

**MINUTES**  
**WILKES COUNTY BOARD OF COMMISSIONERS**  
**March 2, 2021**

The Wilkes County Board of Commissioners met on Tuesday, March 2, 2021 at 6:09 P.M. at the Wilkes County Agricultural Center located 416 Executive Drive, Wilkesboro, NC 28697 with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Casey Joe Johnson.

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

Chairman Eddie Settle welcomed everyone and called the meeting to order.

**INVOCATION** – Commissioner David Gambill led the Invocation.

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

**APPROVAL OF MINUTES** – Motion was made by Commissioner Casey Joe Johnson, seconded by Vice Chairman Brian S. Minton and unanimously adopted to approve the Minutes of the Board Meeting held on February 16, 2021.

**BUDGET AMENDMENTS/TRANSFERS** – Motion was made by Commissioner David Gambill to approve Budget Amendment No. 26 (General – Social Services – DSS received an additional allocation of \$10,000 for Crisis Intervention Funds. No County funds required); and Budget Amendment No. 27 (Health – Programs – Wilkes Community Health Center BCCCP program received \$125 from the state. These funds will be used to provide a mammogram for an underinsured/uninsured BCCCP patient. No county money involved. Wilkes Community Health Center Promotions programs received funds in the amount of \$700 from Project Lazarus. These funds will be used to prevent substance abuse for Wilkes County residents. No county money involved. Wilkes Community Health Center received \$219,645 COVID funding from the state. These funds will be used to provide testing, contact tracing, supplies and equipment for COVID 19 patients. No county money involved. Wilkes Community Health Center received \$37,963 COVID funding from the state. These funds will be used to provide testing, contact tracing, supplies and equipment for COVID 19 patients. No county money involved); Budget Amendment No. 28 (General – Elections – The Board of Elections will receive \$123,134 in Help American Vote Act (HAVA) Federal Funds to be used for improving the administration of federal elections. No County funds required); and Budget Amendment No. 29 (General – Parks & Recreation – Park and Recreations will receive a \$39,000 Grant from the Carson Foundation to be used to provide lighting for soccer fields (\$35,000) and construction of a volleyball court (\$4,000). The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**ANIMAL CONTROL DEPARTMENT – AMENDED FIREARMS POLICY** – Chairman Settle welcomed and recognized Steve Rhoades Animal Control Director. Mr. Rhoades thanked the Board for allowing him to present tonight and said he is before the Board to request approval for a revised Firearms Policy for Wilkes County Animal Control. He added he and Mr. Triplett will be happy to answer any questions. Chairman Settle stated this will only apply if they have their concealed carry permit. Mr. Rhoades replied yes. Mr. Triplett added this is the only change in the redline version, this policy has not changed in 22 years. Commissioner Elmore asked if they carry rifles currently. Mr. Rhoades replied yes they carry 10/22's behind the seat. They remain locked unless they are needed.

Commissioner Gambill stated he understands this allows them to carry concealed, and has no problem with that. He would like to meet and talk about this and make sure some type of firearms class is taken and qualification in addition to concealed carry. He asked that they hold off and discuss this more and look at other options. Mr. Triplett added the way it is written now the only requirement states "as permitted by law" which is if they get the concealed carry permit that is all that is required. He added they can add additional requirements if the Board wishes to do so. Chairman Settle stated the reason they can't carry now is because this policy says they cannot. He added he supports this, if they have a NC concealed carry permit and passed the class and qualified on the range as required. Commissioner Gambill stated he is not against this, he is worried about the liability, he thinks there is a better avenue for them to carry. Chairman Settle stated some other counties do open carry and they are employees of the Sheriff Department as sworn officers that work as Animal Control Officers. Commissioner Elmore asked what is the liability to the county. Mr. Triplett replied he is not aware of any case in NC on this, he thinks the chances are pretty good if the person has a concealed carry permit and abides by that the county is protected.

Chairman Settle stated the first thing they teach in conceal carry is you do not pull your weapon unless your life is in danger. These folks go out and it can be dangerous, he would like them to have protection if they want it. Mr. Triplett stated they can take no action on this tonight, Mr. Rhoades can check to see what other counties do and come back to the Board. Mr. Rhoades added the ones that open carry do have BLET, he is unsure on the concealed carry for other counties, but can check into this. They do have one that has a permit and would like to conceal carry. Commissioner Gambill asked if other departments such as DSS can do this. Mr. Triplett replied the only Firearms policy he is aware of is for Animal Control. Chairman Settle added all other departments can conceal carry with a permit. Commissioner Gambill said he would like to wait and research this further. Mr. Triplett added it is allowed with other departments and one reason they brought this, Animal Control is the only one that can't due to the 1999 Firearms Policy. Chairman Settle added it would be good if they were BLET certified, these folks can go into tough situations. Commissioner Elmore said he is concerned about Animal Control going to someone's property and something happen, they want them be able to protect themselves, but also folks need to protect their property as well. He understands both sides on this.

Chairman Settle stated they don't want anyone hurt, they want everyone to obey the law and get along, feed and take care of their animals like they are supposed to. Commissioner Elmore said it is something to consider BLET does require more training than concealed carry.

Commissioner Gambill added they go through qualifying, classes and much more training for many situations that could come up that would be beneficial. Mr. Rhoades stated these folks go out late at night and never know what type of environment they are going in to.

Commissioner Johnson asked if DSS and all other county departments have the ability to do this. Chairman Settle replied yes if they have concealed carry permit, except for Animal Control. He is unsure why they did this except 22 years ago no one could carry on county property and maybe this was to get them closer to open carry. The laws in NC have changed a lot in 22 years. Mr. Triplett stated they have an Animal Control Ordinance which sets up the Animal Control Committee that Commissioner Gambill is a member. He added if the Animal Control Committee would like the opportunity to review this and bring it back they can do that. Commissioner Gambill replied that is not needed, he would like to meet with the Chairman, Animal Control Director, and County Attorney to discuss and work this out by the next meeting. Chairman Settle replied they will get that set up and added Commissioner Gambill is a law enforcement officer and always thinking about the safety of all.

Commissioner David Gambill made a motion to table the Amendment to the Wilkes County Animal Control Department Firearms Policy until the next Board meeting on March 16, 2021 as presented at tonight's meeting. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

Chairman Settle and the Board thanked Mr. Rhoades.

**DEPARTMENT OF SOCIAL SERVICES UPDATE** – Chairman Settle welcomed John Blevins, DSS Director. Mr. Blevins said he has a few updates before they go over the reports. The first is the parent fees for child care will be waived for March and April related to Covid. He added Medicaid transformation that they have discussed will happen and they will have two programs. NC Medicaid Direct which is basically what they have now and NC Medicaid Managed Care Plan. They will still process applications, research, handle replacement cards, Medicaid transportation for NC Direct, update primary care providers, and make referrals. Mr. Blevins added they will not handle enrollments or Medicaid transportation. The packets went out yesterday and the notices are self-explanatory, but they do except many calls and more clients into the office for this. The open enrollment is March 15 – May 14, 2021, after this they will be assigned by the state, and can change their plan up to September 30<sup>th</sup>. He briefly went through programs and number of folks they expect to go into each plan. Wilkes has 20,155 citizens receiving Medicaid at this time, about 41% will stay where they are, the rest will go into managed care.

Mr. Blevins said the first two documents in the packets are information about NC Medicaid transportation for the Board. Nothing changes for the folks that stay where they are, but will change for folks that go into managed care. He added they will need to make good referrals to the enrollment brokers. It will be a change for the citizens in who they request the transportation from, but the rules are the same. Commissioner Elmore asked will the clients key in online or anything like this to keep the workers from having to talk with each one to arrange

transportation. Mr. Blevins replied someone has to verify the trip is a covered service and they are going to the closest provider, and steps like this that someone will have to always do.

Mr. Blevins went over the monthly caseload reports for January at this time. Next, he went through the Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial reports for January. Mr. Blevins went over the CPS Foster Care monthly report for January at this time. Commissioner Elmore asked what does someone do to become a foster home, when is the training, what is the cost, home inspections are required. Mr. Blevins said they conduct classes as often as they can, the County covers most all the cost, they get reimbursements and a payment once the classes are completed and they are certified. Home inspections are required and they cover the cost of fingerprinting. He added the county also pays \$50 per month more than base rate once they have a foster child in the home as well. Commissioner Elmore stated he has done this in the past and would encourage folks in the county to do this, it is very rewarding. Mr. Blevins added they have children that need a home and would like them to stay within the county, it is better for all when they stay closer to home. Commissioner Gambill asked can they do the classes virtually to make it more convenient, especially with Covid. Mr. Blevins replied they are looking into getting a program during the budget process to allow them to do much more of this, even with the Court process. This will be beneficial even when Covid is gone. Chairman Settle said that may help to get more foster parents. Mr. Blevins agreed and added the County support this which is very helpful to them.

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

**HIGH COUNTRY COUNCIL OF GOVERNMENTS – REQUEST TO SET PUBLIC HEARING – MULBERRY SCHOOL SEWER PROJECT CLOSE-OUT** – Mr. Yates stated the Board need to set a Close-out Public Hearing on the Mulberry School Sewer Extension Project. They are requesting this is set on April 6, 2021 as required by the CDBG grant guidelines.

Commissioner David Gambill made a motion to set the Mulberry School Sewer Project Close-Out Public Hearing for Tuesday, April 6, 2021 at 6:00 P.M. with the meeting to immediately follow. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**FINANCE DEPARTMENT – CONTRACT TO AUDIT ACCOUNTS FISCAL YEAR 2020-2021** – Mr. Huffman stated he is here to request approval for the contract to audit accounts from Martin Starnes & Associates, CPAs, P.A. for fiscal year ending June 30, 2021. The total contract amount is \$66,950 which is the same as last year. He added this will be sent to the Local Government Commission for approval once approved by the Board. Commissioner Elmore asked if this is his recommendation. Mr. Huffman replied yes. Chairman Settle asked how long have they used this firm, do they need to look at changing. Mr. Huffman replied 11 years. Commissioner Gambill added they looked at this a few years ago when their price went up and they negotiated it down. He added it is a good price, they know the system, the folks, and it works well. Mr. Huffman said typically they submit a contract request with a price and in the past there has been very little increase. As Commissioner Gambill mentioned one year there was

because the LGC added new standards that the auditors had to check and they increased the fee due to the additional tests. Mr. Huffman added they did negotiate a lower fee with Martin & Starnes and since that time they have not gone up. They do a lot of audits for local governments and a lot more than just an audit, they look for fraud, loss prevention and at all their programs. He added when compared to what others pay they give Wilkes a good deal. The county is one of the longest government clients they have. Commissioner Elmore said he was very impressed when they presented the audit and could answer every question they had. Mr. Huffman stated in the audit world, in most cases they get what they pay for, the audit is not fun, but they do a good job. He added when he calls them, they call back and that doesn't always happen, they go to them for a lot of questions and they always help. Chairman Settle said they can see finance likes working with them and that is important.

Commissioner Keith Elmore made a motion to approve the Contract to Audit Accounts from Martin Starnes & Associates, CPAs, P.A. for fiscal year ending June 30, 2021, as presented. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**AMENDMENT TO POLICY FOR ATTENDANCE AT BOARD OF COMMISSIONERS MEETINGS** – Chairman Settle stated he thinks there have been misunderstandings on this and wanted to discuss it. He asked if they have a meeting can they fill up all the chairs in the room in person under the current policy. Mr. Triplett replied yes. Under their current policy they can. Chairman Settle asked what does the new policy change. Mr. Triplett said he understood that they wanted it on the agenda to make sure that folks that wanted to be there could. Chairman Settle said he thought under the current policy they could not when they last discussed setting a public hearing. Mr. Triplett stated this was discussed in regards to the occupancy tax, they have people in person for a public hearing. They would want to maintain social distancing, but can fill up the room. He does not think this is an issue, the current policy does allow public attendance at meetings and public hearings. Commissioner Gambill asked what are they limited to. Mr. Triplett replied technically the order entered by the Governor does not limit what they can have, it does not apply to local governing body meetings. He added this is the legal answer, but they have tried to abide by it. The School of Government has stated it does not apply to local Boards such as County Commissioners. Mr. Triplett said they have tried to abide by it, as well as practice social distancing and safety measures at all their meetings. Chairman Settle stated they most they had was maybe 10 to attend up to this point.

Commissioner Elmore stated the current policy allows in person attendance as well as written read by the County Manager if they do not want to attend, sounds like is it the best scenario they could have. Chairman Settle said if they have something confrontational for a public hearing they want to make sure everyone has a right to come and speak in opposition or support that may want to. Mr. Triplett replied this can happen under the current policy as it is written, if they are more comfortable submitting comments in writing they do can that as well. Commissioner Gambill added if they had a large attendance and wanted to maintain the Governor's order and distance they could allow them in a few at a time and still hear from all of them. Commissioner Elmore stated in lots of cases if it is a group with the same opinion they choose one person to speak for the group as well. He added it works as it is now written. Mr. Triplett stated its easier to administer as it is written now, because the rules change if one Commissioner is attending

remotely and the current policy takes care of this. Chairman Settle asked if the Board is good with the current Policy. The Board replied they are good with the policy as is and there is no action that will be taken.

**OLD BUSINESS – REQUEST TO RE-SET PUBLIC HEARING** – County Attorney Tony Triplett stated with the uncertainty of the possibility of a new policy they were unsure of how to word the notice for the CDBG Public hearing that Eddie Barnes requested last meeting. He added they Could not Notice the hearing set for March 16, 2021 and talked with Eddie Barnes, there was no time deadline, and no problem, they need to re-set this hearing. He asked the Board to re-set the Public Hearing they originally set of March 16, to April 6, 2021 for the CDBG Neighborhood Revitalization Program Line Item Budget Transfer.

Commissioner David Gambill made a motion to re-set a Public Hearing regarding the CDBG Neighborhood Revitalization Program Line Item Budget Transfer for Grant #17-C-3026 for Tuesday, April 6, 2021 at 6:00 P.M. or immediately following the first Public Hearing with the meeting to follow. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

**CLOSED SESSION** – Commissioner Casey Joe Johnson 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 expansion of business in Wilkes County. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Motion was made by Commissioner Keith Elmore, seconded by Vice Chairman Brian S. Minton and by unanimous vote adopted to adjourn back into regular session. No action was taken in the closed session.

**ADJOURN** - Motion was made by Commissioner Keith Elmore, seconded by Vice Chairman Brian S. Minton and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 7:54 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: March 16, 2021