

MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
March 16, 2021

PUBLIC CONCERNS – KEVIN REECE – FIREARMS – Mr. Reece thanked the Board and stated he appreciated the job they do. He added he read the article in the paper about Animal Control Officers being able to carry concealed. Mr. Reese stated he is supportive of this, he had an issue a few years ago at a rental property with a neighbor. Animal Control came and dealt with it, then deputies showed up later, but it could have been a much worse situation. He added these folks respond all the time, in the middle of the night and to all types of situations. Mr. Reece said he has meet many of the folks in Animal Control, they treat folks with respect and kindness. The Board, Mr. Yates, and Mr. Rhoades do a good job and the county hires good people. He added personally he believes, the more good citizens that are armed, the safer the communities are and he encourages folks to do this. Mr. Reece asked the Board to support Animal Control and allow them to conceal carry.

The Board thanked Mr. Reece for attending and speaking.

The Wilkes County Board of Commissioners met on Tuesday, March 16, 2021 at 6:03 P.M. at the Wilkes County Agricultural Center located 416 Executive Drive, Wilkesboro, NC 28697 with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Casey Joe Johnson.

Also present for the meeting were Tony Triplett, County Attorney; John Yates, County Manager; and Sarah Call, Clerk to the Board.

Chairman Eddie Settle welcomed everyone and called the meeting to order. He thanked everyone for attending and also thanked the staff for all they do setting things up for the meetings at this location. Chairman Settle stated it is hard work to change locations and meet all the challenges with the pandemic and to keep things going.

INVOCATION – Commissioner David Gambill led the Invocation.

PLEDGE OF ALLEGIANCE – Chairman Settle led the Pledge of Allegiance.

APPROVAL OF MINUTES – Motion was made by Commissioner Elmore, seconded by Vice Chairman Brian S. Minton and unanimously adopted to approve the Minutes of the Budget Retreat Work Session held on February 25, 2021.

APPROVAL OF MINUTES – Motion was made by Vice Chairman Brian S. Minton, seconded by Commissioner Casey Joe Johnson and unanimously adopted to approve the Minutes of the Board Meeting held on March 2, 2021.

BUDGET AMENDMENTS/TRANSFERS – Motion was made by Commissioner Keith Elmore to approve Budget Amendment No. 30 (Health – Programs – Wilkes Community Health Center Preparedness program received \$4,671.58 from Project Lazarus. These funds will be used to purchase supplies and equipment for emergency preparedness. No county money involved. Wilkes Community Health Center BCCCP program received \$6,500 from the state. These funds will be used to provide a mammogram for underinsured/uninsured women of Wilkes County. No county money involved. Wilkes Community Health Center Promotions programs received \$700 from Project Lazarus. These funds will be used to prevent substance abuse for Wilkes County residents. No county money involved. Wilkes Community Health Center received \$135,056 in Federal Funds. These funds will be used to provide primary care to the residents of Wilkes County. No county money involved. Wilkes Community Health Center received \$18,750 in Federal Funds. These funds will be used to provide Substance Abuse and Mental Health services to residents of Wilkes County. No county money involved. Wilkes Health received \$208,142 COVID funding from the state. These funds will be used to provide testing, contact tracing, supplies and equipment for COVID 19 patients. No county money involved. Wilkes Health needs to replace the current elevator in the Health Department. The current elevator is approximately 70 years old parts are no longer available for repairs. The cost to replace the elevator is \$81,040. Funds are available in the current FY budget to pay for the replacement of the elevator. No county money involved); Budget Amendment No. 31 (Airport – This budget amendment request is to use non-Primary entitlement funds of \$729,067 on capital improvement projects at the airport. These funds will be used for the T Hangar pad development currently under construction). The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Chairman Settle asked Health Director Rachel Willard to provide a COVID update. Ms. Willard stated as of today they have had a total of 6,167 cases since March 30, 2020; of these 159 are active at this time; 9 currently hospitalized; 104 deaths. She added over the last 14 days they have seen an average of 231 positive cases in the county. This is lower than the surrounding counties and Wilkes County should be Yellow in the county alert system. Ms. Willard said NC positivity rate is 6.7%; Wilkes County has been 5.2% for the last 2 weeks with the goal of 5% set by CDC. Today for the daily 24 hour total positivity is 12%, yesterday it was 2.5%, today has the weekend numbers and are always higher.

Ms. Willard said in Wilkes County they have 12,363 people or 18.1% of the county partially vaccinated; 7,208 or 10.5% vaccinated; the Health Department has administered almost 9,000 of these shots to 81% of Wilkes County residents. She added they will have their first Saturday clinic this week at the 4 Middle Schools, they are scheduling appointments in Group 4, which is anyone with a chronic health condition is now eligible to get the vaccine. Ms. Willard said they are working with Pfizer so those 16 and older can get a vaccine if they want it and have 250 appointments left for Saturday. She added the demand for the vaccine across the state is starting to decline and that is why the groups have been moved up. Ms. Willard said Wilkes is struggling to fill up the vaccine appointments and could move to the next groups and believes by mid-April anyone who wants the vaccine will be able to get it.

Chairman Settle and the Board thanked Mr. Willard for the update and good job.

WILKES COUNTY SHERIFF'S OFFICE – REQUEST FOR SERVICE WEAPON AND BADGE AWARD TO RETIREE – Chairman Settle welcomed and recognized Sheriff Chris Shew. Sheriff Shew introduce former Detective Kenneth Coles who retired in December. Sheriff Shew stated Mr. Coles did a fantastic job and is responsible for saving the citizens in Wilkes County a lot of money by working with Judges to get non-violent criminals out so that tax dollars did not have to pay their bills. He added Mr. Coles does a great job and has the most calming demeanor of anyone he has every worked with, they miss him dearly. Sheriff Shew presented a plaque along with the Service Weapon and Badge to Lieutenant Kenneth Coles for his more than 25 years of dedicated and loyal service to The Great State of Wilkes and Citizens.

Chairman Settle stated they do not know Mr. Coles as well as the Sheriff, but has heard many times he is a man of great character and this is the type of people they are proud to have and work in this county. He added they wish him a great and happy retirement. Mr. Coles replied he appreciates all the support he has received from this group, anything they needed the support was there, it made it easier to do their job. They knew people were behind them that really respected what they were doing and gave them the tools they needed to do it. He added to sum up what he feels about the Sheriff is this is a man that is honest and true to what he does and the people he is around. He felt he was always as good as anyone on the team, he did not have any little people on his team all are on the same level. If the Sheriff tells you he will be there, he will be there, he supports them 150% it was a pleasure to work for Sheriff Shew and this Board. Commissioner Gambill added he had the great pleasure to get to work with Mr. Coles and they will not find any finer fellow. He added Mr. Ken Coles and Sheriff Shew are two of the finest they have in Wilkes.

Commissioner David Gambill made a motion to approve the badge and service weapon worn and/or carried by Lieutenant Kenneth Coles be awarded upon his retirement, as requested and presented. The motion was seconded by Vice Chairman Brain S. Minton and unanimously approved.

WHEREAS, G.S. 20-187.2 provides that retiring members of county law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the county; and

WHEREAS, G.S. 20-187.2 further provides that the governing body of the county law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring member; and

WHEREAS, Lieutenant Kenneth Coles served as a member of the Wilkes County Sheriff's Office until she reached a period of 25 plus years in law enforcement; and

NOT, THEREFORE, BE IT RESOLVED by the Wilkes County Board of Commissioners that the badge and service weapon worn and/or carried by Captain Richard Wilcox (SN: 47A196159 Sig Sauer Legion 226) be awarded to his on the occasion of his retirement.

ADOPTED this, the 16th day of March, 2021.

Sheriff, Wilkes County

Clerk to the Board, Wilkes County

ANIMAL CONTROL DEPARTMENT – AMENDED FIREARMS POLICY – Chairman Settle welcomed and recognized Steve Rhoades Animal Control Director and hopes everyone got to meet and ask any questions they had. Commissioner Gambill stated he did get to follow up from the last meeting and look into the policy and talked with the Chairman, Attorney, Manager, and Mr. Rhoades. He added he is good with the policy as it stands it does not state a position either way and can support this. Commissioner Elmore said he debated in saying anything, he is 100% a second amendment supporter and also concealed carry. He agrees with most of what Mr. Reese said earlier, but they are on another person's property and that situation could have gone differently if the Animal Control Officer has a gun. These folks go onto a person's private property with a concealed gun. If that person is agitated and comes at them if they don't have a gun hopefully they are going to retreat. There is a possibility that a homeowner could get killed on his own property and this is disturbing.

Commissioner Elmore asked if their insurance company provider is good with the change in policy. Mr. Triplett replied the insurance provider has said there is no exclusion in place that would affect coverage in any way on this particular policy change. Commissioner Elmore said there is no liability to the county if someone was shot and killed. Mr. Triplett said he does not see a material increase in their liability, there is always liability when a county employee does anything whether they have a gun or not, they can't escape liability. Commissioner Elmore asked Mr. Rhoades if he followed up to see what other counties allow. Mr. Rhoades replied he checked with 5 counties: Ashe County carries a shotgun and small caliber high powered refile; Surry County is under the Sheriff's Office and open carries; Caldwell County is no firearms; Alexander County has no firearms; Rowan has the same as Wilkes and carries a 10/22 Ruger. Commissioner Elmore added none of the counties he checked with allows concealed carry. Mr. Rhoades replied no not the ones he spoke with. Commissioner Elmore stated the weapon they carry concealed is not issued and ammo is not provided. Chairman Settle replied it is the weapon they chose and according to their personal concealed carry. Commissioner Gambill asked if he is referring to the long guns they are issued. Commissioner Elmore replied no, they all carry rifles. He stated a homeowner asked him and was concerned that someone could come on their property with a concealed weapon and asked what rights do private homeowner have. Mr. Triplett replied any private citizens had the right to tell a person they cannot come on their property for any reason or for the reason they are carrying concealed weapon. He added a homeowner could post their property and say they do not allow concealed weapons on their property and if you have one you are trespassing. Commissioner Elmore stated he is pro second amendment, pro concealed carry, but these questions needed to be asked.

Commissioner Gambill agreed and asked to make sure in the fire arms policy they are not taking a position either way as a county. Mr. Triplett replied yes this is an arcuate statement they are

only saying they will not prohibit concealed carry any longer, they are taking no position in favor or against, the law permits it and employees in the Animal Control Department can do what the law permits. Commissioner Gambill added they are subject to the law if they use it inappropriately just as anyone else or have it in some location that is posted or not permitted. Mr. Triplett agreed. Chairman Settle added this is covered when they take their concealed carry and they know this just as any other county employee that concealed carries.

Commissioner David Gambill made a motion to approve the Amendment to the Wilkes County Animal Control Department Firearms Policy as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Chairman Settle and the Board thanked Mr. Rhoades.

PLANNING DEPARTMENT – RESOLUTION SUPPORTING NATIONAL FAIR HOUSING MONTH – Chairman Settle recognized Eddie Barnes, Planning Director. Mr. Barnes stated one of the CDBG grant requirements is that the County enact and promote Fair Housing Policies. As part of this the Wilkes County Planning Department is requesting the Board of Commissioners to adopt the Resolution to support National Fair Housing Month for the month for April. Commissioner Elmore asked how much money is possible with this grant. Mr. Barnes replied this grant is currently active and they were awarded \$635,000 to help rehabilitate houses in Wilkes County. They are 75% through the process and the grant will close out in August.

Vice Chairman Brian S. Minton made a motion to approve and adopt the Resolution Supporting National Fair Housing Month for April as requested and presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

*RESOLUTION SUPPORTING
NATIONAL FAIR HOUSING MONTH*

WHEREAS, April marks the anniversary of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, Wilkes County desires that all its citizens be afforded the opportunity to attain a decent, safe and sound living environment; and

WHEREAS, individuals in the State of North Carolina have the right to choose where to live without discrimination based on race, color, religion, age, sex, national origin, handicapped status, or familial status; and

WHEREAS, the State of North Carolina enacted the North Carolina State Fair Housing Act in 1983;

NOW, THEREFORE, BE IT RESOLVED, Wilkes County does hereby join in the national celebration by proclaiming April 2021 as Fair Housing Month.

Adopted by the 16th day of March, 2021.

Chairman

Clerk to the Board

JCPC BOARD MEMBER APPOINTMENT – County Manager John Yates said the Juvenile Crime Prevention Council is recommending Ginger Gardiner for the appointment of a 2-year term 2021-2023 as a Substance Abuse Professional designee to the JCPC Board. The request states Ms. Gardiner is a Substance Abuse Profession and Daymark. Vice Chairman Minton stated he is on this Board and does not know Ms. Gardiner through JCPC, but does through Daymark and she will be an excellent Board Member.

Vice Chairman Brian S. Minton made a motion to approve the appointment of Ms. Ginger Gardiner to the JCPC Board for a 2-year term 2021-2023 as requested. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

REIMBURSEMENT RESOLUTION – WILKES COUNTY GOVERNMENTAL COMPLEX PROJECT – Chairman Settle recognized County Manager John Yate and Finance Director Chris Huffman. Mr. Yates stated in order to move forward on any buildings regardless of the order they must finance them one at a time, at the end they can refinance and put them together if rates remain low. He added as they go through the planning process they need the Reimbursement Resolution so they can reimburse themselves from the borrowed proceeds any expense they incur throughout this process.

Commissioner Keith Elmore made a motion to approve and adopt the Resolution of the County of Wilkes, North Carolina Declaring its Official Intent to Reimburse Expenditures Under United States Department of Treasury Regulations as presented at tonight’s meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

***RESOLUTION OF THE COUNTY OF WILKES, NORTH CAROLINA
DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES
UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS***

BE IT RESOLVED, by the Board of Commissioners (the “Board”) for the County of Wilkes, North Carolina (the “County”) as follows:

Section 1. The Board hereby finds, determines and declares the following:

(a) Section 1.150-2 of the Treasury Regulations (the “Regulations”) prescribes specific procedures which will be applicable to certain bonds or notes issued by or on behalf of the County including, without limitation, a requirement that the County declare its official intent to

reimburse certain expenditures with proceeds of debt to be incurred by the County prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.

(b) The County intends to advance its own funds in order to pay certain capital costs (the "Original Expenditures") relating to the construction and equipping of a new County office building, the renovation and rehabilitation of an existing County office building for other uses by the County and construction and equipping of a new Emergency Services Center facility, to be known collectively as the Wilkes County Governmental Complex Project (the "Project").

(c) The County reasonably expects to reimburse itself for the Original Expenditures from the proceeds of debt to be incurred by the County.

(d) \$30,000,000 is the maximum principal amount of debt currently expected to be incurred for the purpose of paying the costs of the Project.

(e) This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

(f) The funds heretofore advanced or to be advanced by the County to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the County to permanently finance the Original Expenditures.

(g) All Original Expenditures to be reimbursed by the County were paid no more than sixty (60) days prior to, or will be paid on or after the date of, this declaration of official intent, except with respect to certain amounts incurred before such 60-day period not exceeding 20% of the issue price of the proceeds of the debt to be hereinafter incurred which are expended for "preliminary expenditures" within the meaning of Section 1.150-2 of the Treasury Regulations (the "Preliminary Expenditures"). The County understands that, except for the Preliminary Expenditures, such reimbursement must occur not later than eighteen (18) months after the later of (a) the date the Original Expenditures were paid and (b) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the Original Expenditures were paid.

Section 2. This resolution shall take effect upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution entitled "RESOLUTION OF THE COUNTY OF WILKES, NORTH CAROLINA DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS" was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Sarah Call, Clerk to the Board of Commissioners for the County of Wilkes, North Carolina, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board of Commissioners for said County at a regular meeting held on March 16, 2021, as relates in any way to the passage of the foregoing resolution.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said County this 16th day of March, 2021.

Clerk to the Board of Commissioners

[SEAL]

CRITERIA OF DESIGN-BUILD RESOLUTION – WILKES COUNTY GOVERNMENTAL COMPLEX PROJECT – Chairman Settle recognized County Attorney Tony Triplett. Mr. Triplett stated he, Mr. Yates and Ms. Call drafted this resolution for the Board to consider as a starting point in deciding what they would like to do. This is a Design-Build Resolution to combine all three projects that have been discussed into one project to hire a single design-builder. He added they could proceed on all three as a single unified project, which they have called the Wilkes County Governmental Complex Project. Mr. Triplett said Design-Build is a particular way to proceed for a local Government to construct property. In the past they have used the classic standard procedure which is public bid where an architect is hired to design plans, put out to bid, and they accept the lowest responsible bid. Another option is to hire a construction manager at risk, they did the jail this way. In this process they hire someone up front and they are responsible for the project at a guaranteed maximum price, they bid and oversee the project based on the contract. Design-Build is another method whereby they hire someone to do everything, to include the architect to design and build it, and they are responsible for every aspect of the project. The County would go through the process to select the Design-Builder and requires that the County establish certain written criteria per the statute. Mr. Triplett said that is what this resolution does, establishes the written criteria for the Board to start the process. The County would hire a design-builder, negotiate a contract and sign a contract with them for the projects. This would include a new Emergency Services Center (a), new County Office Building(b), and renovate what is now the County Office Building into a new Health Department(c).

Chairman Settle asked if they can change the criteria, what if the Board wants to build a new Health Department somewhere else, do they need to re-do the resolution. Mr. Triplett replied yes. Mr. Yates asked could they remove the section about the Health Department and pass the rest of the Resolution. Mr. Triplett replied yes. Commissioner Elmore stated his position is he has heard as much as \$6 million to renovate the County Office for the Health Department, they could build a new combined Health/DSS for not much more. Chairman Settle agreed, he added if they pass this tonight they can start the EMS and then change the Health Department and come back and pass this again with changes. Mr. Triplett replied they could do that, or they can take out (b) and (c) and hire a design-builder to only move forward on (a). Commissioner Elmore asked if (c) can be amended to a New Health Department located in the existing County Office Building or a new combined DSS and Health Department. Mr. Triplett replied when they embark on design-build they need to know what they are going to design and build it would be hard to include an alternate.

Commissioner Elmore said he believes they need to do some more research on what they actually need. He spoke with a DSS employee recently and they need a place to keep kids when they have to hold for placement. Chairman Settle said that would be needed when and if they build a new DSS, that was not included at this time. Commissioner Elmore added they need to do more research and planning on what is needed. Chairman Settle stated they pay \$75,000 annually for the current EMS base 1, they can build their own and stop paying rent. He added they can move forward with that project tonight. Commissioner Elmore said \$75,000 a year is not a lot of money for rent, a new facility will cost \$6 million. Mr. Yates said they don't know the cost. It was a quick estimate based on 20,000 sq. ft., construction is very expensive, he used \$300 per square foot. He added the staff and Board will work with the design-builder to come up with a design and plans, then they get bids, and will still have to go to the LCG for final approval. Commissioner Elmore asked if they want to move forward with EMS or all of it. Chairman Settle added they have been discussing this for a few years and need to decide.

Commissioner Gambill stated they had some issues at the current EMS facility and thought they may have to move somewhere else quick and are doing preliminary work at the Ag Center to be ready for this as a backup plan. He added now that the Mtn. View Base is complete and East Middle is underway, if EMS Base 1 has more facility issues or the hospital needs that space, they could make it work. Commissioner Gambill said he would like to move forward with the EMS project and then look at the County Office and Health Department and giving DSS the Health Department. He does not like all three combined together and would be fine to just keep (a) and remove the rest.

Commissioner Elmore said they have put substations out in the County and this should change the scope and size of what is needed for Base 1, do they have a plan for where the next substation would go. Chairman Settle replied that would change the main base and shrink what is needed which would reduce the cost. Mr. Yates added the plan brought to the Board a few years ago included Mt. View, East Middle, and Base. Commissioner Gambill said the move of Base 1 could changed what is needed for substations because this is a good and more central location with good access. Chairman Settle stated this is on Call Street and asked if it joins the main road. Mr. Yates replied it is above the Jail and does not join, but is very close.

Commissioner Elmore asked about the cost. Mr. Yates stated after the RFQ is advertised and they rank the companies and pick the design-builder they can then talk about and negotiate cost. Commissioner Elmore stated it will cost to get this information. Mr. Yates replied the RFQ process does not cost and when they get into the planning process it will help answer these questions. Commissioner Elmore added that will help determine what they do. Chairman Settle stated the numbers and size could increase or decrease. Commissioner Gambill added at that point they could say no. Mr. Triplett stated this is not binding in any way, it is just starting the process. Chairman Settle stated if they proceed they have to give the hospital notice. Mr. Triplett added it is one year notice to get out of the lease. Chairman Settle said they can leave all three projects in there since it is not binding and then come back and amend it later.

Commissioner David Gambill made a motion to approve and adopt the Resolution Establishing Written Criteria for Utilization of Design-Build Delivery Method by Wilkes County Board of Commissioners for Wilkes County Governmental Complex Project as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

*RESOLUTION
ESTABLISHING WRITTEN CRITERIA
FOR UTILIZATION OF DESIGN-BUILD DELIVERY METHOD
BY WILKES COUNTY BOARD OF COMMISSIONERS
FOR WILKES COUNTY GOVERNMENTAL COMPLEX PROJECT*

WHEREAS, the Wilkes County Board of Commissioners ("Board of Commissioners") has determined on behalf of Wilkes County ("County") that there is a need for construction and renovation/upfitting of new facilities for the County due to the age and condition of certain existing facilities, together with other factors as set forth herein, in order to provide better and more efficient services to the County's citizens; and

WHEREAS, the Board of Commissioners has determined that those facilities most in need of construction and renovation/upfitting are the following:

- (a) A new Emergency Services Center, to house Wilkes County EMS, Wilkes County Emergency Management, and such other emergency response agencies, offices, and/or facilities as the Board of Commissioners may determine, and to be constructed on the Call Property already owned by the County;*
- (b) A new County Office Building, to replace the existing County Office Building that was built in the 1970's, said new County Office Building to be constructed on property to be purchased by the County at a location yet to be determined by the Board of Commissioners;*
- (c) A new Health Department, to be located in the existing County Office Building by renovating/upfitting the same for said purpose upon*

completion of the new County Office Building in (b) above; and

WHEREAS, the Board of Commissioners desires to proceed with the construction and renovation/upfitting of the above-described facilities as a single project, to be known as the Wilkes County Governmental Complex Project (hereinafter “the Project”); and

WHEREAS, the Board of Commissioners further desires to proceed with the Project in separate phases, with construction of a new Emergency Services Center to be commenced as the first phase as soon as possible, due to the County’s current lease of space for Wilkes County EMS from WRMC Hospital Operating Corporation d/b/a Wilkes Medical Center and Wake Forest University Health Sciences under a Sublease Agreement dated August 1, 2019; and

WHEREAS, the Board of Commissioners desires to proceed with construction of a new County Office Building as the second phase of the Project, upon the purchase of a site for the same; and

WHEREAS, the Board of Commissioners desires, immediately upon completion of a new County Office Building and transition to the same, to proceed with renovating/upfitting the existing County Office Building to serve as a new Health Department, the same to be the third phase of the Project; and

WHEREAS, the Board of Commissioners has further determined to finance all of the phases of the Project under such terms and arrangements as may hereafter be established, with each phase to be financed separately; and

WHEREAS, due to the scope and complexity of the Project, the Board of Commissioners has determined to utilize the design-build method of delivery pursuant to N.C.G.S. §143-128.1A; and

WHEREAS, N.C.G.S. §143-128.1A(b) requires that a governmental entity, when utilizing the design-build method of delivery for a project, establish written criteria under which said method is appropriate, with said written criteria to address certain factors as set forth in the statute; and

WHEREAS, the Board of Commissioners desires by this Resolution to establish said written criteria in accordance with the requirements of N.C.G.S. §143-128.1A(b);

NOW, THEREFORE, BE IT RESOLVED, by action of the Board of Commissioners on the date set forth below, that the following written criteria are hereby established for utilization of the design-build method of delivery for the Project, pursuant to the requirements of N.C.G.S. §143-128.1A(b):

Written Criteria for Design-Build

- 1. Requirements for construction and design of the Wilkes County Governmental Complex*

Project will be adequately and thoroughly defined in the RFQ, which will include:

- i. Emergency Services Center, consisting of approximately 20,000 sq. ft. to include office space, truck bays, a morgue, and such other emergency response agencies, offices, and/or facilities as the Board of Commissioners may determine.*
- ii. County Office Building, consisting of approximately 50,000 sq. ft. to include office space and meeting space.*
- iii. Health Department, to be located in the existing Wilkes County Office Building consisting of 35,000 sq. ft., which will be renovated and upfitted for said use.*

1. Time Constraints for delivery of the Wilkes County Governmental Complex Project:

- i. Emergency Services Center to be completed on or before July 1, 2022.*
 - ii. County Office Building to be completed on or before October 31, 2022.*
 - iii. Health Department (renovation/upfitting of existing County Office Building) to be completed on or before October 31, 2023.*
- 2. The County will use the RFQ process under N.C.G.S. §143-128.1A to ensure that the most qualified design-build team is chosen and that a high-quality finished Project will be delivered.*
 - 3. The County will use the RFQ process under N.C.G.S. §143-128.1A to ensure that outside consultants with qualified experience in design-build will manage and oversee the Project. In the last 12 years Wilkes County Staff have completed a new Jail, upfitting and renovations of two vacant buildings into a new Agricultural Center and Sheriff's Office, upfitting of the Wilkes County Courthouse, and upfitting of the Department of Social Services Child Support Agency.*
 - 4. The County will make every effort to comply with HUB participation requirements under N.C.G.S. §§143-128.2 and 143-128.4 and to recruit and select small business entities. The County will not limit or otherwise preclude any respondent from submitting a response so long as the respondent, itself or through its proposed team, is properly licensed and qualified to perform the work defined under the RFQ process.*
 - 5. The design-build method is an integrated approach that delivers both design and construction services under one contract with one single point of contact. Under design-build the County is provided the benefit of a design team and contractor working with the County to achieve its objectives under a single contract. The Board of Commissioners believes this will enable the County to have the most efficient outcomes under the Project.*

Adopted this the 16th day of March, 2021.

ATTEST:

Sarah D. Call, Clerk

WILKES COUNTY:

Eddie D. Settle, Chairman
Wilkes County Board of Commissioners

SET PUBLIC HEARING – ECONOMIC DEVELOPMENT – SITE DEVELOPMENT CONTRACT – Chairman Settle stated they have a contract, but still have work to do. Mr. Triplett agreed, there is work to do on this and it is not ready to set a Public Hearing.

Commissioner Keith Elmore made a motion to table setting a Public Hearing for the Economic Development Site Development Contract. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – ROADSIDE LITTER – UPDATE – Chairman Settle welcomed and recognized Wayne Adkins, PE Traffic Services Division Project Development Engineer, with N.C. Department of Transportation. Mr. Adkins joined the meeting remotely through WebEx. Chairman Settle stated they would like to discuss roadside trash issues in Wilkes. Mr. Adkins replied this is a statewide issue. He apologized for the poor connection and issues with joining the meeting. Mr. Adkins stated it is sad to say but litter along with roadsides is an escalating problem locally and statewide, every office is getting complaints. He added due to budget constraints which was made worse with the pandemic they reduced and scaled back significantly to only concentrate on safety related efforts at DOT. They cut back all pickups except the 4-lane divided highway, in Wilkes this is 421. He added litter is removed from the highway by 4 programs: Adopt-A-Highway; contract litter removal; DOT staff; volunteers. Mr. Adkins said the Adopt-A-Highway asks for a commitment to pickup a 2 mile section at least 4 times per year or more often if needed. They do place signs at the beginning and end and will pick up the filled bags if the call the Maintenance Office to let them know. Mr. Adkins stated at this time there are 34 sections adopted for 70.5 miles. He added the contract removal is for primary roads, however during the budget crunch and pandemic this was suspended except for Hwy 421. They have started back with the full schedule by contract that will include 421 as well as 2 lane primary roads added once per quarter in all 8 counties. Mr. Adkins went over some statics of litter pick up for this year.

Commissioner Elmore asked if they can identify if the trash issue is from bags falling from trucks or from individuals. Mr. Adkins replied no it is from all types. It does blow out from vehicles, a lot is drive thru food containers, there are not as many full bags, but this is also some of it. He added this Board and all elected officials and DOT all get more calls on roadside trash. He thought when they begin the contract pickup the first time it would be a lot and then would go down, this is not the case. He added one suggestion would be for more enforcement, stronger penalties and fines, and those caught to do community service to pick up litter. There is no exact answer or solution, the problem keeps growing.

Chairman Settle asked why the inmates do not pick up roadsides any longer. Mr. Adkins replied they use to, over time there were less guards and they could not go out as often as needed. N.C. DOT did pay them \$9 to \$11 million per year and had issues with taking inmates to the same location for a few days in a row. Folks would set out alcohol and drugs for the prisoners. He added at the end of the day they were not getting their money's worth for what it cost. The Legislative changed the funding to litter contract removal which worked well and this is why the prisoners do not do this. Chairman Settle said he thinks citizens would like to see inmates picking up roadside trash, their tax dollars are paying for housing and food and he hears this a lot in the community. Mr. Adkins replied he understands he would like to see them working as well, but from a financial standpoint they spent money without getting much for it and why it changed.

Chairman Settle asked about the Surry County project and signs that they placed in some locations it seems to work well. Mr. Adkins said in some areas it worked well some it did not. The signs were not the difference it is the attitude of the neighborhood that make a difference. He added Surry County does have a program for non-profit civic groups that pick up litter. They pay them so much per bag, that seems to work well and is funded through the County. Commissioner Gambill asked if the roadside mowing will start back. The side roads are looking very bad. Mr. Adkins replied with the budget crunch and then the pandemic traffic went down and so did their revenue. Statewide this was cut back and they were directed to only mow 3 times, the plan is to mow more this year. They will mow at least 4 times in the 4 mountain counties and hope to mow 5 times in the 4 counties below the mountain.

Commissioner Johnson asked if school groups did the Adopt-A-Highway can they coordinate to block off a road because there are so many curvy dangerous roads in Wilkes. They need to find a way to make this safe. Mr. Adkins replied they would like Law Enforcement to work with them, but there are some roads they can't close off. He added they would like to sign any group up that would be interested in this they would place signs at the beginning and end, they pick up 4 times per year with a 4 year commitment. DOT provides vest, gloves, and they must view a safety video before they start, safety is very important. They would help to make sure the section they pick is safe and if not would suggest another.

Commission Elmore asked what number does folks call to Adapt-A-Highway or call for help with roadside litter. Mr. Adkins replied the Roadside Environmental Unit handles the Adopt-A-Highway the number to call is 336-903-9229. If volunteers have picked up a road and wants the filled bags picked up the number is 336-903-9154. He added the Spring litter sweep is April 10 - 24 and three crews will work in Wilkes one full week during this time period across the state and will concentrate on secondary roads. They will do another litter sweep in the fall.

Chairman Settle and the Board thanked Mr. Adkins for the update.

Chairman Settle stated they have had a lot of discussion and receive many calls and emails about roadside trash. He received an email today that he read out loud. He added all counties are in the same boat, the state cut their budget, they don't mow the rights-of-way, they use to see inmates all the time picking up garbage, and they do not see any of this. What do they expect the

counties to do they do not own the rights-of-way or have any control of roads. Chairman Settle added people have got to do better. Commissioner Gambill agreed they can't drive anywhere without seeing a lot of trash, it is visible anywhere they go and he picks up trash out of his yard a few times a week. He added people have lost respect, getting back in the schools with programs would help. They need to re-educate as a start, it won't fix the issue, but is a start. Commissioner Gambill added the Chairman just finished up a COVID taskforce and he is in favor of creating a Clean Up Wilkes Taskforce. He added it seems a lot of what the state does is budget related and will only happen if they want to do it. Adapt-A-Highway and Volunteers are the only real methods they have. Commissioner Gambill said he would suggest the Taskforce promote the Adopt-A-Highway and place the numbers he gave out on the county's website. This is not a fix but a start, the landfill would need to be involved along with volunteers.

Commissioner Johnson said he would also like to educate the young folks, partner with the Clean Up Wilkes Volunteers, also team up with the Soil and Water Program. He added if they could work with school kids and parents and let them create signs maybe that would generate interest and make it fun. Commissioner Elmore said they did that with a contest already to create a mascot. Chairman Settle recognized Gwyn Shaffer and Cindy Mittet. Ms. Shaffer stated volunteers mean well in cleaning up the roads, but they may be enabling the motorist. She added they need an ongoing education, multi-layer marketing program combined with stiff enforcement and hefty fines. The Board needs to come up with and fund a program. This is bigger than volunteers. Ms. Shaffer stated it begins with an awareness program at the elementary level and continues through middle and high school, enlist clubs, sports, scouts, to helps since many of these need service hours. Promotion of a litter hotline to call with enforcement follow through, more signage, waste receptible in key locations and near restaurants with large take out volumes. Ms. Shaffer said the Board needs to hire a qualified person to design and execute a comprehensive Anti-Litter campaign for the county. She added this affects tourism in Wilkes, they have to find a way for a bigger solution. They pick up litter all the time, but that does not solve the problem.

Ms. Mettet said she has a business, it is tourism related, they want their guest to come and visit Wilkes to see the beauty here. They need to get the prisoners back picking up the roads, it was a lot of money, but they could have done a better job to make sure they got the bang for their buck. She added they have the people, but they are no longer doing this, it was being done until 2016. Ms. Mettet said she did Adapt-A-Highway and does this as well. The Board has to make the commitment, come up with guidelines and a plan, go through it, and stand behind it. It needs to also get in the schools for education. They both pick up highways but more is needed.

Chairman Settle stated they thank both for what they do, they have seen the pictures and know what they do, and it is great. It is very frustrating as a tax payer that buys fuel and the State of North Carolina controls the rights-of-way and citizens can't do anything on them with out their permission, yet on the garbage issue they don't want to tackle this. He added in 2016 the inmates stopped coming up and picking it up, not sure if the Governor stopped the program or why it stopped, they did keep it picked up and folks were pretty satisfied with that program. Chairman Settle said Wilkes does have a garbage issue, but it is not worse than any other county, this Board is willing to step up and do something to help Wilkes. Education is a key and could

help. Ms. Mettet agreed. Ms. Shaffer added the Police have to help and enforce the fines. Ms. Mettet stated they could place an officer at the landfill to enforce the tarps give one warning and then impose the fine. Chairman Settle agreed Commercial haulers do contribute especially with the plastic bags blowing out. Commissioner Elmore stated there is a number displayed at the Landfill that folks can call to report this. He added they do have a tarp law that is not being enforced and they know that. Ms. Mettet said it would not take a lot, but folks have to know they are serious and they are going to enforce this and also educate them. She added they did two contest and she had small business support this and giver prizes of \$250 each, but it was hard to work in the schools. They need a consistent program to educate. Ms. Shaffer added the Board's support is critical. She has called Jamie Wood at DOT to pick up bags frequently he is onboard with education and has materials for the schools, this is a starting point and they need to use it.

Chairman Settle asked about the issues getting into the schools. Ms. Mettet said they understand it is a safety issue, but it is a challenge to get in and do a program. They need something that is fun and the kids like, but they need to make this a part of education and make them all accountable for no litter with zero tolerance. She added this needs to be handled just like the no smoking program. Research shows that most litter comes from those 30 years and younger and it is fast food containers and cigarettes. Ms. Mettet added they need to find a way to include the restaurants, because this is a large source of the trash. Ms. Shaffer asked could they enact an ordinance that fast food or restaurants with takeout have to help clean up the trash. Chairman Settle added commercial haulers contribute, but also its individuals throwing out items. Ms. Shaffer said they appreciate the time to speak and would like them to not place this on the back burner and actually come up with a plan. Ms. Mettet stated Vice Chairman Minton has come to some of their cleanups and picked up roads and worked hard and they appreciated his time and help. Commissioner Johnson said it would be good to get students involved in clean ups for service hours that they need for various clubs, and if they let the fire department know they are really good to help as well.

Commissioner Gambill said education is the key, also the Adopt-A-Highway with contact numbers added to the website to do all they can to promote this. He added the Board needs to send a letter to all the legislators to request they start back sending the inmates out to clean up roadside trash. This worked well in the past and they need to get them back. Ms. Mettet agreed this is a big answer to this problem. Ms. Shaffer suggested billboards on Hwy 421 coming in and going out of Wilkes to promote litter clean up to start the education process. Ms. Mettet asked if this is important to the Board and Wilkes. Chairman Settle replied yes it is import to all 5 of them, and they have made great points. They do have a lot to do, but would like to see them put together a task force and bring these ideas together and try to start the process. Commissioner Gambill added these two ladies are a good start and they have come up with good suggestions already.

Chairman Settle stated they will work on a letter to the Governor, the 3 Legislatures, Congress lady Foxx in addition to work on a taskforce. Commissioner Elmore stated Mr. Yates has appropriated funds for clean ups. Mr. Yates replied they set aside funds for depilated structure clean up and have provided some garbage cleans ups as well. Commissioner Elmore asked how

they can request roadside cleanup. Mr. Yates replied they do that through N. C. DOT. Chairman Settle added the Landfill has contract with a guy to cleaned up 268 around the landfill and it looks good right now. Chairman Settle added they spend more on this issue than folks realize but they need the state to do their part. They thanked Ms. Mettet and Ms. Shaffer for their time and comments.

ADJOURN – Motion was made by Vice Chairman Brian S. Minton, seconded by Commissioner David Gambill and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 8:01 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: April 6, 2021