

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
April 5, 2022**

The Wilkes County Board of Commissioners met on Tuesday, April 5, 2022 at 6:01 P.M. with the following members present: Chairman Keith Elmore, Vice Chairman Casey Joe Johnson, Commissioner David Gambill, Commissioner Eddie Settle and Commissioner Brian S. Minton.

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

Chairman Keith Elmore welcomed everyone and called the meeting to order at this time.

INVOCATION – Vice Chairman Casey Joe Johnson led the Invocation.

PLEDGE OF ALLEGIANCE – Chairman Keith Elmore led the Pledge of Allegiance.

APPROVAL OF MINUTES – Motion was made by Commissioner Eddie Settle, seconded by Commissioner Brian S. Minton and unanimously adopted to approve the Minutes of the Board Meeting held on March 15, 2022.

APPROVAL OF MINUTES – Motion was made by Commissioner Brian S. Minton, seconded by Vice Chairman Casey Joe Johnson by and unanimously adopted to approve the Minutes of the Budget Retreat Work Session held on March 22, 2022.

BUDGET AMENDMENTS/TRANSFERS – Motion was made by Commissioner Brian S. Minton to approve Budget Amendment No. 28 (General – Social Services – Received an allocation of federal funds of \$14,499 for an APS Essential Services program which began in February 2022. No County funds required). The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

WILKES COUNTY RURAL COMMUNITY WASTEWATER INFRASTRUCTURE EXTENSION PROJECT – CONTRACT – Chairman Elmore welcomed and recognized Jimmy Luther, W.K. Dickson & Co., Inc. Mr. Luther thanked the Board and said in the packets is the work authorization for the Rural Community Wastewater Extension project that is falling under the ARPA funding. He added the Committee and Board selected them to be the engineer which they appreciate. Mr. Luther said this will begin the preliminary engineering and schematic phase to look at the options of where the lines would need to go to serve that area and community.

Commissioner David Gambill made a motion to approve the Contract for Services with Wilkes County and W.K. Dickson & Co., Inc. for the Wilkes County Rural Community Wastewater Infrastructure Extension project for Project Management and Preliminary Engineering Services in the amount of \$64,000 as presented at tonight's meeting. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

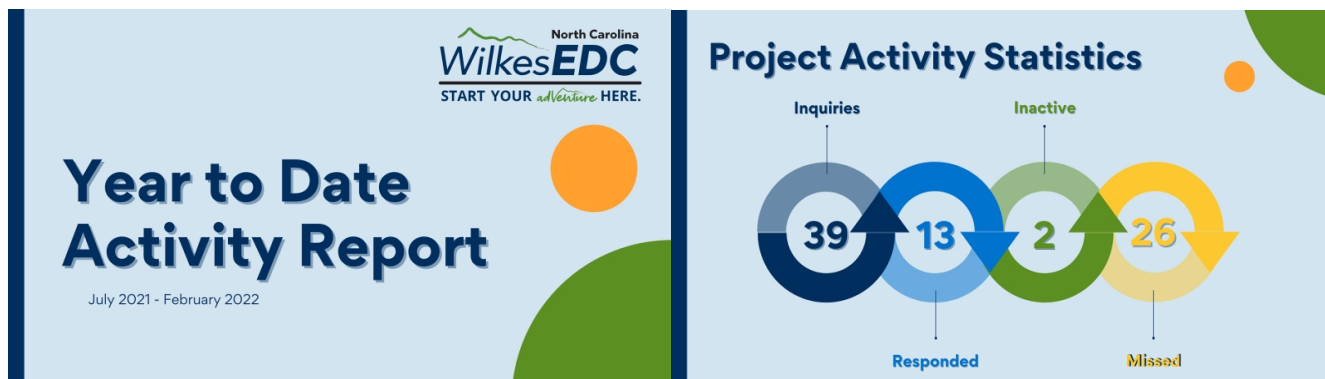
WILKES COUNTY EMERGENCY SERVICES CENTER – GUARANTEED MAXIMUM PRICE

– Chairman Elmore welcomed and recognized Kris Little and Mike Kesterson, Vannoy Construction Company, Inc. Mr. Yates stated tonight they are only asking for the Board to approve the Guaranteed Maximum Price (GMP) for this project and at the next meeting Mr. Triplett will have the contract. He added this will allow Vannoy Construction to move forward with the Contractors that bid so they can get started. They expect the site work to begin in a couple weeks. Commissioner Settle stated he came to the bid opening and there were a lot of local sub-contractors from the county. Mr. Kesterson said they are happy to report minority and veteran owned participation is 23% for \$2.3 million. Local participation within a 30 mile radius of the job site they achieved 54% for \$5.3 million of Wilkes sub-contractors included in the GMP. Mr. Yates added they are very excited to get this project off the ground. He stated they would like to have a groundbreaking on Thursday, May 12th at 4:00 PM, but there will not be enough room to park on this site and would like to host this event at the other county lot located on Executive Drive behind Herring Hall. There will have everything there for the ground breaking to take place. Mr. Little added Vannoy will be staging on this lot throughout the project for warehousing of materials to avoid escalation. It will be fenced in and they will have trailers on site.

Chairman Elmore asked if they have a time frame for completion. Mr. Yates replied Winter 2023 is the expected time frame. Mr. Little added they will get to work and move as quick as they can.

Vice Chairman Casey Joe Johnson made a motion to approve the Guaranteed Maximum Price of \$11,869,107.00 presented by Vannoy Construction Company, Inc. for the Wilkes County Emergency Services Center project as presented at tonight's meeting. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

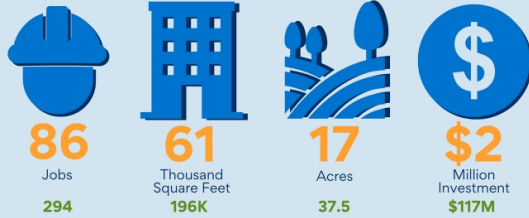
WILKES ECONOMIC DEVELOPMENT CORPORATION – UPDATE – Chairman Elmore welcomed and recognized LeeAnn Nixon, EDC President. Ms. Nixon thanked the Board and stated she would like to present their year to date activity report and the below presentation at this time:



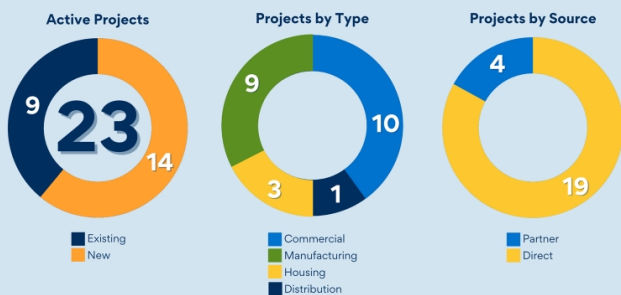
Project Averages

Active and Missed

26 Missed Projects from July '21 - February '22



Active Projects



Announced Projects

Resulting from Previous Active Projects

- Project Kangaroo: The Block
- Project Bee: Rossman Apiaries
- Project Troy: Shamron Manufacturing
- Project Reborn: NW Speedway
- Project Bobcat: JELD-WEN
- Project Liberty Bell: JELD-WEN
- Project Comfort: Carolina Comfort



Jobs: 178 Investment: \$34.7 Million

Activity Since July '21

Existing Business



Total Visits: 104
YTD Visit Goal: 100

Program Stats

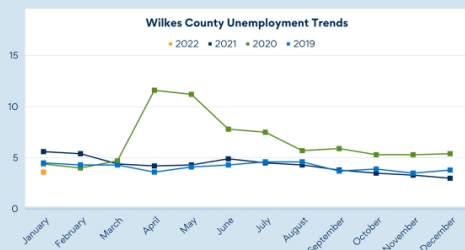


Unemployment Rates

January 2021

↑3.6% Up from 3.0% in Dec.

Regional Jan. Rate is 3.3%, State Jan. Rate is 3.9%.



Notable Progress

North Carolina
WilkesEDC
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Assisted with North Wilkesboro Speedway Project

- State Budget Office, SMI, & Local Government

'The Great State of Wilkes' Outdoor Action Plan

- Funding Provided & Participated in Planning Process

Submitted Grant to Golden LEAF (Site Identification)

- Completed March 2022
- Decision Expected June 2022

Notable Progress

North Carolina
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Wilkes Workforce Summit

- 100+ Registered Attendees
- Employee Retention & Attraction

Project Nelson (Distribution Project)

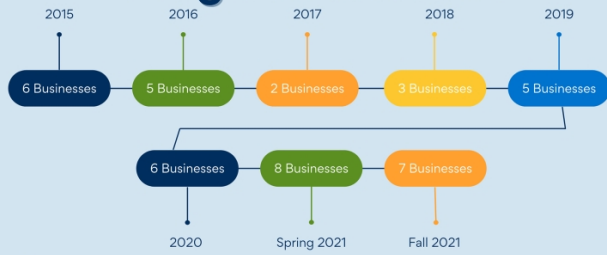
- County-Wide Search Identified Site
- Connected to Property Owner and Continue to Facilitate

Entrepreneurial Grant Program

Provides funds to Existing Businesses for Expansion, and those who plan on Starting a Business in Wilkes County, NC

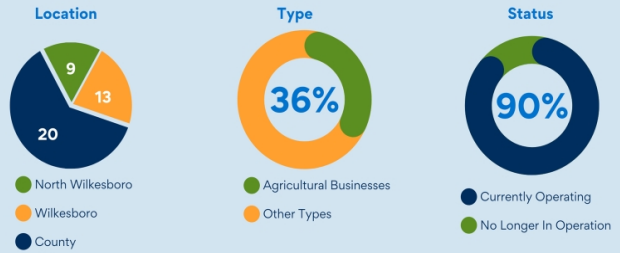
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Program Timeline



\$103,880 Awarded to 42 Businesses

Business Statistics



Community Impact

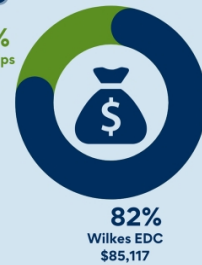


Funding Source

North Carolina
WilkesEDC
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Wilkes EDC has contributed 82% of the Grant Program funding since its inception. From 2015-2020 Wilkes EDC completely funded the program without sponsorship contributions.

18%
Sponsorships
\$18,763



Spring 2022 Fund Goal: \$13,500

In order to successfully hold the Spring 2022 Program, Wilkes EDC needs \$8,500 in Sponsorships from the community.



Wilkes Commercial Business Center

LEAPForward
Local Expansion & Attraction Program

WILKES COMMERCIAL BUSINESS CENTER

PRE-LEASING
155 BUSINESS CENTER DR
NORTH WILKESBORO, NC



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BUILDING HIGHLIGHTS

Wilkes Commercial Business Center offers 51,705 sf of flex-space with 4,488 sf of office and 27,059 sf of warehouse. Light Industrial users can lease as a single facility, or it is well-suited for multi-tenants. Completion is planned for 4Q 2022. A lower lease rate is offered as an incentive for first three (3) years.

- AVAILABLE:** 51,705 sf
 - Suite A: 10,385 sf
 - Suite B: 21,664 sf
- DRIVE-IN DOORS:** 2
- SPRINKLER:** ESFR
- POWER:** 5 Phase
- PARKING:** 46 Asphalt Spaces
- EXTERIOR:** Metal with Masonry
- UTILITIES**
 - WATER & SEWER: Municipal
 - POWER: Duke Energy
 - EAS: Frontier Natural Gas
 - FIBER: Charter (1 Gbps)
- SLAB:** 6" Reinforced
- CEILING HEIGHT:** 24' Clear
- DOCK-HIGH DOORS:** 3 Total; 2 Levelers
- DELIVERY:** Q4 2022
- LEASE RATE:** Incentivized for 3 Years; Call EDC for Pricing

LEAPForward
Local Expansion & Attraction Program



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AERIAL OVERVIEW

Site Location

- 4.79 Acre Site
- Off of Hwy 268
- Near Airport & Liberty Grove Rd
- 12 minutes to Hwy 421
- 20 minutes to I-77

WILKES COMMERCIAL BUSINESS CENTER
153 BUSINESS CENTER DRIVE
NORTH WILKESBORO, NC 28659

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REGIONAL INFORMATION

45 MINUTES
FROM THE AIRPORT

40 MINUTES
FROM THE HIGHWAY

50 MINUTES
FROM THE INTERSTATE

LABOR FORCE OF 220,347
Within a 45min Drive

Gateway to Northwest North Carolina

8 Surrounding Counties Provide

- Low Cost of Business
- Customized Industry Training
- Flexible & Timely Zoning
- Fiber Connectivity

WCBC Marketing

Site Selection Databases

- CoStar
- Crexi

Building and Site

- Local
- State

Marketing Emails

- Existing Industries
- Site Selectors, Developers, & Brokers

LEAPForward
Local Expansion & Attraction Program

Thank You!

Wilkes EDC appreciates your support and investment in moving Wilkes County forward.

START YOUR *adventure* HERE.

Chairman Elmore thanked Ms. Nixon for the report and hard work of EDC. Commissioner Settle asked where the numbers came from that she listed on the progress. Ms. Nixon replied she pulls these once she gets the tier designation from the state. It looks at past years and compares them based on Tier 1 which Wilkes is designated. This is the most distressed tier but also receives the most grants and assistance. Vice Chairman Johnson asked where do they get the project names. Ms. Nixon replied it comes from the staff and they have fun with this. He asked for more information on Shamron Manufacturing and Carolina Comfort. Ms. Nixon replied Shamron was formally Hinson Hale, they sew medical garments. Hinson Hale decided to sale and Shamron Mills was a client of theirs and decided to acquire it and retain 20 jobs. Carolina Comfort is an HVAC company on River Road and the last industry on that road. It made it very difficult for internet carriers to service them. They kept working until they found a solution and a carrier to meet their needs and retained 20 jobs.

Chairman Elmore and the Board thanked Ms. Nixon. He recognized Robin Hamby who is also in attendance at tonight meeting. Ms. Nixon thanked the Board.

DEPARTMENT OF SOCIAL SERVICES – UPDATE – Chairman Elmore recognized John Blevins DSS Director. Mr. Blevins thanked the Board and said he has a few updates before going over the reports. He said April is Child Abuse Prevention Month, they recognized this each year and wear blue for this. They also put pinwheels out at their office and the Courthouse to help bring awareness. Prevention. is their goal, to keep the kids out of Foster Care and reduce abuse and neglect. Mr. Blevins said in Wilkes from July – February they had 741 intake reports alleging abuse, neglect, or dependency; of those accepted 73 were abuse; 383 were neglect; 16 were dependency; involving 1,231 children. They will also have two more in a hotel tonight with Social Workers, they just got today. He added both were runaways and lost their placement and they have them until another placement is found, which is tough on all of them.

Mr. Blevins said the next update was effective April 1st Medicaid will cover Postpartum Healthcare for 12 months rather than only 60 days, which is good for new mothers. Next is the Recipient Eligibility Determination Audit (REDA) and they went through this 3 years ago as well. They audit Medicaid cases and they were the best in the state last time and it has rolled back around again. Mr. Blevins stated they look at approvals, redetermination, denials, withdrawals, terminations, and now will include inquiries as well. They will look at 20 cases per month for 10 months, 10 active and 10 negative. He mentioned what the state will look for during this audit, if a mistake is found they will have a payback, which is worrisome. Mr. Blevins will keep the Board updated as they go through the audit.

Mr. Blevins went over the monthly caseload reports for February. Next, he went through the Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial reports for February. Mr. Blevins also went over the CPS Foster Care Monthly Reports. Vice Chairman Johnson asked how many Social workers are at DSS. Mr. Blevins replied 42-43. Chairman Elmore asked how many total employees are at DSS. Mr. Blevins replied 125 when they are fully staffed and only have 2 openings at this time, and were able to keep 2 internes for fulltime positions.

Chairman Elmore and the Board thanked Mr. Blevins.

WILKES COUNTY HEALTH DEPARTMENT: Chairman Elmore recognized Rachel Willard and asked her to introduce the staff with her. Ms. Willard stated first is Lindsay Roberts, Director of Nursing and Compliance; Angie Rhodes, Environmental Health Director, and 25 year employee; Denise Monahan Adult Healthcare Management, who is leaving in 9 months and a 19 year employee.

1. RESOLUTION – PUBLIC HEALTH WEEK – Chairman Elmore said next is a Resolution which they support and asked Mr. Yates to read it as this time. He thanked Ms. Willard and said they appreciate what they have gone through the past few years. Commissioner Settle thanked them and added it has been a tough 2 years and when this began she has just had a child and could not believe she was there. It was hard on them and they appreciate all they've done. Commissioner Gambill asked how long after the baby did she come to a meeting and how long has she been Health Director. Ms. Willard replied the baby was 5 days old and she had been Director just over 1 year. Vice Chairman Johnson thanked them and all their staff for the good job with the pandemic, the traffic and stress of the vaccine clinic, it was a pleasure to work with them. They all went through unknown and uncharted territories and he appreciates all they've done and the leadership. He would text her and get his questioned answered quickly. Commissioner Minton stated he appreciates everyone and all they do, and thanked them for working with him and all they have done the past two years. Mr. Yates said at times things and folks would get excited and he would talk with Ms. Willard and she was always calm and things would go along. It was tough, but they got it done. He appreciates all the staff and ladies here tonight and all of their hard work. Commissioner Settle said things have been tough on the entire country and they would not wish a pandemic on anyone to deal with, but they got through it.

Ms. Willard said she has never brought this to this Board, normally it just goes to the Board of Health to pass, but the Health Department has had a tough 2 years. Because of the staff they were able to get through and it is important that the staff is recognized. It is just words on paper, but it shows they support the work they do and she appreciates them passing this on behalf of the staff at the Health Department.

Commissioner Eddie Settle made a motion to adopt the Resolution for Public Health week April 4-10, 2022 as requested and presented at tonight's meeting. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

*PUBLIC HEALTH WEEK 2022
BY THE WILKES COUNTY BOARD OF COMMISSIONERS
A RESOLUTION*

WHEREAS, the Wilkes County public health workforce is a critical component of our emergency response to natural and man-made disasters and widespread disease outbreaks in our county, including COVID-19; and

WHEREAS, our county and state public health workers have been courageous, inventive and tireless in their work to protect our residents from the threats of the COVID-19 pandemic, while continuing to perform their other essential public health functions, often times at the risk of their own safety and health; and

WHEREAS, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for the residents of our County and all North Carolina's residents; and

WHEREAS, public health plays a critical role advancing health equity and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians; and

WHEREAS, the Wilkes County Board of Commissioners is committed to a continued emphasis on prevention in public health, and to helping our county and all North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2030 objectives; and

WHEREAS, communities, local health departments, employers, hospitals and health care providers, individuals and families, insurers, county leaders and policy makers, faith-based communities, and schools and child care facilities must work together to identify and develop innovative solutions to health problems facing the people of Wilkes County; and

WHEREAS, the Wilkes County Board of Commissioners encourages all residents to recognize that public health is working to ensure that all residents are protected from threats such as COVID-19, influenza, foodborne disease, injury, and chronic diseases such as diabetes, heart disease, and asthma;

WHEREAS, April 4-10, 2022, has been designated as NATIONAL PUBLIC HEALTH WEEK;

NOW, THEREFORE, WE, THE MEMBERS OF THE WILKES COUNTY BOARD OF COMMISSIONERS, do hereby UNANIMOUSLY PROCLAIM that April 4-10, 2022, shall be designated as "PUBLIC HEALTH WEEK" in Wilkes County, and commend its observance to all county residents and convey our deepest gratitude to those public health professionals who serve our county every day.

MR. KEITH ELMORE
CHAIR, WILKES COUNTY BOARD OF COMMISSIONERS

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Wilkes in the state of North Carolina this fifth day of April in the year of our Lord two thousand

2. ANNUAL CHILD FATALITY TASK FORCE ANNUAL REPORT 2021 – Lindsey Roberts, Child Fatality Task Force Chair presented the report at this time. The full report is below:

*Wilkes County Child Fatality Prevention Team
Annual Report 2021*

General Statutes mandate Child Fatality Prevention Teams in North Carolina. Article 62 outlines the North Carolina Child Fatality Prevention System and the membership of the team. The primary function of the team is to review the records of Wilkes County's child fatalities to identify any system problems or opportunities for preventive actions that could be implemented in Wilkes. A report shall be provided to the Wilkes County Board of Health and Wilkes County Board of Commissioners.

The Director of Nursing, Lindsey Roberts, chaired Wilkes County Child Fatality Prevention Team. 2021 Team members included: Rachel Willard, Health Director; John Blevins, DSS Director; Kevin Brown, Hal Wilson, Cindy Coffey or designated DSS Staff Members; Det. Nancy Graybeal, Law Enforcement Office; Shirl Daemer, Child Abuse Prevention Team; Dr. Donna Cotton, Local School Superintendent; Casey Johnson, DSS Board Member; Tamara Lakey, Guardian ad Litem; Dr. Julie Koch, Health Care Provider; Tim Pennington, Emergency Medical Services; Rob Macaluso, Mental Health professional; Jason McGuire, District Attorney's office designee; Jason Reavis, County Medical Examiner; Judi Mitchell, Representative of Local Head Start (BROC); Melody Haddad, parent representative; Denise Greene, additional appointed member; vacant position, District Court Judge. The team's charge is to review child fatalities in Wilkes County, other than those that are reviewed by the Community Child Protection Team intensive review. The team works to assess all child deaths through the multidisciplinary system established above. The team has the following goals:

- *Involve diverse agencies and disciplines – orient, inform and involve professionals who serve children.*
- *Collect data – collect uniform, retrievable data for all child deaths.*
- *Share results – link child death patterns and trends with agencies and groups that can create and support strategies to prevent child deaths – identify system problems and make recommendations.*
- *Act to prevent child deaths – launch state and local action to prevent child deaths.*
- *Reduce the number and rate of child deaths.*

In 2021, the team met 4 times and reviewed 12 child fatalities, the number reviewed in 2020 was four. The deaths are not necessarily reviewed in the year they occur due to time lapse for autopsy or other administrative factors. 4 deaths were due to perinatal condition, 3 were unspecified causes, one was related to cerebrovascular disease, one had a birth defect, one motor vehicle accident, one homicide, and one pedestrian accident. There were no trends noted in the cases that were reviewed in 2021. We did have one recommendation for safe sleep educations. We place a billboard in a centralized location of Wilkes County to educate about Safe Sleep Practices and we distributed fliers to advertise the dates and times of or Safe Sleep classes taught by the Wilkes County Health Department.

No systems problems were identified. We have enjoyed improved communication between agencies through team meetings. The death reviews that take place in the team meetings are confidential. The team is looking for trends or opportunities to improve systems to prevent child deaths as a community, thus the discussions that take place help to break down barriers between agencies that might otherwise limit open discussion.

The Child Fatality Prevention Team has requested that this report be forwarded to the Wilkes County Board of Health and the Wilkes County Board of Commissioners.

This report is respectfully submitted by _____.
Rachel Willard, MSPH
Health Director

PUBLIC MEETINGS

a. FREQUENCY - Each local CFPT will schedule at least two public meetings annually, one presentation to the County Commissioners and one presentation to the board of health, according to state statute (G.S. 7B-1408.1.2 and G.S. 7B-1410.4).

b. AGENDA - The following shall be included in public meeting agenda items: Information about the local CFPT (including purposes, composition, confidentiality guidelines, access to records, statutory basis, frequency of meetings), information about child deaths in the county/state (number, causes, ages), number of deaths reviewed by the CFPT, system problems identified, recommendations, and action taken. No identifying information about individual child deaths may be addressed, including names, addresses, dates, or circumstances.

c. WRITTEN REPORTS - The local CFPT may release written reports including the information named in Procedure 8(b) above. No identifying information about individual child deaths may be released, including names, addresses, dates, or circumstances.

Chairman Elmore said in 2021 they had many more fatalities than the prior year, he asked if 4 was closer to the average. Ms. Roberts replied yes in 2019 and 2020 they had 4 each year and 2021 there was 12. Ms. Willard added they had one to cover over into 2021 due to litigation, they did see a rise, they have already discussed 7 this year, and have 3 more for next meeting. Chairman Elmore asked what do they contribute to this rise. Ms. Roberts replied unfortunately there is no trend they have noted. It is a wide range of causes of death. Ms. Willard added next year they will see more education on safe sleep practices and co-parenting. This is a concern of the Health Department and DSS and they are working to

provide more information on this. Chairman Elmore asked if the numbers are up in the state on child mortality. Ms. Willard replied she is not sure and would have to look this up. Ms. Roberts said they offer safe sleep classes and anyone that attends classes receives a free pack n' play which provides a safe sleep space for the child and meets the DSS standards.

Chairman Elmore and the Board thanked Ms. Robert and Ms. Willard.

TAX DEPARTMENT – TAX RELEASES – LISTINGS – Chairman Elmore recognized Will Lankford, Tax Administrator. Mr. Lankford asked the Board to approve 66 tax releases for listings in the amount of \$8,448.48 that covers January, February, and most of March. Chairman Elmore asked what is MVGB stands for. Mr. Lankford replied it stands for Motor Vehicle Gap Bill. When the NC vehicle tax system took over collecting those taxes it is collecting at the time the tag is received for 12 months in advance. If someone did not renew their tag at 12 months and waited to 15 or 18 months there is a Gap. The Wilkes Tax Office bills for the Gap. The ones listed on here may be waived because they moved out of Wilkes, but the registration still showed in Wilkes, a lot are for active Military as well. He added there are also VTS on this list. This is when someone sales their vehicle and turns in the tag and gets a refund for the months left. If this amount is over \$100 it has to go the Board for approval. This was not done in the past on the releases, but does require approval and they will see more of these going forward. Chairman Elmore stated if he buys a vehicle and gets a tag and in 2 months sells it and turns the tag in, he gets a refund because he paid 12 in advance. Mr. Lankford replied yes. Commissioner Gambill said it was good for the county and tax department when the state took this part over. Mr. Lankford agreed.

Commissioner Brian S. Minton made a motion to approve the tax releases for listings in the amount of \$8,448.48 as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

A detailed listing of tax releases is maintained in the Wilkes County Tax Administrator's office.

AMENDMENT TO SOLID WASTE ORDINANCE – Chairman Elmore asked Anderia Byrd to come forward for this presentation. Chairman Elmore stated yesterday he was here for a meeting and on the way home he made this video and wanted to show it before this discussion. He was on 268 and got behind a truck, it was tarped, but as the video shows something is hanging off. It was dangerous as they can see especially for the oncoming vehicles. Chairman Elmore said he slowed down and stayed back, the oncoming traffic were in danger of having the 2x4 go through their windshield. It fell off after about one minute, but had it been a second or so later there was oncoming traffic it could have hit. Chairman Elmore said the point is trash is a nuisance, but it is also a hazard. This could have gone through a windshield and caused an accident or killed someone. It made him think of trash in a different light. Commissioner Settle said this happen to an East Wilkes student 6 years ago and killed him.

Chairman Elmore said they have been discussing this for at least 3 years, the Landfill folks have agreed to make changes and hopefully improve some of the Solid Waste issues. Ms. Byrd stated Wilkes County is not unique in the fact that they have a roadside litter problem. The Landfill is asking the Board to update the Ordinance to include the word secured instead of just covered. Currently the Ordinance states all trash must be covered when it enters the Landfill. All trash including loads of tires, brush, furniture, and appliances is required to be covered. She added they would like it to include secured as well. If they changed the wording in the Ordinance it will help as they do not have a definition of covered load at this time. Chairman Elmore added the truck in the vehicle was covered. Ms. Byrd stated citizens voice

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concerns about this issue to them, if they know this happen they do try to address it with the driver. She added they have spoken with the Highway Patrol and folks that witnessed this can act, but must be willing to be a part of legal process.

Ms. Byrd sated they would like to add the word secured to the Ordinance. Currently if they instituted this new wording in the ordinance they would ticket someone about 50% of the time for an uncovered load. If they change to secured that would change to about 1 in 4. She said they would like the Board to approve adding the word secured to the Ordinance and also add a \$10 tipping charge to folks that enter the Landfill unsecured. This would be in addition to the \$250 civil penalty that the Ordinance has currently. When the Civil Penalty is collected it goes to the School System. The tipping change that want to add would be due before they leave the Landfill on the date of the violation. Those funds could be used for road side cleanups and also help with cost to clean up the larger illegal dump sites in the county.

Commissioner Settle asked who determined secured and unsecured. Ms. Byrd replied the Solid Waste Enforcement Officers. Commissioner Settle asked if a truck comes in with 4 trash cans but a lid fell off one and they are in the back of the truck is this secured or not. There will be a revolt coming and they need to know what to tell them. He added they said they will give them a period of time before this is effective and provide pictures of what is secured and what is not. This will be an issue, he has already heard from several folks on this. Chairman Elmore said they will give them 6 months to educate folks on what will be secured. Commissioner Settle stated the tax payers needs to know when they are using their landfill if they are secured or not secured. Ms. Byrd agreed and added they have some that are clearly secured and ones that are clearly unsecured, then they have the middle grey area. She stated they would like to have the Board approve the language on the clearly unsecured with no attempt.

Commissioner Gambill said the tarps that automatically go over a truck do not work, these are considered secured but clearly they are not. As was the case in the video they just watched. Ms. Byrd agreed, they would not have known at the landfill that they lost something before they got there. Chairman Elmore said if the wood was still hanging off when he got there that would be different, but it fell off in the road on the way. He added they have talked about this for years and have taken no action, the landfill personnel have agreed they will try to enforce this as best they can. It comes down to what is reasonable. This is not about them wanting to collect \$10 at the landfill, they do not want a dime, they want the load secured, it is pretty simple. Ms. Byrd agreed, they can leave the premises, secure the load and then come back, they do not want the \$10.

Commissioner Settle said the commercial trucks with plastic bags flying out of those trucks are an issue, they all agree with this. Chairman Elmore agreed some of that is going to happen, this will not stop it, but is a good start, and hopefully help. Commissioner Gambill asked if tied trash bags are secured. Ms. Byrd replied the Ordinance does not define this, it does not say was is meant by covered. Is the trash bag itself considered covering the trash or not, this is one of the big issues they have with the current ordinance. She added there is also the issue with a mound of trash bags that are not secured and fall off and this is what they see on the roadsides. This is where they seek clarification and approval from the Board and their support to institute this portion of the ordinance to do their job. Commissioner Gambill asked what is the process for someone that gets a citation. Ms. Byrd asked a citation or tipping charge. Commissioner Gambill said both. Mr. Triplett replied there is a difference in them. The current ordinance has a civil penalty, if this is assessed and paid it goes to the school system like all fines. If and when they issue a citation for a civil penalty. He added the new language allows them, but does not require them, to add something different. This is a \$10 surcharge to the tipping fee for a load that is not secured. If the staff

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determines this is not a completely secured load they add the additional \$10 to the tipping fee. Mr. Triplett said this gives the staff the authority which they chose to go with. He added what is before the Board tonight does not allow them to impose the \$10 surcharge. All that is before the Board is the Amendment to the Ordinance and they can add the \$10 surcharge to the tipping fee. This has to be added in the budget. Chairman Elmore stated that part has to be added when they pass the budget.

Commissioner Gambill said with the current ordinance they can assess the civil penalty and it goes to the school system now. Ms. Byrd replied the wording secured is not in there now so they can't enforce that and this has been an issue for them. Commissioner Gambill added it says covered, if they determine it is not covered they can do that. Ms. Byrd replied yes, every truck that comes in right now should have a \$250 civil penalty if they are not covered. Commissioner Gambill said this is in effect now. Chairman Elmore replied they are not enforcing it. Commissioner Gambill asked if they will enforce the \$10 if they add that. Chairman Elmore replied absolutely. Ms. Byrd replied yes. Mr. Yates added they get irate citizens when they issue a \$250 citation. Commissioner Gambill said they will get them at \$10 too if it is a grey area. Chairman Elmore asked what about the people that pass all the trash on the road, they do not have a say. They don't want the \$10 they want it secured. Commissioner Gambill said they have \$250 civil penalty now and they don't secure it, how is \$10 going to fix it.

Mr. Triplett stated Ms. Byrd is providing an alternative to the \$250 civil penalty with the \$10 surcharge which will not be in effect tonight that has to be a part of the budget. He added completely secured is a different standard that covered. Anderia Byrd has been asking for this language for several years and they took this language directly from Surry County's ordinance. It states "completely secure so as to prevent the unintended release of solid waste", now it only states covered. Commissioner Settle asked if for six months they are going to point out as the folks come in what is secured and what is not so they understand the difference. Ms. Byrd replied absolutely, they would like to issue a warning to let these folks know. Every load that comes in the landfill is on camera this will help the staff be conscience and decide was it completely secured or not. Commissioner Gambill said this is his issue, if he can't explain to someone what is secured and what is not, he hates to put that in effect. Chairman Elmore said the staff can do this and he supports them. Commissioner Settle said they all support them, but it's a judgement call for the grey area.

Commissioner Settle asked if this will help with the roadside trash. Ms. Byrd replied it will allow the landfill to do its part and try to rectify the roadside litter, it will not solve it. Commissioner Minton asked what is the standard on secured loads, can they come up with that so that folks can understand it. Ms. Byrd said the definition is what Mr. Triplett stated to prevent blowing, spilling, leaking, falling. Chairman Elmore said he lives in Roaring River and sees many trucks and can judge what is secured or not, and so can the landfill staff. Commissioner Settle replied yes the bad ones but they will be many in the middle. Chairman Elmore said those are the ones you do not charge. He added he is suggesting this because the landfill is willing to do this and have the expertise to decide and enforce it. Commissioner Minton asked if the \$10 is worded so that legislature will not require them to send it to the School System. Mr. Triplett replied yes, on the second page it calls it a disposable fee which the same as the tipping fee, it is also a disposal fee. He added as part of the budget the Board will add a \$10 surcharge to the tipping fee for loads that do not comply with this ordinance. Commissioner Gambill said he is in support of moving forward, they need to educate and make the decision with something more in place that can be explained. This fee does not take effect until the budget and that gives them time to do more. Commissioner Settle agreed.

Commissioner Settle asked Mr. Yates if he is in support of this, he will get the calls. Mr. Yates replied when three hands go up that is what he will work hard to make it happen. He added he wants to make sure the Board of Commissioners is in support because they are the ones that get the calls from the citizens when they issue them a citation. Vice Chairman Johnson said for the ones that are in the grey area he feels the employees can explain to them what it is not secured and discuss it. He added they had a great time on the Committee with good collaboration between employees, citizens, and haulers. He discussed litter with his 4th Graders today and they all said it is bad. When a 9 year old notices litter, it is bad. Vice Chairman Johnson added the students participated in the poster contest, this will not fix the problem, but is a step in the right direction and a great thing to do. Commissioner Settle asked if the \$10 is in this amendment. Mr. Yates replied no that has to be in the budget. Ms. Byrd added the \$250 civil penalty is in the ordinance now. Commissioner Settle said he wants it on public record there is no \$10 fine in this amendment.

Mr. Triplett said as with all Ordinances, the first time it comes before the Board it takes a 5-0 vote to approve it. If they do not get a 5-0 vote it has to come back before them at the next meeting and if it gets a simple majority at that time it passes. The same is true with an Amendment to an Ordinance. Commissioner Gambill asked if the \$10 fee is in the amendment if approved. Mr. Triplett replied no. Ms. Byrd asked if the \$10 fee is not approved, does the \$250 citation as a civil penalty still stand. They will be instituting that according to the Ordinance. Mr. Triplett replied nothing tonight is changing the \$250 citation, it has been in there for 15 years and will remain. They do not have to issue one, but it is still included. Commissioner Settle asked if the \$10 comes back to them as a line item in the budget. Mr. Triplett replied yes, it does not have to be \$10 it can be any amount. Commissioner Gambill asked if that requires a 5-0. Mr. Triplett replied no, the budget does not.

Vice Chairman Casey Joe Johnson made a motion to approve the Amendment to the Solid Waste Ordinance for Wilkes County as presented at tonight's meeting. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

Chairman Elmore thanked everyone for their time and discussion and the Committee that met and worked on this as well for their good work.

WILKES COUNTY BOARD OF COMMISSIONERS SCHEDULED MEETINGS:

1. CHANGE OF LOCATION FOR MAY 3, 2022 MEETING – Chairman Elmore stated they need to change the location of this meeting. Mr. Yates replied yes, and the Ag Center Meeting room is available.

Commissioner David Gambill made a motion to move the location of the Wilkes County Board of Commissioners Regular Meeting scheduled on Tuesday, May 3, 2022 at 6:00 P.M. to the Wilkes County Agricultural Center located at 416 Executive Drive, Wilkesboro, N.C. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

2. CHANGE OF DATE AND LOCATION FOR MAY 17, 2022 MEETING – Chairman Elmore asked about changing the date of this regular meeting. After discussion from the Board the date of Tuesday, May 10, 2022 at 6:00 P.M. was suggested.

Commissioner David Gambill made a motion to move the date of the Wilkes County Board of Commissioners Regular Meeting scheduled for Tuesday, May 17, 2022 at 6:00 P.M. to Tuesday, May 10, 2022 at 6:00 P.M. and the location to the Wilkes County Agricultural Center located at 416 Executive Drive, Wilkesboro, N.C. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

RESOLUTION – MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE FINANCING OF VARIOUS CAPITAL IMPROVEMENTS PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT AND CALLING A PUBLIC HEARING THEREON

Chairman Elmore recognized Chris Huffman, Finance Director. Mr. Huffman thanked the Board and said he comes tonight for a lengthy resolution. The resolution was prepared by their Bond Counsel, Tom Lee. It is the first step in the process to acquire financing for the Emergency Services Center. He added the resolution allows them to pursue the process to get bids from financial institutions for rates and conditions and to see if they go with a traditional loan or bonds depending on what is best for the County. Mr. Huffman stated the resolution gives him authority to seek bids and the process to apply with the LGC for approval for whatever financing terms they reach. This is the first step and the resolution will also set a Public Hearing to discuss in public. Commissioner Gambill asked when do they want to set the public hearing. Mr. Huffman replied the resolution sets it for March 3, 2022 at 6:00 PM at the Ag Center. Mr. Triplett added if the Board approves the resolution it will set the public hearing. Mr. Huffman stated the resolution gives him permission to solicit up to \$10 million and only covers the Emergency Services Center.

Motion was made by Commissioner David Gambill to approve the Resolution Regarding Financing of Various Capital Improvements Pursuant to an Installment Financing Agreement, Requesting the Local Government Commission to Approve the Financing Arrangement and Set a Public Hearing on Tuesday, May 3, 2022 at 6:00 PM in the Meeting Room at the Wilkes County Agricultural Center located at 416 Executive Drive, Wilkesboro, N.C. with the meeting to immediately follow as presented at tonight's meeting. The Motion was seconded by Commissioner Eddie Settle and unanimously approved.

The Board of Commissioners for the County of Wilkes, North Carolina, held a regular meeting in the Commissioners' Room at the Wilkes County Office Building located at 110 North Street in Wilkesboro, North Carolina, the regular place of meeting, at 6:00 p.m. on April 5, 2022.

Present: Chairman G. Keith Elmore, presiding, Vice Chairman Casey Joe Johnson, and Commissioner David Gambill, Commissioner Eddie Settle, and Commissioner Brian S. Minton

Absent: None

Also Present: Tony Triplett, County Attorney, John Yates County Manager, Chris Huffman Finance Director, Brooke Felts, Assistant County Attorney, and Sarah D. Call, Clerk to the Board

* * * * *

Finance Director, Chris Huffman introduced the following resolution the title of which was read and a copy of which had been distributed to each Commissioner:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE FINANCING OF VARIOUS CAPITAL IMPROVEMENTS PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT, REQUESTING THE LOCAL

**GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT AND
CALLING A PUBLIC HEARING THEREON**

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 does hereby find and determine as follows:

(a) There exists in the County a need to finance the cost of constructing, equipping and furnishing a new emergency services facility for the County (the “Project”).

(b) After due consideration, the County has determined to enter into an installment financing agreement (the “Agreement”) in an aggregate principal amount not to exceed \$10,000,000 to provide funds, together with any other available funds, to pay (i) the costs of the Project and (ii) certain financing costs associated therewith.

(c) The County will enter into the Agreement with a financial institution to be selected by the County (the “Lender”), pursuant to which the Lender will advance to the County amounts sufficient, together with any other available funds, to pay the costs of the Project, together with associated financing costs, and the County will repay the advancement in installments with interest (the “Installment Payments”).

(d) In order to secure its obligations under the Agreement, the County will execute and deliver a deed of trust (the “Deed of Trust”) granting a lien on the site of the new emergency services facility portion of the Project, together with all improvements and fixtures located or to be located thereon.

(e) It is in the best interest of the County to enter into the Agreement and the Deed of Trust in that such transaction will result in providing financing for the Project in an efficient and cost effective manner.

(f) Entering into the Agreement is preferable to a general obligation bond and revenue bond issue in that (i) the County does not have the constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the County has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the financing of the Project without an election; (ii) the nature of the Project does not allow for the issuance of revenue bonds to finance the costs of the Project; (iii) the cost of the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence the Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of acquisition and construction of the Project by several months; and (v) there can be no assurances that the Project would be approved by the voters and the necessity of such Project dictates that the Project be financed by a method that assures that such Project will be acquired and constructed in an expedient manner.

(g) It has been determined by the Board that the financing of the Project through the Agreement is reasonably comparable to the costs of issuing general obligation bonds or notes or other available methods of financing and is acceptable to the Board.

(h) Counsel to the County will render an opinion to the effect that the proposed Agreement is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(i) The debt management policies of the County have been carried out in strict compliance with law, and the County is not in default under any obligation for repayment of borrowed money.

(j) *No tax rate increase is anticipated to be necessary to pay the Installment Payments due under the Agreement.*

Section 2. The Board hereby authorizes and approves the filing of an application with the Local Government Commission for approval of the Agreement and requests the Local Government Commission to approve the Agreement and the proposed financing in connection therewith.

Section 3. The Board hereby fixes 6:00 p.m. on May 3, 2022 at the Wilkes County Agricultural Center Meeting Room at 416 Executive Drive in Wilkesboro, North Carolina, as the hour, day and place for the public hearing on such installment financing agreement and hereby directs the County Clerk to publish notice of such public hearing once in the Wilkes Journal-Patriot not later than the 10th day before said date.

Section 4. The Finance Director of the County is hereby authorized to solicit proposals from various financial institutions to provide financing for the Project. All actions previously taken by the Finance Director of the County in such regard are hereby ratified.

Section 5. This resolution shall take effect immediately upon its adoption.

Upon motion of Commissioner David Gambill, seconded by Commissioner Eddie Settle, the foregoing resolution was adopted by the following vote:

Ayes: Chairman Keith Elmore, Vice Chairman Casey Joe Johnson, Commissioner David Gambill, Commissioner Eddie Settle and Commissioner Brian S. Minton

Noes: None

** * * * **

I, Sarah D. Call, Clerk to the Board of Commissioners for the County of Wilkes, 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 April 5, 2022, as it relates in any way to the adoption of the foregoing resolution relating to an installment financing agreement by said County and that said proceedings are recorded in the minutes of said Board of Commissioners.

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

WITNESS my hand and official seal of said County this 5th day of April, 2022.

[SEAL]

*_____
Clerk to the Board of Commissioners*

PURCHASING DEPARTMENT – SALE OF SURPLUS INVENTORY – County Manager John Yates stated the Wilkes County Purchasing Department is requesting approval from the Wilkes County Board of Commissioners to sell the following surplus inventory using electronic auction method, govdeals.com:

All vehicles listed below have high mileage and in need of repairs, some minor and some with major issues:

*2000 Ford Ranger Vin #06211 Mileage 104,301 - Tax
2007 Chevrolet Malibu Vin #73070 Mileage 104,700 - Health
2004 Ford Explorer Vin #74340 Mileage 195,800 - Health
2007 Chevrolet Colorado Vin #59492 Mileage 225,000 - Inspections
2008 Chevrolet Impala Vin #84220 Mileage 211,672 - DSS
2008 Chevrolet Impala Vin #81174 Mileage 161,717 – DSS
2008 Chevrolet Impala Vin #88107 Mileage 210,801 - DSS
2007 Chevrolet Impala Vin #48906 Mileage 183,395 – DSS
2008 Ford Expedition Vin #35796 Mileage 172,350 – Sheriff
2013 Ford Taurus Vin #23286 Mileage 185,000 – Sheriff*

The following is surplus equipment from the Planning Department:

8.1L 85 KW Prime Power GENSET. GEN SET will include:

*GM 8.1L EPA Certified Industrial Engine
Stamford Newage 85 KW Generator with 120/240V/1PH/60H
NEXGEAR® Advanced Paralleling Switchgear*

The controls to allow operating the units in parallel will include:

*Intelligen Modular 3 Phase CU & Power Control Module W/PLC
Load sharing & power management dongle for multiple gensets*

The shipping container in which the GENSET, engine, control module and a 400 AMP single phase breaker are housed.

Commissioner David Gambill made a motion to approve the sale of surplus inventory using the electronic auction method govdeals.com as requested. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

ADJOURN – Motion was made by Commissioner Brian S. Minton, seconded by Vice Chairman Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 7:42 P.M.

Sarah D. Call, Clerk

Giddeon Keith Elmore, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: April 19, 2022