

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
March 19, 2024**

PUBLIC HEARING – ROAD NAME REQUEST – J&J LANE, ROCK CREEK TOWNSHIP – Chairman Casey Joe Johnson declared the Public Hearing open concerning the Road Name Request at 5:00 P.M. on Tuesday, March 19, 2024 with the following members present: Chairman Casey Joe Johnson, Commissioner Keith Elmore, Commissioner Stoney Greene, Commissioner Bill Sexton, and Commissioner Greg Minton.

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

Chairman Johnson asked if anyone would like to speak in regards to the road name request for J&J Lane in the Rock Creek Township, hearing no comments he declared the Public Hearing closed at 5:01 P. M. on the proposed Road Name Request.

PUBLIC CONCERNS – ALISON COLLINS – HUMANE SOCIETY OF WILKES – FIGHT ACT RESOLUTION – Ms. Collins thanked the Board and read a written statement at this time: *“The Humane Society of Wilkes supports the enactment of stricter penalties for individuals involved in organizing, supplying, promoting, or participating in dogfighting and cockfighting activities, including the breeding or selling of animals intended for fighting or for use in the training or conditioning of fighting animals. We believe that dogfighting and cockfighting are barbaric and cruel practices that inflict immense suffering on animals and perpetuate violence in our communities. We condemn these practices in the strongest possible terms and denounce these acts as abhorrent and unacceptable in a civilized society. The Humane Society of Wilkes asks the Wilkes County Commissioners to endorse the FIGHT act to ensure the enforcement of existing laws and the support the enactment of stricter penalties for individuals involved in these practices.”*

Chairman Johnson and the Board thanked Ms. Collins for her comments.

PUBLIC CONCERNS – MEGAN BARNETTE – Ms. Barnette quoted from a 2010 Riverfront Times article in which undercover agents busted up a dogfighting ring. She added they’re sociopaths in that they can live a fairly normal existence, portray themselves a lover of the breed, go to church, then stand around and cheer at one of the most barbaric acts you’ll ever see. Ms. Barnette stated a mistake is a wrong action or statement preceding from faulty judgment, but a mistake made for 30 years is a behavior pattern, and a person who engages in dogfighting for 30 years is a dog fighter. A person who breeds dogs and pays to advertise them in underground dog fighting magazines is making deliberate decisions. Continuing to plead that a dog fighting arrest 20 years ago, one wrong place wrong time event, in the face of so much publicly available evidence to the contrary, is asking this community to suspend disbelief, cross our fingers, and hope that this time the truth is being told. Others will also mention the name of one of three dog kennels owned by Stoney Greene, KKK, Killer Klown Kennels. She added they cannot ignore his list of close friends and mentors that include a plethora of convicted cockfighters, dogfighters, and breeders of fighting dogs. she said this isn’t an attack, it’s accountability; you are accountable to your constituents. Ms. Barnette said they

have different politics but share the same small-town values that determine how they treat their neighbors, do business, and want the community governed. She is here tonight to say that anyone who has participated in the barbaric sport of dog fighting has no place here. They are united in their belief that a person who could participate in dog fighting is not the kind of person whose judgment they trust to take care of the community or the finances. Mr. Barnette asked that Stoney Greene be removed as Chairman and that Stoney Greene be censured by this Board in the strongest terms possible. In closing, Ms. Barnette stated this is the wrong place and wrong time for Stoney Greene; hate for people or animals has no place; he violated the County Commissioner Code of Ethics and violated the trust of the community; and he should resign and remove this dark shadow and allow the community to move past this controversy and continue to grow and thrive.

Chairman Johnson and the Board thanked Ms. Barnette for her comments.

PUBLIC CONCERNS – KATHRYN CHARLES – FIGHT ACT RESOLUTION – Ms. Charles stated she is in full support of the FIGHT Act, which seeks to bolster enforcement efforts to crack down on illegal dogfighting and cockfighting throughout the United States. Dog fighting is a type of blood sport, she said, that turns trained dogs against each other in a fight, often till the death, for purposes of gambling or entertainment. She added dogs who lose their fights are often left with untreated injuries or brutally executed as a part of the entertainment. Currently under federal law, it is a crime to knowingly sponsor or exhibit an animal in a fighting event; buy, sell, possess, train, transport, deliver, or receive any animal for purposes of having the animal participate in a fighting event; or use the mail service or any written wire or form of communications to advertise an animal for use in a fighting event. It is also a crime to knowingly attend an animal fighting event or cause a person under the age of sixteen to attend, she said. Ms. Charles said the ASCPA estimates that the number of people involved in dogfighting in the United States is in the tens of thousands, it is not unusual for \$20,000 to \$30,000 to change hands in a single fight, and stud fees and the sale of pups from promising blood lines can bring thousands of dollars. She added the appeal seems to come from the sadistic enjoyment of a brutal spectacle and some people may use these animals as an extension of themselves and research backs up that there is a direct link between acts of cruelty to animals and violence towards humans, including child abuse, domestic violence, and elder abuse. Dog fighting continues, she said, because it's such a violent and secretive enterprise that is difficult and dangerous for law enforcement to crack down on it. After the 2007 indictment of football player Michael Vick, U.S. Senator Robert Byrd of West Virginia gave a passionate speech in the U. S. Congress where he said "dog fighting is a brutal sadistic event motivated by barbarism of the worst sort and cruelty of the worst sadistic kind. One is left wondering, who are the real animals; the creatures inside the ring or the creatures outside the ring?" In closing, Ms. Charles said the Resolution to support the FIGHT Act is absolutely necessary and proper and, due to recent revelations of Commissioner Greene's long-term involvement with the dog fighting enterprise and his violations of the Code of Ethics and the public trust, she believes the next appropriate step is his immediate resignation from the Board.

Chairman Johnson and the Board thanked Ms. Charles for her comments.

PUBLIC CONCERNS – GREG MCGRADY – NEIGHBORHOOD TARGET SHOOTING – Mr. McGrady said for the past several weeks he and his neighbors have been disturbed by gunfire originating from the occupants of 113 Short Street Drive. These disturbances have occurred after dusk and on occasion until after midnight and have created a significant disruption and safety

concern. Both he and his neighbors have contacted the Sheriff's Office on multiple occasions, citing these disturbances, and deputies have been dispatched out, but they say there is nothing they can do. He added he has contacted the Sheriff and the County Commissioners via email seeking a resolution and received prompt response in which he was directed to the Wilkes County Planning Office. Mr. McGrady said he had been informed by the Director of Planning of the Wilkes County Noise Ordinance which they thought might apply to this situation. However, it seems that the Ordinance specifies that firearms are almost completely exempt, except under Article 5 Section C Item 8. He added this provision states if the person discharging the firearm is within 50 yards of another residence the shooter must have the permission from the owner of that residence. This provision does not apply to his residence or any in the community, he said, being that his home is the closest to the discharge of the firearms and is about 20 feet beyond the 50 yards. It is hard to believe that there isn't a legal precedent or Ordinance in place to prevent this type of disruptive dangerous behavior, especially after dusk. He said he would like to petition the Wilkes County Board of Commissioners to either amend or draft a new Ordinance that will restore and ensure safety and tranquility to this community. In closing, Mr. McGrady said he appreciates the response of the Wilkes County Sheriff's Office, the Board of Commissioners, and the Wilkes County Planning Office and their assistance in working towards a resolution of this matter.

Chairman Johnson and the Board thanked Mr. McGrady for his comments.

PUBLIC CONCERNS – BLAKE PEARCE – FIGHT ACT – Mr. Pearce said he is here today to ask Wilkes County to not endorse the FIGHT Act and hopes everyone here has done their due diligence and actually read that language. They have heard a lot of people talk about dogfighting; that's a complete cover-up. He added anybody who owns a dog or a rooster can be subjected to a civil lawsuit with this law. Dogfighting and any other type of animal fighting is already illegal and, if they read the text, it does not do anything else to help that cause; instead, it hurts the farmers. Mr. Pearce said he is an active game fowl breeder who raises and exports game chickens and sells them overseas, and this would eliminate the ability to ship a rooster over the age of 6 months. He added he doesn't ship roosters until they are at least 10 months of age; if you ship them earlier than that, it causes them really bad stress. The older they are, the better they take the shipping and go to the foreign countries to breed. Mr. Pearce stated they are about to hear Mr. Wayne Pacelle come and speak about why they endorse this on the basis of Avian Flu and Newcastle disease. He added they just had the NC Dept. of Veterinarian Services State Veterinarian Michael Martin on March 13 to say they do not believe that game fowl create a greater risk for disease transmission in NC or any other state for any type of domestic poultry. Singling out game fowl as a high disease transmission risk in NC or any other state is not scientifically valid based on the current history of these diseases. There has never been a case of Avian Flu involving game chickens in the United States and this legislation gives them the power to hurt rural Americans that have animals. In closing, Mr. Pearce said regardless if it's a pit bull or any type of dog, a game rooster, or a regular rooster, they will be susceptible to a civil lawsuit if this passes. He added if your neighbor sees a dog and doesn't like it barking, you personally can get a civil suit if they report it to the federal secretary. He asked them not to endorse the Federal FIGHT Act and to please read the language.

Chairman Johnson and the Board thanked Mr. Pearce for his comments.

PUBLIC CONCERNS – VICTOR VARELA – DOG FIGHTING – Mr. Varela said he is here in support of the FIGHT Act. It's already been said very well why they should have this support and he

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wants to talk about compassion for animals. He and his wife have lived in Ronda for 22 years and saved 30 animals during that time. They found homes for some and some were adopted; he said you must have compassion to do that. He added to fight a dog or rooster shows a total lack of compassion. Compassion, he said, is a trait that he would like to see in his elected officials and he isn't sure if Mr. Greene has that compassion. Mr. Varela said without that, he's not sure he can be a good leader and thinks he should step down.

Chairman Johnson and the Board thanked Mr. Varela for his comments.

PUBLIC CONCERNS – WAYNE PACELLE – FIGHT ACT – Mr. Pacelle said he's from Washington, D.C., and runs a non-profit called the Animal Wellness Action. He had no idea they had great local voices advocating for the FIGHT Act and he appreciates all of those voices. Mr. Pacelle stated he has been working on dogfighting and cockfighting issues for 30 years and sees through the smoke screens. There's so much deception and charade going on about people being involved in breeding and shipping birds for show when they know exactly what's going on. It's about cockfighting, he said, so come out and say you're for cockfighting or dogfighting. This nation adopted the first statutes against animal fighting before they had the first animal welfare groups in the 1860's. People had an instinct that there was something deeply wrong with staging fights between animals, enjoying the blood biting, gambling on it, and being desensitized to it. Now they have all 50 states with felony level penalties for dogfighting, 42 states with felony level penalties for cockfighting, and a federal law with a felony level penalty for animal fighting and associated activities. The cruelty is obvious and anyone who can do this is going to be more prone to engaging in other criminal behaviors. He added this is a crime, if you stage animal fighting, you're obviously doing it for illegal gambling because none of this gambling is sanctioned. They have seen narcotics trafficking, money laundering, and lots of outbursts of violence. Mr. Pacelle said many U.S. cockfighters, some here in Wilkes County, ship birds to Mexico for fighting and the cartels control the cockfight arenas, and they are involved in organized crime. He has documented 10 of 15 outbreaks in the United States of variants of Newcastle disease are traced directly from smuggled birds from Mexico to the United States, and 3 of those outbreaks have cost the United States a billion dollars. Now they have Indian Influenza, H5N1, which started in Asia 15 years ago with the movement of cockfighting birds. Covid 19 had a .5% mortality rate for people infected, fortunately H5N1 in Asia is not that transmissible, but if it mutates and becomes more transmissible, they could see a traumatic disorganization of our society. He added the reason they have advanced the FIGHT Act is because there are people who are defying the law. There are 500 agencies and organizations that have endorsed it. The National District Attorneys Association, and the State Sheriff Associations in Kansas, Iowa, Florida, Ohio, Michigan, and Pennsylvania have all endorsed this, as well as the United Egg Producers and National Chicken Council.

Commissioner Elmore asked how large, in Wilkes County, is the problem and what impact would it have on the poultry production here. Mr. Pacelle replied the test in terms of what the FIGHT Act does in stopping a shipment of adult chicken roosters, the entities who would be concerned about that would be the general agricultural operations. The United Egg Producers which is the trade association over the entire egg industry and 330 million laying hens, is completely behind this legislation, including the State Poultry Associations. He thinks it's just a precaution, commercial poultry operations are concerned about bio-security. These birds are outside, and much of the Avian Influenza transmission occurs because fight birds have low pathogeny influenza. They fly over people and poultry farms and defecate and it's in that waste, and this is how they can spread the

disease. Once it's in the animals, he said, it can mutate and become a highly pathogenic Avian Influenza. This is why last year they had 60 million birds de-populated. Cockfighting has not been implicated in any of that, but it's an obvious threat and veterinarians and other professionals say it's a threat and they know it started in Asia because of the movement of fight birds.

Chairman Johnson and the Board thanked Mr. Pacelle for his comments.

PUBLIC CONCERNS - ROY BRANNAN – NEIGHBORHOOD TARGET SHOOTING -

Mr. Brannan said like Mr. McGrady he lives on Short Street and thanked the deputies for supporting them and also to the Board for their responses. He added he's been on that street for 24 years and never had to really consider coming to talk about this topic. It's been a quiet neighborhood, with pets and children playing, people in their yards talking with neighbors, until about a month ago. While some shots were happening at night, a lot were during the day while the kids were out. Mr. Brannan said his son could be out on the trampoline, it starts and he comes inside, it's that loud and close. When they hear a gunshot, they want to know where it came from and where it's going; he knows where it's coming from, and every time he hears it, he has no idea where it's going. They can hear the bullets going through the tree tops and it really concerns him. He added when they try to get help, it's if it's in an occupied vehicle or home and there's a hole in it, but that shouldn't be the point when they do something about it, that could be too late. In closing, Mr. Brannon said reasonable conversation has gone by the wayside, and it's time for action, that's why they are here. They know they're not the only people affected by this, and they are looking for what is sensible and realistic.

Chairman Johnson and the Board thanked Mr. Brannon for his comments.

The Wilkes County Board of Commissioners met on Tuesday, March 19, 2024 at 5:28 P.M. with the following members present: Chairman Casey Joe Johnson, Commissioner Keith Elmore, Commissioner Stoney Greene, 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 Casey Joe Johnson welcomed everyone and called the meeting to order at this time.

INVOCATION – Commissioner Bill Sexton led the Invocation.

PLEDGE OF ALLEGIANCE – Chairman Johnson led the Pledge of Allegiance.

Chairman Johnson stated with the consensus of the Board they need to amend the Agenda to elect a new Vice Chairman. This afternoon, he said, they received a letter from Commissioner Greene that he would be stepping down as the Chairman of the Wilkes County Board of Commissioners effective immediately before today's meeting. With Mr. Johnson now moving into the position of Chairman, the position of Vice Chairman is vacant and a new one needs to be elected, he said. The Board gave their consensus to add election of Vice Chairman to the agenda.

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

Commissioner Keith Elmore nominated Commissioner Bill Sexton for Vice Chairman. Chairman Johnson asked if there were any further nominations for Vice Chairman. Hearing none, Chairman Johnson asked for a vote to elect Commissioner Bill Sexton as Vice Chairman and it was unanimously approved.

Chairman Johnson declared Commissioner Bill Sexton to be Vice Chairman of the Wilkes County Board of Commissioners.

APPROVAL OF MINUTES – Motion was made by Commissioner Greg Minton, seconded by Commissioner Keith Elmore and unanimously adopted to approve the Minutes of the Budget Planning Work Session held on February 29, 2024.

BUDGET AMENDMENTS/TRANSFERS – Motion was made by Commissioner Keith Elmore to approve Budget Amendment No. 27 (General Fund – transfer of funds received from Opioid Settlement to capital outlay equipment for purchase of equipment in the amount of \$19,400); and Budget Amendment No. 28 (Fire – The money being moved is requested to install an electronic gate with key code and key card access for the fire training facility in the amount of \$22,108. This will allow better control and care of this facility while also allowing easier access for departments in public safety for training time). The motion was seconded by Commissioner Greg Minton and unanimously approved.

RESOLUTION SUPPORTING THE FIGHT ACT – Chairman Johnson said he appreciated the attendance and willingness to speak. He asked if there was any discussion amongst the Board or anything they would like to say. Commissioner Elmore stated it was his understanding that Senator John Kennedy is supportive of this and it is to encourage their legislators to support and get on board. In light of the impact the poultry industry has in Wilkes County, he feels it might be prudent for them to consider this.

Commissioner Greg Minton made a motion to approve the Resolution Supporting the FIGHT Act as presented at tonight's meeting. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

Resolution Supporting The FIGHT Act

WHEREAS, The FIGHT Act (S. 1529 by Senator John Kennedy, R-La. and H.R. 2742 by Rep. Don Bacon, R-Neb) seeks to bolster enforcement efforts to crack down on the scourge of illegal dogfighting and cockfighting in North Carolina and throughout the United States; and

WHEREAS, The FIGHT Act has provisions to ban online gambling of animal fighting, to halt shipment of adult fighting roosters through the U.S. mail, to enhance criminal forfeiture provisions under federal law, and to allow citizens to bring civil actions against dogfighters and cockfighters when federal law enforcement fail to interdict and break up known animal-fighting criminal syndicates; and

WHEREAS, The Board of Commissioners for Wilkes County believes that the FIGHT Act is a proper response to the cruel treatment of animals in staged fights; that dogfighting and cockfighting are barbaric and often bound up with a wide range of criminal practices; and

WHEREAS, there are at least 500 organizations and agencies across the United States that have already endorsed the FIGHT Act; and

WHEREAS, The National Chicken Council, the trade association for commercial chicken producer-processors, as long ago as 2004 had urged Congress “to pass a bill to crack down on cockfighting” and called it an “inhumane practice that presents a continuing threat to the health of commercial flocks.”

NOW, THEREFORE, BE IT RESOLVED, that the Wilkes County Board of Commissioners believes that the FIGHT Act will allow for the use of more law enforcement tools to disrupt illegal and organized animal fighting crimes and that the Board of Commissioners for Wilkes County endorses the FIGHT Act, urges U.S. Senators Tom Tillis and Ted Budd to cosponsor S. 1529, urges U.S. Representative Virginia Foxx to cosponsor H.R. 2742, and encourages the same to work diligently to secure its passage in the 118th Congress.

Adopted this the 19th day of March, 2024.

WILKES COUNTY:

*Casey Joe Johnson, Chairman
Wilkes County Board of Commissioners*

ATTEST:

Sarah D. Call, Clerk

TAX DEPARTMENT – PERMISSION TO ADVERTISE TAX LIENS – Chairman Johnson welcomed and recognized Tax Administrator Will Lankford. Mr. Lankford stated pursuant to North Carolina General Statute §105-369, the Tax Collector shall report to the Board of Commissioners the total amount of unpaid taxes for the current fiscal year that are liens on real property. The governing body shall then order the Tax Collector to advertise such liens. Anyone who has not paid their taxes will receive a notice at least 30 days prior to the date of advertising, that taxes are owed and that they will be advertised if the taxes are not paid within that 30-day period. Mr. Lankford stated he is requesting permission to advertise these tax liens and asked for the Boards consideration at this time.

Commissioner Keith Elmore made a motion to grant permission to the Tax Administration to Advertise Tax Liens as requested and presented at tonight’s meeting. The motion was seconded by Vice Chairman Bill Sexton and unanimously approved.

PLANNING DEPARTMENT – ROAD NAME REQUEST – J&J LANE – Chairman Johnson recognized W.C. Scroggs, Planning Director. Mr. Scroggs stated the Wilkes County

Planning Department has received a petition to name a private drive off of Bethany Ford Rd (SR 1990) in Rock Creek Township of Wilkes County. The name chosen by the petition is J&J Lane. The request meets the requirement of the Wilkes County Road Naming Ordinance. Mr. Scroggs said pursuant to the Wilkes County Road Naming Ordinance, a public hearing was held March 19th, 2024 and the ten-day notification period has been met. The Planning Department is requesting approval for the proposed road name. All property owners have signed the application as presented during the public hearing request.

Vice Chairman Bill Sexton made a motion to approve the Road Name Request for J&J Lane as presented at tonight's meeting. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

NACo ANNUAL CONFERENCE – VOTING DELEGATE – Chairman Johnson stated a voting delegate needs to be assigned for the NACo Annual Conference in Tampa, Florida for July 10 - 15, 2024.

Motion was made by Commissioner Greg Minton to appoint Commissioner Keith Elmore as the designated voting delegate for the National Association of Counties Annual Conference as presented. The motion was seconded by Vice Chairman Bill Sexton and passed unanimously.

CLOSED SESSION - Commissioner Keith Elmore 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; and under 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 Stoney Greene and unanimously approved.

Motion was made by Commissioner Stoney Greene, 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 Commissioner Keith Elmore, seconded by Vice Chairman Bill Sexton and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:19 P.M.

Sarah D. Call, Clerk

Casey Joe Johnson, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: April 2, 2024