

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

The Burke County Board of Commissioners held a regular meeting on Monday, March 20, 2023, at 6:00 p.m. in the County Board Room, Burke Services Building, 110 N. Green Street in Morganton, N.C. The meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast on the local cable systems. The agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. Those present were:

COMMISSIONERS:

Scott Mulwee, Chairman
Jeffrey C. Brittain, Vice Chairman
Randy Burns
Johnnie W. Carswell
Phil Smith

STAFF:

Brian Epley, County Manager
Thadd Hodge, Deputy Finance Director
J.R. Simpson, II, County Attorney
Kay Honeycutt Draughn, Clerk to the Board

CALL TO ORDER

Chairman Mulwee called the meeting to order at 6:00 p.m.

INVOCATION

Pastor Jeff Boone, 1st Free Will Baptist Church of Morganton, delivered the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Smith delivered the Pledge of Allegiance to the American flag.

APPROVAL OF AGENDA

Motion: To approve the agenda as presented.

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

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes of July 5, 2022 (pre-agenda) and July 19, 2022 (regular) meetings as written.

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

PRESENTATIONS

AS - PET OF THE MONTH

Kaitlin Settlemyre, Animal Services Director, presented a dog (Stinky) and a cat (Bouffant) in need of their "forever" home. One of the ongoing events is "Cops and Slobbers", an event where law enforcement has their photos taken with dogs available for adoption as part of this promotional campaign. She also relayed that the "Read to a Dog" program is held every fourth Thursday between 4:00 p.m. – 5:00 p.m. where children can read a book to the shelter pets. The Animal Services Foundation is set to receive a love offering on March 24, 2023, at the Worship in the Valley concert hosted by Catawba Valley Baptist Church.

Chairman Mulwee opened the floor for questions or comments then issued a friendly reminder to adopt or foster a pet and to spay or neuter your pets.

RESULT:	NO ACTION TAKEN.
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BOC - PROCLAMATION DECLARING MARCH AS NATIONAL SOCIAL WORK MONTH

Korey Fisher-Wellman, Department of Social Services Director, presented the following proclamation declaring the month of March as National Social Work Month to recognize all the good those in the social work field do for our community.

Motion: To approve Proclamation No. 2023-01.

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

Proclamation No. 2023-01 reads as follows:

Burke County
North Carolina

Proclamation
Declaring March as National Social Work Month
Social Work Breaks Barriers

WHEREAS, Social Workers enter the profession because they have a strong desire to help empower individuals, families, communities, and our nation overcome issues that prevent them from reaching their full potential;

WHEREAS, Social Workers have worked for more than a century to improve the human well-being and enhance the basic needs of all people;

WHEREAS, Social Workers positively touch the lives of millions of Americans each day and in a variety of places, including schools, hospitals, the military, child welfare agencies, community centers, and in federal, state and local government;

WHEREAS, the 2023 Social Work Month theme, "Social Work Breaks Barriers" embodies how social workers help empower individuals, families, communities and our society to overcome hurdles that prevent them from achieving better well-being;

WHEREAS, Social Workers are the largest group of mental health care providers in the United States, working daily to help thousands of Americans overcome mental illnesses such as depression and anxiety;

WHEREAS, Social Workers are on the frontlines of the nation's opioid addiction crisis, helping people get the treatment they need and prevail over substance use disorders;

WHEREAS, Social Workers help people cope with death and grief and help people and communities recover from incredibly challenging life events, including natural disasters;

WHEREAS, Social Workers have helped this nation live up to its values by advocating for equal rights for all people, regardless of race, religion, color, national origin, age, sex or disability;

WHEREAS, the Social Work Profession is one of the fastest growing careers in the United States, with about 708,000 social workers today and more than 60,000 more social workers expected to enter the profession over the next decade;

WHEREAS, Social Workers have continued to push for changes that have made our society a better place to live;

WHEREAS, Social Workers endeavor to work throughout our society to meet people where they are and help empower people to reach the goals they wish to attain;

NOW THEREFORE, in recognition of the numerous contributions made by America's Social Workers, the Burke County Board of Commissioners hereby proclaim the month of March 2023 as National Social Work Month and call upon all citizens to join the National Association of Social Workers in celebration and support of the Social Work Profession.

Adopted this 20th day of March 2023.

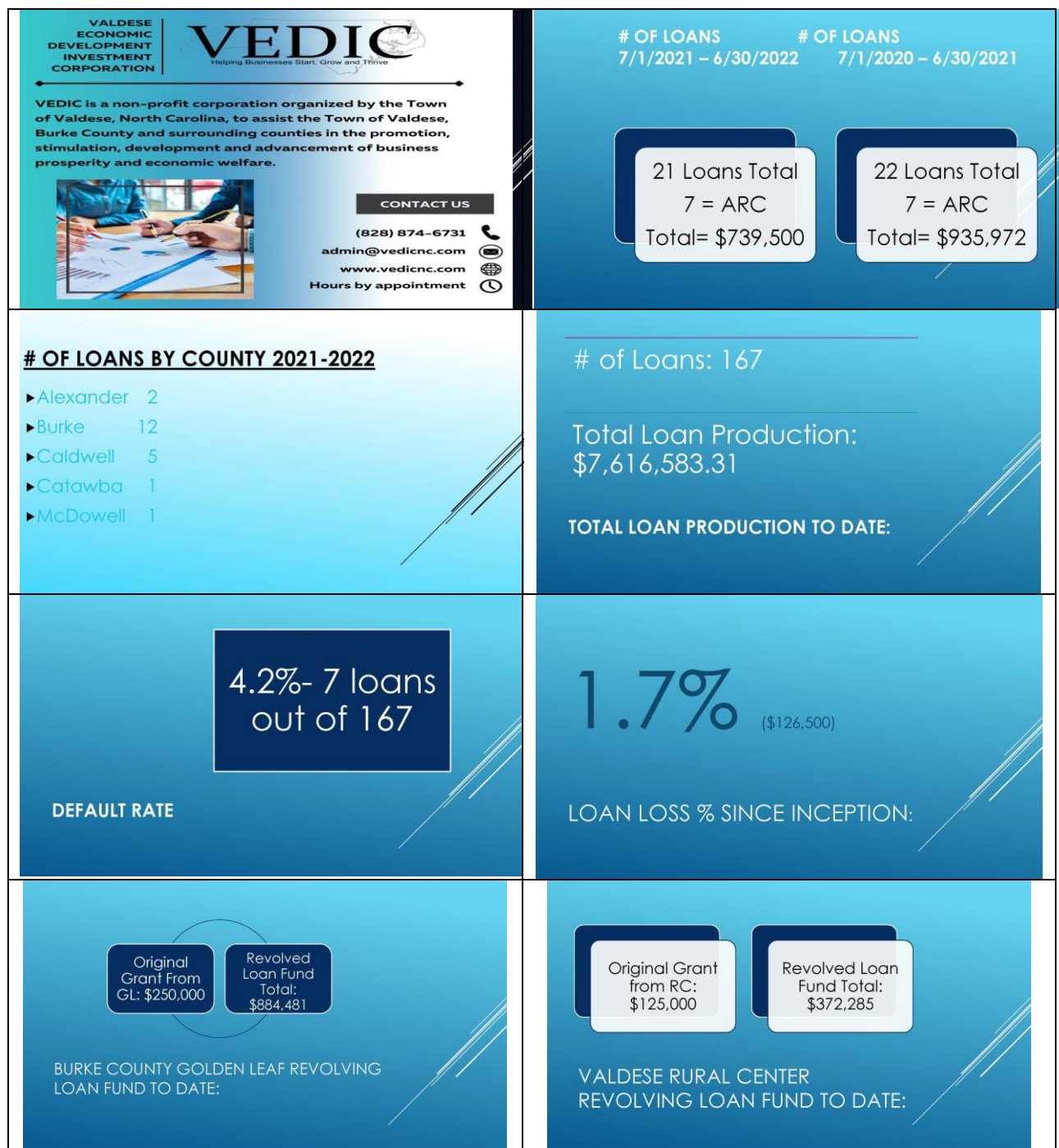
/s/: Scott Mulwee
Scott Mulwee, Chairman
Burke Co. Board of Commissioners

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

VEDIC - UPDATE ON FY 21-22 ACTIVITIES




Eddie McGimsey, Business Developer, VEDIC (Valdese Economic Development Investment Corporation), presented a historical overview of VEDIC's creation and evolution. The nonprofit was established in 2009 with grant funding from the NC Rural Center and later received grants from the Golden LEAF Foundation and the US Department of Agriculture.

Tonia Stephenson, Vice Chairman, VEDIC, provided an update on the organization's activities for FY 21-22. Highlights of her presentation were as follows:





At this point during the presentation, Ms. Stephenson yielded the floor to Kerri Poteat, Executive Director, VEDIC. Highlights of Ms. Poteat's presentation were as follows:

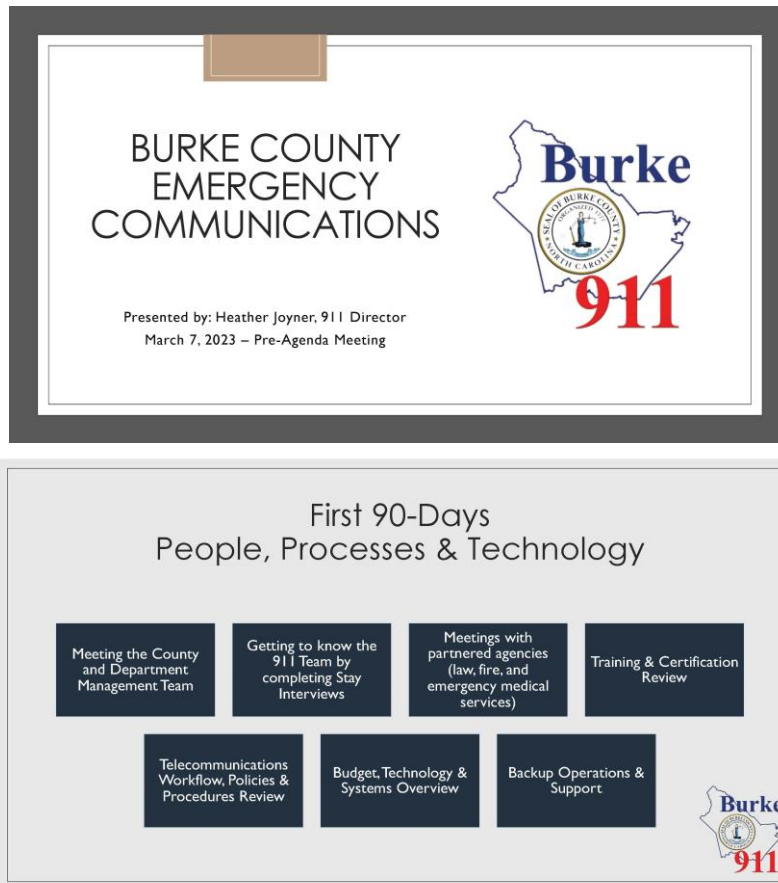
<p>Technical Assistance</p> <ul style="list-style-type: none"> Keeping our clients informed of all the offerings for help Providing deferrals (41+) Implementing online requests to accommodate all needs TA Today <ul style="list-style-type: none"> The key to success <p>Emergency Loans (for existing clients)</p> <ul style="list-style-type: none"> Bridge the gap until PPP funds were received To assist with cash flow issues In-house closing <ul style="list-style-type: none"> Save on costs <p>SURVIVING THE PANDEMIC</p>	<p>PAYOFFS RECEIVED FROM APRIL 1, 2020, TO PRESENT</p> <p>Payoffs received due to refinance with a traditional bank, low interest government loans or normal loan payout:</p> <ul style="list-style-type: none"> 53 Loans \$2,422,555.34 																		
<p>Your NC Secretary of State • Business Starts Here!</p>  <p><i>Sharon Jablonski</i></p> <p>SECRETARY OF STATE PARTNERSHIP</p>	<p>Board Members</p> <table border="0"> <tr> <td>Jessica Bargsley</td> <td>Butch McSwain</td> </tr> <tr> <td>Timothy Barus</td> <td>Scott Mulwee</td> </tr> <tr> <td>Robert Benfield</td> <td>Nancy Page</td> </tr> <tr> <td>John Branstrom</td> <td>Karen Robinson</td> </tr> <tr> <td>Seth Eckard</td> <td>T. R. Robinson</td> </tr> <tr> <td>Kylie Gera</td> <td>Maria Thompson</td> </tr> <tr> <td>Sharon Jablonski</td> <td>Suzanne Wallace</td> </tr> <tr> <td>Rick Justice</td> <td>Donna Zamora</td> </tr> <tr> <td>Lily Laramie</td> <td></td> </tr> </table> <p>Executive Board Members</p> <p>Sherry Long- Chairman Tonia Stephenson- Vice Chairman Johnny Berry- Treasurer Sherry Bradshaw- Secretary</p> <p>VEDIC BOARD OF DIRECTORS 2022-2023</p>	Jessica Bargsley	Butch McSwain	Timothy Barus	Scott Mulwee	Robert Benfield	Nancy Page	John Branstrom	Karen Robinson	Seth Eckard	T. R. Robinson	Kylie Gera	Maria Thompson	Sharon Jablonski	Suzanne Wallace	Rick Justice	Donna Zamora	Lily Laramie	
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 <p>VEDIC BOARD OF DIRECTORS 2022-2023</p>	<p>LOAN REVIEW COMMITTEE</p> <table border="0"> <tr> <td>Charles Conley Office Manager, Burke County United Way</td> <td>Nancy Page Refried- Personal Banker, Wells Fargo Bank</td> </tr> <tr> <td>Lisa Crump Financial Services Manager, First Citizens Bank</td> <td>Tonia Stephenson President & CEO, Burke County Chamber of Commerce</td> </tr> <tr> <td>Sharon Jablonski Director of the Department of Cultural and Creative Development, City of Morganton</td> <td>Maria Thompson Mayor, Town of Long View</td> </tr> <tr> <td>Lily Laramie Director, Small Business Center, Western Piedmont Community College</td> <td>Suzanne Wallace Director, Small Business Center, Catawba Valley Community College</td> </tr> <tr> <td>Sherry Long Assistant Executive Director, Western Piedmont Council of Governments</td> <td></td> </tr> </table>	Charles Conley Office Manager, Burke County United Way	Nancy Page Refried- Personal Banker, Wells Fargo Bank	Lisa Crump Financial Services Manager, First Citizens Bank	Tonia Stephenson President & CEO, Burke County Chamber of Commerce	Sharon Jablonski Director of the Department of Cultural and Creative Development, City of Morganton	Maria Thompson Mayor, Town of Long View	Lily Laramie Director, Small Business Center, Western Piedmont Community College	Suzanne Wallace Director, Small Business Center, Catawba Valley Community College	Sherry Long Assistant Executive Director, Western Piedmont Council of Governments									
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<p>STAFF</p> <p>Kerri Poteat Executive Director</p> <p>Eddie McGimsey Business Development</p> <p>Chuck Moseley On-Call Help</p>	 <p>2022-2023 CONTRIBUTORS</p>																		
<p>• Many thanks to each one that has planted a seed in making VEDIC what it is today.</p> <p>THANK YOU</p>																			

Motion: To accept the report as presented.

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

BCECC - OPERATIONAL UPDATE & PROCLAMATION DECLARING APRIL 9 - 15TH AS NATIONAL PUBLIC SAFETY TELECOMMUNICATOR'S WEEK

Heather Joyner, 911 Director, provided an operational update and requested approval of a proclamation declaring April 9 - 15th, 2023, as National Public Safety Telecommunicator's Week in Burke County. Highlights of her presentation were as follows:



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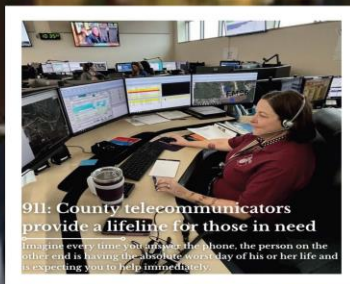
Accomplishments

- Conducting weekly Executive Team meetings to work towards aligned goals and support for each division. (Admin, Ops, GIS, and IT)
- Created an Employee Engagement Team to support personnel with a platform for providing feedback for increasing morale and identifying workflow issues to increase efficiencies
- Supervisor's provided with ATAC assignments and responsibilities to support online testing and overseeing DCI/Omnix transactions for local and national databases, increasing efficiencies for certification
- Supervisor's provided the opportunity to complete the NC PSAP Manager's Certification Course, which is currently underway, as well as participate in national training, hosted locally, and FEMA courses with Emergency Mgmt
- Partnered with WPCC for approval of a 911 curriculum for continuing education and in-service training for Telecommunicator's – previously all were done via online with Richmond Community College



Accomplishments

- Provided agency admin and frontline supervisors access to the NENA Enhanced PSAP Registry and Census database (EPRC), developed in conjunction with GeoCom, which is a secure database, web portal, and map that contains information about Public Safety Answering Points (PSAPs) throughout the United States for redirecting misrouted emergency/non-emergency calls.
- Adding/Updating GIS data to support dispatch functions, adding hydrants, utilities, sub-stations, and EAP with Duke Energy
- Created a unified dispatch email account (dispatcher@burkenc.org) for CJIS compliance with sharing data with serviced agencies and public records requests in a secured cloud environment, eliminating the exchange of personal email/text messages for conducting county business
- Public Education with local media partners





ELLIE MAE BURKE
BURKE COUNTY EMERGENCY COMMUNICATIONS THERAPEUTIC PET



Accomplishments

- Introduction of Ellie-Mae, a 16-week-old Goldendoodle for training as a Therapeutic Pet for public safety responders (911, EMS, Fire, Law, and EM).
- Ellie-Mae will also be utilized for CISD and high-stress calls as well as attend community events for educational purposes.









The Next 180-Days People, Processes & Technology

High School to 911 Career Program	WPCC 2-Yr Public Safety Telecommunicators Associate Degree	Burke County E-911 Telecommunicator Academy
Continued Training & Hosted Certification Courses	Revision of BCEC Policies & Procedures	Tier Level Positions for Growth within the Agency
		Backup Operations & Support

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION

Presented by: Heather Joyner, 911 Director
March 7, 2023 – Pre-Agenda Meeting



911 Life Saver Awards

April 1st, 2022 – March 3rd, 2023

• Doris Hoffman	• Jenny Sacosky
• Jeremy Carswell	• Ashlynn Henley
• Audrey Thomas	• Zachary Carlton
• Amanda Moses	• Tamara Tipton
• Brittany Milligan	• Christine Buchanan
• Tyler Nelson	• Jeremy Henley
• Alyssa Perrotta	• Cynthia McCurry
• Jesse Cooper	• Jennifer Coffey
• Crystal McCurry	• Robert Chapman
• Brittany Epley	• Jason VanHorn
• Christina Bates	• Andrea Miller
• Heather Carrell	• Passion Grimes
• Kimberly Ledford	• Kaitlin Franklin
	• Evey Helton



Chairman Mulwee opened the floor for questions or comments. Both Chairman Mulwee and Commissioner Burns applauded Ms. Joyner for her hard work and accomplishments from her first 90 days of employment. 911 personnel in the audience stood and were acknowledged by the Board and citizenry. Ms. Joyner received comments of praise from Commissioner Carswell.

Motion: To accept the report as presented and approve Proclamation No. 2023-02.

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

Proclamation No. 2023-02 reads as follows:

Burke County
North Carolina

Proclamation
"National Public Safety Telecommunicator's Week"
April 9th – 15th, 2023

WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters, and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our law enforcement officers, firefighters, and emergency response personnel is dependent upon the quality and accuracy of information obtained from callers who telephone the Burke County Emergency Communications Center; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our law enforcement officers, firefighters, and emergency services personnel by monitoring their activities by radio, providing them information, and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of Burke County have contributed substantially to the apprehension of criminals, suppression of fires, pre-delivery of medical direction and treatment of patients; and,

WHEREAS, each Telecommunicator has exhibited compassion, understanding, and professionalism during the performance of their positions in the past year;

NOW, THEREFORE, BE IT RESOLVED, that the County of Burke declares the week of April 9, through April 15, 2023, to be National Public Safety Telecommunicator's Week, in honor of the men and women whose diligence and professionalism keep our county residents safe.

BE IT FURTHER RESOLVED, that the original of this proclamation be presented to the Burke County Emergency Communications Center and orders that a copy of this proclamation be spread upon the minutes of the Burke County Board of Commissioners this 20th day of March 2023.

Approved this 20th day of March 2023.

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

Attest:

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

SCHEDULED PUBLIC HEARINGS

COMM. DEV. - ZONING TEXT AMENDMENT ZTA 2023-01 & PUBLIC HEARING - 6:00 P.M.

On October 18, 2022, Ordinance No. 2022-06 was adopted, which enacted a 180-day moratorium on short-term rentals to give the Community Development Department time to analyze the County's zoning ordinance to ensure compliance with the latest judicial ruling from *Schroeder v. City of Wilmington*, which was decided by the Court of Appeals of North Carolina on April 5, 2022.

Alan Glines, Planning Director / Deputy County Manager, generally reviewed Zoning Text Amendment ZTA 2023-01 as set forth in the agenda packet:

STAFF INITIATED REPORT ON RETRACTION OF SHORT-TERM RENTAL ORDINANCE SECTION 5.4 OF BURKE COUNTY ZONING ORDINANCE

The staff of the community Development Department have reviewed and considered changes and amendments for Section 5.4 Short-Term Rental Ordinance. After careful consideration of the ordinance, review of the *Schroeder v. City of Wilmington* case and after a community meeting on the topic, staff are proposing an amendment which would remove this section from the Burke County Zoning Code. This retraction and removal would include all references to the term "Short-Term Rental", its definition, allowances, and inclusions within the prescribed ordinance. This would include Article 2.0 (Definitions, Article 3 (Table of Uses, Page 72), Section 5.1 (Accessory Dwelling Unit (j)), and the entire redaction of Section 5.4 (Short-Term Rentals).

Staff have considered the following factors:

- The court case sided in favor of the Schroeder Family in the lawsuit against the regulations for short-term rentals by the City of Wilmington.
- The Court agreed that the use is more akin to a residential use than a commercial use.
- The Court upheld provisions and relevance of the residential building code.
- Registrations of short-term rentals are not allowed because rental registries are not permitted for residential properties in North Carolina.

- Additional inspections of a home, after a Certificate of Occupancy is issued during the original construction of the home, are not permitted for residential uses.
- There is no real enforcement action which would prohibit the use from continuing without a permit.
- Enforcement of a few outstanding provisions of the ordinance may be taken up in other ways if problems with noise or crowding of streets arise.
- If a neighborhood is against the use, a Homeowners Association of the neighbors may be able to address this issue more effectively.
- In the year and a half that our ordinance has been in place, there have been a very limited number of valid concerns or complaints about the use.
- There is a substantial amount of support for short-term rentals among residents and property owners in Burke County and this has been captured in community comments over various forums and petitions provided in support of the use.

With these noted factors, staff recommends that the provision for Short-term Rentals be removed from the Burke County zoning code.

Planning Board Recommendation:

The Burke County Planning Board held a public meeting to hear this text amendment request on February 23, 2023. After hearing Alan Glines' staff presentation, the meeting was open to public comment. There were several members of the public present, however, no one chose to speak. Staff provided the Board with two written letters which were emailed to the Community Development Department. Each Board member read the letters silently and they were entered into the public record. The public comment session was then closed. The Chairperson asked the Board members if there were any comments or discussion about the letters or the text amendment in general. No comments or discussion were brought forth. The Chairperson asked for a motion on the text amendment. A motion to approve was given and it was seconded. The Chairperson then asked for a vote of the full Board. The motion to approve ZTA 2023-01 passed by a vote of 4/1. No specific reason was given for the one dissention vote.

At 6:46 p.m., Chairman Mulwee opened the public hearing. The Public Hearing Notice was published in the News Herald on March 9, 2023, and March 16, 2023. Further, the notice was also posted on the County's website (www.burkenc.org) on March 9, 2023. There were two (2) people who pre-registered to speak.

Cliff Becketl, Lake James, stated that the NC Supreme Court ruled against the requirements imposed on short-term rentals by the City of Wilmington, which were permits and registration. He recognized the necessity of short-term rentals and asserted the County Attorney should be able to make Burke County's regulations compliant with the Supreme Court, rather than be discarded in its entirety.

David Crossan, 109 La Bellevue St., stated that at the public hearing for the moratorium on short-term rentals, Alan Glines, Planning Director, committed to keep the stakeholders in mind in developing a path forward, a commitment that was honored and kept. Mr. Crossan thanked Mr. Glines, his team, and the Board for their effort in regard to this matter.

There was no one else present to address the Board; therefore, the public hearing was closed at 6:52 p.m.

Chairman Mulwee invited Mr. Glines back to address Mr. Becktel's concerns. Mr. Glines stated that, after reviewing the ordinance and removing the parts that conflicted with the judicial ruling, there was not much left to the ordinance.

Motion: To adopt Ordinance No. 2023-03 redacting all references to "Short Term Rental" within the Burke County Zoning Ordinance and to adopt the following consistency statement:

Zoning Text Amendment ZTA 2023-01 is reasonable and in the best interest of the county because the state of North Carolina legislature has not provided clear guidance on how to regulate Short Term Rentals. Furthermore, recent court decisions have ruled against many of the Short-Term Rental regulations enforced in other jurisdictions. Since Burke County has many of those same regulations, much of the current Short-Term Ordinance would have to be removed. The text amendment also conforms with the County's adopted Comprehensive Plan.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeffrey C. Brittain, Vice Chairman

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

Ordinance No. 2023-03 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Burke County Zoning Ordinance
ZTA 2023-01

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

The following specific Articles and Sections of the Burke County Zoning Ordinance are redacted in their entirety.

Article 2.0, (Definitions, Page 43), "Short-Term Rental" and "Short-Term Rental (STR) Permit"

Article 3, (Table of Uses, Page 72), "Short Term Rental (Dedicated)" and "Short-Term Rental (Owner Occupied)"

Section 5.1, (Accessory Dwelling Unit (j), Page 136), and

Section 5.4, (Short-Term Rentals)

Adopted this 20th day of March 2023.

/s/: Scott Mulwee

Scott Mulwee, Chairman

Burke Co. Board of Commissioners

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2023-01 & PUBLIC HEARING - 6:00 P.M.

Alan Glines, Planning Director / Deputy County Manager, relayed the following zoning request:

Rezoning Application ZMA 2023-01 (IND to R-3)

Applicant: Dean Evans

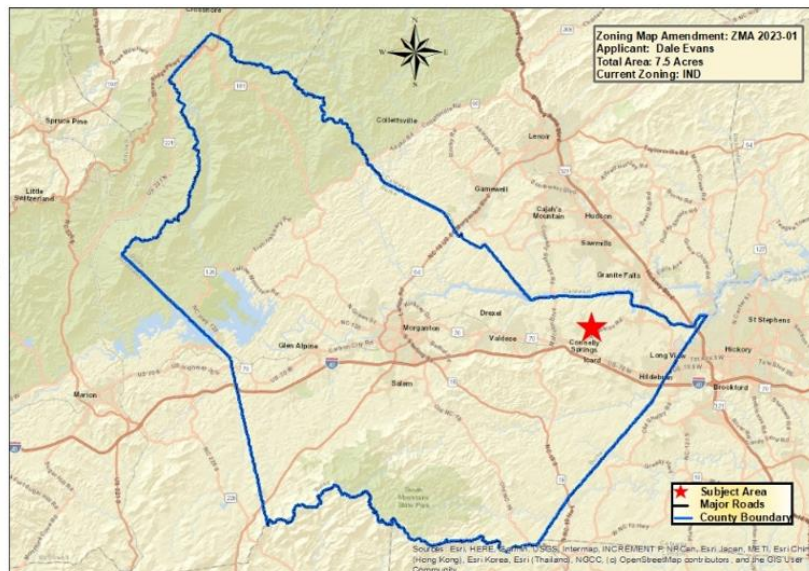
Owners: Dean Evans, Larry Lingle

PIN: Parcel 1- PIN# 2763381840), Parcel -2 (PIN# 2763296170), and Parcel 3, a 0.17-ac. portion of (PIN: 2763287961.

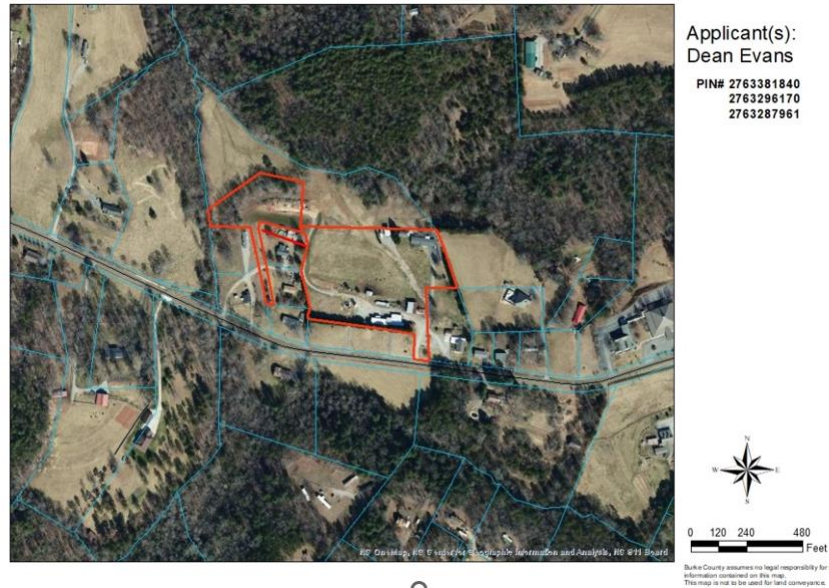
Request: Changing the zoning district from Industrial (IND) to Residential Three (R-3).

Size: Total area of all subject parcels is approximately 7.85 acres.

Location: The subject parcels are located off Oak Ridge Church Road (SR #1614).



Map B: Aerial Land Use Map



Current Uses of Subject Area and Adjacent Properties

Subject Properties Uses: All the subject properties are currently used for residential uses. The applicant's property was formerly used for business and a residence. The applicant has now retired and uses the former commercial buildings as personal storage and a personal woodworking shop.

The Larry Lingle property was formerly owned by Mr. Evans and the northern portion of that property was zoned Industrial when Mr. Evans operated the business.

Adjacent Area Uses: The surrounding properties are primarily vacant or residential in nature. Adjacent land uses include a variety of residential uses and the Oak Ridge Baptist Church.

Map C – Current Zoning



Current Zoning

Application of Current Zoning: The subject area is currently zoned Industrial (IND). Property to the north, east, and west of the subject parcels are zoned Residential Three (R-3). Property to the south and further west are in the Planning / Zoning jurisdiction of the Town of Connelly Springs.

District Comparison

Industrial: "The Industrial District (IND) is intended for large manufacturing uses and its placement here is because the owner had a commercial business on the site.

Residential Three: The R-3 Residential District is a residential district, primarily for single-family and manufactured homes.

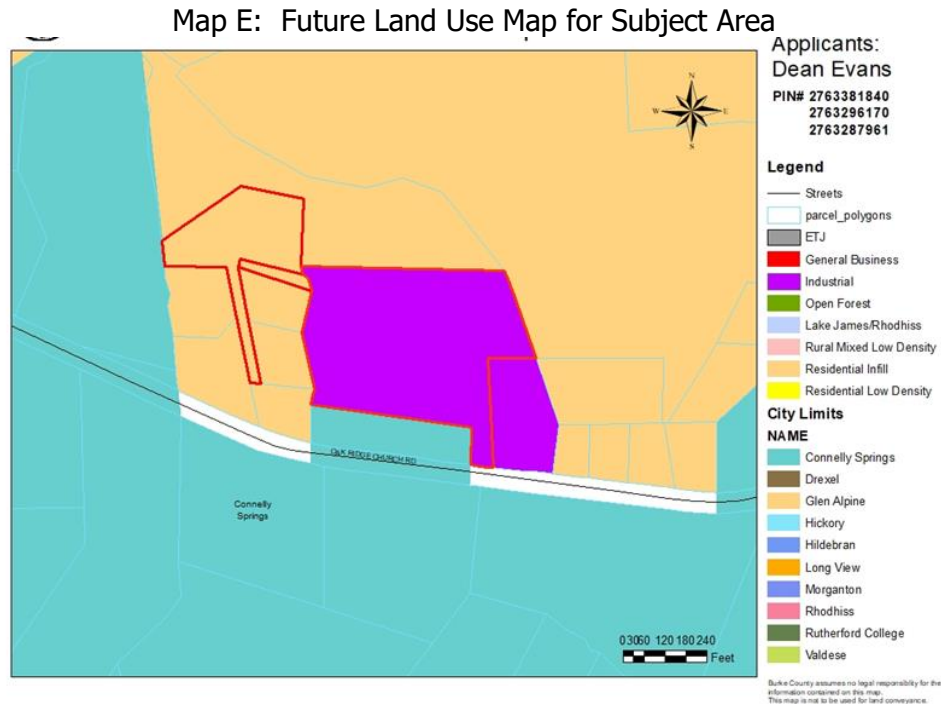
The Blueprint Burke Strategic Land Use Plan

The current land use plan for Burke County is the Blueprint Burke Strategic Land Use Plan. This plan was recently updated in October of 2022.

The subject parcel is currently located in the categories "Residential Infill" and "Industrial" (see map below). Characteristics of the Residential Infill area include medium to high density development focused on rural or suburban neighborhood settings; sufficient access from a major road or road improved to county standards and connecting to major roads maintained by the NC DoT. Access to infrastructure is typical and preferred including public water and / or sewer services. Although some areas may still utilize private onsite wastewater disposal systems. Industrial land uses can be found in rural remote areas of the county but are most likely to be found along the I-40 Corridor.

The request is to change the zoning to Residential Three (R-3). As mentioned above, the usual characteristic for this district allows a broader range of residential uses including Class A and Class B manufactured homes. The Blueprint Burke Plan provides a framework for growth and needs to be flexible enough to be adapted for reasonable requests that can be made to blend into the character of the neighborhood. If approved, the rezoning will be similar to the adjoining properties and be in harmony with the surrounding community. Approval of the request will also adjust the Future Land Use Map which will show this area for Residential Infill.

This space is intentionally left blank.



Staff Comments

In staff's opinion, rezoning the parcel from the Industrial (IND) zoning district to the Residential Three (R-3) District would be appropriate for this area for the following reasons:

- Changing the zoning to residential would remove the industrial outlier parcel which in turn would make this area more consistent with the Residential Infill portion of the Burke County Land Use Plan.
- The current use of the properties is residential. Rezoning to residential would bring the properties into compliance with the zoning ordinance.
- The subject parcels are surrounded by residential uses and residential zoning in both planning jurisdictions. Changing the industrial zoning to residential zoning would make the allowed uses more compatible with the surrounding properties.
- Rezoning to residential zoning will allow the property owners to expand existing and / or construct new residential structures. The current industrial zoning would not allow that without obtaining approval from the Board of Adjustment.

For these reasons, staff supports the rezoning request.

Planning Board Recommendation

The Planning Board met on January 26, 2023, to hear the proposed rezoning request. Staff presented the same report as submitted above. The applicant presented their request, and the floor was opened to public comment. There was no one from the public present to speak. The public comment period was closed, and the Chairperson asked the Board if there were any final questions. There were no more questions and the Chairperson asked for a motion. A motion

was made to approve the rezoning request. The motion received a second and the vote was put to the full Board. The Board voted 5/0 to recommend approval of rezoning request.

At 6:59 p.m., Chairman Mulwee opened the public hearing. The Public Hearing Notice was published in the News Herald on March 9, 2023, and March 16, 2023. Further, the notice was also posted on the County's website (www.burkenc.org) on March 9, 2023.

Dean Evans issue some clarifying statements about his application.

There was no one else present to address the Board; therefore, the public hearing was closed at 7:00 p.m.

Motion: To adopt Ordinance No. 2023-02 approving ZMA 2023-01 for three parcels of land located off of Oak Ridge Church Road, Connelly Springs, corresponding to PIN#'s 2763381840, 2763296170, and a 0.17-ac. portion of 2763287961 to rezone from the Industrial (IND) Zoning District to the Residential Three (R-3) Zoning District and find that the request is reasonable and in the public interest because:

- 1. In the Blueprint Burke Plan the character of the area is most consistent with Residential Infill.**
- 2. The former heavy commercial use will now focus on residential use and be compatible with the surrounding area.**
- 3. By action of the Board of Commissioners the Future Land Use Map is amended to Residential Infill for this area without need for separate action.**

Consistency Statement

The Commissioners find that Ordinance No. 2023-02 related to rezoning application ZMA 2023-01 and located off Oak Ridge Church Road, Connelly Springs, to be consistent with the Blueprint Burke Plan showing most of the surrounding area as Residential Infill. The rezoning is reasonable and is in the public interest by bringing the former land use (Septic Business) into the Residential Three (R-3) zoning district. The new district would allow for uses which would be consistent with a residential setting and allow compatibility with the surrounding area. The Future Land Use Map is adjusted to be consistent with Residential Infill.

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

Ordinance No. 2023-02 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2023-01

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

Three parcels of land corresponding to PIN#'s 2763381840, 2763296170, and a 0.17-ac. portion of 2763287961 is hereby re-zoned from the Industrial (IND) Zoning District to the Residential Three (R-3) Zoning District.

Consistency Statement

The Commissioners find that Ordinance No. 2023-02 related to rezoning application ZMA 2023-01 and located on Oak Ridge Church Road, Connelly Springs, to be consistent with the Blueprint Burke Plan showing most of the surrounding area as Residential Infill. The rezoning is reasonable and is in the public interest by bringing the former land use (Septic Business) into the Residential Three zoning district. The new district would allow for uses which would be consistent with a residential setting and allow compatibility with the surrounding area. The Future Land Use Map is adjusted to be consistent with Residential Infill.

Adopted this 20th day of March 2023.

/s/: Scott Mulwee

Scott Mulwee, Chairman

Burke Co. Board of Commissioners

Attest:

/s/: Kay Honeycutt Draughn

Kay Honeycutt Draughn, CMC, NCMCC

Clerk to the Board

INFORMAL PUBLIC COMMENTS

Chairman Mulwee opened the floor for informal public comments and asked speakers to limit their comments to three minutes.

Shaquana Suggs, 103 Silver Creek Road, spoke in favor of removing the confederate monument and cited a personal story of an unpleasant experience she had while she was with some students visiting the statue.

Frank Smith expressed his concerns about the increase in property taxes during the most recent revaluation process. Mr. Smith also stated that he was against removing the confederate statue.

Dr. Courtney Mull, 5127 Piedmont Road, spoke in favor of removing the confederate statue.

Carla Kincaid shared some comments and experiences from a gentleman that joined the Black Lives Matter movement in response to George Floyd's death. Ms. Kincaid spoke in favor of removing the confederate statue.

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

CONSENT AGENDA

At the request of the Board, Brian Epley, County Manager, reviewed the following eight (8) items on the consent agenda, which were approved by a single motion.

BOC - RESOLUTION JOINING OPIOID "WAVE TWO" LITIGATION

The following resolution states that the Burke County Board of Commissioners are joining the second wave of national litigation and settlement specific to opioid distribution points of Walgreens, CVS, Allergan, Teva, and Walmart, for the benefit of Burke County and its residents and citizens.

Motion: To adopt Resolution No. 2023-06.

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

Resolution No. 2023-06 reads as follows:

BURKE COUNTY
NORTH CAROLINA

RESOLUTION BY THE COUNTY OF BURKE
AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS AND APPROVING THE SUPPLEMENTAL
AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE OF NORTH CAROLINA AND
LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID
LITIGATION

WHEREAS, the opioid overdose epidemic had taken the lives of more than 32,000 North Carolinians (2000-2021);

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

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

WHEREAS, Burke County has incurred higher than state average for both opioid overdose deaths and per capita opioid prescriptions – Burke County’s overdose death rate is 40 per 100,000 people, compared to the North Carolina state average of 28 per 100,000 people; and

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

WHEREAS, settlements have been reached in litigation against Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in the these Settlements; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Supplemental Agreement for Additional Funds (SAAF) to provide for the equitable distribution of the proceeds of these settlements; and

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

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

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

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Burke County hereby authorizes the County Manager to execute all documents necessary to enter into opioid settlement agreements with Walmart, Walgreens, CVS, Allergan, and Teva, to execute the SAAF, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this the 20th day of March 2023.

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

Attest:

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

CLERK - REAPPOINTMENTS & MODIFICATIONS TO BURKE SENIOR CENTER ADVISORY COUNCIL

The Burke Senior Center Advisory Council is a 9-member board that makes recommendations about the programs offered at the Senior Center in Morganton. Members serve a 3-year term. The removal of Dave Lammers, Seat No. 2, from the Burke Senior Center Advisory Council is requested. His term expired in 2022. The reappointment of Barbara Huffman (Seat No. 3), Susan Janey (Seat No. 5) and Guinn Huffman (Seat No. 8) are also requested. All three (3) members are in good standing and desire to be reappointed.

Several seats on the Council are vacant and have been for quite some time. In consultation with the Senior Center Director, reducing the membership of this advisory board from nine (9) to seven (7) members is requested by eliminating vacant Seat No. 6 and 7.

Motion: To remove Dave Lammers' name from the official roster of the Burke Senior Center Advisory Council and thank him for his service to the community. To reappoint Susan Janey and Guinn Huffman to the Burke Senior Center Advisory Council to complete the remainder of 3-year terms ending March 31, 2025. To reappoint Barbara Huffman to the Burke Senior Center Advisory Council for a 3-year term ending March 31, 2026. To reduce the membership of the Burke Senior Center Advisory Board by eliminating two (2) vacant seats (No. 6 & 7).

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

CLERK - APPOINTMENT TO THE FOOTHILLS REGIONAL AIRPORT AUTHORITY

The County appoints two (2) members to the Foothills Regional Airport Authority for 2-year terms. Seat No. 1 is occupied by Commissioner Burns. Seat No. 2, an at-large seat, is occupied by Dennis Pearson who has served on this board since 2013. His term expired in January, and he is not seeking reappointment. An application was received from Thomas Fraley.

Motion: To remove Dennis Pearson's name from the official roster of the Foothills Regional Airport Authority and thank him for his service to the community. Further, appoint Thomas Fraley to the Foothills Regional Airport Authority, Seat No. 2, to complete the remainder of a 2-year term ending January 31, 2025.

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

PHM - PARTNERS HEALTH MANAGEMENT FINANCIAL REPORTS FOR THE PERIOD ENDING JAN. - DEC. 2022

At the pre-agenda meeting, the Board will receive a financial update from Tara Conrad, Partners Health Management, for the period ending Jan. - Dec. 2022. The report was included in the agenda packet and is hereby incorporated into the meeting minutes by reference.

Motion: To accept the reports as presented.

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

RECREATION - COUNTY SPORTS TEAMS REPORT FOR 2022 & 2023

Athletic Director, Wes Hasson, presented a report on county youth sports teams for 2022 and 2023.

Outdoor Soccer (Fall)

Total Teams: 25 in 2021, 39 in 2022. This is the most soccer teams the county has ever had.

Football (Fall)

Total Teams: 24 in 2021, 28 in 2022.

Basketball (Winter)

Total Teams: 140 in 2021 - 2022, 155 in 2022 - 2023.

Indoor Soccer (Mid-Winter / Early Spring)

Total Teams: 119 in 2022, 136 in 2023.

Tee Ball, Girls Softball, Baseball (Spring)

Total Teams: 51 in 2022, Anticipating 50+ teams in 2023.

Motion: To accept the report as presented.

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

TAX DEPT. - TAX COLLECTION REPORT FOR FEBRUARY 2023

The Board of Commissioners was presented with the Tax Collection Report for the period between July 1, 2022, and February 28, 2023. This reflects the status of collections by the Burke County Tax Collection's Staff. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$45,800,000.00	\$45,762,382.77	99.92%	\$37,617.23
Motor Vehicle Tax	\$6,000,000.00	\$3,914,705.90	65.25%	\$2,085,294.10
Current Year Taxes	\$51,800,000.00	\$49,677,088.67	95.90%	\$2,122,911.33
Delinquent Taxes	\$700,000.00	\$521,175.10	74.45%	\$178,824.90
Late List Penalty	\$315,000.00	\$238,519.59	75.72%	\$76,480.41

The Tax Levy is the total property tax value not including motor vehicles times the tax rate. This amount changes monthly with the addition of discoveries, other changes, or corrections, and when Public Utility Values are added, typically during September.

Category	Tax Levy	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	\$47,905,057.47	45,762,382.77	95.53%	\$2,142,674.70

Motion: To accept the Tax Collection Report for February 2023 as presented.

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

TAX DEPT. - RELEASE REFUND REPORT FOR FEBRUARY 2023

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

- Taxpayers submit information that creates a reduction in value.

- Situs is corrected between counties and / or municipalities.
- Valuation appeals reduce the value for real or personal property.
- The postmark reveals a payment was timely sent.

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

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	\$4,275.27	\$0.00	\$4,275.27	\$0.00

VTS Refunds Over \$100	
	Refund Amount
VTS Adjustments	\$139.32

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

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after Release(\$)
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Adjustment							
0000079186-2013-2013-0000-00-REG	CHESTER, CLARENCE JR	7/1/2013	LINDA WILBUR	2/22/2023	213.35	213.35	0.00
0000079186-2014-2014-0000-00-REG	CHESTER, CLARENCE JR	7/1/2014	LINDA WILBUR	2/22/2023	213.02	213.02	0.00
0000079186-2015-2015-0000-00-REG	CHESTER, CLARENCE JR	7/1/2015	LINDA WILBUR	2/22/2023	217.24	217.24	0.00
0000079186-2016-2016-0000-00-REG	CHESTER, CLARENCE JR	7/1/2016	LINDA WILBUR	2/22/2023	226.24	226.24	0.00
0000079186-2017-2017-0000-00-REG	CHESTER, CLARENCE JR	7/1/2017	LINDA WILBUR	2/22/2023	241.92	241.92	0.00
0000079186-2018-2018-0000-00-REG	CHESTER, CLARENCE JR	7/1/2018	LINDA WILBUR	2/22/2023	247.92	247.92	0.00
0000079186-2019-2019-0000-00-REG	CHESTER, CLARENCE JR	7/1/2019	LINDA WILBUR	2/22/2023	250.26	250.26	0.00
0000079186-2020-2020-0000-00-REG	CHESTER, CLARENCE JR	7/1/2020	LINDA WILBUR	2/22/2023	247.84	247.84	0.00
0000079186-2021-2021-0000-00-REG	CHESTER, CLARENCE JR	7/1/2021	LINDA WILBUR	2/22/2023	259.84	259.84	0.00
0000079186-2022-2022-0000-00-REG	CHESTER, CLARENCE JR	7/1/2022	LINDA WILBUR	2/22/2023	277.84	277.84	0.00
0000082539-2015-2015-0000-00-REG	MORETZ, JOY	7/1/2015	LINDA WILBUR	2/27/2023	77.50	77.50	0.00
0000082539-2016-2016-0000-00-REG	MORETZ, JOY	7/1/2016	LINDA WILBUR	2/27/2023	80.50	80.50	0.00
0000082539-2017-2017-0000-00-REG	MORETZ, JOY	7/1/2017	LINDA WILBUR	2/27/2023	85.84	85.84	0.00
0000082539-2018-2018-0000-00-REG	MORETZ, JOY	7/1/2018	LINDA WILBUR	2/27/2023	19.32	19.32	0.00
0000082539-2019-2019-0000-00-REG	MORETZ, JOY	7/1/2019	LINDA WILBUR	2/27/2023	19.80	19.80	0.00
0000082539-2020-2020-0000-00-REG	MORETZ, JOY	7/1/2020	LINDA WILBUR	2/27/2023	8.94	8.94	0.00
0000082539-2021-2021-0000-00-REG	MORETZ, JOY	7/1/2021	LINDA WILBUR	2/27/2023	8.94	8.94	0.00
0000082539-2022-2022-0000-00-REG	MORETZ, JOY	7/1/2022	LINDA WILBUR	2/27/2023	8.94	8.94	0.00

0024066668-2022-2022-0000-00-REG	PENLAND, HEATHER ANNETTE	12/14/2022	LINDA WILBUR	2/13/2023	12.45	12.45	0.00
Subtotal						2,717.70	
Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Deceased							
0000073993-2018-2018-0000-00-REG	CARVER, ANNA C	7/1/2018	LINDA WILBUR	2/20/2023	17.28	17.28	0.00
0000073993-2019-2019-0000-00-REG	CARVER, ANNA C	7/1/2019	LINDA WILBUR	2/20/2023	19.18	19.18	0.00
0000073993-2020-2020-0000-00-REG	CARVER, ANNA C	7/1/2020	LINDA WILBUR	2/20/2023	8.67	8.67	0.00
0000073993-2021-2021-0000-00-REG	CARVER, ANNA C	7/1/2021	LINDA WILBUR	2/20/2023	8.67	8.67	0.00
0000073993-2022-2022-0000-00-REG	CARVER, ANNA C	7/1/2022	LINDA WILBUR	2/20/2023	8.67	8.67	0.00
0000084460-2014-2014-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2014	LINDA WILBUR	2/3/2023	102.23	102.23	0.00
0000084460-2015-2015-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2015	LINDA WILBUR	2/3/2023	103.63	103.63	0.00
0000084460-2016-2016-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2016	LINDA WILBUR	2/3/2023	106.63	106.63	0.00
0000084460-2017-2017-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2017	LINDA WILBUR	2/3/2023	112.55	112.55	0.00
0000084460-2018-2018-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2018	LINDA WILBUR	2/3/2023	114.55	114.55	0.00
0000084460-2019-2019-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2019	LINDA WILBUR	2/3/2023	106.26	106.26	0.00
0000084460-2020-2020-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2020	LINDA WILBUR	2/3/2023	98.22	98.22	0.00
0000084460-2021-2021-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2021	LINDA WILBUR	2/3/2023	102.22	102.22	0.00
0000084460-2022-2022-0000-00-REG	JOHNSON, LARRY CLAY	7/1/2022	LINDA WILBUR	2/3/2023	108.22	108.22	0.00
0000088292-2018-2018-0000-00-REG	HUSKEY, NICK E	7/1/2018	LINDA WILBUR	2/3/2023	31.92	31.92	0.00
0000088292-2019-2019-0000-00-REG	HUSKEY, NICK E	7/1/2019	LINDA WILBUR	2/3/2023	34.26	34.26	0.00
0000088292-2020-2020-0000-00-REG	HUSKEY, NICK E	7/1/2020	LINDA WILBUR	2/3/2023	18.73	18.73	0.00
0000088292-2021-2021-0000-00-REG	HUSKEY, NICK E	7/1/2021	LINDA WILBUR	2/3/2023	18.73	18.73	0.00
0000088292-2022-2022-0000-00-REG	HUSKEY, NICK E	7/1/2022	LINDA WILBUR	2/3/2023	18.73	18.73	0.00
Subtotal						1,139.35	
Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Duplicate Billing							
0024007852-2022-2022-0000-00-REG	CLICK, EULA	7/1/2022	LINDA WILBUR	2/28/2023	93.47	93.47	0.00
0024059569-2022-2022-0000-00-REG	BENENATI, JAMES FRANCIS	7/1/2022	LINDA WILBUR	2/8/2023	84.07	84.07	0.00
Subtotal						177.54	
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Exempt Property							
0024061654-2022-2021-0000-00-REG	CONNELLY SPRINGS FREEWILLBAPTIST CHURCH	8/18/2022	CONNIE HOLDER	2/21/2023	22.24	22.24	0.00
Subtotal						22.24	
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Mapping Correction							
0000058806-2013-2013-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2013	AMANDA CONLEY	2/7/2023	2.18	2.18	0.00
0000058806-2014-2014-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2014	AMANDA CONLEY	2/7/2023	2.18	2.18	0.00
0000058806-2015-2015-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2015	AMANDA CONLEY	2/7/2023	2.18	2.18	0.00
0000058806-2016-2016-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2016	AMANDA CONLEY	2/7/2023	2.18	2.18	0.00
0000058806-2017-2017-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2017	AMANDA CONLEY	2/7/2023	2.22	2.22	0.00
0000058806-2018-2018-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2018	AMANDA CONLEY	2/7/2023	2.22	2.22	0.00
0000058806-2019-2019-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2019	AMANDA CONLEY	2/7/2023	2.22	2.22	0.00
0000058806-2020-2020-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2020	AMANDA CONLEY	2/7/2023	0.00	2.22	-2.22
0000058806-2021-2021-0000-00-REG	UNKNOWN, UNKNOWN	7/1/2021	AMANDA CONLEY	2/7/2023	0.00	2.22	-2.22

Subtotal						19.82	
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Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount(\$)	Release Amount(\$)	Bill Amount after
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Not in Burke County							
0024054950-2021-2021-0000-00-REG	BASSETT, ANGELA	7/1/2021	LINDA WILBUR	2/21/2023	17.31	17.31	0.00
0024054950-2022-2022-0000-00-REG	BASSETT, ANGELA	7/1/2022	LINDA WILBUR	2/21/2023	17.31	17.31	0.00
Subtotal						34.62	
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Release LFUF							
0000009986-2022-2022-0000-00-REG	BURKE COUNTY	7/1/2022	AMANDA CONLEY	2/1/2023	82.00	82.00	0.00
0000015185-2022-2022-0000-00-REG	CARSWELL, DONALD EUGENE	7/1/2022	AMANDA CONLEY	2/28/2023	793.09	82.00	711.09
Subtotal						164.00	
					Grand Total	4,275.27	

Payee Name	Primary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
DREXEL FIRST CHURCH OF GOD	DREXEL FIRST CHURCH OF GOD	200 OAKLAND AVE	MORGANTON, NC 28655	Adjustment >= \$100	0064915529	Exempt Property	02/15/2023	01	Tax	(\$90.07)	\$0.00	(\$90.07)
								55	Tax	(\$49.25)	\$0.00	(\$49.25)
								Refund				\$139.32
Refund Total											\$139.32	

Motion: To approve the Tax Releases and Refunds for February 2023 as presented.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeffrey C. Brittain, Vice Chairman

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

TAX DEPT. - ORDER TO ADVERTISE 2022 DELINQUENT REAL PROPERTY TAXES

Pursuant to N.C.G.S. 105-369, the Tax Collector shall report to the governing board the total amount of unpaid taxes for the current fiscal year that are liens on real property.

Under this statute, the Board orders the Tax Collector to advertise these tax liens on all unpaid real property. Also, a notice must be sent to the owner of record. This notice shall be sent at least 30 days before the advertisement is to be published, to the last known address. These notices state that the owner's name will be advertised if taxes are not paid in full by Friday, March 31, 2023. The Tax Office mailed these notices during February 2023.

Notices warning of the upcoming lien advertisement are scheduled to be published in the *News Herald* on Sunday, March 12 and March 26, 2023. Those who have not paid real estate property taxes in full by Friday, March 31, 2023, will be advertised. The lien advertisement will then be published in the *News Herald* on Sunday, April 16, 2023.

BURKE COUNTY

2022 UNPAID REAL PROPERTY TAXES

Notice is hereby given that the Burke County Tax Collector will publish the annual Tax Lien

Advertisement of Real Property for 2022 County Taxes, during the month of April. To avoid advertisement of your real property and avoid additional cost, you are requested to pay the 2022 taxes and interest no later than Friday, March 31, 2023.

This Delinquent Tax Notice, that is required to be sent before advertising in the newspaper, also serves as the Debt Setoff (DSO) Notice for Burke County. The Debt Setoff Notice is noted on the delinquency notice. This notice gives taxpayers 30 days to pay their delinquent taxes to avoid Burke County intercepting their North Carolina Income Tax refund.

Motion: To approve the 2022 Order to Advertise Tax Liens.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeffrey C. Brittain, Vice Chairman

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

The Order reads as follows:

ORDER OF THE BURKE COUNTY BOARD OF COMMISSIONERS
IN ACCORDANCE WITH NCGS 105-369

State of North Carolina
County of Burke

To: John Bridgers, Tax Administrator of Burke County

You are hereby authorized, empowered and commanded to advertise tax liens on real property for failure to pay 2022 property taxes. You shall advertise said liens by publishing each lien in the local newspaper having general circulation in Burke County. Advertisement of the liens shall be made on Sunday, April 16, 2023.

This order shall be full and sufficient authority to direct, require, and enable you to advertise said tax liens in accordance with North Carolina General Statute 105-369.
Witness my hand and official seal, this the 20th day of March 2023.

/s/ Scott Mulwee
Scott Mulwee
Chairman, Board of Commissioners

Attest:

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

ITEMS FOR DECISION

HEALTH - APPROVAL OF DOGWOOD TRUST GRANT OPIOID PLANNING GRANT

Brian Epley, County Manager, reported that the Health Department was awarded a \$275,000 Opioid planning grant from the Dogwood Health Trust for the creation of a regional residential

treatment facility. Funding is for staff, travel, meeting space rental, advertising, technology-related expenses as well as paper and copy supplies.

Refinement to the grant's outcomes and performance measures are recommended prior to acceptance. Conversations with staff from the Dogwood Health Trust are ongoing. As additional time is needed to complete this task, he requested moving this item to the April meeting.

Motion: To move this agenda item to the April meeting.


RESULT:	TABLED [UNANIMOUS] TO THE NEXT MEETING ON APRIL 18, 2023, AT 6:00 P.M.
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

CM - AMENDMENT OF THE COUNTY TRAVEL POLICY


Brian Epley, County Manager, presented information on a revised travel policy. Highlights of his presentation were as follows:

Organizational Travel Policy Updates

Fiscal Year Ended 2023



Goals and Objectives



Travel Policy Application

1.) Simplify and Streamline

2.) Modernize

3.) Organizational Uniformity

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Travel Policy and Forms



Governing Guidance - N.C.G.S. 138 - 5.6.7
N.C.G.S. 159 - 3

Sections:

- A. Types of Travel
- B. Meal Reimbursement
- C. Lodging
- D. Reimbursable Travel using Personal Vehicle
- E. Education and Training
- F. Procedures and Forms

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Travel Policy and Forms



Sections:

A. Types of Travel

- Local travel
- Overnight travel in state
- Overnight travel out of state

B. Meal Reimbursement

Meal	In-State	Out-of-State
Breakfast	\$8.20	\$10.25
Lunch	\$10.70	\$13.38
Dinner	\$18.40	\$23.00

4

Travel Policy and Forms



Sections:

C. Lodging

- General Government Rate < \$155.80 or Offered Conference Rate

D. Personal Use of Vehicle

- Beginning January 1, 2023 the County's rate of reimbursement is set at 65.5 cents per mile per IRS guidelines.

5

Travel Policy and Forms



Sections:

C. Education/Training

- General Government Rate < \$155.80 or Offered Conference Rate

D. Procedures & Forms

- Single Travel Form

[\Burke 2023 Travel Form.pdf](#)

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Travel Request and Reimbursement

Clear Form

Print

Save as PDF

Request to Travel? ☐

Request for Reimbursement? ☐

Vendor No.:

Date of Request:

Department Name:

Name of Traveler:

Purpose of Trip:

Please attach agenda

Additional Comments:

Departure Date:

Departure Time:

AM

PM

Personal Time Used:

Return Date:

Return Time:

AM

PM

Personal Time Used:

Home Address:

Street

City

State

Transportation:

Personal Vehicle Use:

Mileage Rate: \$ 0.655

IRS Rates

Finance

Department

Use only

Odometer Reading:

Start

End

Total

Per IRS Guidelines, attach Software App

Printout of mileage to and from destination

Rate effective: 01/01/23

Per IRS Guidelines, these miles are not reimbursable.

Daily Commuting Miles:

Reimbursable Travel Miles:

0 X \$ 0.655 = \$ 0.00

Attach copies of all receipts and agendas.

Air: Used/Using Pcard? ☐

Ground: Used/Using Pcard? ☐

Request Pmt to Employee? ☐

Request Pmt to Employee? ☐

Registration: Used/Using Pcard? ☐

Lodging: Used/Using Pcard? ☐

Request Pmt to Employee? ☐

Request Pmt to Employee? ☐

Meals:

Per Diem Rates

Finance

Department

Use only

Check "Y" for each meal claimed. Do not claim meals included as part of the event.

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
In-State							
Breakfast	\$ 9.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Lunch	\$ 11.80	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Dinner	\$ 20.50	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Out-of-State							
Breakfast	\$ 9.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Lunch	\$ 11.80	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Dinner	\$ 23.30	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Meals Total: \$ 0.00

Other Expenses:

(Description — Attach receipts/estimates)

PCard Used? ☐

Other: \$ 0.00

Request Pmt to Employee? ☐

	County Portion	Amount Due Employee	Total
Transportation			
Mileage	\$ 0.00	\$ 0.00	\$ 0.00
Air	\$ 0.00	\$ 0.00	\$ 0.00
Ground	\$ 0.00	\$ 0.00	\$ 0.00
Registration	\$ 0.00	\$ 0.00	\$ 0.00
Lodging	\$ 0.00	\$ 0.00	\$ 0.00
Meals	\$ 0.00	\$ 0.00	\$ 0.00
Other Expenses	\$ 0.00	\$ 0.00	\$ 0.00
Total:	\$ 0.00	\$ 0.00	\$ 0.00

Per Request

\$ 0.00 \$ 0.00

These 2 numbers should match

Approval Signatures:

By signing below, I certify that expenditures claimed were incurred in the service of the County of Burke, NC

Traveler's Signature

Date

Department Head's Signature

Date

Supervisor's Signature

Date

Finance Approval Signature

Date

Fund # Division #

Record to Travel GL Account #

xx-551501

Motions: To approve the new travel policy as presented and authorize the County

Manager to make revisions as needed.

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

REPORTS AND COMMENTS**BOC - REPORTS & COMMENTS**

Chairman Mulwee opened the floor for reports and comments from Board members and professional staff.

Thadd Hodge, Deputy Finance Director, stated that the budget process has started and is going smoothly. Brian Epley, County Manager, reported that budget meetings with department heads have begun and he expressed his gratitude to the Board for all their hard work. Commissioner Burns stated he is enjoying his committee assignments. Commissioner Carswell reported on a trip he had taken with the Chairman, County Manager and the Health Director to speak with the Deputy Secretary of Health about the Medicaid transformation as well as the second round of opioid litigation funding. Chairman Mulwee discussed how the employee meetings hosted by County Manager Epley were enjoyable and that they also toured WPCC together. Chairman Mulwee was sworn in by the NCACC Risk Pool group as a trustee. Chairman Mulwee then issued friendly reminders to not litter, to pick up trash, to cover your loads when transporting trash to the landfill or a convenience site, to spay and neuter your pets and to adopt or foster a pet from Animal Services.

RESULT:	NO ACTION TAKEN.
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VACANCY ANNOUNCEMENTS**CLERK- BOARDS AND COMMITTEES VACANCY REPORT**

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

- Adult Care & Nursing Home Community Advisory Committee
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Burke Senior Center Advisory Council
- Child Protection & Child Fatality Prevention Team
- East Burke Senior Center Advisory Board
- Council on Aging
- Burke County Board of Health
- Partner's CFAC (Consumer and Family Advisory Committee)
- Hickory Regional Planning Commission

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

RESULT: NO ACTION TAKEN.
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CLOSED SESSION

A closed session is needed to discuss threatened or pending litigation, to preserve the attorney-client privilege, to discuss economic development matters, to discuss contractual matters (land acquisition) and to discuss personnel matters as authorized by NCGS 143-318.11(a) (3), (4), (5) and (6).

Motion: To go into closed session to prevent the disclosure of information that is privileged or confidential, to discuss threatened or pending litigation to preserve the attorney-client privilege, to discuss economic development matters, to discuss contractual matters (land acquisition) and to discuss personnel matters as authorized by NCGS 143-318.11(a) (3), (4), (5) and (6).

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

Motion: To come out of closed session.

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

RETURN TO OPEN SESSION

After returning to open session, Chairman Mulwee announced that a proper motion was made to come out of closed session.

AUTHORITY TO CLOSE ON REAL PROPERTY

Motion: To authorize the County Manager and County Attorney to close on the purchase of real property, assuming the county's civil work comes in clean.

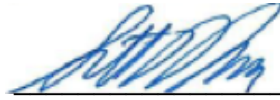
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Randy Burns, Commissioner
AYES:	Scott Mulwee, Jeffrey C. Brittain, Randy Burns, Johnnie W. Carswell, and Phil Smith

ADJOURN

Motion: To adjourn at 8:26 p.m.

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

Approved this 21st day of November 2023.



Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board