2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch (25mm)high on a contrasting background; and 2.3. The use of the key-operated locking device is revocable by the building official for violations of this Section. 3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware. 4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool. 5. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.

Original Date: 1/19/2023 12:31:28 PM Number: FI-11-RB-2022-0001.B

Reference Number: North Carolina State Building Code:Fire Prevention 1008.1.9.2 Hardware height.

Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height. Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the release of latch on self-latching devices at 54 inches (1370 mm) maximum above the finished floor or ground, provided the self-latching devices are not also self-locking devices operated by means of a key, electronic opener or integral combination lock.

Original Date: 1/19/2023 12:31:28 PM Number: FI-11-RB-2022-0001.B

Reference Number: North Carolina State Building Code:Fire Prevention 1008.1.9.1 Hardware.

Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 of the International Building Code shall not require tight grasping, tight pinching or twisting of the wrist to operate.

Original Date: 1/19/2023 12:31:28 PM Number: FI-11-RB-2022-0001.B

Reference Number: North Carolina State Building Code:Fire Code (2018) [BE] 1010.1.9.5 Unlatching.

The unlatching of any door or leaf shall not require more than one operation. Exceptions: 1. Places of detention or restraint. 2. Where manually operated bolt locks are permitted by Section 1010.1.9.4. 3. Doors with automatic flush bolts as permitted by Section 1010.1.9.3, Item 3. 4. Doors from individual dwelling units and sleeping units of Group R occupancies as permitted by Section 1010.1.9.3, Item 4.

Comment: CONTINUE REPLACING RESIDENTIAL DOOR LOCKING HARDWARE TO COMMERCIAL, SINGLE ACTION DOOR HANDLES FOR DOORS INDICATED DURING THE 1.19.2023 FIRE INSPECTION

Inspector Name:	Robert B. Bishop
Inspector Phone:	828-764-5150
Secondary Inspector:	Michael Willis
Inspector Phone:	828-764-9321

Printed Date: 04/04/2025
Activity Number: FI-01-RB-2024-0022

Original Date: 1/19/2023 12:31:28 PM Number: FI-11-RB-2022-0001.B

Reference Number: North Carolina State Building Code:Fire Prevention 1008.1.9.4 Bolt locks.

Manually operated flush bolts or surface bolts are not permitted. Exceptions: 1. On doors not required for egress in individual dwelling units or sleeping units. 2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface- mounted bolts are permitted on the inactive leaf. 3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F or S occupancy, manually operated edge- or surface- mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware. 4. Where a pair of doors serves a Group B, F or S occupancy, manually operated edge- or surface- mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware. 5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edgeor surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress width requirements and the inactive leaf contains no doorknobs, panic bars or similar operating hardware.

Comment: REMOVE AND CAP THE HOLE FOR ANY EXISTING DEAD BOLTS ON DOORS.

Comments:

INSPECTION PARTICIPANTS
•BURKE COUNTY ADMINISTRATION
•BURKE COUNTY FIRE MARSHAL'S OFFICE
•BURKE COUNTY COMMUNITY DEVELOPMENT
•BURKE COUNTY BUILDING INSPECTIONS
•BURKE COUNTY CODE ENFORCEMENT
•BURKE COUNTY ENVIRONMENTAL HEALTH
•BURKE COUNTY DSS (INTERPRETOR)

AN ADMINISTRATIVE SEARCH WARRANT WAS SECURED BY FIRE MARSHAL MIKE WILLIS AND PRESENTED TO THE PROPERTY OWNER UPON ARRIVING AT THE PROPERTY.

SITE INSPECTION PERFORMED AT THE CHURCH BUILDING AND THE ANNEX BUILDING OF THE FORMER GEORGE HILDEBRAN ELEMENTARY SCHOOL. THE MOST RECENT OCCUPANT PRIOR TO THE CURRENT OCCUPANTS WAS A CHURCH.

BOTH BUILDINGS ARE PRESENTLY OCCUPIED BY THE MARSHALLESE NEW BEGINNINGS CHURCH. TODAY'S INSPECTION PRESENTED VIOLATIONS, ISSUES, AND CONCERNS DESCRIBED IN THIS REPORT. THIS REPORT DOES NOT INDICATE ALL POSSIBLE VIOLATIONS DUE TO THE SCOPE OF WORK AND AUTHORITY OF A FIRE CODE OFFICIAL. OTHER VIOLATIONS INCLUDE BUT ARE NOT LIMITED TO BUILDING CODE, ENVIRONMENTAL HEALTH, AND COUNTY ORDINANCES.

UPON COMPLETION OF TODAY'S INSPECTION, IT IS OBVIOUS BY VISUAL OBSERVATION THAT BOTH BUILDINGS ARE IN POOR CONDITION AND BEING UTILIZED AS RESIDENTIAL OCCUPANCIES. THIS USE INCLUDES SLEEPING, SHOWERING, COOKING, AND ESSENTIALLY ANY OTHER DAILY ACTIVITY THAT WOULD OCCUR WITHIN A RESIDENTIAL OCCUPANCY.

INSPECTION NOTES BY ROOM INCLUDED WITH THIS REPORT.

The next "Group A-2 to A-5 Occupancy" is due on or before: 1/31/2027

Make checks payable to: BURKE COUNTY FIRE MARSHALS OFFICE.

Inspector Name:	Robert B. Bishop
Inspector Phone:	828-764-5150
Secondary Inspector:	Michael Willis
Inspector Phone:	828-764-9321

Printed Date: 04/04/2025
Activity Number: FI-01-RB-2024-0022

Date

Printed Name | Signature

Robert B. Bishop
Deputy Fire Marshal
Burke County Fire Marshal Emergency Management
P.O. Box 219
200 Avery Avenue
Morganton, North Carolina 28680
828-764-5150
robert.bishop@burkenc.org

Michael Willis
Fire Marshal
828-764-9321
michael.willis@burkenc.org

Exhibit No. 2

Burke County Building Services
DIVISION OF CODE ENFORCEMENT

October , 26 2022

Tommy Laibwij
8123 George Hildebran School Road
Connelly Springs NC 28612

Subject: **Notice of Condemnation of Property/ (General Statue 160 D-1119)**
Property Address: 8123 George Hildebran School Road
Property Pin # 2659351635

To Whom It May Concern:

Given the extent of the issues present for the structure, and with the code violations and/or health hazards present, it is the opinion of Steve Holden, Building Inspector for Burke County that this structure has been considered to be in violation of North Carolina General Statue 160 D -1119 General Statue 160 D -1119 is the procedure of condemnation. It is through this notice that we wish to inform you that we have posted notice on the structure and are hereby requesting feedback from all involved parties.

In accordance with General Statue 160D-1119, a hearing is being set for Wednesday November 9th , 2022 at 8:00 AM. This hearing will be conducted within our offices located Door C at 110 North Green Street, Morganton. A copy of this notice shall remain on file for future reference and referral. For any questions, please feel free to contact our office for assistance. Note there are no permitted residences at this address.

Sincerely,

Steve Holden
Chief Building Inspector

CC: Condemnation Case File 252-21
, Burke County Building Inspections

110 N. Green Street – Telephone (828) 764-9036 – Fax (828) 764-9021
Post Office Box 219, Morganton, NC 28680-0219

Exhibit No. 3

BURKE COUNTY COMMUNITY DEVELOPMENT

November 9th 2022

8123 George Hildebran School Rd

Subject: ORDER of REMEDY of PROPERTY (General Statute 160D-1119)

Property address 8123 George Hildebran School Rd

Property Pin # 2659351635

To Whom It May Concern:

Following a public hearing on November 9th 2022 , the following Order is being issued regarding property listed to your ownership at 8123 George Hildebran School Rd of Burke County as described by the regulations set forth within North Carolina General Statute 160D-1119 . This Order is being issued regarding proper remedy concerning the owner allowing people to move into an" UNSAFE "EDUCATIONAL OCCUPANCY STRUCTURE located on the noted property.

You are hereby , from the issuance of this order , allowed sixty (60) days , or until January 8th2023 , to offer remedy for the Structure in the manner of:

Use the Occupancy as intended or obtain all proper permits and plans to change the occupancy type of the structure from Educational to Residential following all laws and codes under the 2018 NC Building Code.

Failure to comply with this given Order can result in a Class 1 Misdemeanor , as outlined within NC General Statute 160d-1119 . Let it be noted , you are allowed ten (10) days to appeal to this Order . All appeals must be provided in writing and supplied to the Clerk of the Burke County Board of Commissioners as well as Burke County Building Inspections for review . This appeal should be requested if you do not agree with this ruling , or if you are seeking more time for compliance than what is allowed by NC General Statutes . A copy of this Order shall remain on file for future reference and referral . For any questions regarding any matters addressed herein , or to question the given Order listed , please feel free to contact this office for assistance . Your advanced cooperation and assistance shall be most appreciated .

Steve Holden Chief Building Inspector

P.O. Box 219, 110 North Green Street, Morganton, North Carolina 28680
Telephone (828)764 9020 – FAX (828)764-9021

Exhibit No. 4 480

BURKE COUNTY BUILDING INSPECTIONS
PO Box 219
110 North Green Street
Morganton, NC 28680
828 764-9020

Trades Permit

Permit Number	**202203077**
Date	**12/19/2022**
Permit Type	**COMMERCIAL PERMIT ALL TRADES**

PROPERTY NUMBER	STREET ADDRESS	JURISDICTION
43471	8123 GEORGE HILDEBRAN SCHOOL ROAD	MORGANTON

OWNER INFORMATION		APPLICANT INFORMATION	
NAME:	LIVING WATER BAPTIST CHURCH	**NAME:**	MARSHALLESE NEW BEGINNING-EVANGLIST CHUR
ADDRESS:	8123 GEO HILDEBRAN SCHOOL RD	**ADDRESS:**	8123 GEORGE HILDEBRAN SCHOOL RD
		PHONE:	828-546-2388

CONTRACTOR INFORMATION			
NAME:	MARSHALLESE NEW BEGINNING-EVANGLIST CHUR	**LICENSE NUMBER:**	
ADDRESS:	8123 GEORGE HILDEBRAN SCHOOL RD	**LICENSE EXP. DATE:**	
PHONE:			

PROJECT DESCRIPTION	SCOPE OF WORK
20% COMMERCIAL REMODEL/SHELL	RENO OF FORMER SCHOOL BLDIN INTO CHURCH & 8 SEPERATE APTS MUST COMPLY W BLDG CODE STANDARDS INTERIOR RENOVATION ONLY

LOT ACREAGE	ZONE CODE	FIRM ZONE
5.320	R-MU	

PERMIT DETAILS	PERMIT ITEMS	QUANTITY

Permit expires 6 months from date of issuance if no inspections performed. Permit expires 12 months after last inspection.

License Number	
Date	**12/19/2022**
Application Number	**202203875**
Total Fees	**$400.00**

munis
a tyler erp solution

INSPECTION FIELD SHEET
Printed by Rachel Shroyer

INSPECTION: 148931 ABOVE CEILING ELECTRIC

PERMIT: 202203077
STATUS: ISSUED 12/19/22
EXPIRE: 12/19/23

APPLICATION: 202203875

LOC: 8123 GEORGE HILDEBRAN SCHOOL ROAD
MORGANTON

PROPERTY ID: 43471

OWNER: LIVING WATER BAPTIST CHURCH

CONTRACTOR: MARSHALLESE NEW BEGINNING-EVANGLIST CHUR
828-546-2388
REQUEST BY:

PROJ DESC: RENO OF FORMER SCHOOL BLDIN INTO CHURCH & 8 SEPERATE APTS
WORK ORDER:

INSPECTOR: RESULT: _____
REQUESTED: PRIORITY:
SCHEDULED: COMPLETED: _____ _____
UNPAID FEES: .00 Date Time

MILEAGE: _____ TIME: TRAVEL _____ ONSITE _____

COMMENTS:

ALL INSPECTIONS:

INSPECTED	INSPECTOR	RESULT

INSP	DESCRIPTION
AE	ABOVE CEILING ELECTRIC
AF	ABOVE CEILING FRAMING
AM	ABOVE CEILING MECHANICAL
AP	ABOVE CEILING PLUMBING
BF	BUILDING FINAL
BS	BUILDING SEWER LINE
CC	COMPLIANCE CERTIFICATION
ED	ENERGY DOORS
FA	FINAL ACCESSIBILITY
FD	FOUNDATION
FE	FINAL ENERGY
FI	LAST INSPECTION
FT	FOOTING
IN	INSULATION
MF	MECHANICAL FINAL
PF	PLUMBING FINAL
PJ	PORT-A-JOHN
PS	PLANS ON SITE
RE	ROUGH ELECTRICAL

INSPECTION FIELD SHEET
Printed by Rachel Shroyer

RM	ROUGH MECHANICAL
RP	ROUGH PLUMBING
UGPS	UNDERGROUND PLMB-SEWER
UGPW	UNDERGROUND PLMB-WATER
RF	ROUGH FRAMING
UE	UNDER SLAB ELECTRIC
UP	UNDER SLAB PLUMBING
TP	TEMPORARY POWER POLE
WS	WATER SERVICE
FT2	FOOTING - #2
FT3	FOOTING - #3
FT4	FOOTING - #4

Exhibit No. 6

MARSHALLESE

NEW BEGININGS CHURCH

8123 George Hildebran School RD

Connelly Springs, NC 28612

Exhibit No. 6

TABLE OF CONTENT

1.CHURCH
2.CODE
3.COMPLETED PLACE
4.LOCKS
5.UNDERCONSTRUCTION
6.PROPOSAL

Exhibit No. 6

WE ARE THE CHURCH

Exhibit No. 6

Name: Connie Labat Address:
Name: Libi Labat Address:
Name: Dandy Labat Address:
Name: Bipe Labat Address:
Name: Charity K Address:
Name: Bryan. L Address:
Name: Curtis. L Address:
Name: Michael. L Address:
Name: Shalom. M Address:
Name: Martila. M Address:
Name: Chris. L Address:
Name: Kumiko. A Address:
Name: Herlam. L Address:
Name: Dasty. L Address:
Name: Anellynn. L Address:
Name: Omega. L Address:
Name: Amylio D Address:
Name: Andrea A Address:
Name: Sustila E Address:
Name: Reeco A Address:
Name: Anrok L. A Address:
Name: Samuel A Address:
Name: Ringgold A Address:
Name: Rinton A Address:
Name: Anton A Address:
Name: Ariana. M Address:

Chris Labout
Kumiko. Alex
Herton. Latdrik
Dasty- Latdrik
Anellynn. Latdrik
Omega- Latdrik

Name: KASHA L Address:
Name: Kelen M Address:
Name: Rosita Hunt Address:
Name: Samson H Address:
Name: Renny. Kattong Address:
Name: Monica. ENOS Address:
Name: Kiven Address:
Amram Name: ~~Helen~~ ENOS Address:
Name: Aaron Address:
Name: Bina Address:
Name: Peter Address:
Name: Phillip Address:
Name: Minoline Address:
Name: Penny Address:
Name: Atrita Address:
Name: Seawana Address:
Name: Maelelah Address:
Name: Maeleahah Address:
Name: Twella Bellejar Address:
Name: Jackson Bellejar Address:
Name: Dowson Address:
Name: Phillp August Address: 4120 Yadkinville Rd. w/s NC 27106
Name: Ray Anton Address:
Name: Johnson Menasse Address: 7035 brandemere Ln, Winston Salem, NC 27106
Name: Merika Billy Address: 4120 Yadkinville Rd. w/s NC 27106
Name: Ruth Lenlay Address:

Name:

Job Makby

Kinen Lokot

Hansen Makby

Mary Makby

Michael Makby

Nasia-Melina Makby

Willie Lautrok

Jonni Lautrok Abraham

James J Lautrok

Jacob Lautrok

Lorieann Lautrok

Emmanuel Lautrok

Benjamin Lautrok

Kikuchi Billy

Faith Marchi Billy

Jayden August

Erik August

Camden Billy

Billy Billy

Florina Billy

CODE SHRIMP

1. SACRIFICATION

2. CONSEQUENSES

PLACES THAT HAS BEEN COMPLETED

RENOVATION OF DISTERIOUS PLACE

Exhibit No. 6

LOCKS REPLACE OLD LOCKS IN ROOMS

Exhibit No. 6

Exhibit No. 6

IN THE PROCESS OF CONTRUCTION

CAUTION
Under
Construction
Keep out
JAB Delon II
HILLMAN

Proposal plans

Marshallese Church
8123 George Hildenbran School RD
Connelly Springs NC 28612

We are proposing to the committee for extinction For renovation to the lower building:

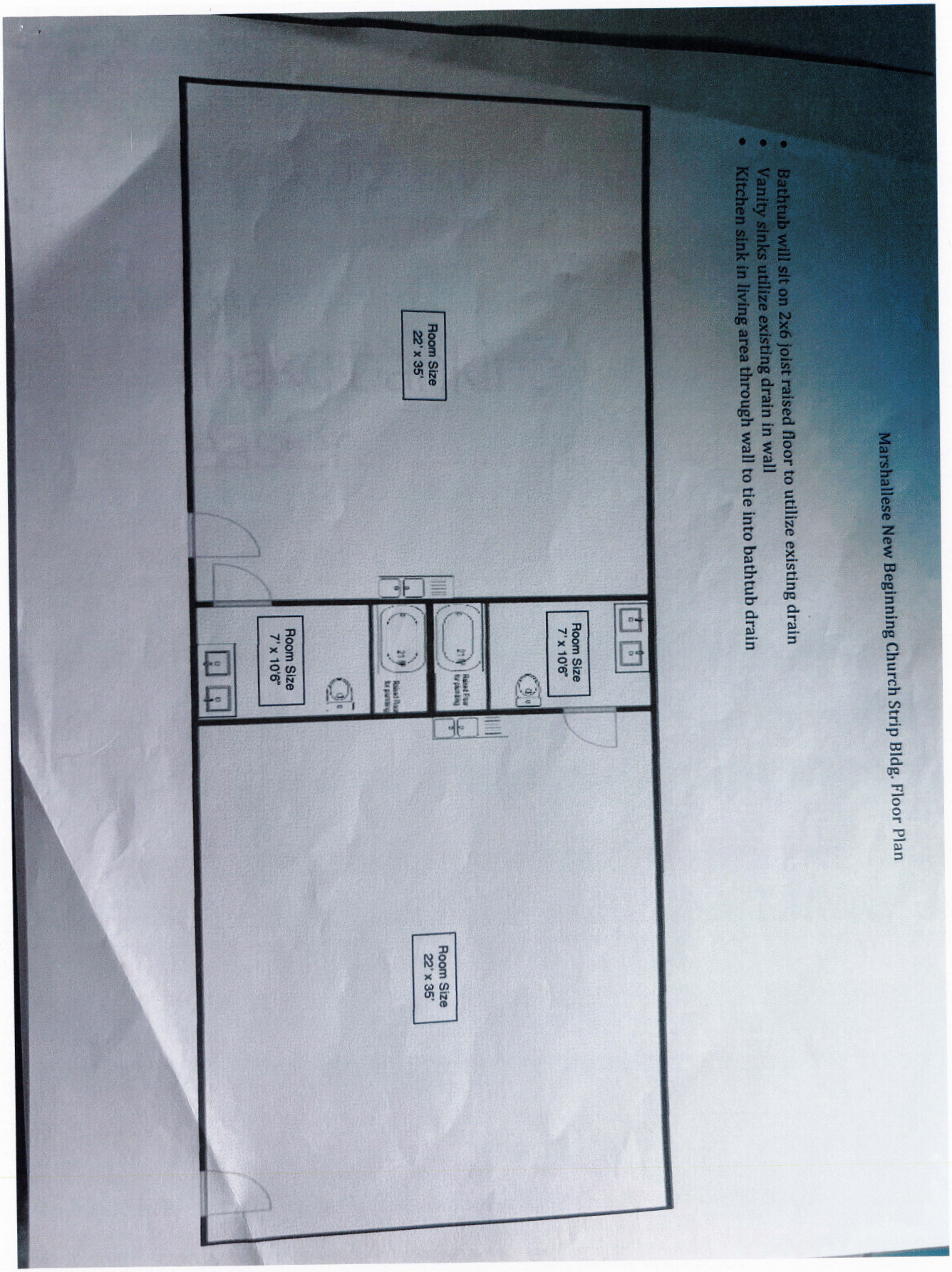
What is proposed

1. Asking for pulling permits
2. Give us time to apply for housing
3. Renovation for city code standard
4. Job

What has done:

1. Work with burking county housing
2. Fund raising
3. Job hunting

ANNEX


Marshallese New Beginning Church Strip Bldg. Floor Plan
Bathtub will sit on 2x6 joist raised floor to utilize existing drain
Vanity sinks utilize existing drain in wall
Kitchen sink in living area through wall to tie into bathtub drain
Room Size
22' x 35'
Room Size
7' x 10'6"
Room Size
7' x 10'6"
Room Size
22' x 35'