

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
FEBRUARY 7, 2023**

The Wilkes County Board of Commissioners met on Tuesday, February 7, 2023 at 5:02 P.M. with the following members present: Chairman Keith Elmore, Vice Chairman Stoney Greene, Commissioner Casey Joe Johnson, 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 Keith Elmore welcomed everyone and called the meeting to order at this time.

INVOCATION – Vice Chairman Stoney Greene led the Invocation.

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

APPROVAL OF MINUTES – Motion was made by Commissioner Greg Minton, seconded by Vice Chairman Stoney Greene and unanimously adopted to approve the Minutes of the Board Meeting held on January 17, 2023.

BUDGET AMENDMENTS/TRANSFERS – Motion was made by Vice Chairman Stoney Greene to approve Budget Amendment No. 18 (Social Services – Received an additional allocation of \$12,778 for Crisis Intervention Funds. No county funds required); and Budget Amendment No. 19 (Health – Programs – Wilkes Health received \$1,129 from the state for the family planning program. These funds will be used to purchase contraceptives for underinsured/uninsured women. No county money involved. Wilkes Health received \$13k from the state for the BCCCP program. These funds will be used to provide mammograms and cervical cancer screenings for uninsured/underinsured women. No county money involved). The motion was seconded by Commissioner Bill Sexton and unanimously approved.

JCPC BOARD MEMBER APPOINTMENT – Chairman Elmore recognized Julie Haynes, JCPC. Ms. Haynes stated she is the JCPC Administrative Assistant for Wilkes, Yadkin, Ashe and Alleghany. She added they have certain positions that are mandated on their council and Commissioner Minton is a Board member. Wilkes County Juvenile Crime Prevention Council would like to recommend Brant Wilkins for a 2-year term, he is a Court Counselor Supervisor of NC DPS Department of Juvenile Justice and Delinquency Prevention.

Commissioner Greg Minton made a motion to appoint Brant Wilkins to the JCPC Board for a 2-year term as requested and presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

OCCUPANCY TAX:

1. RESOLUTION – LEVYING A 6% ROOM OCCUPANCY TAX IN WILKES COUNTY – Chairman Keith Elmore stated they have held many meetings on this to include Public Hearings, and have three items to consider tonight that the County Attorney will present. Mr. Triplett said the first item is the Resolution that is necessary to pass the Occupancy Tax and put it into effect. He added as discussed many times over the years they have a Local Bill in Wilkes County passed in 2010 that authorized the County to impose an Occupancy Tax. The Resolution before the Board is required and it must set the amount of the Occupancy Tax, which is the maximum amount allowed by the Bill and Law at 6%. This is what most have adopted and it would impose a 6% Occupancy Tax on what is known as Wilkes County District K. Mr. Triplett said District K was an invention of the Bill, it includes every part of Wilkes County that does not lie within an incorporated area of a municipality, to include Wilkesboro, North Wilkesboro and Ronda. He added if the Board elects to approve the Resolution the tax cannot begin until the first day of the second month after adoption, it would take effect on April 1st. Mr. Triplett said the tax will go through the Tax Office and then be distributed to a Tourism Development Authority (TDA) that will have to be set up, if this Resolution is passed.

Vice Chairman Stoney Greene stated this is a tax that will be paid by the people that are visiting Wilkes County; not the citizens. Mr. Triplett replied this is correct, unless a citizen of Wilkes elects to say in a rental that charges this in Wilkes County, in that case they could have to pay this tax, which should not be often, if at all. Vice Chairman Greene added this is what everyone pays when they visit and stay in other places. Mr. Triplett agreed, and added this is paid by tourists usually that are coming through Wilkes and will apply to VRBO's, Airbnb's, Hotels, Motels, and other places that have to collect occupancy tax.

Commissioner Bill Sexton made a motion to approve the Resolution Levying a 6% Room Occupancy Tax in Wilkes County as presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

*RESOLUTION LEVYING A 6%
ROOM OCCUPANCY TAX
IN WILKES COUNTY*

WHEREAS, the North Carolina General Assembly ratified Session Law 2010-78, Senate Bill 1298, "AN ACT ... TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX" during the 2010 legislative session, effective July 9, 2010; and

WHEREAS, said law (hereinafter referred to as the "enabling statute") creates a special taxing district within Wilkes County (hereinafter the "County"), to be known as Wilkes County District K, the same consisting of that part of the County which is located outside of the incorporated areas within the County and being a body politic and corporate with the Wilkes County Board of Commissioners (hereinafter the "Board of Commissioners") serving as its governing body; and

WHEREAS, the enabling statute authorizes the governing body of Wilkes County District K to adopt a resolution levying a room occupancy tax of up to six percent (6%) of the gross receipts derived from the rental of any room, lodging, or accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within District K that is subject to the sales tax imposed by the State of North Carolina under N.C. General Statutes §105-164.4(a)(3), with at least two-thirds (2/3) of the proceeds to be used to promote travel and tourism in Wilkes County District K and the remaining one-third (1/3) to be used for tourism-related expenditures in Wilkes County District K; and

WHEREAS, a public hearing has been advertised and held in this matter prior to consideration by the Board of Commissioners, as required under the provisions of N.C. General Statutes §153A-155, said public hearing having been conducted by the Board of Commissioners on August 2, 2022;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners, acting in its capacity as the governing body of Wilkes County District K, and pursuant to N.C. General Statutes §153A-155 and North Carolina Session Law 2010-78, hereby levies a room occupancy tax of six percent (6%) of the gross receipts derived from the rental of any room, lodging, or accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within Wilkes County District K that is subject to sales tax imposed by the State of North Carolina under N.C. General Statutes §105-164.4(a)(3). This tax is in addition to any State or local sales tax, but does not apply to accommodations furnished by nonprofit charitable, educational, or religious organizations when furnished in furtherance of their nonprofit purpose. This tax is effective at 12:00 am on the 1st day of April, 2023, the same being the first day of the second calendar month after the adoption hereof.

BE IT FURTHER RESOLVED, that the proceeds from the six percent (6%) room occupancy tax shall be collected and distributed in accordance with the provisions of North Carolina Session Law 2010-78 and shall be administered by the Wilkes County District K Tourism Development Authority as established under separate resolution adopted by the Board of Commissioners this same date. The Wilkes County District K Tourism Development Authority shall use at least two-thirds (2/3) of the net proceeds from the room occupancy tax levied hereunder to promote travel and tourism in Wilkes County District K and shall use the remaining one-third (1/3) of said net proceeds for tourism-related expenditures in Wilkes County District K.

ADOPTED this 7th day of February, 2023.

*Giddeon K. Elmore, Chairman
Wilkes County Board of Commissioners*

Attest:

Sarah D. Call, County Clerk

2. RESOLUTION – CREATING THE WILKES COUNTY DISTRICT K TOURISM DEVELOPMENT AUTHORITY – Mr. Triplett stated this Resolution is for the TDA, the Local Bill requires that the Board set this up if the Occupancy Tax is imposed. The TDA is charged with receiving the money that goes through the tax office when collected and deciding how it will be spent in conformity with the Law and Local Bill. It has to be basically spent on tourism related matters as all occupancy taxes are. This is a lengthy resolution and goes into detail on the TDA and how it's set up. He added this will be a 9-member TDA, each will serve a 3-year term, it will be a staggered board and every year 3 of the 9 members will come up for reappointment or new appointment. Mr. Triplett said in order to get a staggered board three of the initial appointments will serve until the end of this year, three will serve to the end of next year, and three will serve until the end of 2025. He added at that point they will be appointed for a full 3-year term and there is a three-term limit. When a member has served three terms they have to come off for at least one year and could go back on. The Resolution requires this Board to appoint the initial Chairman for the TDA for the first year, they serve a one-year term, the TDA will appoint their own Chair after. He added the same process goes for the Vice Chairman on the initial appointment by this Board for the first year. This Board also appoints a secretary for the first year, the Chairman and Vice Chairman have to serve on the TDA, but the secretary does not have to be a TDA member. Mr. Triplett stated the treasurer of the TDA will be Chris Huffman or his designee as the County Finance Director. The TDA must meet at least once per month to start with and that can be changed later and this is a general outline of how it will work.

Chairman Elmore asked if the TDA can set the date and time of their meetings. Mr. Triplett replied yes, the TDA will decide when they meet as long as it is once per month. They do have to comply with the open meetings law, announce it, notify media outlets, and all meetings are open to the public which is the same with all public bodies. Commissioner Sexton added the Resolution is very detailed, this is well structured and well written.

Commissioner Bill Sexton made a motion to approve the Resolution Creating the Wilkes County District K Tourism Development Authority as presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

*RESOLUTION CREATING THE
WILKES COUNTY DISTRICT K
TOURISM DEVELOPMENT AUTHORITY*

WHEREAS, the North Carolina General Assembly ratified Session Law 2010-78, Senate Bill 1298, "AN ACT ... TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX" during the 2010 legislative session, effective July 9, 2010; and

WHEREAS, said law (hereinafter referred to as the "enabling statute") creates a special taxing district within Wilkes County (hereinafter the "County"), to be known as Wilkes County District K, the same consisting of that part of the County which is located outside of the incorporated areas within the County and being a body politic and corporate with the Wilkes County Board of

Commissioners (hereinafter the “Board of Commissioners”) serving as its governing body; and

WHEREAS, the enabling statute authorizes the governing body of Wilkes County District K to adopt a resolution levying a room occupancy tax of up to six percent (6%) of the gross receipts derived from the rental of any room, lodging, or accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within District K that is subject to the sales tax imposed by the State of North Carolina under N.C. General Statutes §105-164.4(a)(3), with at least two-thirds (2/3) of the proceeds to be used to promote travel and tourism in Wilkes County District K and the remaining one-third (1/3) to be used for tourism-related expenditures in Wilkes County District K; and

WHEREAS, the enabling statute further directs that the governing body of Wilkes County District K adopt a resolution creating the Wilkes County District K Tourism Development Authority, the same to be a public authority under the Local Government Budget and Fiscal Control Act and to be responsible for the administration of all room occupancy taxes levied and collected by Wilkes County District K, in accordance with the provisions of N.C. Session Law 2010-78; and

WHEREAS, the Board of Commissioners in its capacity as the governing body of Wilkes County District K, has adopted a resolution levying a room occupancy tax of six percent (6%) under even date herewith; and

WHEREAS, the Board of Commissioners in its capacity as the governing body of Wilkes County District K now wishes to adopt this resolution creating the Wilkes County District K Tourism Development Authority in accordance with the provisions of the enabling statute;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners, in its capacity as the governing body of Wilkes County District K, does hereby create and establish the Wilkes County District K Tourism Development Authority (hereinafter referred to as the “TDA”), the same to be constituted as follows and to operate under the following terms and conditions:

- 1. GENERAL PURPOSE AND AUTHORITY. Pursuant to the provisions of North Carolina Session Law 2010-78, the TDA shall be a public authority under the Local Government Budget and Fiscal Control Act as set forth in Article 3 of Chapter 159 of the North Carolina General Statutes. The County shall on a quarterly basis remit the net proceeds of the Wilkes County District K room occupancy tax to the TDA, which shall use at least two-thirds (2/3) of the same to promote travel and tourism in Wilkes County District K and shall use the remaining one-third (1/3) for tourism-related expenditures in the district. Said net proceeds may be used only for the direct benefit of Wilkes County District K, and none of such proceeds may be used to promote travel or tourism in areas within the County that are outside the district or for tourism-related expenditures in the County that are outside the district. Consistent with the foregoing, the TDA shall promote travel, tourism, and conventions in Wilkes*

County District K, shall sponsor tourist-related events and activities in the district, and shall finance tourist-related capital projects in the district.

2. *REPORTS. The TDA shall report quarterly and at the close of each fiscal year to the Board of Commissioners on the TDA's receipts and expenditures for the preceding quarter and for the fiscal year, in such detail as the Board of Commissioners may require.*
3. *MEMBERSHIP. The following provisions shall govern the membership of the TDA:*
 - (a) *Members. The TDA shall consist of nine (9) members, at least one-third (1/3) of whom must be individuals affiliated with businesses that collect the occupancy tax in Wilkes County District K and at least one-half (1/2) of whom must be individuals currently active in the promotion of travel and tourism in Wilkes County District K. All of said members must be residents of Wilkes County. In addition, at least one (1) of the members shall be a current member of the Board of Commissioners as set forth in subsection (c) below.*
 - (b) *Terms. Members shall be appointed to serve the following terms:*
 - (i) *Three (3) members shall be appointed for terms commencing immediately upon their appointment and expiring on December 31, 2023.*
 - (ii) *Three (3) members shall be appointed for terms commencing immediately upon their appointment and expiring on December 31, 2024.*
 - (iii) *Three (3) members shall be appointed for terms commencing immediately upon their appointment and expiring on December 31, 2025.*
 - (iv) *At or prior to the expiration of those terms provided for in subdivision (i) above, three (3) members shall be appointed for three-year terms commencing January 1, 2024, and expiring on December 31, 2026. Thereafter, three (3) members shall be appointed every three years to serve like terms, commencing on January 1 and expiring on December 31.*
 - (v) *At or prior to the expiration of those terms provided for in subdivision (ii) above, three (3) members shall be appointed for three-year terms commencing January 1, 2025, and expiring on December 31, 2027. Thereafter, three (3) members shall be*

appointed every three years to serve like terms, commencing on January 1 and expiring on December 31.

- (vi) *At or prior to the expiration of those terms provided for in subdivision (iii) above, three (3) members shall be appointed for three-year terms commencing January 1, 2026, and expiring on December 31, 2028. Thereafter, three (3) members shall be appointed every three years to serve like terms, commencing on January 1 and expiring on December 31.*
- (vii) *Notwithstanding the expiration of a member's term as set forth above, said member shall continue to serve until the Board of Commissioners has re-appointed said member or has appointed a replacement member. In the event a member is appointed subsequent to the expiration of the preceding term, said member's term shall expire on December 31 of the year such term would have ended had the member been timely appointed.*
- (c) *County Commissioner Member. One (1) of the members of the TDA shall be a member of the Board of Commissioners. In the event the County Commissioner member of the TDA ceases to be a member of the Board of Commissioners prior to the expiration of his or her term on the TDA, the Board of Commissioners shall appoint a replacement County Commissioner member to serve the remainder of said TDA term in accordance with subsection (d) below.*
- (d) *Vacancies. The TDA shall immediately notify the Board of Commissioners of any vacancies that arise, and the Board of Commissioners shall name a replacement to serve the remainder of the vacant term within sixty (60) days of notification.*
- (e) *Removal of a Member. If any member misses four (4) meetings of the TDA within a single calendar year or three (3) consecutive meetings of the TDA at any time, the TDA may notify the Board of Commissioners and request that the member be removed and replaced with a new member.*
- (f) *Term Limits. No member shall be eligible to serve more than three (3) consecutive terms without rotating off the TDA for a period of at least one (1) year. For purposes of this subsection (f), a member shall be deemed to have served a term if he or she has served all or any portion thereof, including a one (1) or two (2) year term under subsection (b)(i) or (b)(ii) above or the remainder of a term when filling a vacancy.*

- (g) Voting Rights. Each member in good standing shall be entitled to one vote on each matter submitted to the vote of the members. Assignment of voting privileges is not permitted.
- (h) Ex-Officio Members. The Wilkes County Manager or his or her designee shall serve as an ex-officio non-voting member of the TDA.
- (i) Compensation. Members shall serve without compensation but may be reimbursed for expenses in connection with the performance of their duties at the same rate in effect for the County.

4. MEETINGS OF MEMBERS.

- (a) Meetings. The TDA shall meet at least once per month, starting with the first full month following the adoption of this Resolution. The initial meeting shall be called by the Chairman appointed by the Board of Commissioners pursuant to Section 5(a) below, giving proper notice of time, location, and purpose to each member and the news media as required under G.S. §143-318.12 or any successor statute thereto. Thereafter the TDA may, but shall not be required to, adopt a schedule of regular meetings pursuant to G.S. §143-318.12 or any successor statute thereto, which schedule may be changed by the TDA in such manner and at such times as it may desire. Special meetings may be called by the Chairman or a majority of the membership in accordance with the requirements of the foregoing statute.
- (b) Quorum. At any meeting of the TDA, the presence of five (5) members shall constitute a quorum for the transaction of business. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, said member shall be counted as present for the purpose of determining whether a quorum exists. If a quorum is not present, a majority of those members present may adjourn the meeting.
- (d) Minutes. The minutes of all meetings of the TDA shall be kept and provided to the members prior to the next regular meeting, at which said minutes shall be duly approved by majority vote of the members present, a quorum existing.
- (e) Open Meetings. All meetings of the TDA, whether regular or special, shall be announced and open to the public as provided under Article 33C of Chapter 143 of the North Carolina General Statutes, provided that closed sessions may be held in accordance with the provisions of said Article 33C.

5. *OFFICERS.*

- (a) *Chairman. The Board of Commissioners, at such time as it appoints the initial members of the TDA, shall designate one of the same as Chairman, to serve until December 31, 2023. Thereafter the TDA shall elect one of its members as Chairman each December, to serve for a term of one (1) year, from January 1 through December 31 of the following year.*
- (b) *Vice-Chairman. The Board of Commissioners, at such time as it appoints the initial members of the TDA, shall designate one of the same as Vice Chairman, to serve until December 31, 2023. Thereafter the TDA shall elect one of its members as Vice Chairman each December, to serve for a term of one (1) year, from January 1 through December 31 of the following year.*
- (c) *Secretary. The Board of Commissioners, at such time as it appoints the initial members of the TDA, shall designate a person as Secretary, to serve until December 31, 2023. Thereafter the TDA shall elect or appoint a person to serve as Secretary. The Secretary elected or appointed by the TDA may but shall not be required to be one of its own members.*
- (d) *Treasurer. The Wilkes County Finance Officer, or such employee of said office as the Wilkes County Finance Officer may designate, shall serve as Treasurer to the TDA.*
- (e) *Notwithstanding the expiration of the term of the Chairman or Vice Chairman as set forth above, said officer shall continue to serve in such position until the TDA has re-elected said officer or has elected a new person to such position. In the event the Chairman or Vice Chairman is elected or re-elected subsequent to the expiration of the preceding term, said officer's term shall expire on December 31 of the year such term would have ended had the member been timely elected or re-elected.*

6. *DUTIES OF THE OFFICERS.*

- (a) *Chairman. The Chairman shall preside at all regular and special meetings of the TDA. He/she shall appoint committees, sign contracts and instruments of the TDA as authorized by the TDA, and perform other duties as may be specified in this Resolution.*
- (b) *Vice-Chairman. The Vice-Chairman shall perform such duties as the TDA or the Chairman may assign. In the absence of the Chairman, the Vice-Chairman shall preside at the meetings of the TDA and perform other duties and responsibilities of the Chairman.*

- (f) Secretary. *The Secretary shall keep the minutes of all meetings of the TDA as required under this Resolution and shall perform such other duties as shall be assigned by the TDA.*
 - (g) Treasurer. *The Treasurer shall review and approve or disapprove expenditures and orders for disbursement of funds, shall work with the Chairman to carry out the financial policies adopted by the TDA, shall provide a financial report to the TDA at each regular meeting, and shall perform such other duties as shall be assigned by the TDA.*
7. COMMITTEES. *The TDA shall have three (3) standing committees, plus such other special committees as may be appointed by the Chairman. Each committee shall consist of not more than three (3) members of the TDA, together with such other non-members as the Chairman may deem appropriate; provided, that the number of appointed non-members on a committee shall be less than the number of appointed TDA members on said committee.*

The standing committees shall be as follows:

- (a) Marketing Committee. *The Marketing Committee shall prepare, and submit to the TDA for approval, an annual program to advertise and promote tourism and convention development.*
 - (b) Budget and Finance. *The Budget and Finance Committee shall monitor all financial affairs of the TDA and shall submit a proposed annual budget.*
 - (c) Administrative Committee. *The Administrative Committee shall be chaired by the Chairman to oversee personnel, contracts, and related matters.*
8. FINANCES.
- (a) Finance Officer. *The Wilkes County Finance Officer, or such employee of said office as the Wilkes County Finance Officer may designate, shall serve as the ex-officio finance officer for the TDA. Said person shall also serve as the Treasurer of the TDA pursuant to Section 5(d) above. The duties of the Treasurer and ex-officio finance officer shall be identical.*
 - (b) Fiscal Year. *The fiscal year for the TDA shall begin on July 1 and end June 30 of the subsequent calendar year.*
 - (c) Disbursements. *All disbursement checks shall contain two signatures. One of said signatures shall be that of the Chairman, or, in the event of the absence or unavailability of the Chairman, that of the Vice-Chairman. The other of said signatures shall be that of the Treasurer.*

- (d) Deposits. All funds of the TDA in excess of \$100.00 shall be deposited daily to the credit of the TDA in such banks or depositories as the County may select.
 - (h) Gifts. The TDA may accept on its behalf any contribution, gift, bequest, or devise for the purpose of the TDA.
 - (i) Fiscal Compliance. All matters of fiscal control shall be in accordance with those of the County and the North Carolina General Statutes.
 - (j) Audit. The books of the TDA shall have a certified audit at the end of each fiscal year by a CPA.
9. **EMPLOYEES AND STAFF.** The TDA shall have no employees, nor shall it have the authority to hire or discharge staff members. Any employees or staff assisting the TDA shall be such as may be designated for that purpose under this Resolution or by separate action of the Board of Commissioners and shall either be employees or independent contractors of the County.
10. **MISCELLANEOUS.**
- (a) Policies. The TDA shall determine all policies under which it operates, in accordance with State law and legislation creating the TDA. The TDA may contract with any person, firm, corporation, or agency to advise and assist it in the development of programs for the promotion of travel, tourism, and conventions, and in connection with all other lawful functions of the TDA.
 - (b) Dissolution. Any funds remaining in the account of the TDA, if the TDA is dissolved, shall at the end of the fiscal year revert to the County.
 - (c) Conflict of Interest. No member or agent of the TDA shall be involved either directly or indirectly in any contract with the TDA.
 - (d) Amendment or Repeal. This Resolution, or any part thereof, may be amended, or the same may be repealed, by the Board of Commissioners at any time; provided, that any such amendment or repeal shall not conflict with the requirements of the legislation creating the TDA.

ADOPTED by the Wilkes County Board of Commissioners this the 7th day of February, 2023.

Gideon K. Elmore, Chairman
Wilkes County Board of Commissioners

Attest:

Sarah D. Call, County Clerk

3. DISTRICT K TOURISM DEVELOPMENT AUTHORITY BOARD APPOINTMENTS – Chairman Keith Elmore stated the Board has a list and has discussed appointing the initial members and terms for the District K Tourism Development Authority. He added he would like to serve as the Commissioner appointee on the TDA for the first year until December if the Commissioners would allow him. Chairman Elmore said the TDA initial Board for District K will be: Linda Cheek, Tom Silvey, and Commissioner Keith Elmore to serve a 1-year term; Teresa Litschke, Mark Cook, and Trevor Whitson to serve a 2-year term; and Cindy Mittet, Brenda Blake, and Perry Lowe to serve a 3-year term, this is a very strong Board and all these individuals have indicated they will serve.

Vice Chairman Stoney Green made a motion to approve the District K Tourism Development Authority Initial Appointments for Linda Cheek, Tom Silvey, and Commissioner Keith Elmore to serve a 1-year term; Teresa Litschke, Mark Cook, and Trevor Whitson to serve a 2-year term; Cindy Mittet, Brenda Blake, and Perry Lowe to serve a 3-year term; and Commissioner Keith Elmore will serve as Chairman, Trevor Whitson to serve as Vice Chairman, and Linda Cheek to serve as Secretary, as presented at tonight's meeting. The motion was seconded by Commissioner Bill Sexton and unanimously approved.

Chairman Elmore stated he was approached by someone yesterday that is very conservative and he could not believe they would not pass this tax, because it is paid by the tourists and not the Wilkes citizens. He added this will be a good thing, they will be able to promote Wilkes County and thanked the Board. Commissioner Johnson added he visited a campground a few years ago that he learned about through their advertisements and he paid an occupancy tax to stay there. It will be great for Wilkes County and the citizens and they are looking forward to this Board taking affect. Vice Chairman Greene stated a key thing is this is not paid by the Wilkes County Citizens, but is used to promote the County. This in turn will generate tax revenue in the County more than just an occupancy tax. The tourists will eat here and buy gas here and they will see this in the sales tax. It is more than 6% and it does not come from the Wilkes County Citizens. He added the Citizens of Wilkes County will greatly benefit from this.

DEPARTMENT OF SOCIAL SERVICES – UPDATE – Chairman Elmore recognized John Blevins, DSS Director. Mr. Blevins said they are still having trouble recruiting, it is difficult for all counties. The workers work hard, have lots of stress, and they have one young woman in the office that has Covid. They had placement out of the county, but when they got there she tested positive and they had to bring her back to their office. They have 5 open social worker positions, most of them in foster care, some close this week and he hopes to fill them soon. Chairman Elmore asked about the foster homes and relief for them. Mr. Blevins replied they are looking at this, the number has decreased, it is stressful. They have a new supervisor over this and she is very good and they are hoping to recruit more. Also, more foster homes could help with temporary placement so the staff does not have to sit with kids in hotel rooms and they are working on this. This is a statewide need, they do not have the workers, it is difficult, they have never seen it this bad for the workload and trying to find and keep workers. He added Wilkes has great workers and Vaya has stepped up and now have two workers at their office. They proactively work on placements that they know will blow up and do a good job for them on this.

Mr. Blevins provided the Commissioners handouts for December. As a reminder, the pandemic maximum benefits end, folks will have to recertify in April and many may come off of Medicaid at that time. This may prompt the State to push for Medicaid expansion. Chairman Elmore asked if they do this how many workers will he need. Mr. Blevins replied 6 and a new supervisor. Chairman Elmore asked if they have space for them. Mr. Blevins replied yes at this time they do and they can usually fill these positions. These would be 75/25 employees, 75% will be reimbursed and the County will cover 25% of their cost. He briefly went over the monthly caseload report, Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial report. He also went through the CPS Foster Care monthly reports for December as well.

Vice Chairman Greene asked about the hospitalizations on the report. Mr. Blevins replied it varies it could be a mental issue, medical, or physical. Vice Chairman Greene stated the food and nutrition number increased again to \$3.5 million. Mr. Blevins added when they get to the March data it will change because they have been getting the maximum allotment and that is changing as they are unwinding the pandemic, but they did have more to come on the program in December. Chairman Elmore added it will be an issue food cost has gone up a lot and these folks are getting cut on their allotment. Commissioner Minton asked when does the revaluation or reapplication go into effect. Mr. Blevins replied for Medicaid it will be April they are working on them now, food and nutrition will be in March, there are a lot of changes from the unwinding of the pandemic. Commissioner Sexton said these changes are already in process, correct. Mr. Blevins replied yes anything tied to the pandemic changing.

The Board thanked Mr. Blevins for his update.

PLANNING DEPARTMENT:

1. REQUEST TO SET PUBLIC HEARING – ROAD RENAMING REQUEST – CHERRY GROVE CHURCH ROAD – BRUSHY MOUNTAIN TOWNSHIP – Mr. Scroggs thanked the Board and introduced Aaron Sloan, the new Planner, to the Board. He has been here a few months and will be handling some of the road name requests going forward. Mr. Scroggs asked the Board of Commissioners to set a Public Hearing on a Road Renaming Request received by petition to the Planning Department. He stated the Road Rename Request is for Cherry Grove Church Road (SR 2504) in the Brushy Mountain Township. The name chosen by petition is Oak Ridge Farm Road; the request meets the requirements of the Wilkes County Road Naming Ordinance and as set forth in the Wilkes County Road Naming Ordinance, a Public Hearing and a ten-day (10) notification period is required.

Commissioner Casey Joe Johnson made a motion to set a Public Hearing on Tuesday, February 21, 2023 at 5:00 P.M. regarding the Road Renaming Request as presented. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

2. REQUEST TO SET PUBLIC HEARING – ROAD NAME REQUEST – MILL FALLS ROAD – REDDIES RIVER CREEK TOWNSHIP – Mr. Scroggs asked the Board of Commissioners to set a Public Hearing on a Road Name Request received by petition to

the Planning Department. He stated the Road Name Request is for Mill Falls Road off Huffman River Lane (SR 1345) in Reddies River Township; the request meets the requirements of the Wilkes County Road Naming Ordinance and as set forth in the Wilkes County Road Naming Ordinance, a Public Hearing and a ten-day (10) notification period is required.

Commissioner Bill Sexton made a motion to set a Public Hearing on Tuesday, February 21, 2023 immediately following the first Public Hearing at 5:00 P.M., with the regular meeting to immediately follow regarding the Road Name Request Public Hearings as presented. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

MANAGEMENT AGREEMENT – WILKES COUNTY, YMCA OF NORTHWEST N.C., WILKES FAMILY YMCA – Assistant County Attorney Brooke Felts said before the Board is a Management Agreement that is very similar to the agreement with the YMCA to administer the camping at Rivers Edge for MerleFest. This will be for the Speedway events from May 17 through May 22, 2023, the YMCA will take care of everything. Ms. Felts stated the only change from this Agreement to MerleFest is how much security they will provide and a couple smaller items. She also asked the Board to give County Manager, John Yates the authority to sign the Agreement.

Vice Chairman Stoney Greene made a motion to approve the Management Agreement with Wilkes County, YMCA of Northwest N.C., and Wilkes Family YMCA and give County Manager John Yates the authority to sign the Agreement as presented at tonight's meeting. The motion was seconded by Commissioner Greg Minton and unanimously approved.

RESOLUTION – THE HUMANE SOCIETY OF WILKES – Ms. Felts stated at the last meeting the Board approved an agreement for a Groundspace Lease to the Humane Society on Call Street. She added this Resolution will finalize the Agreement, they will post it, publish in the newspaper, and after 10 days it can be executed.

Commissioner Greg Minton made a motion to approve the Resolution for The Humane Society of Wilkes as presented at tonight's meeting. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

RESOLUTION

WHEREAS, the Board of Commissioners has agreed to make available to The Humane Society of Wilkes, a private non-profit corporation in Wilkes County, North Carolina, approximately two (2) acres of land situated in the Wilkesboro Township, Town of Wilkesboro, Wilkes County, North Carolina, the same being more fully described in Book 657, Page 916, Wilkes County Registry, Parcel I.D. No. 2206382, for the operation of a Humane Society; and

WHEREAS, the Board of Commissioners at its regular meeting of January 17, 2023, unanimously approved leasing the aforementioned real property for fifty (50) years at a rental of One Dollar (\$1.00) per year for those purposes as stated above; and

WHEREAS, the Board of Commissioners now desires to approve this lease; and

WHEREAS, The Humane Society of Wilkes, is a nonprofit corporation which carries out a public purpose and to which the County is authorized to appropriate funds.

NOW, THEREFORE, BE IT RESOLVED, pursuant to G.S. §§160A-272, 160A-279, and 160A-267, that the Board of Commissioners hereby authorizes its Chairman and Clerk to execute a Lease Agreement from Wilkes County to The Humane Society of Wilkes, for the Leased Premises, for a term of fifty (50) years, at a rental of One Dollar (\$1.00) per year, for the purpose of establishing, constructing, maintaining, and operating a Humane Society facility. The Humane Society of Wilkes will be responsible for all maintenance, upkeep, and repairs with respect to the Leased Premises and on all improvements placed or constructed on the Leased Premises by Lessee. The Humane Society of Wilkes shall also be responsible for furnishing maintenance for the surrounding grounds and shall further be responsible for providing liability and hazard insurance coverage as to the surrounding grounds. In the event The Humane Society of Wilkes, should cease to use the Leased Premises for the above stated purposes, the Lease Agreement shall terminate.

BE IT FURTHER RESOLVED, that notice be published pursuant to the provisions of G.S. §160A-267 prior to the execution of said Lease Agreement.

This the 7th Day of February, 2023.

ATTEST:

Sarah D. Call, Clerk

WILKES COUNTY:

*Giddeon Keith Elmore, Chairman
Wilkes County Board of Commissioners*

WILKES COUNTY LANDFILL – SOLID WASTE UPDATE – Chairman Elmore recognized Anderia Byrd, Director. Ms. Byrd said *“Thank you all for allowing me a moment to share with you what the landfill has been up to. We are going to talk trash, but not just any trash, we are going to specifically address roadside trash and how the County, our unsung heroes, and the landfill are moving forward to put an end to this issue. To begin with there are 3 main pieces that must be implemented to have a successful litter program. We must focus on Education, Enforcement and litter Removal.*

I am going to discuss what the landfill has instituted recently to help address our counties roadside litter issue. Next, I will provide an update regarding our newly instituted endeavors including what we are currently working on, and finally what we believe could be implemented in order to drastically help mitigate the roadside litter issue.

Starting with education, 3-years ago the board of Commissioners and Wilkes landfill formed The Wilkes County Litter Committee. This committee includes local officials such as members from

our School System, Soil and Water, The Board of Commissioners, and volunteers from Clean Up Wilkes among others who desire to inspire generations of environmental stewards in Wilkes County. The primary focus involves promoting the importance of litter prevention within the County. To bring awareness to the issue we began by involving students from all across Wilkes. Beginning in 2019, We have held yearly litter contests. These contests have included creating a litter mascot, producing litter prevention videos, and designing informative litter posters. Winners of each contest have been publicly recognized and Awards have been given in the form of Monetary prizes, pizza, and t-shirts. All awards have been graciously gifted from various individuals and organizations throughout Wilkes who feel litter education is important and plays a major role in helping our county combat litter. We advertise these contests within the schools, posting flyers, and providing public service announcements in our local newspapers, online, and local radio stations. This year we are involving all 4th graders throughout Wilkes, challenging them to design a litter poster revolving around the theme "Racing to Restore Wilkes". This contest will begin February and run through March. In the past, Landfill staff have been involved in educational opportunities with various organizations including Boy Ccouts, 4-H, wellness events, Library presentations, Keep America Beautiful, and the Wilkes Marine Corp. to name a few.

Moving on to enforcement, currently the landfill has 2 Environmental Enforcement Officers who serve the county, primarily focusing on residential and neighbor trash complaints and dumpsites throughout the County. We are limited to enforce littering sections of the Solid Waste Ordinance as we lack the ability to stop a vehicle for losing litter even if we witness that they have lost trash from their vehicle. However, we are able to speak to operators of a vehicle within the landfill itself. We can issue litter citations, but primarily ask the driver of the vehicle to clean and remove any trash lost from their vehicle in order to avoid being issued a citation. If we witness litter falling, blowing or escaping from a vehicle while traveling along roadways, we notify the highway patrol and give them a description of the vehicle. We advise Wilkes residents to do the same. Our environmental enforcement officers also, collect bags of trash along roadways, as long as it is safe to do so. They will look for any identifiable information and will issue littering citations to responsible parties.

Recently, our landfill and convenience sites have started issuing unsecured load fees in the amount of \$10.00 each. The board passed this addition in July 2022, and for 6 months, residents were handed informational brochures on how to correctly secure their load. We advertised the fee in the Wilkes Journal Patriot, online, at each convenience site, and at the entrance to the landfill. We began issuing the fee in January. There has been a noticeable difference as most loads are now secure when they enter the landfill, only 1.6% of residents received an unsecure load fee in January. I must take the opportunity to give a shout out my unsung heroes, my entire landfill team who, without all of them doing their part on the front lines every day, they are the ones making these different ventures successful. Many times, they have a thankless job, and like the actual landfill itself, what you see is only a fraction of what really is, and I am thankful for each one of them. Monday, I spoke with Highway Patrol Sargent, Kevin Aldridge, he stated that the Highway Patrol supports keeping highways and roadways litter free. Patrol Officers will enforce state statutes that address littering and unsecure loads in Wilkes.

Finally let's address the litter removal aspect. What does Wilkes have currently, the state DOT contracts a company who utilizes a crew of individuals that remove litter along the main roadways in Wilkes, primarily focusing on 421, 268, 18, 16, and 115. Wilkesboro and N. Wilkesboro are active within their municipalities as anyone can witness town employees working hard to remove unsightly litter. Wilkes has caring individuals throughout the county who participate in the Adopt-A-Highway program. According to DOT, we have 34 adopt a highway sections which cover 70.5 miles of secondary roadway in the county. Clean up Wilkes a group of volunteers constantly addresses litter anywhere from main highways, secondary roadways, parks, greenways, basically anywhere there is a need. These volunteers often work individually or in large groups and often recruit new volunteers. The landfill supports nonprofit agencies in the county with our non-profit litter program. With this program the landfill will pay non-profit agencies \$3.00 per bag of roadside litter collected on secondary roadways and this is a great tool for organizations to earn extra cash.

The landfill is also in the process of opening a new convenience site in Millers Creek as this area of the county is the most densely populated area outside of the two towns. Our hope is that residences will be able to reduce the distance they must travel to dispose of garbage and recyclables, in turn this may reduce the potential for losing trash from vehicles.

What we would like: First surrounding counties have taken advantage of what is referred to as a pay-back-program. This program involves the judicial system and utilizes community service workers to remove litter on roadsides. This program is available state wide and to our knowledge has not been applied in Wilkes. Second, we would like the county to consider utilizing tax revenue to pay contracted companies to remove litter from our secondary roadways. There are 1154 miles of secondary roadways throughout the county and many of these roadways have accumulated litter for years and most have been neglected since the DOT stopped utilizing inmates to remove the roadside litter. We have spoken to a few interested companies that we believe would provide this needed service. Per mile these companies have stated they would remove litter on both sides of the road for \$150-\$300 per mile. If all secondary miles were picked up, just once a year, that would cost the county \$173,000 to \$346,200, this is not a cheap solution, but it is a necessary one”.

Chairman Elmore asked about the payback program and using Community Service workers, who do they have to go through to get this started. Mr. Triplett replied he will reach out to Judge Crumpton, Chief District Court Judge and start with him. They will then need to go through the Judicial system and both Adult and Juvenile Probation to make sure they are willing to do this. Judges will have to sentence a person to community service, they will have to participate as part of their community service in the payback program. This means they would be sent out to pick up trash on the roadsides and this is not happening at this time. Chairman Elmore stated they are asking to do both this program and contract pick up. Ms. Byrd replied yes. Chairman Elmore said they are looking at both, and there may be liability and insurance issues to look into before they can put people out picking up roads. Vice Chairman Stoney Greene stated the state and/or county will provide vest, grabbers, and trash bags to non-profits and/or churches as a fundraiser to pick up trash and pay them \$3.00 per bag. Ms. Byrd replied yes, the Landfill has a non-profit program in the county. They have a form online on their webpage for this program or they can

call and the staff will help them fill it out. The non-profits pick up the trash and then get paid by the Landfill, \$3 per bag. Vice Chairman Greene added they need to encourage all the non-profits to take advantage of this to raise money for them and also help with the trash problem. Commissioner Sexton asked if the liability for the non-profits falls back to the county with this program. Mr. Triplett replied he does not think so, that involves non-profits that are separate organizations and exist independently of the county, so this does not involve county liability.

Commissioner Sexton asked what is the difference on the contract per mile from \$150 to \$300. Ms. Byrd replied she called contractors to find out their interest and ability to take on secondary roadside if they implement this and this is the numbers they provided per mile, it ranged from \$150 to \$300. Commissioner Sexton said it is just a difference in price not service provided. Ms. Byrd replied yes. Chairman Elmore added they would like to see a revenue source to pay for this such as the \$10 fee, how much do they expect this to be. Ms. Byrd replied in January they issued 159 unsecured load fees and from the beginning of the month to the end, the numbers drastically decreased and they do not expect to collect enough to cover that. Vice Chairman Greene stated he went to the Mt. Pleasant convenience center yesterday, there were several pickup truck loads of trash that came in and all were tarped or netted, people have taken notice.

Commissioner Sexton asked where does the \$10 fee collected go; Landfill, schools or where? Mr. Yates replied it is deposited daily and goes to the general fund as other fees do. Chairman Elmore said they would love to do the contractor pick up, but with a cost of \$173K to \$346K would like to have a revenue source to pay for it. Vice Chairman Greene asked if occupancy tax could help pay this. Mr. Triplett said when the \$10 was setup it was initially set up as a fee so the Landfill keeps it. Commission Minton asked how do the fees at the Landfill compare to surrounding counties. Mr. Yates replied Wilkes is very low. Commission Sexton added there is revenue. Mr. Yates added if they raise the tipping fees \$1.00 that brings in \$55,000 so they will have to supplement it, Landfill expenses, like all expenses, are increasing a lot. They can't afford to take that much away from the Landfill, they need it for the next cell. He added they can pull a little out, but not \$300,000, but a fee increase would help. Chairman Elmore said the lease of the property is coming up next there is revenue. Mr. Yates agreed. Chairman Elmore said the idea of using occupancy tax sounded really good, they are cleaning the county up, that promotes tourism.

Commissioner Sexton stated several garbage companies pick up using dump trucks instead of garbage trucks. Ms. Byrd agreed. Commissioner Sexton added he was sent a video of garbage blowing out from a dump truck, do other counties have an ordinance against this, it seems this is a lot of the trash problem on the roadside at least in the area on Yellow Banks Road. Ms. Byrd replied they have heard this from a few people, but when they come through the gate they are tarped. She added they are not out and about in the county except the enforcement officers, but it is an issue. When someone witnesses this, they need to call the Highway Patrol and give them a description and tag of the vehicle. This is difficult when they are not able to pull over a vehicle if they see them losing trash, it is difficult to address when they comply upon entering the Landfill. Commissioner Sexton said when they are going through a neighborhood it is hard to pull the tarp up each time and most do not do this, it is open.

Ms. Byrd stated when the enforcement officers see a bag of trash on the road they go though and look for identifiable information. In some cases, this is a residential service provider that lost someone's trash that paid for their service. They don't like this because it gives them a bad name and reputation, so they are quick to address and rectify this. They have had success with haulers picking up bags or trash that was not even theirs, they do help in many ways, they don't want to get in trouble or have their fellow haulers to get in trouble. Commissioner Elmore added they all agree they do not want to regulate unless forced to, they understand and don't want this. Ms. Byrd agreed the residential and commercial garbage haulers are well known by the Landfill family they have very good relationship with them and they are more likely to help than hinder.

Commissioner Johnson asked how often does DOT pick up Hwy. 421. Ms. Byrd replied Nathan Walters, who is over the crew, states every 3 months he is in Wilkes County addressing primarily 421. The right-of-way width changes on various roads and different areas on 421. If there is more trash in one area or the weather is bad then he cannot get his crew out as often so less roadways are addressed. If they can quickly pick up litter on one road he can cover more. Commissioner Johnson asked if surrounding counties utilize the pay back program. Ms. Byrd replied yes it is a great program and the ones that can use community service workers say it works well.

Vice Chairman Greene asked how do they reward the students in the litter program. Ms. Byrd said every participant gets a T-shirt that is very unique this year, hand drawn and revolves around the speedway "Racing to Restore Wilkes". The students' winning 4th Grade homeroom will also receive a pizza party. Vice Chairman Greene asked if they Judge them and recognize them countywide. Ms. Byrd replied yes. Vice Chairman Greene said they would like the student brought here and recognized and pictures for all to see. Ms. Byrd agreed. Commissioner Sexton added they are moving in the right direction. Chairman Elmore stated they do a great job, it is tough and frustrating, they will continue to work at it. Ms. Byrd thanked the Board. The Board thanked Ms. Byrd for the update.

WILKES COUNTY LANDFILL – RUSSELL ELLER HEIRS PROPERTY:

1. CROPLAND PRODUCTION LEASE – APPROVAL TO PUBLISH NOTICE OF SOLICITATION OF BIDS – Mr. Triplett said the next two items are for the Russell Eller property the county purchased last October and is now part of the Landfill property. The Board desires to lease out separate parts of that property. The first is for the Cropland Production Lease and involves the portion of this property that is South of Hwy 268. He and Anderia Byrd went to Mapping last week and were able to get a good description and map of the property, which is 21 acres. They propose to solicit bids for those that may be interested in leasing this for cropland production, the lease would be limited to that. He added they will advertise for bids, which will be due by 5:00 PM on February 20, 2023, the day before the next meeting. The bids will be turned in to John Yates' office and presented to the Board at the next meeting on February 21st to select a high bid. If the Board would like, they can award a lease at the time to the high bidder. Mr. Triplett said they are proposing to lease this for 2023 as they have the property beside it, which is 33 acres currently leased to ASJ Mathis Farms and it runs out at the end of 2023. This would line them up on the same time frame moving forward. He

added there is a procedure they have to go through, even if it is presented at the next meeting and they choose the high bid and award a lease they must advertise the lease for 30-days after approved by the Board. This is the law and the process they have to follow, it is lengthy and it comes before the Board several times. If the Board wishes to do so tonight this will start the process to approve the advertisement for solicitation of bids.

Commissioner Casey Joe Johnson made a Motion to publish notice of solicitation of bids, to be published two times in the *Wilkes Journal-Patriot* with a deadline for submission of bids to the Wilkes County Manager's Office by 5:00 p.m. on Monday, February 20, 2023, and a high bid to be approved at the February 21, 2023 Commissioners' meeting, for a lease of approximately 21 acres of cropland owned by the County between Highway 268 East and the Yadkin River, being a portion of the property purchased from the Russell Eller Heirs in 2022 that adjoins the Wilkes County Landfill, with a lease term to commence as of the date of approval by the Board of Commissioners and to run through December 31, 2023. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

2. GRAZING LIVESTOCK AND HAY PRODUCTION LEASE – APPROVAL TO PUBLISH NOTICE OF SOLICITATION OF BIDS – Mr. Triplett said this property is North of Hwy 268, he and Anderia Byrd mapped this one out the same day and it is 87 acres. The boundaries on this one are 268 on the south, western most creek that splits the property on the west, the Duke Power easement on the north, and property boundary on the east. He added this is basically the pasture land part of the property. They propose to advertise and solicit bids for a lease for use as livestock grazing and hay production and it would be limited to this if approved by the Board. This would follow the exact same procedure as the first one except the term on this would be a 5-year lease with an out clause. They did not think this needed to be synchronized with the crop land leases. Chairman Elmore said most of this is already fenced. Ms. Byrd replied yes.

Vice Chairman Stoney Greene made a Motion to publish notice of solicitation of bids, to be published two times in the *Wilkes Journal-Patriot* with a deadline for submission of bids to the Wilkes County Manager's Office by 5:00 p.m. on Monday, February 20, 2023, and a high bid to be approved at the February 21, 2023 Commissioners' meeting, for a lease of approximately 87 acres of pastureland owned by the County for the grazing of livestock and hay production, being a portion of the property purchased from the Russell Eller Heirs in 2022 that adjoins the Wilkes County Landfill, said portion being bounded on the south by the right-of-way for N. C. Highway 268, on the west by the westernmost creek that bisects the property from north to south, on the north by a power line right-of-way for Duke Energy, and on the east by the eastern property line, with a lease term of approximately five (5) years to commence as of the date of approval by the Board of Commissioners and to run through December 31, 2027. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

CLOSED SESSION – Motion was made by Vice Chairman Stoney Greene to go into closed session under Section 143-318.11(a)(3) of the North Carolina General Statutes and to consult with and give instructions to the Board's attorneys regarding the Opioid Litigation currently pending in which the County is a Plaintiff; and under Section 143-318.11(a)(3) of the North

Carolina General Statutes to consult with the Board's attorney to give instructions to the Board's attorney for a pending lawsuit titled Braun vs. Braun; and Section 143-318.11(a)(3) of the North Carolina General Statutes to consult with the Board's attorneys to preserve the attorney-client privilege. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

Motion was made by Vice Chairman Stoney Greene, seconded by Commissioner Casey Joe Johnson and by unanimous vote adopted to adjourn back into regular session. No action was taken in the closed session.

ADJOURN – Motion was made by Vice Chairman Stoney Greene, seconded by Commissioner Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 7:29 P.M.

Sarah D. Call, Clerk

Gideon Keith Elmore, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: February 21, 2023