

MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING
May 13, 2021

The Wilkes County Board of Commissioners met Thursday, May 13, 2021 at 5:30 P.M. in the Commissioners Meeting Room at the Wilkes County Office Building located at 110 North Street, Wilkesboro, N.C. for a Special Called Meeting. Present for the meeting were the following members: 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 John Yates, County Manager; Tony Triplett, County Attorney, Chris Huffman, Finance Director; 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.

RESCIND POLICY FOR ATTENDANCE AT BOARD OF COMMISSIONERS MEETINGS – County Attorney Tony Triplett stated the latest version of the policy is April 20, 2021 which moved the meetings back to the County Office Building. What is before the Board tonight is whether to repeal the policy altogether. He added the policy was adopted originally due to COVID 19. Things are better now and they can have everyone in person and moved the location back to their regular meeting place. Mr. Triplett said the Attendance Policy tracked the State Law passed last year which is Session Law 2020-3. This permitted all public bodies to have remote meetings and does not require a Board to have an attendance policy. The Board did this so that all meetings would be conducted just like the State Law provides. Mr. Triplett stated as they have discussed the Session Law only applies if one of the Board members is remote, it does not apply if all 5 are there, or if nobody is remote. He added if the policy is repealed this means meetings are conducted in person in every sense of the word just as they always have when members of the Board are present. Mr. Triplett said this means no roll call votes, no submitting written comments for public hearings 24 hours after the meeting, no written public concerns or comments, everything happens at the meeting just as before. Unless, one of the Board members is remote, which they can continue to do. In that case, the Session Law is triggered and all those requirements go back in play.

Mr. Triplett said this will remain an option as long as the Governor has the declaration of the State of Emergency. If he rescinds that, this law goes away and the authority to have remote meetings goes away. He added most Attorneys and the School of Government all agree this option goes away at that time and the reason the law was passed that allows this. They assume sometime this year he may revoke the declaration, but until that time they can still attend remotely. Commissioner Gambill stated the option to keep remote attendance in place it seems

may go away, but this has been a great asset to them when traveling or things come up to still attend. He would like to keep this option if there is any way possible to do this. They understand if they can't, but it would be nice if they could leave this part of the law in affect. Mr. Triplett agreed if the Legislature could keep a law on the books to make this possible that would be great. He does hope they would not keep the 24 hour requirement for Public Hearings as part of it. It makes it very hard to not be allowed to act on the same night as they hold a Public Hearing. They have to wait until the next meeting to act, and it holds things up.

Chairman Settle stated this is something their Association could work on and they can send this in as a goal. Commissioner Gambill added the Public Hearings also need to be looked into and updated as well. He added both of these need to be goals of the Association. Chairman Settle added if they are not able to be here the option to meet remotely so than can participate is beneficial. Commissioner Elmore added it makes no sense to take this away. They have operated an entire year like this and it has worked. He stated the Governor does not need to take that option away.

Commissioner Johnson asked if the meetings will still be live streamed or only recorded. Mr. Triplett replied just recorded unless one of the Board is remote. He added the Legislature did change the Law recently to allow 6 hours' notice of a remote meeting. It really helps if one of the Board is going to be remote to let staff know as far in advance as possible. The meeting will need to be live streamed and if there is a Public Hearing the Notice has to include the language about the 24 hours waiting period. It makes it awkward to do all of this the way the law is written now. Commissioner Gambill stated he likes the live stream option for the public. Commissioner Elmore asked if the recording is edited before being posted. Mr. Yates replied no, in addition all regular meetings are uploaded and posted to the County website the next morning after the meeting, which is very quick.

Commissioner David Gambill made a motion to rescind the Policy for Attendance at Board of Commissioners Meetings. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Commissioner Elmore stated he had a vacation scheduled 9 months ago and had to reschedule it and mistakenly rescheduled this for the week of the last meeting in June. He will attend the June 15, 2021 meeting remotely.

ADJOURN – Motion was made by Vice Chairman Brian S. Minton, seconded by Commissioner Casey Joe Johnson and unanimously voted to adjourn the Special Called meeting of the Wilkes County Board of Commissioners at 5:40 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: June 1, 2021