

**MINUTES  
WILKES COUNTY BOARD OF COMMISSIONERS  
March 7, 2017**

**PUBLIC HEARING – ROAD NAME REQUEST – ANTIQUA DRIVE, MORAVIAN FALLS TOWNSHIP** – Chairman Greg Minton declared the Public Hearing open regarding the Road Name Request for Antiqua Drive at 9:57 A.M. on Tuesday, March 7, 2017 with the following members present: Chairman Greg Minton, Vice Chairman Gary D. Blevins, Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Eddie Settle.

Also present were Tony Triplett, County Attorney; John Yates, County Manager; Eddie Barnes, Planning Director; and Sarah Call, Clerk to the Board.

Chairman Minton asked if anyone would like to speak regarding the proposed Road Name Requests. Hearing no comments on the proposed Road Name Requests for Antiqua Drive, Chairman Greg Minton declared the Public Hearing closed at 9:58 A.M.

The Wilkes County Board of Commissioners met on Tuesday, March 7, 2017 at 9:58 A.M. with the following members present: Chairman Greg Minton, Vice Chairman Gary D. Blevins, Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Eddie Settle.

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

Chairman Greg Minton welcomed everyone and called the meeting to order.

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

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

**APPROVAL OF MINUTES** – Motion was made by Vice Chairman Gary D. Blevins, seconded by Commissioner Keith Elmore and unanimously adopted to approve the Minutes of the Board meeting held on February 21, 2017.

**BUDGET AMENDMENTS/TRANSFERS** – Commissioner Settle asked if this was because too much had been budgeted for the fuel line item. Finance Officer Jerry Shepherd replied no this is taking what is left in everyone's department for fuel and moving it into one line. It will be better managed by doing this and will also satisfy the audit requirement. Vice Chairman Blevins stated this is only for the balance remaining this fiscal year. Mr. Shepherd replied yes and next year the Health Department and DSS will both keep this line item because they receive grant funds for this, but all the rest will have zero. He added the Airport and Landfill are in separate funds and will keep their line on this as well. Commissioner Settle said each department will send a request for a specific amount and it will be added together into one line. Mr. Shepherd replied yes.

Motion was made by Commissioner David Gambill to approve Budget Amendment No. 17 (General Fund – Central Garage – In order to meet the Pre-Audit obligation set-up by the NC State Treasurer’s Office/LGC, we need to combine our motor fuels purchased with fuel cards into one budget. We must now encumber the budgeted amount in order to meet the Pre-Audit requirements. Therefore, this amendment will move all fuel/gas budgets into the Central Garage budget, the same as we do with the Maintenance & Repair to Vehicles budgets. The only exception to this is DSS, which we get back reimbursement for this expense, and the Health Department grant programs that use grant funds to cover the cost of fuel. This change will also not affect the Airport or Landfill since they are not part of the General Fund and are accounted for separately.) The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

**WILKES FACILITY BASED CRISIS PROJECT – UPDATE** – Chairman Greg Minton welcomed and recognized Brian Ingraham, CEO Vaya Health. Mr. Ingraham thanked everyone for being here today. He added he has been working with folks from the Community and Representative Shirley Randleman to bring a facility based crisis program to the area. Mr. Ingraham said this type facility deals with individuals that are having crisis from substance use, mental illness, or a combination and can come in 24/7 and 365 and be assessed for an emergent need. He added if need be they can be placed in a bedded program which is supervised and the typical stay is 4-5 days. This has proven to be a very helpful level of care, he noted. Mr. Ingraham stated their need to hospitalize folks a lot of times is a result of not having facilities like this, which would be much easier and the level of care they need. He said DayMark would be the provider of care and they do a great job.

Mr. Ingraham said, as the graph that was included in the packets shows, it is a money problem which is the case most often. He added as a result of the saving that occurs from their management of Medicaid, their role now is as a payer and they work much like a public insurance program, with two benefit plans. One is for the folks with Medicaid and one for the folks without Medicaid, he noted. Mr. Ingraham stated they get a lot more money from the ones with Medicaid. There are thousands of folks that go without care because they have no insurance or Medicaid. He said in the last two years the state took \$262 million from this funding stream statewide and required them to make this up from their fund balance. Mr. Ingraham said something was taken out of the future by having to use their savings. He said the Governor’s version of the budget, which just came out, has the money back in, but they have to wait to see what the General Assemble will do.

Mr. Ingraham said 70% of the people that go into a treatment facility like this do not have Medicaid. The cost to them to treat these folks is about \$2 million per year and no one is giving them this money and they cannot create a savings somewhere else, he added. Mr. Ingraham said this is the challenge they have, but they can still do this. He stated the first item they have to get through is the state budget process. Does the funding get taken away again and do they have to make it up, which was \$20 million last year, he added. Mr. Ingraham said next they can look for grant funds from the state which is how they were able to build in Asheville along with funds

from Buncombe County and Mission Health. He said the facility in Catawba was also a three-way partnership with Vaya, Foothills Foundation, and NC Housing Finance.

Mr. Ingraham said at this point it has only been Vaya's dollar for this facility. The County is negotiating with DayMark on the building and helping in that way. He said if there was a state appropriation for crisis services Wilkes would be next for Vaya, which is a possibility. Mr. Ingraham said they could use their fund balance for this reoccurring expense, but the Vaya Board would have to approve this and be willing to take a big risk.

Commissioner Settle stated this is important for Wilkes, and ask what the Board can do, where they are in this process, what has been done, and what needs to be done. He added it will alleviate issues at the Hospital and for the Sheriff's Department staff there are some savings in doing this. Mr. Ingraham replied they need to get through the state budget process and see what funds they allow, see if there are any new monies appropriated for this, and then see if there is anybody else ready to put money on the table. He added maybe the Hospital and/or the County can come up with money. Commissioner Settle stated this is what they need to know and Senator Randleman is very interested in this as well. Mr. Ingraham said he has spoken with her and explained where they are and relationship to the budget process and she understands.

Vice Chairman Blevins stated given the state budget, changes in administration, and no one is sure what will happen going forward and the fact Vaya lost almost \$21 million of their fund balance. The dynamics of how they were going to help fund this project in Wilkes has changed. He and Mr. Ingraham felt like there is a cost to the County with the system they have now, especially with the Sheriff's Department personnel. They thought the capital project with DayMark and the County could be taken care of, the issue is the ongoing funding, he added. Vice Chairman Blevins said the operations will cost far more than the capital project and at least \$2 million per year. He stated as he told Mr. Ingraham the county will have a challenging year with the budget and there are many needs from the school system. He thought it was a good ideal to hold off and this is why he asked Mr. Ingraham to come and explain the circumstances and why it was being slowed down. Vice Chairman Blevins said they need to know what the funding is going to be for this year, what Vaya can add, what DayMark can do, and also what can come from the county to help fund this project. He added there are some savings they can realize to help, but there is no hard figure on this or what the operating will cost each year. Mr. Ingraham said it will cost about \$2 million just for the individuals that do not have Medicaid on top of this there is another \$2 million for the ones that do have Medicaid. Vice Chairman Blevins asked where the funding would come from if not from the county. Mr. Ingraham said maybe the hospital. Vice Chairman Blevins said most hospitals are not flourishing at this time and does not think they can count on this. He added this is why he ask Mr. Ingraham to come and talk to the Board. Things are not in place where they can proceed this aggressively at this point. Commissioner Settle said this is the way government operates. It goes on and on and then eventually goes away. He stated they want to know what is needed, they understand the budget and having to wait on this being finalized by the Governor.

Chairman Minton asked for an elaboration on the funding sources for the Buncombe and Caldwell facilities, as he agrees with the other two, Wilkes needs this. Mr. Ingraham replied

Vaya's part is easy it is the Medicaid savings from their fund balance. In Buncombe it was Mission Hospital for the reasons the Board understands and also as a community partner, and the county felt strongly enough about it that they also wrote a check. He added is there enough savings from a county to offset, probably not, but if you don't have it where do people go. They go to the emergency department, jail, or stay on the streets. They don't go away. Chairman Minton asked with the exception of the General Assembly taking some of their fund balance have there be changes to their funding stream in regards to their savings. Mr. Ingraham said they weathered that storm pretty well, but they are more conservative. He added for example, this has not been decided, they could take an amount every year and use to fund services on an ongoing basis. This has to do with their rates, and how good the future looks, he noted. Mr. Ingraham said their position affects the day-to-day, the pay, savings, and then the state budget and if there is an appropriation. The wild card is if Medicaid eligibility was expanded, which seems less likely now, this could change things overnight, he stated. Vice Chairman Blevins asked how much their fund balance is and how much did the state take. Mr. Ingraham stated 60% of their fund balance can't be touched due to local government requirements. In December the fund balance was about \$1 million, they are a \$400 million per year operation, \$65 million is in the lock box, and the rest is more available. He said as any business you keep 30-days cash on hand, so \$20 million was about 20%.

Vice Chairman Blevins said this is about 5% of their operation budget, if the government took 5% of the county's operation budget they would have to be careful what they spent money on too. He added it is justified, but he agrees with Commissioner Settle, this project cannot fade away, it needs to be put on the back burner until they see what happens. Additional funding partners are needed, possibly the Health Foundation which has been a great asset to the community, he noted. Vice Chairman Blevins said when the time is right the plan is in place, they know what they want to do and are committed to it. If things fall in place and the funding works out Vaya is committed to do it as well, he added.

Commissioner Settle stated he does not mean to beat up on anyone, but this is rural Appalachia and opioid abuse is ramped here and they are dealing with counties that don't have access to what Buncombe and Caldwell have. They have a much larger revenue and they can step up and do what they need to, Wilkes, Ashe, and Alleghany and the 83 other rural counties have a much tougher time, he added. Commissioner Settle said these counties are looking more to Vaya and folks like Senator Randleman, as it seems the Medicaid part is not going to happen. Wilkes is looking at what they need to do and where they need to go, the Hospital is being bought out, so this could help and be good or not, it is unknown. He said they are looking for numbers and things to put on the table and say this is what Vaya has to have to make it work. Mr. Ingraham replied this is correct, he is their advocate and works for them when it comes to this, there is no question about this. This is a high priority for them, he can't change the numbers at this point. He said they have to see the budget and see if there is any additional funding ear marked for this type project and then they can come back and see where they are at that point. Mr. Ingraham said they can see if there is anyone else that can step up and help. Commissioner Elmore asked if the other two counties that have these facilities provide special funding for them. Mr. Ingraham replied Buncombe does. Mr. Brian Shuping, with Vaya replied. In Caldwell, the Foothills Inc. Board (the old Foothills Foundation) still had some money and they gave that. He

added for the NC Housing Financing Loan the county is responsible if Vaya is not in the picture the county signed the note, if Vaya does not pay they would have to. Mr. Ingraham said there is not direct money from Caldwell County for that project. Commissioner Elmore stated this is a regional center and if funds are needed to be raised they could possibly look to those counties for help. Mr. Ingraham added yes, go to the neighboring counties because all these facilities are designed to be regional.

The Board thanked Mr. Ingraham for the update.

**BLUE RIDGE OPPORTUNITY COMMISSION (BROC) – MARCH FOR MEALS CAMPAIGN PROCLAMATION** – Chairman Minton recognized Jamie Wyatt, Book Keeper BROC Senior Nutrition Services. Mr. Wyatt stated this is the 15<sup>th</sup> year for March for Meals and BROC is asking the Commissioners for a Proclamation to designate the entire month of March to be “March for Meals” month. He asked for the Board’s continued support. Commissioner Elmore stated they serve about 200 people. Mr. Wyatt replied yes, the Meals on Wheels program does and they have a waiting list of about 170 currently. The need continues to far outpace their ability to serve due to budget restraints and the size of the county, he added. Mr. Wyatt said there are a limited number of dates in March and they are working on getting these scheduled and getting with the Board to ride on routes. Commissioner Elmore stated he would like to encourage everyone to ride. Chairman Minton agreed.

Commissioner Keith Elmore made a motion to approve the Proclamation to declare March as the “March for Meals” month as presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

*A PROCLAMATION PROCLAIMING MARCH 2017 AS THE  
15<sup>th</sup> ANNUAL MARCH FOR MEALS MONTH*

*WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and*

*WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and*

*WHEREAS, the 2017 observance of March for Meals celebrates 15 years of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and*

*WHEREAS, Meals on Wheels programs – both congregate and home-delivered, in Wilkes County, North Carolina have served our communities admirably for more than 40 years; and*

*WHEREAS, volunteers for Meals on Wheels programs in Wilkes County are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and*

*WHEREAS, Meals on Wheels programs in Wilkes County provide nutritious meals to seniors throughout the area that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and*

*WHEREAS, Meals on Wheels programs in Wilkes County provide a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation; and*

*WHEREAS, Meals on Wheels programs in Wilkes County deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation.*

*NOW, THEREFORE, I Greg Minton, as Chairman of Wilkes County Board of Commissioners do hereby proclaim March 2017 as the 15<sup>th</sup> Annual March for Meals Month and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2017 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.*

*Dated this 7th day of March, 2017*

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*Gregory A. Minton, Chairman Wilkes County Board of Commissioners*

## **FIRE MARSHAL:**

**1. APPROVAL OF RONDA FIRE INSURANCE DISTRICT TO INCLUDE THE WILKES COUNTY PORTION OF THE OLD ARLINGTON FIRE INSURANCE DISTRICT** – Chairman Minton recognized Kevin Bounds, Fire Marshal. Mr. Bounds said Bruce Byrd, the Fire Chief for Ronda, had a conflict and could not attend but is aware of what they are doing. He said this concerns the portion of the old Arlington Fire Insurance District which is in Wilkes County. The County is in the middle of a new fire insurance and fire tax district mapping project, he said, but this particular situation needs to be fixed immediately and cannot wait on the completion of the project. Mr. Bounds said his office had called the Department of Insurance (DOI) to find out the easiest fix for this. His office was told that this Board needs to approve the inclusion of the Wilkes County portion of the old Arlington Fire Insurance District in the Ronda Fire Insurance District, he added. This is a fix that would have been taken care of once the mapping project is completed, but DOI has been notifying folks in the old Arlington Fire Insurance District that it no longer exists and they have no fire protection. Mr. Bounds said this will afford them this protection and after approval this will be sent to Chet Hill at DOI and then immediately to ISO in Maryland. This is of high importance, he said, and is

normally not done like this, but DOI said this is easiest and quickest fix. He stated that he and the County Attorney, Tony Triplett, worked together on this. Mr. Bounds stated in the packets is a map and description that includes the addition of the Wilkes County portion of the old Arlington Fire Insurance District to the Ronda Fire Insurance District. Chairman Minton asked if both Arlington and Ronda are on board. Mr. Bounds replied the county no longer contracts with Arlington. Ronda has been protecting this area since Arlington is not there. He added once this mapping project is approved there will be no more Arlington Fire Tax District in Wilkes County, either, as it will be placed in the Ronda Fire Tax District, but this will get their former Insurance District into Ronda Fire Insurance District.

Commissioner David Gambill made a motion to approve the Ronda Fire Insurance District to include the Wilkes County portion of the old Arlington Fire Insurance District, as presented. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

*Ronda Fire Insurance District  
Including the Wilkes County Portion of  
Arlington Fire Insurance District  
Served By: Ronda Volunteer Fire Department Inc.  
Six Mile District                      1" = 1 Mile  
Wilkes County - Approved by County on \_\_\_\_\_*

*Beginning at Point (1) at the intersection of SR 1924 (Poplar Springs Road) and SR 2015 (North Ridge Road), thence in a southeasterly direction with SR 2015 to Point (2) at the intersection of SR 2015 and N.C. Highway 268, excluding all property with primary access from SR 2015 between this and the preceding point; thence in a southerly direction in a straight line to Point (3) on SR 2321 (Old 60) .2 miles west of Gray's Creek Bridge; thence in a southerly direction in a straight line to Point (4) at the intersection of SR 2318 (Mathis Mill Road), SR2319 (South Plum Ridge Road) and SR 2320 (North Plum Ridge Road); thence in a southerly direction with SR 2319 to Point (5) at the intersection of SR 2319 and U.S. Highway 421(Wilkes-Yadkin Road) excluding all property adjacent to or accessed from SR 2319 between this and the preceding point; thence in an easterly direction following the centerline of U.S. Highway 421 (Wilkes-Yadkin Road) to Point (6) at the intersection of U.S. Highway 421 (Wilkes-Yadkin Road) and SR 2436 (Old U.S. Highway 421); thence in easterly direction to Point (7) on SR 2400, .3 miles south of its intersection with U.S Hwy 421 ( Wilkes-Yadkin Road); thence in a southeasterly direction to Point (8) on U.S. Hwy 421 (Wilkes-Yadkin Road) at its intersection with SR 2402 (Dennyville Road); thence in a northeasterly direction to Point (9) at the end of SR 2603; thence northwesterly to Point (10) on SR2303 at its intersection with SR 2402 (Dennyville Road); thence northeasterly to Point (11) at the end of SR 2381; thence northerly to Point (12) on SR 2309, at its intersection with the Wilkes/Yadkin County Line; thence northerly following the Wilkes/Yadkin County Line to Point (13) on the southern end of SR 2307 at its intersection with the Wilkes/Yadkin County Line; thence northerly following the Wilkes/Yadkin County Line to Point (14) on SR 2307 at its northern intersection with the Wilkes/Yadkin County Line; thence northerly following the Wilkes/Yadkin County Line to Point (15) at the intersection of the Wilkes/Yadkin County Line and the Yadkin River, (including all property in the Arlington Fire Insurance District located in Wilkes County between this and the preceding point); thence in a*

*westerly direction to Point (16) at the end of SR 2302; thence westerly to Point (17) at the end of SR 2391; thence northwesterly to Point (18) at the end of SR 2364; thence northwesterly to Point (19) NC Highway 268, .4 miles west of SR 2364; thence northerly to Point (20) on SR 2018, .5 miles west of its intersection with SR 2020; thence in a northwesterly direction to Point (21) on SR 2021, .7 miles east of its intersection with SR 1924; thence northerly to Point (22) at the end of SR 2025; thence northerly following the centerline of SR-2025 to Point (23) on SR 2024 at its intersection with SR-2025; thence northwesterly to Point (24) on SR 1924, .5 miles north of its intersection with SR 2024; thence westerly to Point (25) at the end of SR 2120, excluding any property located on SR2120; thence in a westerly direction to Point (26) on SR 1934, .2 miles north of its intersection with SR 2012; thence in a southwesterly direction to Point (27) on SR 2012, .2 miles west of its intersection with SR 1934; thence southerly to Point (28) on SR 2013, .2 miles south of its intersection with SR 2012; thence in a southwesterly direction to a Point (29) on SR 2014, .9 miles west of its intersection with SR 2013; thence in a southwesterly direction to a Point (30) on SR 1990, .4 miles north of its intersection with SR 1924; thence in a southeasterly direction to Point (1) the beginning Point.*

*NOTE: This description describes an area of Wilkes County pursuant to General Statutes 153A-233 for insurance grading purposes.*

*Note: Points 1, 2, 3, 4, 5, 6, and 30 are adjoining points with the Roaring River Fire Protection District.*

*Note: Points 7, 8, 9, 10, and 11 are adjoining points with the Buck Shoals Fire Protection District.*

*Note: Points 13, 14, and 15 are adjoining points with the Arlington Fire and Rescue Protection District. Which is now served by the Ronda Volunteer Fire Department*

*Note: Points 15, 16, 17, 18 19, 20, 21, 22, and 23 are adjoining points with the Pleasant Hill Fire Protection District.*

*Note: Point 24 is an adjoining with the Austin Fire Protection District*

*Note: Points 25, 26, 27, 28, and 29 are adjoining points with the Shepherds Crossroads Fire Protection District.*

**2. APPROVAL FOR TRANSFER OF FOUR PARCELS FROM GOSHEN FIRE INSURANCE & TAX DISTRICT TO BOOMER FIRE INSURANCE & TAX DISTRICT** – Mr. Bounds stated he has been meeting with Fire Departments and Board of Directors and giving out the new maps as part of the mapping project. He said Larry Sloop, representing the Board of Directors from the Goshen VFD, and Rex Nichols, President, Board of Directors for Boomer VFD, are both here and he wanted to recognize them. He added he met with these boards and they both had a discrepancy in their Fire Insurance & Tax District maps. Mr. Bounds stated there are 4 parcels that they agreed would change districts about 15 years ago,

from Goshen to Boomer, and both departments agreed on this, but it was never brought before the Board of Commissioners for approval. He said the tax office made the necessary changes, but without Board of Commissioner approval, he and Jessica Welborn from HCOG found it was not legally changed. Mr. Bounds said the Board has the information in front of them and under G.S. §69-25.11 they can now give final approval to the change. He said the four parcels to be changed are listed by Parcel ID and property owners' names, and that Goshen VFD has agreed to give them up and Boomer VFD has agreed to take them. Mr. Triplett stated, to verify, the fire tax rates are the same. Mr. Bounds replied yes, the fire tax rates are the same for both departments. Mr. Triplett said this needs to be included in the record and makes a difference procedurally in how this is approved under G.S. §69-25.11.

Commissioner Keith Elmore made a motion to approve the transfer of four parcels pursuant to G.S. §69-25.11 from the Goshen Fire Insurance and Tax District to the Boomer Fire Insurance and Tax District, upon a finding that the respective Board of Directors of both Fire Departments have unanimously agreed and authorized their Board Presidents to sign the transfer agreement. The parcels are located on Boomer Road (SR1114) and consist of Parcel ID 0302243 Mickey & Samantha Parsons; Parcel ID 0300376 Rex Love, Jr.; Parcel ID 0302184 Neil Edminston; and Parcel ID 0302183 Jimmy & Brenda Smithey, as presented. The motion was seconded by Commissioner David Gambill and unanimously approved.

**TAX DEPARTMENT – TAX RELEASES** – Alex Hamilton, Tax Administrator asked the Board to approve tax releases in the amount of \$5,827.30.

Commissioner Keith Elmore made a motion to approve the tax releases as presented. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

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

**PLANNING DEPARTMENT:**

**1. ROAD NAME REQUEST – ANTIQUA DRIVE – MORAVIAN FALLS TOWNSHIP** – Planning Director Eddie Barnes stated a Public Hearing was held earlier this evening to receive public input on a proposed Road Name Request for Antiqua Drive in Moravian Falls Township, with no opposition. He stated this request meets the requirements of the Wilkes County Road Naming Ordinance and a ten-day notification period has been met. He stated the Planning Department has not received any comments opposing the Road Name Request.

Vice Chairman Gary D. Blevins made a motion to approve the Road Name Request for Antiqua Drive as presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**2. REQUEST TO SET PUBLIC HEARING – ROAD NAME REQUEST – CHATHAM LANE** – Eddie Barnes, Planning Director 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 Chatham Lane, Boomer Township; the request meets the requirements of the Wilkes County Road Naming Ordinance and as required by the Wilkes County Road Naming Ordinance a Public Hearing and a ten day (10) notification period is required.

Vice Chairman Gary D. Blevins made a motion to set a Public Hearing on Tuesday, April 4, 2017 at 9:55 A.M. regarding the Road Name Request as presented. The motion was seconded by Commissioner David Gambill and unanimously approved.

**WILKES COUNTY CHILD FATALITY PREVENTION TEAM – ANNUAL REPORT 2016** – Chairman Greg Minton recognized and welcomed Health Director Ann Absher. Mrs. Absher provided the Commissioners with the 2016 Wilkes County Child Fatality Prevention Team Annual Report. She stated the General Statutes mandates Child Fatality Prevention Teams meet and give an annual report. Mrs. Absher said she appreciates Commissioner Settle for sitting on the team. Commissioner Settle noted this is a tough team to be on. Mrs. Absher agreed and said they do have a great physical leader, Dr. Ila Baugham. She helps the members to understand all the medical terminology and what happen.

A summary of the report stated in 2016 the team met 2 times and reviewed 6 child fatalities, the number reviewed in 2015 was 8. Mrs. Absher said there were no trends noted in the cases that were reviewed in 2016, nor were there any recommendations for policy or system process changes in Wilkes County. No systems problems were identified. They have enjoyed improved communication between agencies through team meetings. The death reviews that take place in the team meetings are confidential. The team is looking for trends or opportunities to improve systems to prevent child deaths as a community, thus the discussions that take place help to break down barriers between agencies that might otherwise limit open discussion. Mrs. Absher requested the Board accept the report and stated she will take any questions they may have.

Chairman Minton thanked Mrs. Absher for her report.

**DEPARTMENT OF SOCIAL SERVICES – UPDATE** – Chairman Minton recognized John Blevins, DSS Director. Mr. Blevins said first he would like to thank Vice Chairman Gary D. Blevins who went with Kevin Brown, Autumn Johnson and himself to the Medicaid Convening for the NC Association of County Commissioners. He added they were invited because they scored the highest of any of the counties that were audited. Ms. Johnson spoke at the meeting and represented Wilkes County very well. Mr. Blevins said she did an excellent job, they wanted Wilkes to explain how they did it and it is the people, the workers. Vice Chairman Blevins stated it was a good meeting, there was a tremendous turnout to include, DSS Directors, County Commissioner Board Members, Staff, and he learned a lot about the DSS system and how it works. He added Wilkes got a chance to go before the Association and brag. Wilkes finished well in the audit and it is a testament to John Blevins and his staff.

Vice Chairman Blevins said some of the Directors for DSS were there to include Wayne Black and his boss, also the lady that created the NC Fast system. He added considering the number of people, dignitaries, and elected officials in attendance, Autumn Johnson did a great job, it was

well done and he was very proud to be there with these folks. Vice Chairman Blevins said she knew exactly what she was talking about and it was obvious she was well versed and very knowledgeable about this subject and it was a full hour presentation. Mr. Blevins agreed and added that is why Wilkes scores so well Ms. Johnson and Alene Watkins are well versed and know it like the back of their hand. He added they do the second party reviews and look over the files if something is there that shouldn't be, they know it and catch it. Vice Chairman Blevins said he was amazed at how complicated it was and the number of steps, there are so many opportunities to make a mistake. These ladies go back and check virtually all the information and applications and the staff deserves a lot of credit for the excellent score on the audit. Mr. Blevins agreed it is a complicated program and they do a great job.

Mr. Blevins briefly went over the monthly caseload report for January and the Foster Care financial report. He stated the Medicaid transportation will be moved into the NC Tracks program by the end of June. They have three providers and all are ready, only waiting on a site visit. Mr. Blevins said the county will no longer cut the checks they will go directly to the providers and they will approve the trips after the providers put them in the system. Commissioner Gambill asked if it will slow the process down for the providers getting their money. Mr. Blevins replied yes, it most likely will, there are more steps in the process. Commissioner Gambill asked if this had been discussed with WTA. Mr. Blevins replied yes, Autumn Johnson has discussed this in detail with them. Mr. Yates added Jerry Shepherd, Finance Director has also discussed it with them.

Mr. Blevins went over Adoption Services financial report, Child Development and Subsidized Child Care financial reports. He stated Day Care is getting ready to go into NC Fast the first service month will be April and they are in the process of converting the cases. He said they have 103 converted from the 232 total cases, they hope to have 75% done by March 17 and all have to be done by April. Mr. Blevins said they are working to get these up and running.

Vice Chairman Blevins stated they met on Foster Care and part of the reason this total increased is a change in the law that 18 to 21 year olds in Foster Care can stay in Foster Care beginning in January. Mr. Blevins said that was correct, it began in January and they did have some that stayed in and some that declined it, it is their choice. Commissioner Gambill said if they decline can come back in at any time until age 21. Mr. Blevins replied yes they can come in and out multiple times until age 21. He added in his budget coming up the Board will see an additional line for this as well, it is 100% reimbursed.

Vice Chairman Blevins said in the meeting last week it was mentioned that a system will be rolled out that interfaces with North Woods and given to them as part of the NC Fast. Mr. Blevins said they will have a mobile component to the NC Fast. The county will purchase the tablets and the CPS investigators will have the ability to go out to the field take photos, pull up forms, complete them, add to them, and it will sync when they get back to their office. Mr. Blevins said the counties that had North Woods cried out that the new system had to talk with North Woods so they could continue to use it. They are working on a bridge or communication to do this, he added. Mr. Blevins said the counties without North Woods will be provided with a NC Fast system that works in the office and a mobile component to allow them to add dictation

and photos from the field and pull up paperwork in the system. Chairman Minton said this will make them more efficient in the field. Mr. Blevins agreed.

Next Mr. Blevins went over the CPS Foster Care monthly report for January. Mr. Blevins said they are going to work with Children's Home Society. They are going to come in and help them with the harder cases they have, to look for homes to adopt these children. He added the Children's Home Society received a grant from the state and they are looking forward to them coming to help. Mr. Blevins said they have a MAPP class coming up and seven families have registered for this class which is excellent and they are very excited. It will begin Tuesday, March 28 from 6 to 9 PM each week until May 30<sup>th</sup> at the DSS. Commissioner Elmore asked if someone had gone through the training 5-years ago would they have to go back through it. Mr. Blevins replied yes more than likely they would.

The Board thanked Mr. Blevins for his update.

**PURCHASE OF COUNTY-OWNED PROPERTY IN NEW CASTLE TOWNSHIP –**

County Attorney Tony Triplett said this is a property the County obtained through a tax foreclosure. This is small parcel 0.36 acres on Redman Road just off Clingman Road. He stated Jeffrey Hudspeth an adjoining property owner, through his attorney Randy Hincer has submitted an offer of \$1,450.66 to purchase the property plus cost. As noted in the material in the packet this is sufficient to cover what the County has in it, he added. Mr. Triplett stated what is before the Board is only to publish this offer in the paper to see if there are any upset bids. Mr. Triplett said after the 10-day notice has expired he will bring it back at the next meeting for the Board to decide if they was to accept the bid or not. Commissioner Elmore asked if this would be advertised in the Wilkes Journal-Patriot. Mr. Triplett replied yes. Commissioner Elmore stated the attorney is from Jonesville and that area may not see the notice if it's only in the Wilkes paper. Mr. Triplett agreed and added this is an excellent suggestion, it adds a little extra cost, but the offer includes advertisement cost. Chairman Minton agreed. Commissioner Elmore stated so many times they hear from folks they didn't know and maybe this will help more to be aware.

Commissioner David Gambill made a motion to publish notice in the *Wilkes Journal-Patriot* and the *Elkin Tribune*, pursuant to G.S. §160A-269, of the offer received from Jeffrey Hudspeth through his attorney, Randall Hincer, on February 17, 2017, for the purchase of property formerly owned by Rossalee Hagler, consisting of 0.63 acres on Redmon Road in New Castle Township, Wilkes County, North Carolina, the same having been acquired by Wilkes County through tax foreclosure at Deed Book 1117, Page 283, Wilkes County Registry, for \$1,450.66 plus advertising costs, Deed preparation, and recording costs; provided, that the County first receives a 5% deposit from Mr. Hudspeth. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

**WILKES COUNTY LANDFILL – FARM LAND LEASE – APPROVAL OF BIDS –**

A tabulation sheet and copy of bids received was given to the Board. County Attorney Tony Triplett stated only two bids were received and the Board authorized this to be put out for bids at the last meeting. He said the bids that was received which were from: ASJ Mathis Farms (Luke

Mathis) bid \$4,620.00 per year; Brian Chatham whose email address states High Mountain Farms with a bid of \$4,801.50 per year for three years, and this is the high bid. He stated it is up to the Board if they wish to proceed or not. If you do, a motion will need to be read into the record under which the Board would authorize a notice in the paper that has to run for ten more days, and after that notice the Board can approve a lease at the next meeting.

Vice Chairman Blevins asked if the bid can be upset. Mr. Triplett replied no it cannot because it is a lease and not a sale. Commissioner Settle asked where Mr. Chatham is from. Mr. Triplett replied his address is listed on the bid as Jefferson. Vice Chairman Blevins asked if this can be re-bid or is there any options. Commissioner Elmore stated the Board has to take the high bid. Mr. Triplett said the Board has options, the high bid does not have to be accepted. Commissioner Settle asked if the bids can be limited to citizens and tax payers in Wilkes County. Mr. Triplett replied the way it has been advertised was to accept bid and then take the high bid, the Board has the right to reject the bids. He added the time frame may be an issue as the season is about to begin for farming and planting crops. Vice Chairman Blevins stated he would like to re-bid it. Mr. Triplett said this has not been done before, but the Board can. There were two bids received and now each of them and everybody else, will know what they bid. Commissioner Elmore stated in fairness to everyone, the Board should take the high bid. Mr. Triplett said that is the procedure and the precedence the Board has set, they can depart from it if that is the desire. Commissioner Settle asked if anyone from outside the county has ever bid on this. Mr. Triplett replied no. Mr. Triplett added Kent Brandon is not here, but to his knowledge anyone that had prior interest in the crop land was contacted by Mr. Brandon. He added Mr. Blackburn contacted the Clerk, but did not submit a bid. Vice Chairman Blevins added maybe they can get a higher bid if it is re-bid.

Planning Director, Eddie Barnes stated they have been working with the Wildlife Resource Commission on the canoe ramp down there and not sure if this was considered in the lease agreement. He added the lease may need to reference the possibility of an easement going through there. Vice Chairman Blevins asked if this would change the number of the acres involved, the bids were precise calculations based on 33 acres. Mr. Triplett said the rent for the lease that just expired from ASJ Mathis Farms for the last 3-year period was for \$4,199.91 annually. This time ASJ bid \$4,620 which is about \$500 more than last time, Mr. Chatham bid \$4,801.50 which is \$600 more, he added. Commissioner Settle asked if Mr. Chatham knew about the flying airplanes and everything, did he look at the property. Mr. Triplett replied he should know it was in the advertisement and the lease is subject to that. The Wildlife Resources mentioned by Mr. Barnes was not included, he added. Commissioner Gambill said they know about the local folks that have leased this in the past and they do not know anything about Mr. Chatham. Commissioner Elmore asked if the lease is restricted to agricultural. Mr. Triplett replied yes it is restricted to agricultural and crop production. Commissioner Settle stated in his defense they do have to get the crops in the ground. Vice Chairman asked if the time frame for a re-bid would allow for a vote at the next meeting. Chairman Minton stated they need to get their crops in the ground, the Board has a high bid and should proceed, he doesn't like it but they need to do it. Commissioner Elmore ask if the Board should be picking and choosing who leases this.

Commissioner Settle said it is late in the year, the next time this lease come up it needs to start earlier and different wording is needed so that only Wilkes County Residents can bid. Chairman Minton stated he agreed and would prefer this went to a Wilkes County tax payer, but they have a high bid and need to move along.

Commissioner Keith Elmore made a motion to publish notice, pursuant to G.S. 153A-176 and 160A-272, of the intent of the Board of Commissioners to enter into a Lease Agreement between Wilkes County (as Lessor) and Brian Chatham d/b/a High Mountain Farms (as Lessee) for approximately 33 acres of farmland owned by the County and located on Highway 268 East near the Wilkes County Landfill, the same to be used for agricultural purposes under terms and conditions as set forth in the previous Lease Agreement between the County and ASJ Mathis Farms, LLC dated February 1, 2014, except with a rental of \$4,801.50 per year and a term of three years beginning March 1, 2017 and running through February 29, 2020, with the County Attorney to present a Resolution for final approval of the Lease Agreement at the next meeting of the Board of Commissioners. Motion was seconded by Chairman Greg Minton. Voting on the motion:

Ayes: Chairman Greg Minton  
Commissioner Keith Elmore  
Commissioner David Gambill  
Commissioner Eddie Settle

Nays: Vice Chairman Gary D. Blevins

Below is the bid tabulation sheet provided to the Commissioners:

| <b>Landfill Cropland - Bid Tabulation</b> | <b>Lease Amount Per Year</b> |
|---|------------------------------|
| Brian Chatham                             | \$4,801.50                   |
| ASJ Mathis Farms (Luke Mathis)            | \$4,620.00                   |

Bids were opened in the County Managers office at 8:29 AM on March 7, 2017 with the following individuals present: County Manager John Yates; County Human Resources Specialist, Tracy Triplett; and County Clerk Sarah D. Call

**HIGH COUNTRY COUNCIL OF GOVERNMENTS – WILKES COUNTY ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE – BOARD APPOINTMNET –**  
County Manager John Yates stated he had received a letter from Stevie John, Regional Ombudsman, stating the appointment term for Brenda Sales to the Wilkes County Adult Care Home Community Advisory Committee will expire February 4, 2017. He stated Ms. Sales has indicated her desire to be reappointed for an additional three-year term and a Board Application has been received. It is for the Board’s consideration.

Vice Chairman Gary D. Blevins made a motion to reappoint Ms. Brenda Sales to serve on the Wilkes County Adult Care Community Advisory Committee for additional three-year term as requested. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**OLD BUSINESS** – Commissioner Eddie Settle stated he has spoken with Mr. Triplett and Mr. Yates about the High Impact Ordinance and glad Mr. Barnes is at the meeting. He said the Planning Board met on this and not sure how many members were present. Mr. Barnes replied there were 8 present. Commissioner Settle asked how many are on this Board. Mr. Barnes replied 12. Commissioner Settle stated 2 called him that did not attend and the County Attorney did not attend the meeting. He asked how something was moved along without the County Attorney present that involved the High Impact Ordinance, it seemed rushed in his opinion. Commissioner Settle said the ordinance is 1,000 feet from the center. Mr. Barnes replied that is correct. Commissioner Settle added if there is a 50 acre field and this is in the middle how much is left to the edge, the land they are buying is 53 acres. He added it was moved through and the residents down there didn't know about it, but they do now. There are two roads in front and one down the side. The ordinance needs more teeth especially in a heavily populated area, he noted. Commissioner Settle asked if the current ordinance included anything about clean up when they leave. Mr. Barnes replied it is not specific. He stated the background on this is the Planning Board met on December 27, 2016 no application was submitted to the Board, this was an inquiry by a potential applicant to discuss if the space requirement could be reduced. The Board made no decision at this meeting, there has been no meeting since this date, and the Planning Department has received no application on this property, he added. Mr. Barnes said this was a preliminary discussion this applicant wanted to bring to the Board to see if there was potential for the spacing requirement to be reduced. He stated the Board of Commissioners would have to do this, and the Planning Board made no recommendation at that meeting to reduce the space requirement, it was informational only.

Commissioner Settle asked if the County Attorney was asked to see if the Board would lower the amount of spacing. Mr. Barnes replied no, not formally and the Board has not reconvened. He said they did talk about the potential to reduce the spacing requirement, but no recommendations has been brought forward to the Board, no changes or amendment to the ordinance have been approved. Commissioner Settle stated he is not against these, but when they are in an area where homes almost encircle them, he is. They are located down east, he has seen them, it is a hot topic at the County Associational meetings and when they leave they push the post in the ground. They say you can farm it but this land cannot be farmed with a metal post pushed down in the ground. He stated the Board needs to look at the High Impact and see how this will affect the citizens in the county. It needs more teeth and defiantly not lowered. Mr. Triplett stated there are issues that need to be looked in to, he did not attend the meeting due to health issues. He added he spoke with Mr. Barnes after he returned and the Planning Board did not make any official decision one way or the other. Mr. Triplett said his understanding was they did want him to start working on an amendment to the ordinance. Commissioner Settle asked if it was an amendment to lower the ordinance. Mr. Triplett replied yes, but he didn't, he and Mr. Barnes talked and agreed this matter needed further review and work and the Board of Commissioners needed to know more about it. He stated instead Mr. Barnes has attempted to make contact with Dave Owens at the School of Government, the acknowledge expert on land use regulations,

including High Impact Ordinance. They want to talk with him about these issues, they need to be addressed, he noted. Mr. Triplett stated at the time the ordinance was adopted in 2004 they talked with the School of Government and were told the 1,000 feet was an acceptable distance. It was very much on the upper end of what other High Impact Land Use Ordinance had and probably greater than any they were aware of at that time. Mr. Triplett said what they cannot do is adopt a distance that makes it impossible for a lawful business to locate anywhere in the county, they can't be excluded. He noted facilities like homes, hospitals, and schools that need to be protected can be. Mr. Triplett stated, for the measuring, it is from the center as the other ordinance did at that time. He said maybe now it is permissible and maybe advisable to change this and to measure from the outer edge on the High Impact Land Use. It is good to discuss with Mr. Owens and make sure this is lawful and appropriate to measure by. Mr. Triplett said cleanup is not in the ordinance currently, it is not addresses, and it's tough to enforce. To require a company to vacate the premises and if they cease using it to require a company to clean it up and restore it to its former use before they occupied it, is an excellent ideal. He said the question is how they can be required to do this. Lots of times the company goes out of business and there is nobody to sue or comeback and clean it up. Mr. Triplett said they want to talk to Mr. Owens about all of this and then bring it back to the Board.

Commissioner Elmore asked if solar panels are considered high impact. Mr. Triplett said they are because these facilities want to generate electricity. Commissioner Elmore asked what makes it high impact. Mr. Barnes replied the esthetics or visibility. Commissioner Elmore asked could it be screened off with trees or anything. Mr. Barnes said that would help, but you probably can't screen one out completely. Commissioner Elmore stated agriculture or a chicken house is exempt from the ordinance and are not considered high impact. Mr. Barnes replied that is correct there are 7 uses all are industrial. Mr. Yates read the list from the ordinance which is: Asphalt Plants; Cement Mixing Facilities; Chemical Generating Facilities; Electricity Generating Facilities; Fuel Bulk Storage Facilities; and Radio and Television Broadcast Towers.

Vice Chairman Blevins said the entire county is not zoned and they don't want it zoned, the people should be able to do what they want on their property. If someone from outside comes in with a business that folks in the neighborhood don't want, it needs as much teeth in the ordinance as possible. These are tax payers and deserve respect, tranquility, and peace, he added. Vice Chairman Blevins said they do have to follow the law. He added measuring from the edge of the property to the last solar panel is a great ideal if they can do this they should, but they can't trump the regulations at the State level. He added this does have to be figured out, but as soon as they know the answer they need to make the ordinance as restrictive as possible. Mr. Triplett said in 2004 when the ordinance was written no one was thinking of solar farms, it is time to revisit them.

Chairman Minton said there is a CONSENSUS to charge the County Attorney to look into the existing ordinance and seeing specifically the rules for the 1,000 feet in conjunction with the Planning Board and report back. The Board agreed.

**CLOSED SESSION** – Motion was made by Commissioner David Gambill to go into closed session under Section 143-318.11(a)(3) of the North Carolina General Statute to consult with the Board’s attorney to protect the attorney-client privilege, and to consult with and give instructions to the Board’s attorney with respect to one or more potential judicial or administrative actions. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

Motion was made by Vice Chairman Gary D. Blevins, seconded by Commissioner Keith Elmore 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 Gary D. Blevins, seconded by Commissioner Keith Elmore and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 12:00 P.M.

Sarah D. Call, Clerk

Gregory A. Minton, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: