

MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
December 5, 2016

The newly re-elected and current Wilkes County Commissioners were honored with a reception on December 5, 2016 at 6:00 P.M. at the County Office Building. Approximately fifty people attended.

The Wilkes County Board of Commissioners met on Monday, December 5, 2016 at 7:04 P.M. with the following members present: Chairman Eddie Settle, Vice Chairman Greg Minton, Commissioner Keith Elmore, Commissioner Gary D. Blevins, and Commissioner David Gambill.

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 to the meeting and thanked them for their attendance.

INVOCATION – Commissioner David Gambill led the Invocation.

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

Chairman Settle stated with the Board's approval Item I. No. 2 will be removed from the Agenda per Mike Acquesta the contract is not ready.

APPROVAL OF MINUTES – Motion was made by Commissioner Keith Elmore, seconded by Vice Chairman Greg Minton and unanimously adopted to approve the Minutes of the Board meeting held on November 15, 2016.

SWEARING IN CEREMONY – Chairman Settle turned the meeting over to County Attorney Tony Triplett for the swearing in of the new Commissioners.

Judge Michael D. Duncan stated they will be sworn in according to the list on the Agenda – Commissioner Gary D. Blevins, followed by Commissioner Eddie Settle, and then Commissioner Keith Elmore.

Judge Duncan said it was his honor and privilege to be able to swear each of them into office. At this point, Commissioner Gary D. Blevins, Commissioner Eddie Settle, and Commissioner Keith Elmore were sworn in individually by Judge Duncan.

CHAIRMAN SETTLE'S COMMENTS: Chairman Eddie Settle stated he had a couple of comments before he turned the meeting over to the County Attorney for election of officers. Chairman Settle made the following comments: *"I certainly thank God for days like this, it is a good day when you are in politics and you can win. It is very humbling. It's great to have his family and Mom here tonight, she did not get to*

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attend last time 4 years ago. Mom worked the election poll for me at Millers Creek in the primary and she was there all day long, and fell one time in the mulch. Our opponent was there, and he would not mind me telling this, we are all friends. I go by there to see how it is going and Mom is handing his cards out. This is how my Mom is and she loves everybody and I said Mom aren't you supposed to be handing my cards out and campaigning for me. She said they had to go to lunch and I'm going to help them while they are gone. It's pretty bad when your Mama works for your opponent." Mrs. Settle added "he worked for me when I had to go."

Chairman Settle continued "this can be a lot of fun. I am proud of this Board and the body of work that has been done in the last two years. I am particularly proud that we put God first and put In God We Trust our national Motto on our County Buildings. I can see economic development in Wilkes, I can see that it is working and this Board works hard to make that happen. We are all in contact with each other constantly. The Water Intake work is coming together I think because this Board has taken the initiative to step forward. This Board has always put in a lot of work to keep the tax rate at a competitive level with any County around us. Its hard work when you are up here and spending your money, it's all our money, and it is tough sometimes, and we do the best we can with the information we have. I am also very proud that we took a stand for the Second Amendment in this County and I am thankful for that and everything we have done in the last two years. Finally I would like to say I enjoy working with these guys and I am thankful for this Board and we work together to solve a lot of problems that nobody knows, each one serves on different Boards throughout the County and then we come together. Do we always agree? No we don't always agree, but we work it out before we come in here to this floor. I am thankful for that and for a good group of men. These four are hard workers and put in a lot of time and I wanted to say this before we move on.

At this time Chairman Settle turned the meeting over to County Attorney, Tony Triplett. Mr. Triplett thanked the Chairman for his remarks and stated he wanted to say how much he enjoys working with all five of the Commissioners. He added he speaks for himself, County Manager, John Yates and Clerk, Sarah Call and all the staff very much enjoys working with the Board. It is a horror and a privilege and we thank the Board for the opportunity.

ELECTION OF OFFICERS - CHAIRMAN - County Attorney Tony Triplett stated it is now time to elect a Chairman which is a one-year position and they will serve from tonight until this time next year. He stated the rules for the election of a Chairman or any officer of the Board, Chairman or Vice Chairman, are basically the same from year-to-year. He stated a nomination of one of the five members of this Board for Chairman will not require a second. He stated anyone can nominate any other Commissioner on the Board, no second is required; however, if any Commissioner desires to make a motion to close nominations or a motion to close nominations and elect someone by acclamation, that motion does require a second. He advised that in any event, there will be a vote called and if there is more than one name placed in nomination, the vote takes place in reverse order of those nominated. He stated every person nominated is entitled to have a vote on his nomination; so, if there is more than one person nominated there will be a vote on each name placed in nomination. Mr. Triplett reiterated that at any time any Commissioner, after nominations have begun, may make a motion to close nominations or a motion to close nominations and elect the person nominated by acclamation.

Mr. Triplett opened the floor for nominations for Chairman of the Wilkes County Board of Commissioners from December 2016 until December 2017.

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Commissioner Keith Elmore nominated Commissioner Greg Minton.

Mr. Triplett stated Greg Minton's name is now placed in nomination. Mr. Triplett asked if there were any further nominations for the office of Chairman. Commissioner Keith Elmore made a motion to close nominations and elect Commissioner Greg Minton by acclamation. The motion was seconded by Commissioner Gary D. Blevins and unanimously approved.

County Attorney Tony Triplett declared Commissioner Greg Minton to be Chairman of the Wilkes County Board of Commissioners. Mr. Triplett congratulated Chairman Minton on his appointment for the coming year and relinquished control of the meeting to Chairman Minton.

Chairman Minton thanked the Board and stated he appreciated their confidence.

VICE-CHAIRMAN – Chairman Greg Minton declared the floor open for nominations for Vice Chairman of the Wilkes County Board of Commissioners.

Commissioner David Gambill made a motion to elect Commissioner Gary D. Blevins for Vice Chairman and to close nominations and elect Commissioner Gary D. Blevins by acclamation. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

Chairman Greg Minton declared Commissioner Gary D. Blevins to be Vice Chairman of the Wilkes County Board of Commissioners.

RECESS – Chairman Minton declared the meeting of the Wilkes County Board of Commissioners recessed at 7:21 P.M. He stated the meeting will reconvene in five minutes.

RECONVENE – Chairman Minton reconvened the meeting of the Wilkes County Board of Commissioners at 7:27 P.M. on Monday, December 5, 2016.

COMMISSIONER'S STAFF - Chairman Greg Minton stated the next item on the agenda is the appointment of the Commissioner's staff: the County Attorney, County Manager and County Clerk for next year.

Vice Chairman Blevins made a motion to reappoint the law firm of Vannoy, Colvard, Triplett & Vannoy as the County Attorney Law Firm, John C. Yates as the County Manager, and Sarah D. Call as Clerk to the Board of Commissioners for the coming year. The motion was seconded by Commissioner Keith Elmore and was unanimously approved.

Mr. Triplett, Mr. Yates, and Mrs. Call thanked the Board for the appointment.

BUDGET AMENDMENTS/TRANSFERS – Chairman Minton recognized and welcomed Eric Morrison, EMS Director. Mr. Morrison said the Budget Amendment before the Board is for a Grant from the Health Foundation to EMS for \$12,500. He stated this will fund a program called "Scouting for Dangers in the Home" they will partner with local Boy and Girl Scout Troops to offer home inspections for Seniors in the community. Mr. Morrison said this is an attempt to help reduce and prevent falls and other injuries in the home. This is one of the most significant places that seniors become injured and lose their independence and

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end up in nursing facilities, he added. Mr. Morrison said the Heath Foundation has been generous enough to help with the funds for this great program and it is nice to come before the Board and bring funding rather than asking for funding.

Commissioner Elmore asked if matching funds are needed. Mr. Morrison replied no match is required. He added if the program goes well and they get a good response in the first 6-months, it is possible they will get another \$12,500, the original request was for \$25,000. Commissioner Elmore stated this sounds like a great program. Mr. Morrison added they are excited about this and it's also an opportunity for the Scouts to learn leadership, give back to the community, get involved, and help folks live safer lives. The hope is it will make the jobs for EMS easier and reduce the burden on the community for medical care, it is cheaper to prevent falls and injuries than to pay for medical care from injuries, he noted. Mr. Morrison said it will also be an opportunity for these seniors to have some much needed social interaction from younger folks that they may not get otherwise. Commissioner Gambill stated EMS works hard and are very busy, and he sees on social media and hears out in the community that they are out and about at the schools and many events and he appreciates all they do.

Motion was made by Commissioner David Gambill to approve Budget Amendment No. 9 (General Fund – EMS Budgeting \$12,500 grant funds from The Health Foundation to be used for Senior Fall Prevention. Also budgeting the \$1,000 received as an Excellence Award from NCACC. Also budgeting funds received as reimbursement for providing dedicated medical coverage for various events in Wilkes County from Raffaldini Vineyards and for the Carolina West Customer Appreciation event held on the WCC College grounds. A \$1,000 donation was also given to EMS by Donald and Barbara Melven thanking them for their “excellent professional service”). The motion was seconded by Commissioner Keith Elmore and passed unanimously.

W. KERR SCOTT – RAW WATER INTAKE PROJECT – UPDATE – Chairman Minton recognized and welcomed Dr. Mike Acquesta, PE, PhD. Senior Project Manager, Municipal Engineering, Luke Cobb and Ken Malonson with Garney Construction. Dr. Acquesta said a schedule was just handed out that he and Mr. Cobb put together and they will go over it briefly tonight. He said he did want the Board to know item I. 2. that was removed from the agenda, the contract, was just approved by his boss today and he will be back to the Board meeting in January to present. Dr. Acquesta said they have been waiting since July when the first request was made to the Corps of Engineers to be allowed the change the route of the raw water pipeline. They want to change it from the original design which was to go down Reservoir Road to now go down Ranger Road, he added. Dr. Acquesta said no answer has been received. He stated the local Corps of Engineers folks in Wilkes are great to work with. Anytime a request has been made to them they send it up the ladder immediately the same day and they enjoy working with them.

Chairman Minton asked if the problem is in Wilmington. Dr. Acquesta replied he is not sure where they send it, but he thinks that is where it is being held up. He said they cannot start the redesign of the pipeline going down Ranger Road until they know this will be approved. Dr. Acquesta stated since August they have visited three different pump stations, and it is likely the redesign will be similar to one of these. He added the redesign will be much smaller and will have room for 5 pumps, the concrete design will be much less, the intake will not be in the middle of the reservoir, it will be next to the pump station and hopefully this will all save millions of dollars. He added going down Ranger Road instead of Reservoir Road will also save a lot of money.

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Dr. Acquesta said no changes are being made to the pipeline going from Wilkesboro to North Wilkesboro and this pipeline, as designed originally, could start tomorrow. Commissioner Settle asked if this part of the project could be started now. Dr. Acquesta replied yes, as long as they have someone to whom they want it to go to, there have never been any changes to this. Commissioner Settle asked if the only hold up is the Army Corps. Dr. Acquesta replied yes, but not the people in Wilkes. Commissioner Settle stated Senator Burr, Senator Tillis, and Representative Foxx could be a great help. Dr. Acquesta replied yes, all. Commissioner Settle said they need to be in contact with them to push this along. He added there is a part that can be started tomorrow, the pipeline to North Wilkesboro. Dr. Acquesta replied yes, but what would be started is Mr. Cobb's work. They could get the Construction Contracts with the pipeline people, construction would not start, but they could move forward on getting the contractors involved and materials ordered.

Commissioner Settle stated he has been told with the election of President-elect Trump that infrastructure in this County will go through the roof and folks in the utilities business will become very busy and prices will increase. Mr. Cobb replied they would agree it is going to continue to get busy, but they have been tremendously busy that past couple of years. He said it is going to get busier and demand for their services is going to increase drastically and prices will go up. Dr. Acquesta said Mr. Cobb will now go over the schedule.

Mr. Cobb thanked the Board for the opportunity to come to the meeting tonight and also for selecting them as the CMAR Contractor. He said last May they completed the budget assessment for the overall project to tell them what the job should cost in their opinion as designed. He said now they are well into step two of the contract, which is additional value engineering services. This is where they do everything they can to reduce project costs, he added. Mr. Cobb stated this is where they are today and have been waiting since July for the Army Corps to give permission to conduct additional geotechnical exploration on their property. He said this will allow them to determine if the Ranger Road route is a viable option. If this is viable it should save significant cost to the project, he noted. Mr. Cobb said they cannot tell the exact savings until all this is completed and the geotechnical exploration should take a week or two. The schedule they have shows an expected approval from the Corps at the end of the year, which is another 4-weeks, it could be tomorrow or it could be February and they have no control over this, he added. Mr. Cobb said after this is completed and the route is confirmed acceptable, Dr. Acquesta can begin his design for the alternate route and the pump station. They expect this to take from January until mid-March. He said after they get to the design stage they will have to go back to the Corps and give them the redesign. At this time they will ask for permission for an alternatively designed pump station and pipe route and will have to wait for the permission, he added. Mr. Cobb said this schedule anticipates 12-weeks for this approval, although it could take longer.

Dr. Acquesta said when the redesign is taken back to the Corps there is no guarantee that they will not have to complete another environmental assessment, which could take a while. He added the last one took 2-years and they hope this is not needed. Commissioner Settle asked if this is probable. Dr. Acquesta replied as far as the pump station is concerned it is doubtful as the redesign will have less impact than the original design. He said going down Ranger Road he does not know what they will require.

Mr. Cobb said moving forward after the Corps permission they will go to the prequalification stage which will allow them to solicit statements of qualification from other contractors in the industry to comply with NC law. At this time the owners will have to adopt a prequalification policy. Dr. Acquesta added he and Mr. Triplett will have this ready for the January 3, 2017 Board meeting.

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Mr. Cobb said once the prequalification is complete, the design will be done and they can advertise for bids and they anticipate having a GMP (Gross Maximum Price) turned in by mid-September. Construction will follow as soon as the owners approve the GMP and give permission to begin construction, he added. Mr. Cobb stated the schedule allows 8-weeks for this part and construction could begin in November or December 2017. Dr. Acquesta noted construction will take about 18-months. Chairman Minton stated this assumes everything is on track and it has not been so far. Dr. Acquesta said they have added float time in this schedule for the Corps of Engineers they have 12-weeks added in two locations for this.

Commissioner Elmore said based on this schedule they are looking at a 2019 completion date. Mr. Cobb replied yes sometime in the middle of 2019 construction should be complete. Commissioner Settle asked if there would be issues with the LGC or anyone if this project keeps being delayed. Dr. Acquesta said they met with the State and if North Wilkesboro is not in the project the 30-year loan goes away. Commissioner Settle asked would there be issues with the LGC on the loan for more delays. Dr. Acquesta replied they will not be in trouble with the LGC but the no interest loan and the 30-year loan may both go away. Commissioner Elmore said that would be trouble. Vice Chairman Blevins stated the LCG is not driving this, DENR is. Dr. Acquesta agreed and said it will depend on the money available at the time and right now they have the money and Wilkes County and North Wilkesboro have it up to about \$31 million. Mr. Yates said in the meeting DENR did not place a time frame on them yet.

Commissioner Settle stated he does not understand how the price keeps escalating. When he and Commissioner Elmore was in one of the CMAR meetings one of the groups said they could guarantee this at \$25 million, but it keeps escalating. Commissioner Settle said it is frustrating. Chairman Minton asked if there was any update on the Corps. Mr. Yates replied no. Commissioner Gambill said now is the time to do this, the money will go away and they will give it to someone else. Chairman Minton added there are timelines on the project that will evaporate as well.

Mr. Triplett said the Board will need to keep in mind there is a contract in place with Garney as CMAR to develop a GMP. There is not a contract in place for Construction work. He said it was decided to go with a contract to have them develop at GMP and then decide at that point if they want to go forward or not. Mr. Triplett said they will reach a point where everybody will have to decide to proceed or not based on the GMP. He said at that time another contract is needed with Garney. This is not expected to be a problem, but it will take some time and they will reach this at some point, he added. Vice Chairman Blevins asked if they know the GMP at this time. Dr. Acquesta said no, but it should be less than they estimated. Mr. Cobb said the original estimate was \$36 million as it stands today.

Vice Chairman Blevins said there was one bid originally in the mid \$20's range with the original design to move ahead. They saw this in the past with the recession and when the Jail was built with a reduced cost and then the escalating prices that will continue to go up. Commissioner Blevins ask at some point is the continued process to redesign going to save enough money to offset the redesign cost. They could lose the 30-year loan at zero percent. He added at some point should they proceed with what they have in place and approved. Vice Chairman Blevins said the first environmental study took 2-years and if they have to do this again it could be the same tough and timely process again. Commissioner Gambill agreed and asked if Garney had a projection or ballpark price. Mr. Cobb said he does not have this information and he did not want to guess. Dr. Acquesta said there could be savings going with the original plan which called for class 52 pipe or thicker walled pipe and they can go with class 50 pipe. Commissioner Settle asked if this would save \$5 million. Dr. Acquesta replied no it would not.

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Vice Chairman Blevins said if the zero interest 30-year loan is lost it would cost substantially more and probable as much as the entire savings from the changes in design. Mr. Jerry Shepherd, Finance Director estimated the interest would be about \$10 million over the 30-years. Commissioner Elmore asked if they were ready to move forward with the original plans. Vice Chairman Blevins asked if there was some way to coordinate with Garney and move forward as originally designed and possible save \$10 million in interest by getting it done now. Mr. Cobb said the current contract is set up purposely in 3 steps. The first is the initial value engineering so that the County and North Wilkesboro could send Garney down the road with no more money if they were not happy at the end of that part. He said step 2 is where they are now which is additional value engineering and putting together the report and telling the Boards the total including the redesign numbers. Mr. Cobb said that is scheduled to be completed in July – August. There is another purposeful stop and the County or North Wilkesboro can send them on their way if not happy with their services. At this point they could go to step 3 where they go through the preconstruction and prequalification stages, soliciting bids, getting the price and moving forward, he said. Mr. Cobb stated they can start step 3 now at the same time as step 2 if the owners tell them to do so. He said then they can start on the pipeline to North Wilkesboro. Mr. Cobb stated they also need to know how many GMP's they want. Garney can do one for the entire project, or maybe the owners are willing to accept a separate GMP for the pipeline to N. Wilkesboro, a separate GMP for the pump station, and then a third for the pipeline later this year or whenever the environmental study comes back. He said they can talk about this as a team and move forward on what is decided by the owners at any time.

Chairman Minton asked if the Board decides to ignore the GMP what is needed to move forward with the original design already approved. He added the longer they wait the more risk that the zero percent loan will evaporate. Mr. Triplett replied there is a joint Resolution in place with the two Towns to proceed as they are with the GMP and they would have to talk with both Towns to see if they are willing to depart from that course. He added if they forget the GMP and terminate the current contract with Garney with approval of the two Towns, they can proceed to bid. Vice Chairman Blevins asked if there is a role for Garney in this process. Mr. Cobb replied it would be a very limited role and they would have to bid it. He added going this route precludes the redesign of the pump station which means this is no longer a \$36 million project and it goes up to nearly \$46 million for the original design.

Commissioner Gambill said it is time to do something. Vice Chairman Blevins said they can't vote for \$46 million. He added they have to talk and also discuss this with the other parties who are the primary water infrastructure folks. The County is the owner of the water in the Reservoir and the reason why they are a party to this. Dr. Acquesta said redesigning the pump station may take an environmental study but should not be much because it will be far less intrusive than the original design. He added he has mentioned it to Kevin Heape and he liked it. Vice Chairman Blevins asked why this wasn't used in the original design. Dr. Acquesta replied it was designed with easy maintainability in mind which adds cost. The redesigned pump station is not going to be as easy to maintain but will be much cheaper. Chairman Minton asked if the operation cost is cheaper or just to get it online. Dr. Acquesta replied to take the pumps out to fix them will be much more arduous with this design than before.

Vice Chairman Blevins said there were originally more pumps than needed as well. Dr. Acquesta added there were 5 in the original bid, in the redesign only 3 will be installed, but there will be room for five. This is a savings. Commissioner Settle asked if this savings were included in the \$36 million. Mr. Cobb replied yes.

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The Board thanked Dr. Acquesta and Mr. Cobb for their update.

SHERIFF'S DEPARTMENT – REQUEST FOR APPROVAL OF GRANT – Chairman Minton welcomed and recognized Chief Deputy David Carson and Logan Kerr. Deputy Carson stated the Budget Amendment before the Board is for \$5400 which insurance paid to the General Fund for a vehicle deer collision. This was a high mileage vehicle and it was totaled out with this collision. Deputy Carson said they would like to have this money placed into their capital outlay vehicle budget to supplement the grant that Deputy Kerr will explain.

Mr. Kerr stated earlier this year they were offered the opportunity to apply through the Governor's Crime Prevention for a Violence Against Woman's Act Grant. The Grant was originally for \$100K and it is a federal grant allocated to each State, then it is allocated out through the Governor's Crime Prevention. He said Wilkes was awarded \$72,109.62 and this will be going toward the purchase of vehicles for the Sheriff's Office in order to respond to and service of Domestic Violence Orders, Domestic Violence disputes, and any type of sexual offence, allegation, or investigation. Mr. Kerr said this is at 75% grant with a 25% match, the match was written with existing salaries already in place in the budget and no additional County money is being requested for this grant.

Commissioner Gambill asked if they are buying vehicles with this grant for Domestic Violence, what happens if they have to pull off of that call and answer something else. Mr. Kerr replied nothing, the grant is statistically driven and the goal points and projects directives in place will allow for this. He added this simply means they are trying the better serve and be in a better position to assist victims and apprehend suspects for Domestic Violence. There is no determination for use of these vehicles 24 hours a day and the time allotted for use of Domestic Violence, he noted. Vice Chairman Blevins asked what type of vehicles will be purchased. Deputy Carson replied these funds along with the extra from the insurance will allow them to purchase three police interceptor marked sedans.

Motion was made by Commissioner David Gambill to approve Budget Amendment No. 10 (Sheriff – The amended amount of \$5,400 was paid by the insurance to General Fund for a wrecked vehicle. This transfer will be used, with other funding, to replace wrecked vehicle). The motion was seconded by Vice Chairman Gary D. Blevins and passed unanimously.

Commissioner David Gambill made a motion to approve the 2016 Violence Against Woman's Act Grant through the N.C. Governor's Crime Commission in the amount of \$72,109.62 with a local 25% match in the amount of \$24,036.60 which will be met by existing salary expenditures by personnel already in place by the Wilkes County Sheriff's Office with no additional local funding. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

WILKES COUNTY RECREATION DEPARTMENT – RESOLUTION FOR FINAL APPROVAL OF WILKES COUNTY REMOTE CONTROL CARE CLUB LEASE – County Attorney Tony Triplett stated at the last meeting the Board heard a proposal for a renewal of the Sublease Agreement for Wilkes County Remote Control Car Club, it was authorized to proceed with advertisement for the required 10-days. There is a Resolution in the packets before the Board and if they wish to approve it, that will approve the renewal of the sublease, he added

Vice Chairman Gary D. Blevins made a motion to approve the Resolution Approving Sublease Agreement as presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

*RESOLUTION
APPROVING
SUBLEASE AGREEMENT*

WHEREAS, Wilkes County (“the County”) leased a certain tract or parcel of real property from ECMD, Inc., f/k/a/ East Coast Millwork Distributors, Inc. consisting of 89.885 acres located in the Town of Wilkesboro, Wilkesboro Township, Wilkes County, North Carolina, under a Lease Agreement dated December 1, 1994, and recorded at Book 737, Page 870, Wilkes County Registry, said Lease Agreement having been subsequently modified by that Amendment to Lease Agreement dated April 1, 2003, as recorded at Book 913, Page 056, Wilkes County Registry, and by that Amendment to Lease Agreement dated December 23, 2003, as recorded at Book 936, Page 422, Wilkes County Registry; and

WHEREAS, the above described property was leased by the County for recreational purposes and is now operated by the County as a park and recreational facility under the name “Lowe’s Park at River’s Edge; and

WHEREAS, the County has received an offer from Wilkes County Remote Control Car Club to sublease certain real property for the operation and racing of remote control cars, said real property consisting of that portion of Lowe’s Park at River’s Edge as is shown and described on Exhibit “A” attached to the proposed Sublease Agreement in this matter and being further described as follows: Bounded on the south by the former runway for the old Wilkes County Airport, on the west by the eastern edge of the existing tree line between the subleased premises and the new Wilkes YMCA, on the north by a curving boundary as shown on said Exhibit “A” which at its closest point is thirty (30) feet from the Yadkin River Greenway trail, and on the east by a ditch line and that line as shown on said Exhibit “A;” and

WHEREAS, the proposed Sublease Agreement provides for a term of three (3) years, commencing as of September 1, 2016, and expiring on August 31, 2019, with no rent to be paid but with certain obligations to be met by Wilkes County Remote Control Car Club concerning its operations on the subleased premises, including but not limited to the requirement that the same be used exclusively for the operation and racing of remote control cars; and

WHEREAS, the Wilkes County Board of Commissioners (hereinafter the “Board of Commissioners”) desires to accept said offer and to enter into a Sublease Agreement evidencing the terms of the same, as presented to the Board of Commissioners together with this Resolution at the regular meeting of the same held on December 5, 2016; and

WHEREAS, notice describing the terms of said Sublease Agreement has been duly published at least ten (10) days prior to said meeting, as required by G.S. §160A-272;

NOW, THEREFORE, BE IT RESOLVED, pursuant to G.S. §§153A-176 and 160A-272, that the Board of Commissioners hereby approves the Sublease Agreement as described herein and further authorizes its Chairman and Clerk to execute the same.

This the 5th day of December, 2016.

ATTEST:

WILKES COUNTY:

Sarah Call, Clerk

_____, Chairman
Wilkes County Board of Commissioners

DEPARTMENT OF SOCIAL SERVICES – UPDATE – Chairman Minton recognized John Blevins, DSS Director. Mr. Blevins next briefly went over the monthly caseload reports for October to include the Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial report. He also went over the CPS Foster Care Monthly Report for October. Commissioner Gambill asked if the number of kids placed outside the county was up by about 20. Mr. Blevins replies yes.

Mr. Blevins told the Board next month he will have a report for the Board on the Audit of the 10 Counties and they will be very pleased with the results for Wilkes. He said today he is giving them a preliminary report which shows a table that breaks down the accuracy and timeliness errors. It shows a 1.2% accuracy error rate and timeliness errors at 0.08% for new applications, recertifications had a 1.2% accuracy error rate, with no errors on timeliness. He said this is outstanding results and will be shared with this Board and all the Legislature. One of the reports will have a footnote that said they did not believe the numbers could be this good for Wilkes DSS so they tested them again and found out yes they were correct, he added. Mr. Blevins said the supervisors and workers in the Medicaid unit are very hard working people and do a great job as the report will show.

Mr. Blevins said next is a report for the program monitoring for the Child Welfare that was completed in October and they have this every 6-months. The summary states that several strengths were noted during the program evaluation specifically that none of the cases reviewed was there a concern for the safety of the children involved. He added they are very proud of this and an awesome statement to get from the State. They do not make these type of comments very often on a report. Mr. Blevins said they are overworked in this area, but as the report shows these results compared to the 2014 numbers are some of the highest and best they have seen in 2016. These are very good when compared with other counties, he added.

Commissioner Elmore asked if the records they reviewed were from 2014. Mr. Blevins replied no the period they looked at was from January 2016 to October 2016 and they compared it to the 2014 data. Mr. Blevins briefly went over the rest of the report with the final statement that stated they consistently noted the thoroughness in which the structured intake form was filled out. The State added that the intake forms were filled out better than many that have been reviewed to date. Mr. Blevins said he was told it was some of the best they have seen in the counties they had reviewed to date. Mr. Blevins said they do have room to grow

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and this is not the Foster Care side of the hall. They will have a review next October, this was only the investigative side.

Mr. Blevins said he has looked into the staffing levels for Foster Care and they are almost to a crisis mode and currently they have 219 children in Foster Care. The maximum case load for Foster Care is 15 children. He said currently they have 12 Social Workers that can carry 15 cases and one that can carry 10 cases because she has links children. Mr. Blevins said 190 is the maximum number of cases they can have and they have 219, which is 29 over where the State says they should be. This means they are short 2 workers and the workers cannot get the work done with the current case load. Mr. Blevins said in the assessments and investigative side 70% the workers are over the State maximum case load of 10. The Data Ware book shows 12 FTE's in this area, but they should have 14. He added they have a need, and they need 2 Foster Care Social Workers and an Investigator to be within the State guidelines. Mr. Blevins said he looked for ways to help this situation and they had an Office Assistant III position budgeted at the beginning of this fiscal year and he did not fill this. This was not filled because he felt like they could get by without it and save the money just in case something like this came along later in the year. Mr. Blevins said this can be reallocated into a Social Worker position with no approval from the Board or changes to the budget since it has gone this long and not filled.

Mr. Blevins said they need to add 2 positions to the department to get them within State guidelines. This will add one Foster Care Social Worker and one Social Worker IAT CPS Investigator, he said. Mr. Blevins said the reimbursement is over 50% and would cost the County about 47% each. No budget amendment is needed and no new money is needed, the money is in the DSS budget now, he noted. Mr. Blevins said the money is there because they have had retirements this year and open positions that was not filled for excessively long periods. In addition, he said he has reclassified a Social Worker II from the day care unit to an Income Maintenance Case worker. He said this position came open and a lower classified worker could do it and this saves about \$13K. All these reasons are why the money is in the DSS budget to cover adding these 2 positions. This will bring them within State guidelines, he added.

Vice Chairman Blevins stated he thought this had already been decided. Mr. Blevins replied the Board has to vote because it is adding 2 FTE's, no approval is needed for the reallocations. Commissioner Elmore asked if Wilkes is competitive now with Social Worker pay. Mr. Blevins replied with the changes made by the Board it moves Wilkes DSS to the middle of the pay scale and the increase was appreciated and did help. Vice Chairman Blevins added they can continue to monitor this. Vice Chairman Blevins and Commissioner Elmore discussed an article they saw recently about this same issue and what other counties and States are doing.

Motion was made by Vice Chairman Gary D. Blevins to approve the addition of 2 FTE positions one for a Foster Care Social Worker III and one as a CPS Investigator IAT Social Worker for the Department of Social Services. The motion was seconded by Commissioner Eddie Settle and passed unanimously.

The Board thanked Mr. Blevins for his update.

NCACC – VOTING DELEGATE – 2017 LEGISLATIVE GOALS CONFERENCE – Chairman Minton said each Board of County Commissioner is requested to designate a Commissioner as a voting delegate for the 2017 Legislative Goals Conference which will be held January 12-13, 2017 in Raleigh.

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Vice Chairman Gary D. Blevins made a motion to nominate Commissioner Eddie Settle as the Voting Delegate for the NCACC 2017 Legislative Goals Conference, as presented. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

OCCUPANCY TAX DISCUSSION – Chairman Minton recognized Eddie Barnes, Planning Director. Mr. Barnes said counties may elect to implement a county wide occupancy tax up to 6%. If a county does elect to do this or increase a current occupancy tax, General Assembly approval is needed. He added Wilkes County in 2010 enabled Legislature through General Assembly to implement a county wide Occupancy Tax up to 6% which would exclude the Town of North Wilkesboro and Wilkesboro. A resolution was never adopted to implement that tax. Mr. Barnes said if the county decides to do this a Public Hearing is needed but, the approval is in place if that is what the Board decides.

Mr. Barnes said if a tax is incorporated within the city limits of the two Towns the County would have to go back to the General Assembly to get new Legislature enacted to allow this. He added to move forward a Tourism Development Authority Board (TDA) is needed. It has to consist of ½ of the members from the tourism and hospitality industry, 1/3 of the membership from the taxing authority, or the county and then an at-large member if the Board chose to do so. Mr. Barnes stated the Board can do a county wide tax only, but there are no hotels outside the city limits, it would only be an occupancy tax on the short term rentals such as cabins. He added camp grounds, RV parks, Church groups and camps are generally not taxed. It is hard to tell what this revenue would generate, so assumptions were made. Mr. Barnes said he looked at the larger rental cabin areas such as Leatherwood and Buck Mountain from what is advertised. If there was a county wide tax at 6% it would be in the ballpark of \$50K to \$60K annually. This total is assuming a \$200 per night rental for 75 units with 60 nights of occupancy, he added.

Mr. Barnes said the Town of Wilkesboro in 2013 with a current tax of 3% generated \$113,569. He added if the county went into Wilkesboro and added the addition 3% it would generate the same amount for the County. Commissioner Elmore asked if Wilkesboro would have to agree for the County to do this. Mr. Barnes replied he did not think Wilkesboro would have to agree so long as it did not exceed the 6%. Mr. Triplett added Mr. Barnes is correct, but the County would have to go back to the General Assembly and get new enabling legislation to allow the county to do this. He said if Wilkesboro objected to this it may not pass. Vice Chairman Blevins asked if the Town could charge the full 6%. Mr. Barnes replied yes they could have but they only ask for 3% at the time they got approval. He added most all counties except Wilkes has an occupancy tax with the exception of Alexander County and all are from 3% to 6%. Surry County has a county wide tax at 6%, they do not collect tax within the city limits of Pilot Mountain, Elkin, or Mt. Airy because each of these have the full 6% tax already. He said if you combined all these together it will exceed \$500K.

Commissioner Settle said he spoke with the Town of Wilkesboro and they indicated if the county wanted to do this they would give it all to the County. He added it is a discussion they need to have to figure out the best way to promote the entire county. One entity is needed to promote the county and all the festivals and great things going on. Commissioner Settle said it would be worthwhile to have a Committee to look into this and look at the pros and cons. He added maybe a pro is Wilkes does not charge an occupancy tax, and more folks would stay here for this reason, but it could also be helpful to have these funds to promote the entire county.

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Chairman Minton asked how many counties across the state have this tax. Mr. Barnes replied 80 counties have a county wide occupancy tax, 9 in which the municipality has the tax, like Wilkes, but not a county wide tax. There are 2 that have enabled legislature but are not currently collecting, Wilkes is one of these and there are 9 with no occupancy tax at all, he added. Mr. Barnes added this is a non-residence tax and it popular for this reason. There are parameters on how the money is used generally for tourism promotion, marketing, and some can go for capital expenditures. It depends on how the legislation is tailored as to how you can spend it, he said.

Commissioner Gambill said he is not considering this and he is not for this. He added people are tired of taxes, and he does not want to punish folks coming in to Wilkes to do business. Commissioner Settle said it is worth looking into, but will only work if there is one entity. Vice Chairman Blevins said he would like to know how much additional paper work is required by the property owners. He added it would be better for Wilkesboro to increase their tax to 6% because they have everything in place, but it is up to Wilkesboro and they would need to be the ones to decide and do this. Commissioner Elmore stated he is bothered when they travel outside the county and are paying an occupancy tax, but when folks come into Wilkes, no revenue is gained. He added he likes the fact that it is outside money and the residence are not being taxed. It is concerning that the other counties are taxing our folks when they go there, he added. Commissioner Elmore said he would like to have the buy-in from the folks that are having to collect this and they need to see a benefit. He added if the 3% went to 6% that is \$226K, add \$50K to \$60K more this is a substantial amount of money and would be a benefit. Chairman Minton said he would like to know how others have orchestrated the amendment. Mr. Barnes said there is a study available in 2014 that would provide a lot of information on this and all the ways this could be spent in the county. Most of the Board said they would like to see or have a copy of this study and addition research on this matter and would like Mr. Barnes to come back.

NEW BUSINESS – Commissioner Gambill said he would like to let the Board know that he has set a Rescue Review Board Meeting for December 7, 2016 at 4:30 PM with Mulberry-Fairplains Fire Department. He added they are looking to obtain Heavy Rescue, he has met with them, paperwork is signed, and they are going through their inspections. Commissioner Gambill said if approved at the Rescue Review Board meeting it should come to the Commissioners at the December 20, 2016 meeting. Chairman Minton said this will be the first Fire Department in the County to get Heavy Rescue. Commissioner Gambill replied yes and he has spent the last 2 weeks working on this and with permission would like to have this at the December 20th meeting. He said they have more than enough equipment, personnel, and training and there should be no problems. They are only waiting on the State and approval from the County, he added. The Board thanked Commissioner Gambill for this great job.

CLOSED SESSION – Vice Chairman Gary D. Blevins made a motion to go into Closed Session Under Section 143-318.11 (a)(4) of the North Carolina General Statutes to discuss the location or to consult with the County Attorney to discuss matters relating to the location or expansion of business in Wilkes County. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

Motion was made by Commissioner Keith Elmore seconded by Commissioner David Gambill and by unanimous vote adopted to adjourn back into regular session. No action was taken.

ADJOURN - Motion was made by Commissioner Keith Elmore, seconded by Commissioner David Gambill and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 9:15 P.M.

Sarah D. Call, Clerk

Gregory A. Minton, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: