

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
January 2, 2024**

PUBLIC CONCERNS – None

The Wilkes County Board of Commissioners met on Tuesday, January 2, 2024 at 5:00 P.M. with the following members present: Chairman Stoney Greene, Vice Chairman Casey Joe Johnson, Commissioner Keith Elmore, Commissioner Bill Sexton, and Commissioner Greg Minton.

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

Chairman Stoney Greene welcomed everyone and called the meeting to order at this time.

INVOCATION – Vice Chairman Casey Joe Johnson led the invocation.

PLEDGE OF ALLEGIANCE – Chairman Stoney Greene led the Pledge of Allegiance.

BUDGET AMENDMENTS/TRANSFERS – Motion was made by Commissioner Greg Minton to approve Budget Amendment No. 15 (Sheriff Dept. – The money requested is moving money from a revenue line item to an expense line item. This money was sent by the State to the Wilkes County Sheriff’s Office for reimbursement of a 2022 Block Grant. No County money involved.); and Budget Amendment No. 16 (Jail – This money is requested to be moved in order to purchase a new hot water heater for the Jail. The current hot water has a tank that is rusting and needs to be replaced. This hot water heater provides hot water to the jail’s laundry room, kitchen, intake, and administrative areas. The proposed hot water tank has a 25-year warranty.) The motion was seconded by Commissioner Keith Elmore and unanimously approved.

DISTRICT W TOURISM DEVELOPMENT AUTHORITY – WILKES COUNTY TDA APPOINTMENTS – Chairman Greene welcomed Brooke Felts, Assistant County Attorney. Ms. Felts said for the Boards’ consideration are two potential appointees to the District W TDA Board. As the Board will recall, they established a TDA when they levied the new occupancy tax at the end of last year, they did not, however, appoint any members to the board at that time. The County appoints two members and the names for consideration are Trevor Whitson and Thomas Silvey. They meet the requirements in the statute for membership in the TDA.

Commissioner Greg Minton made a motion to appoint the District W Tourism Development Authority Appointments for Wilkes County for Trevor Whitson for a 3-year term beginning January 2, 2024 until December 31, 2026 and Thomas Silvey for a 2-year term beginning January 2, 2024 until December 31, 2025 as presented at tonight’s meeting. The motion was seconded by Vice Chairman Casey Joe Johnson and was unanimously approved.

ROARING RIVER PARK & RIVER ACCESS:

1. N.C. PARKS AND RECREATION TRUST FUND PROJECT AGREEMENT – Chairman Greene welcomed W.C. Scroggs, Planning Director. Mr. Scroggs said for the Board’s consideration are two items. The first item is the Acceptance of N.C. Parks and Recreation Trust Fund Grant Award in the contract amount of \$475,000. The grant contract requires the Chief Elected Official and himself, as grant contract administrator, to execute the contract prior to receiving the funds. He is asking the Board to accept the Grant and for approval to execute the contract as received on behalf of Wilkes County.

Commissioner Elmore asked if the total project was 3 million. Mr. Yates replied the County’s part would be about 1 million, \$300,000 a year for 3 years. Mr. Scroggs added there were 2 phases with a total of about 3 million. The first was 1.6 million and the County match was \$900,000. Commissioner Elmore asked if they could change the document as they go along. Ms. Felts replied they cannot change the Grant Agreement, as it is a form agreement from the state. They would, however, have flexibility on the design of the project.

Commissioner Keith Elmore made a motion to approve the N.C. Parks and Recreation Trust Fund Project Agreement in the amount of \$475,000.00 as presented at tonight’s meeting. The motion was seconded by Commissioner Bill Sexton and was unanimously approved.

2. ROARING RIVER PARK AND RIVER ACCESS PROJECT AGREEMENT – Mr. Scroggs said the second item for consideration is the Acceptance of N.C. Recreational Trails Program Grant Award contract in the amount of \$100,000. The grant also requires a Chief Elected Official and himself, as grant contract administrator, to execute the contract prior to receiving the funds. They are asking for approval to accept the Grant and execute the contract. Chairman Greene stated it looked like the total grant would be \$316,000 over time. Mr. Scroggs replied for RTP, it’s a one time \$100,000. Mr. Yates added the County match is \$216,800 and this amount is included in their match.

Commissioner Bill Sexton made a motion to approve the Roaring River Park and River Access Project Agreement from N.C. Recreational Trails Program Grant in the amount of \$100,000.00 as presented at tonight’s meeting. The motion was seconded by Vice Chairman Casey Joe Johnson and was unanimously approved.

WILKES COUNTY AIRPORT – DORIAN AND ANGELA SWANNER – APPROVAL OF ADVERTISEMENT FOR GROUND SPACE LEASE AGREEMENT – Chairman Greene welcomed Tony Triplett, County Attorney. Mr. Triplett said as the Board will recall, Dorian Swanner, who operates Carolina Custom Products, has purchased one of the Samaritan’s Purse Hangars built in 2011, located closest to the fuel farm. When the Board approved this, they assigned the old ground space lease Samaritan’s Purse had to Mr. Swanner. Mr. Swanner has now requested a new ground space lease. The Airport Board voted to approve a new ground space lease for him at their last meeting. Mr. Swanner closed the transaction with Samaritan’s Purse in his and his wife’s name, not in his company name, so he can lease the property to Carolina Custom Products, which is a typical standard arrangement. Mr. Triplett said he is requesting a new ground

space lease, for him and his wife, with the same terms as all the other ground space leases: 35-year term, 20-year initial term and three 5-year renewals. Mr. Triplett said if they had kept the \$0.05 per sq. ft. ground space rental, his rental would've gone down. Samaritan's Purse rental had gone up, due to the escalation clause they build in. Mr. Swanner requested he start at the same amount that Samaritan's Purse was paying, which is \$100 a month more than he would have paid. He added Mr. Swanner volunteered to pay an increased rent and the lease is worded that way and the Airport Board approved it that way. The rent will be \$268.78 per month for the first 5 years, and also has the standard escalation clause, which is 3% compounded every 5 years.

Mr. Triplett stated if the Board decides to proceed, there's a procedure they have to go through, he will need to read a motion and the Board will authorize him to advertise it. At the end of the advertisement period, he will bring it back to the Board for final approval. When the lease is over 10-years and a long-term lease like this one, the Notice has to allow anyone to submit an upset bid within 10 days, however the upset bid must not only raise the proposed rent by a specified minimum amount, but must also agree to comply with all of the tenant's requirements under the Lease Agreement. He added they have never had an upset bid on this, but is a statutory requirement.

Vice Chairman Casey Joe Johnson made a motion to publish notice, pursuant to G.S. 153A-176, 160A-272(b1), 160A-269, and 63-53(3), of the intent of the Board of Commissioners to enter into a Lease Agreement between Wilkes County (as Lessor) and Dorian Webb Swanner and wife, Angela Call Swanner (as Lessees) for ground space for the hangar formerly owned by Samaritan's Purse and sold by them to Lessees pursuant to Bill of Sale dated October 31, 2023, as recorded in Book 1385, Page 256, Wilkes County Registry, the same consisting of approximately 42,427 square feet of ground space (0.974 acres), under terms and conditions as set forth in the proposed Lease Agreement presented at tonight's meeting, with the County Attorney to advertise the same as required under G.S. 160A-269 and, in the absence of any upset bids, present a Resolution for final approval of the Lease Agreement at the February 6, 2024 meeting of the Board of Commissioners. The motion was seconded by Commissioner Bill Sexton and was unanimously approved.

HIGH COUNTRY COUNCIL OF GOVERNMENTS – BOARD REAPPOINTMENT - WILKES COUNTY NURSING HOME COMMUNITY ADVISORY COMMITTEE – Mr. Yates said they received a letter from Stevie Welborn at the HCCOG that the term for the appointment of Ms. Mary Smith to the Wilkes County Nursing Home Community Advisory Committee has expired. She has indicated her desire to be reappointed for an additional three-year term. He asked for the Board's approval at this time.

Commissioner Keith Elmore made a motion to approve the reappointment of Ms. Mary Smith to the Wilkes County Nursing Home Community Advisory Committee for a 3-year term as requested and presented at tonight's meeting. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

PURCHASING DEPARTMENT – SALE OF SURPLUS INVENTORY – County Manager John Yates said the Wilkes County Purchasing Department is requesting approval from the Wilkes

County Board of Commissioners to declare the following vehicles and equipment surplus and to auction them using the GovDeals website.

1996 Ford F-150 Vin #28149 Mileage unknown – Landfill
1998 Ford F-150 Vin #99820 Mileage 151,912 – Parks & Recreation
2005 Ford F-350 Vin #28180 Mileage 192,291 – Landfill
2006 Ford Crown Victoria Vin #63573 Mileage 120,273 - Jail
2011 Ford Crown Victoria Vin #49567 Mileage 195,458 – Sheriff
2013 Ford F-150 Vin #12616 Mileage 170,672—Sheriff
2013 Ford Taurus Vin #04480 Mileage 168,126 – Sheriff
2013 Ford Taurus Vin #23287 Mileage 203,350 – Sheriff
2014 Chevrolet Caprice PPV Vin #51555 Mileage 172,813—Sheriff
2008 Carrier RV A/C Unit Roof Mount ID #RVAC1 – Sheriff
2008 Carrier RV A/C Unit Roof Mount ID #RVAC2 – Sheriff
Lanair Oil Supply Pump ID #3270 – Garage

Commissioner Greg Minton 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 was unanimously approved.

PERSONNEL RESOLUTION MANUAL – THIRD AMENDMENT – Assistant County Attorney, Brooke Felts said she has for the Board’s consideration, Amendment #3 to the Wilkes County Personnel Resolution Manual. The amendment replaces one paragraph of the existing policy from 2004, with the title Sexual Harassment, with a full Unlawful Harassment Policy. She added it covers harassment of all kinds and sets out a procedure for reporting, investigation, etc. County Attorney Triplett drafted this several years ago, but it has never been passed and they are seeking to improve the personnel manual.

Commissioner Elmore asked where in the policy will it change. Ms. Felts replied the original policy is just one paragraph specifically about Sexual Harassment; what they have done is incorporate that into a much longer policy that covers all kinds of harassment.

Commissioner Greg Minton made a motion to approve the Personnel Resolution Manual Third Amendment as presented at tonight’s meeting. The motion was seconded by Vice Chairman Casey Joe Johnson and was unanimously approved.

WILKES COUNTY BOARD OF COMMISSIONERS SCHEDULED MEETINGS:

1. CHANGE OF LOCATION OF FEBRUARY 20, 2024 MEETING – Chairman Greene stated they need to change the location of this meeting due to early voting and the Ag Center Meeting room is available.

Vice Chairman Casey Joe Johnson made a motion to move the location of the Wilkes County Board of Commissioners Regular Meeting scheduled for Tuesday, February 20, 2024 at 5:00 P.M. to the Wilkes County Agricultural Center located at 416 Executive Drive, Wilkesboro, N.C. The motion was seconded by Commissioner Greg Minton and was unanimously approved.

2. CHANGE OF DATE MARCH 5, 2024 MEETING – Chairman Greene stated they need to change the date of this meeting because it falls on election day and would like to move this until March 7th.

Commissioner Bill Sexton made a motion to move the Wilkes County Board of Commissioners' regular meeting scheduled for Tuesday, March 5, 2024 to Thursday, March 7, 2024 at 5:00 PM in the Commissioners Meeting Room located at 110 North Street, Wilkesboro. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

CLOSED SESSION – Motion was made by Vice Chairman Casey Joe Johnson to go into closed session under Section 143-318.11 (a)(4) of the North Carolina General Statutes to discuss the location or expansion of business in Wilkes County; and under Section 143-318.11 (a)(5) of the North Carolina General Statutes to establish or instruct the staff concerning the price or other material terms of a possible contract or proposed contract for the acquisition of real property; and under Section 143-318.11(a)(3) of the North Carolina General Statutes to consult with the Board's Attorney to preserve the attorney-client privilege. The motion was seconded by Commissioner Bill Sexton and was unanimously approved.

Motion was made by Vice Chairman Casey Joe Johnson seconded by Commissioner Bill Sexton and by unanimous vote adopted to adjourn back into regular session.

ADJOURN - Motion was made by Commissioner Bill Sexton seconded by Vice Chairman Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:44 P.M.

Sarah D. Call, Clerk

Stoney S. Greene, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: January 16, 2024