

**MINUTES**  
**WILKES COUNTY BOARD OF COMMISSIONERS**  
**June 7, 2022**

**PUBLIC HEARING – 2022-2023 PROPOSED WILKES COUNTY BUDGET** – Chairman Keith Elmore declared the Public Hearing open concerning the 2022-2023 proposed Wilkes County Budget at 6:00 P.M. on Tuesday, June 7, 2022 with the following members present: Chairman Keith Elmore, Vice Chairman Casey Joe Johnson, Commissioner David Gambill, Commissioner Eddie Settle, and Commissioner Brian S. Minton.

Also present for the meeting were Tony Triplett, County Attorney; John Yates, County Manager; Chris Huffman, Finance Director; Brooke Felts, Assistant County Attorney; and Sarah Call, Clerk to the Board.

*Public Notice for the Public Hearing was published in the Wilkes-Journal Patriot on May 18, 2022 and June 1, 2022, posted on the County bulletin board outside the meeting location and on the County website. The Public Notice is attached and made a part of these minutes.*

Chairman Gideon Keith Elmore recognized the following individuals who addressed the Board:

**LARRY TAYLOR AND TIM JOINES – BOARD OF ELECTIONS STAFF RECLASSIFICATION** – Mr. Taylor thanked the Board and stated “*he is currently serving as the Chairman of the Board of Elections for Wilkes County, he saw several on election night and good to see them again. General Statute 163-37 lays out that County Board of Commissioners are expected by the State to provide reasonable and adequate funds necessary to support the function of the County Board of Elections (BOE). This includes reasonable and just compensation of the Director of Elections and Election Staff. General Statute 163-35C clarifies some of what is meant by that indication, that compensation will be based on salary in an amount recommend by the County BOE and approved by yourselves. It shall be commiserating with the salary paid to directors in counties similarly situated and similar in population and number of registered voters. Based on the ideal of keeping a level playing field and allowing the state to have control the keep BOE similarly compensated so there won’t be the appearance or attempt to miniplate through funding mechanisms. We have proposed on several occasions to try close the gap that exists currently between the compensation levels for the staff at BOE and similarly situated counties: Watauga, Rutherford, Surry, Stanley, Pender, Franklin are all similarly situated to ours. In comparison there is about a 30% pay gap between how we are compensated and how those counties are compensated. That’s not going to meet a measure of being commiserate by any stretch. The BOE considers this a twofold issue, first is the compensations levels that exist currently. We consider that to be a liability issue for the county immediately, this is sort of a now thing. There is also the long term issue of how do you get someone to replace current positions later, if your compensation level is significantly lower than anywhere else they could go. That is a classification issue, in our budget request we have asked for reclassifications for the positions and we really consider that to be a tremendously important component of what we are asking for. We need those positions to be reclassified so that they can*

*be competitive and commiserate to surrounding counties. Then, of course that would include a change in compensation that would be required for those reclassifications which would also bring those salaries in some sort of commiserate position. Really there is quite a bit of legal presidency on that, even here in North Carolina. There is some liability issue that could come from that. I don't know how much of a threat that is at this point, but it certainly does exist. The law does stipulate that these people are to be compensated in a commiserate fashion, we are definitely not doing that at this point."*

Commissioner Settle said he mentioned comparable and surrounding counties, they heard Watauga and Pender who are the surrounding counties. Mr. Taylor replied it is not just surrounding it is counties that are similarly situated. It is similar number of voters and similar number of precincts. Commissioner Settle stated that would be Surry County. Mr. Taylor replied Surry is on the list along with Stanley. Commissioner Settle asked if Surry was 30% higher. Mr. Taylor replied it is 30% of the average of all of the ones that are similarly situated. Chairman Elmore stated he would like to suggest they give the Board their research so they can look at it and decide. Commissioner Settle added a liability component has been mentioned a few times and they want to make sure. Mr. Taylor replied he would be happy to sit down with them at any point and deliver this information in much more detail. Chairman Elmore said they have a County Manager they can meet with; the Board takes his recommendation. Mr. Taylor replied they have sat down with him a couple times already.

Mr. Joines stated *"they have talked with the County Manager and have very good discussions with him and personally have no problem at all, that's not the point of the comment. We all have certain limitations on what we can do in our individual jobs and you are like President Truman was, you are where the buck stops and where it starts. I have been on the BOE in Wilkes County for 10-15 years, it has been a long time and some may feel it has been to long. I very much enjoyed that job and being able to give back to the community where I grew up. It seemed to be a good fit for me and I hope I have contributed somehow. The responsibility of Board members of the County BOE has changed tremendously in this period of time. In fact, a lot of the responsibilities the county boards might have had 50 years ago are all handled by the director and staff now. One of the job responsibilities that has not changed of the county board members themselves is to ensure we have professional, adequate, well trained, well educated, and competent staff members. That is to the benefit of everyone, all of you, and everyone in the county to have a competent well run election. I believe our past primary is evidence of how well run this office has been. During the period of time I have been on the Board I am not aware of any major flaws or problems with the conduct of the office. I contribute that to the efficiency of the employees. These employees, much like myself, will not be working forever and we have to look down the road. I feel as a Board member that is one of my responsibilities to look at today and also look into the future to plan ahead for how we can continue to maintain the quality of staff members and director that we have today. All of us benefit from the elections and in the world and community we live it today elections and administration of elections has certainly been attacked and been questioned. I do not want to make this a political issue. That is not the point of the comment. We all have questions from time to time, but I can look all of you in the eyes and say our election process in this county is A#1 and I would defy anyone to prove there is any fraud or any malicious misapplication of the law or procedures in our local elections system.*

*That has to do with the Board, but more importantly with the staff, director and the people they get to volunteer in our election process. I do not disagree with any of Mr. Taylor's comments to you and ask that you please take the information and evaluate it. My main concern is that we reclassify the position on the BOE such that we will in the near future, maybe not next week or month, but near future be able to adequately compete with these other communities such as Watauga. Wilkes has 43,000 voters; Watauga 42,000, Rutherford 44,000, Surry 46,000, Stanley 42,000, Pender 44,000, and Franklin 46,000, and I will be glad to give you all this. You can hear from my numbers we are all in about the same place, but the salary range runs from \$38,000 in Wilkes all the way up to \$60,000 in Franklin. That is a pretty good discrepancy. I just ask personally that you look at this and please give it a fair evaluation. These jobs need to be reclassified so when the time comes that we need to recruit a new director or even new staff members, that we can do so and end up with the same quality of personnel that we have now and we can maintain the same electoral system that we've got. Were blessed in the county for a multitude of reasons, but one is having had and continuing to have one of the best Election offices in the state. Thank you."*

Commissioner Settle said he does not disagree with what they are saying, but this county is large and they need a minimum of two one-stop voting sites. When they compare to Surry, they had four, how do they get four and Wilkes has one. He added from the outlying areas in Wilkes it is a long travel to come here to vote one-stop and he would like to suggest this to the BOE. Chairman Elmore asked them to get the data to them so they can look at it and see where they are. He added Ms. Caudill does an excellent job, she helps them a lot.

Chairman Elmore and the Board thanked Mr. Taylor and Mr. Joines for their comments.

Chairman Elmore asked if anyone else would like to speak, hearing no comments he declared the Public Hearing closed at 6:13 P. M. on the proposed 2022-2023 Wilkes County Budget.

The Wilkes County Board of Commissioners met on Tuesday, June 7, 2022 at 6:13 P.M. with the following members present: Chairman Keith Elmore, Vice Chairman Casey Joe Johnson, Commissioner David Gambill, Commissioner Eddie Settle, and Commissioner Brian S. Minton.

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

Chairman Keith Elmore welcomed everyone and called the meeting to order at this time. He stated with the consensus of the Board Item L. will be removed, the contract is not ready.

**INVOCATION** – Vice Chairman Casey Joe Johnson led the Invocation.

**PLEDGE OF ALLEGIANCE** – Chairman Keith Elmore stated Commissioner Settle had an Uncle that Stormed the Beaches of Normandy, yesterday was the anniversary and led the Pledge of Allegiance at this time.

**APPROVAL OF MINUTES** – Motion was made by Commissioner Brian S. Minton, seconded by Vice Chairman Casey Joe Johnson and unanimously adopted to approve the Minutes of the Board Meeting held on May 3, 2022.

**APPROVAL OF MINUTES** – Motion was made by Commissioner Brian S. Minton , seconded by Vice Chairman Casey Joe Johnson and unanimously adopted to approve the Minutes of the Budget Work Session held on May 10, 2022.

**APPROVAL OF MINUTES** – Motion was made by Commissioner Bran S. Minton, seconded by Vice Chairman Casey Joe Johnson and unanimously adopted to approve the Minutes of the Board Meeting held on May 10, 2022.

**BUDGET AMENDMENTS/TRANSFERS** – Motion was made by Commissioner Eddie Settle to approve Budget Amendment No. 33 (Health Programs – Wilkes Dental Clinic Medicaid payments for FY 2022 of \$400,000 received. No County money involved). The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

**WILKES COUNTY WATER AND WASTEWATER INFRASTRUCTURE EXTENSION PROJECT – CONTRACT** – Chairman Elmore welcomed and recognized Ryan Hagar, P.E. Project Manager W.K. Dickson & Co., Inc. Mr. Hagar thanked the Board and said in front of the Board for consideration is a contract for W.K. Dickson to perform a water and sewer evaluation that is looking at multiple alternatives for both water and sewer to serve the Speedway and greater area around it. He is happy to answer any questions anyone may have. Chairman Elmore stated it is their understanding that they have already been working on this. Mr. Hager replied yes they have been for a while, and had a contract for minimal effort and due diligence. It consisted of meeting with all the primary stakeholders to include the County, North Wilkesboro, Wilkesboro, Broadway Water, and the Speedway.

Chairman Elmore asked if they have a timeline. Mr. Hager handed out a timeline to the Board and said this is a schedule they put together sometime ago, it is preliminary. He said the green line on the left side is where they are currently. They have performed some work under the preliminary engineering heading which is the upfront due diligence work. The work that has got to happen after the green line under preliminary engineering is basically what this contract is for. Mr. Hager said they have to select the best way to get water and sewer to the speedway, after that they will move into design. The contract before the Board is not for design, they do not know what they are designing yet they are trying to select that. The key thing for the Board is they are targeting an October time frame to get this evaluation done and hope to beat this. It is their conservative estimate. Mr. Hager added it will take time, it is important to look at the green arrow at the bottom right, it is a milestone deadline. The funding is tied to that, they have to be under construction with a contractor by that date. The schedule is missing that a little, but they will be tightening it up once they know exactly what they are looking at from a design stand point. This is their target and important that they get there. He added they have some time before to get to the end goal and a lot of work, it is important they get moving on it.

Chairman Elmore stated item 10 Reporting and Route Selection is important. Mr. Hager replied that is the deliverable they will have at the end of this contract.

Commissioner Brian S. Minton made a motion to approve the Contract for Services with Wilkes County and W.K. Dickson & Co., Inc. for the Wilkes County Water and Wastewater Infrastructure Extension project for Project Management and Preliminary Engineering Services as presented at tonight's meeting. The motion was seconded by Commissioner David Gambill and unanimously approved.

**RESILIENT & THRIVING COMMUNITIES WEEK – PROCLAMATION** – Chairman Elmore welcomed Cindy Hartley, Program Director Safe Spot Child Advocacy Center. Ms. Hartley stated she is here as part of the Wilkes Resilient Collaborative which is a cross-sector group of people that are in the back tonight. They share a common belief that this community they live and work in has the compacity for resilience even in the presence of hard things. She added this proclamation is a representation of much of the work that is already being done in the community to build resilience. Ms. Hartley said research tells them that if a child has just one positive relationship with an adult their ability to persevere and likelihood for success increases significantly. She added some cope well with stress and hard times and some have a hard time and may develop mental health issues in the face of stress. It is thought that resilience is what separates these two paths. Ms. Hartley thanked the Board for considering the adoption of the Proclamation and happy to answer questions. At this time, she briefly explained where Safe Spot Child Advocacy Center is located, what they do in Wilkes County, and where their funding comes from. She added the Resilience Collaborate is facilitated by the Health Foundation, and mentioned several of the partners that serve on the Committee. Ms. Hartley read the Proclamation at this time.

Commissioner Brian S. Minton made a motion to approve the Proclamation for Resilient & Thriving Communities Week June 6-12, 2022 in Wilkes County as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

*Resilient & Thriving Communities Week 2022*

**BY THE WILKES COUNTY BOARD OF COMMISSIONERS  
A PROCLAMATION**

*WHEREAS, resilient and thriving communities are vital to our county's future health, success, and prosperity to ensure a strong foundation for everyone at all ages and stages of life; and*

*WHEREAS, the science is clear that resilience is built, and that communities and systems play a key role in promoting safe, secure, nurturing environments for all; and*

*WHEREAS, adverse childhood and life experiences, adverse community environments, and adverse climate events impact overall quality of life and wellbeing of an entire community; and*

*WHEREAS, it is our collective responsibility to promote positive experiences, secure relationships, and supportive environments to buffer stress and adversity; and*

*WHEREAS, investing in policies, programs, and strategies that address adversity and strengthen community resilience is essential to the health of our county; and*

*WHEREAS, Wilkes County encourages all agencies, schools, faith-based organizations, healthcare systems, elected leaders, businesses, and individuals to collaborate to strengthen our communities; and*

*NOW, THEREFORE, the Wilkes County Board of County Commissioners do hereby proclaim June 6 through June 12, as Resilient & Thriving Communities Week in Wilkes County and encourages all residents to become informed about the impact of adversity to create a county aware of and actively practicing resilience strategies that benefit all individuals toward communities of hope and healing.*

*This the 7th day of January, 2020.*

*WILKES COUNTY*

*By: \_\_\_\_\_  
Gideon Keith Elmore, Chairman  
Wilkes County Board of Commissioners*

*ATTEST:*

\_\_\_\_\_  
*Sarah D. Call, Clerk*

**DEPARTMENT OF SOCIAL SERVICES:**

**1. MEMORANDUM OF UNDERSTANDING – FISCAL YEAR 2022-2023 and 2023-24 – APPROVAL** – Mr. Blevins stated this is the MOU they also approved it a couple years ago; Session Law 2017-41 requires this from all county's, it covers all the programs at DSS except Medicaid. The reason Medicaid is not included is because it falls under the REDA audit that they are going through currently with 200 cases being pulled over 10 months. Three months are completed and there are no paybacks. They had the MOU in 2019-2020 with no corrective actions. He added they did not issue a new one in 2020-2021 due to Covid and this one covers 2 years, July 2022 through June 2024.

Mr. Blevins said in front of the Board is the MOU and Attachment I is what they are going to hold them to. They said in the letter the goal of this is not intended to be punitive, but they don't believe that. If they fail it they will come for money. As long as they are under the State of Emergency there will be no corrective action, but this will be ending soon. Mr. Blevins said this MOU cannot be changed, in the past Watauga did not sign it, but ended up doing so because it will not change. Mr. Blevins went through page 2 default and modification and said they may withhold funding if they do not meet the mandatory performance requirements in Attachment I. If they fail them the first thing they do is a performance improvement plan, found in N.C.G.S. §108A-74. If they fail three consecutive months, or 5 months out of 12, they go into a correction action plan within 60 days. Mr. Blevins briefly mentioned what happened when a county goes into this plan. He reviewed the records requirements as listed on page 4 and page 6 which is the responsibilities of the Department of Health and Human Services. DSS responsibilities are on page 8 which he went over at this time. Mr. Blevins said Attachment I includes the County preperformance measures they are held to. Next, he went over the programs listed and requirements they must meet. They are passing each one at this time and doing very well, it is before the Board for approval and does need to be sent back by the end of this month. Chairman Elmore stated without the Medicaid funds coming into Wilkes the economy along with the hospital, pharmacies, doctor's office, super markets and many more would be hurting financially. Mr. Blevins agreed and added if they expand it he will have to have 6-7 more workers and another supervisor and not sure where he will put them. He said 75% of this cost will be reimbursed, but the feds are threatening to change this.

Commissioner Eddie Settle made a motion to approve the Memorandum of Understanding Fiscal Year 2022-23 and 2023-24 between the N.C. Department of Health and Human Services and Wilkes County as requested and presented at tonight's meeting. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

**2. UPDATE** – Mr. Blevins went over the monthly caseload reports for April. Next, he went through the Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial reports for April. Chairman Elmore said considering inflation and gas prices he thinks the folks that need services and help will increase. He added they need to be ready for this. Mr. Blevins agreed they very well could. They are already hearing from clients and staff the burden from gas prices is really pinching them. He

expects energy assistant request to increase and now they can help with water bill assistance as well. Commissioner Gambill added school is out so the numbers are down because teachers are not seeing kids, when school starts back those will rise. He added kinship placement is reassuring, it had gotten pretty low and good to see it's slowly going back up. Mr. Blevins agreed, family is the best place for the kids to be.

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

**TAX DEPARTMENT:**

**1. 2022 APPOINTMENTS TO THE WILKES COUNTY BOARD OF EQUALIZATION AND REVIEW** – Mr. Lankford stated the Board of Commissioners passed a Resolution in 2001 that established a special Board of Equalization and Review as allowed in North Carolina General Statute Section 105-322. He added the Board of Commissioners have the right to do this each year and it is time to appoint members for the folks that have filed an appeal on their real property tax. They are all reappointments and he did reach out to the gentleman that was mentioned as an alternate, but as of today he had not filled out the application so could not be considered for appointment. At this time, they have 5 members and only 3 are needed for a quorum. He added these folks have done this for several years and are very familiar with the process. They plan to have just a few meetings, there are not a lot of appeals this year. Commissioner Gambill agreed an alternate is a good idea, because there is a lot of experience with the Board of E & R and showing someone else and teaching them is good. Mr. Lankford agreed and said the staff is already working on a list, because some of these have said they do not plan to serve next year. Chairman Elmore said Commissioner Settle is on this Board and will serve through the end of the year. Commissioner Settle replied until January. Chairman Elmore asked if it is required to have a Commissioner on the E & R Board. Mr. Triplett replied it is traditional to have at least one Commissioner on it, some counties have their entire Board of Commissioners to serve as the Board of E & R, but they have not done this since 2001.

Commissioner David Gambill made a motion to reappoint Commissioner Eddie Settle, Steve Crysel, Carmen James, Andrew Casey, and Janie Cheek to the 2022 Wilkes County Board of Equalization and Review, as presented at tonight's meeting. The motion was seconded by Commissioner Brain S. Minton and unanimously approved.

**2. RESOLUTION CHANGING SCHEDULED REAPPRAISAL** – County Attorney, Tony Triplett said the resolution in the packet is to postpone the currently scheduled revaluation. There is one scheduled to become effective January 1, 2023. He added the last one was held in 2019, the County established a 4-year cycle many years ago and they have gotten on and off the schedule over the years. Mr. Triplett stated the recession was one reason they put it off and it was for 6 years, they can't go more than 8 years, this is the max. He added most counties this size does this every 4 year; some larger ones may do it more often. Mr. Lankford said a revaluation was done in 2003, 2007, then pushed back two years to 2013 (6 years), and the last one was pushed back two years to 2019 (6 years). Commissioner Gambill stated the last one was in 2019. Mr. Triplett stated the purpose of this resolution is to put it off two more years

thereby creating another 6 year cycle from 2019 to 2025. He added after this it goes back to a 4-year cycle which would be 2025, 2029, 2033 and so on. Commissioner Gambill asked does it have to be put off two years or can it be just one. Mr. Triplett replied it does not have to be two years, and can be one year. Typically, they have not done that. They try to keep revals in odd number years, this keeps this out of the election year cycle which is a more difficult year to have revals.

Chairman Elmore stated Mr. Lankford is new to the job, this gives him some time as well. Mr. Lankford added a typical reval cycle takes about two years. He had about 16 months when he came in because it would have to be presented to the Board in October to take effect in January. He added Covid has slowed things down, they rely on Ortho Photography from the state for the overhead photos which is usually in a 4 year cycle. They use a program that takes the photos and shows mismatches in property for assessments. Mr. Lankford said they were supposed to get the new photos in October 2021, the state put this off until November 2022.

Commissioner David Gambill made a motion to adopt the Resolution Changing Scheduled Reappraisal until January 1, 2025 as presented at tonight's meeting. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

#### *RESOLUTION CHANGING SCHEDULED REAPPRAISAL*

*WHEREAS, North Carolina General Statutes §105-286 requires that all real property be reappraised at least every eight years; and*

*WHEREAS, the same statute permits any County desiring to conduct a reappraisal earlier to do so upon adoption of a resolution so providing; and*

*WHEREAS, the Wilkes County Board of Commissioners (hereinafter the "Board of Commissioners"), by Resolution duly adopted on the 20<sup>th</sup> day of March, 2001, and forwarded to the North Carolina Department of Revenue, Property Tax Division (hereinafter the "2001 Resolution"), advanced its scheduled octennial reappraisal and implemented a four (4) year reappraisal system, with scheduled reappraisals of real property to be conducted effective January 1, 2003, and every four (4) years thereafter; and*

*WHEREAS, the Board of Commissioners, by Resolution duly adopted on the 3<sup>rd</sup> day of November, 2009, and forwarded to the North Carolina Department of Revenue, Property Tax Division (hereinafter the "2009 Resolution"), changed the date of the county-wide real property reappraisal that was scheduled to be conducted effective January 1, 2011, and moved said date to January 1, 2013; and*

*WHEREAS, pursuant to the 2009 Resolution, a county-wide real property reappraisal was in fact conducted effective January 1, 2013; and*

*WHEREAS, the 2009 Resolution provided that the four (4) year reappraisal system established under the 2001 Resolution would continue to be used by Wilkes County thereafter, but that the dates of the same would be governed by the 2009 Resolution, with the next county-wide real property reappraisal following the one for January 1, 2013, to be conducted effective January 1, 2017, and with subsequent reappraisals to be conducted every four (4) years thereafter unless changed by resolution of the Board of Commissioners; and*

*WHEREAS, the Board of Commissioners, by Resolution duly adopted on the 1<sup>st</sup> day of September, 2015, and forwarded to the North Carolina Department of Revenue, Property Tax Division (hereinafter the "2015 Resolution"), changed the date of the county-wide real property reappraisal that was scheduled to be conducted effective January 1, 2017, and moved said date to January 1, 2019; and*

*WHEREAS, pursuant to the 2015 Resolution, a county-wide real property reappraisal was in fact conducted effective January 1, 2019; and*

*WHEREAS, the 2015 Resolution provided that the four (4) year reappraisal system established under the 2001 Resolution would continue to be used by Wilkes County thereafter, but that the dates of the same would be governed by the 2015 Resolution, with the next county-wide real property reappraisal following the one for January 1, 2019, to be conducted effective January 1, 2023, and with subsequent reappraisals to be conducted every four (4) years thereafter unless changed by resolution of the Board of Commissioners; and*

*WHEREAS, the Board of Commissioners now desires to modify the 2015 Resolution to change the date of the next county-wide real property reappraisal from January 1, 2023, to January 1, 2025; and*

*WHEREAS, the Board of Commissioners further desires to retain the four (4) year reappraisal system established under the 2001 Resolution and continued under the 2009 Resolution and the 2015 Resolution, but desires to change the dates of the same such that the next county-wide real property reappraisal following the one for January 1, 2025, shall be conducted effective January 1, 2029, and with all county-wide real property reappraisals thereafter to be conducted every four (4) years unless changed by subsequent resolution of the Board of Commissioners;*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, that the 2015 Resolution is hereby modified so as to provide that the next county-wide real property reappraisal shall be undertaken with an effective date of January 1, 2025;*

*BE IT FURTHER RESOLVED, that the four (4) year reappraisal system established under the 2001 Resolution and continued under the 2009 Resolution and the 2015 Resolution shall continue in full force and effect, except that the dates for the same shall be changed so that the next reappraisal following the one for January 1, 2025, shall be conducted effective as of January 1, 2029, with reappraisals to be conducted every four (4) years thereafter unless changed by subsequent resolution of the Board of Commissioners;*

*BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the North Carolina Department of Revenue, Property Tax Division, pursuant to North Carolina General Statutes §105-286(a)(3).*

*ADOPTED this the 7<sup>th</sup> day of June, 2022.*

*WILKES COUNTY BOARD OF COMMISSIONERS*

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*Gideon K. Elmore, Chairman*

*ATTEST:*

*APPROVED AS TO FORM:*

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*Sarah Call, County Clerk*

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*Anthony R. Triplett, County Attorney*

**PLANNING DEPARTMENT – REQUEST TO SET PUBLIC HEARING – CDBG NEIGHBORHOOD REVITALIZATION PROJECT # 17-C-3026 CLOSEOUT** – Chairman Elmore recognized W.C. Scroggs, Planning Director. Mr. Scroggs stated they received notification from the High Country COG that a public hearing is required to close out the Wilkes County CDBG Neighborhood Revitalization Project #17-C-3026. The program assisted 3 homeowners with major rehabilitation to their homes, replace 3 homes deemed unfeasible to repair with doublewide manufactured homes on permanent foundations, relocated one family to a safe home on a different property, assisted 5 homeowners with small repairs under \$5,000. Pursuant to NC Administrative Code the recipient, which is Wilkes County, shall hold a public hearing prior to the closeout to assess the performance in accordance with the same rule. Mr. Scroggs requested the public hearing to be set on June 21, 2022 at 6:00 PM.

Commissioner David Gambill made a motion to set the Public Hearing to Close out the Wilkes County CDBG Neighborhood Revitalization Project #17-C-3026 on June 21, 2022 at 6:00 P.M. with the meeting to immediately follow. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

**ROAD NAMING AND ADDRESSING ORDINANCE** – Mr. Triplett stated this is primarily a Planning Department Ordinance, he, Mr. Scroggs, Rachel Willard, Inspections, Sheriff's office and a lot of staff has been working on this. This is the first ordinance to come before the Board in a long line. As they have discussed they have to visit every ordinance this year either under Chapter 160D or under decriminalization law that was passed by the legislature. It is mandatory they address them and make at least minor changes in most of them. They will need to decide which ordinance will retain criminal provisions, most county ordinances have a criminal provision that makes it a crime to violate an ordinance. Mr. Triplett said the law has changed, certain ordinances can no longer have criminal provisions mainly Planning Ordinances in

Wilkes. They will be revisiting all of the Ordinances and this is the first one, it is not a Planning Ordinance and it does have criminal provisions in it which they have elected to keep. Certain violations of this Ordinance will be a misdemeanor under NC Law and has to come before the Board for this reason. They are also bringing it to Board to use this Ordinance to address a growing problem for Planning and Inspections, which is the increased frequency of locating and using recreation vehicles or campers as permanent residences. He added this has been happening a lot in the last year. The big problem is there is no way to know if they have the proper water and septic systems to handle the residence in the camper. It has become a problem and they have looked at several ways to address it.

Mr. Triplett said they have met and talked a lot and one of the ways they initially thought to address it was to require septic systems for campers. They cannot do that, state law governs septic system and wastewater system requirements, counties don't. He added they chose a different avenue to address this since the state controls that and they can't change it. Most, but not all, campers and RV's that set up for permanent residence have a power source and electricity to get power from Duke Power. There are some that don't and have generators or run a cord to a close by power source. Mr. Triplett said Duke Power will not furnish electrical power to any residence unless it has an address. Folks have to come to Planning to get an address and this is where they chose to handle this problem by updating the Road Naming and Addressing Ordinance and it needed to be updated anyway. This Ordinance says that RV's and Campers are not eligible to get an address unless they meet certain requirements. These exceptions are if they are part of an established RV park approved by the Planning Board and the Board of Commissioners. This is the way they ensure they meet requirements; an address can be issued to a RV or Camper for power if they get an operation permit for a septic system. He added this is one way to address this problem, it will not catch all of them, some will continue to do this and use generators. Without countywide zoning, which they are not recommending, this is the only other tool to address this problem on a countywide basis. Mr. Triplett said they can require the septic system to get an address, and they have to have an address to get power. He added this ordinance had to come before the Board for the decriminalization law and it was a good time to do both. He has mentioned campers many times, but there is a lot more to this Ordinance than campers, that is only one part. The bulk of it is naming roads and assigning addresses and they updated many of the provisions they currently have. Mr. Triplett said the Road Naming Ordinance was passed in 1985, it is 37 years old and out of date. They looked at Yadkin and Surry and used those to update it and make it similar to the counties around Wilkes. He added one important factor in the prior ordinance as originally written 10 years ago, would have required the Board of Commissioners to name every private road with 3 dwellings on it. There are a lot of private roads in the county. They changed this provision and it is not mandatory that the county do that, instead the owners of the residences on those private roads have to come to Planning and ask for the road name. This is what typically happens and will continue. He added the Board still has the right to name or rename a road if needed as well to avoid names that duplicate each other or confusingly similar to another road for emergency response services.

Mr. Triplett said this is not for action it is for discussion only; the new decriminalization law does not allow the Board to vote on the Ordinance at the first meeting at which it is introduced. He asked the Board to consider doing this at some point, it is a lot of work by county staff to try to address several

problems and it needs to be updated. Mr. Triplett said he sent out a redlined version with comments by email several weeks ago. That version hopefully explains many of the Ordinance's provisions and he is happy to answer questions about it. Commissioner Settle asked how many campers are there, where are they coming from. Mr. Scroggs replied it is up three fold in the last three years, due to Covid and the migration to NC. The most affordable way for folks to get located on a parcel here is a camper. He added the surrounding property owners are upset and filing complaints because they are running their wastewater system straight out on to the ground, or in to creeks and streams. Commissioner Settle asked if they have seen this. Mr. Scroggs replied yes. Last year one of the main things that started was up on the Brushy's they have a hard time getting water. They take 500 gallon cattle tanks up there and run RV's from it and then dump it down the side of the mountain. They don't dig pits or have any septic system at all. Vice Chairman Johnson asked if this will only apply going forward or can they fix any of these situations with this Ordinance. Mr. Triplett replied only going forward. Commissioner Settle asked if that was an RV park. Mr. Scroggs replied no it was one of the first subdivisions and very old, it was a spec subdivision and no septic evaluations were done, no soil testing, and was sold on an internet real estate sales website. Folks bought them from all over the country and had no idea they were moving somewhere that had no water. It is just now filling in because during Covid they re-advertising it again like they did pre 2008.

Commissioner Gambill said if they are going to revisit all Ordinances they need to look at each one with all the possibilities and develop something that will last awhile. Using other counties to go by for comparison is fine except they do not know when it was updated and they don't need to be behind from the start. He added that can happen with Animal Control. They update it and 6 months later is behind. Chairman Elmore said they are not under time constrains, the Board needs to take time to review and go over before the move forward. Mr. Triplett agreed, the Board needs to be comfortable with it, this is not set in stone. Chairman Elmore asked if they can suggest changes. Mr. Triplett replied yes, that is why it is for discussion tonight.

Mr. Scroggs said the 911 address coordinator, Hal Cooper has had some issues and they wanted to address these as well. There are several large acre tracts in Wilkes and some folks were calling to get an address for one location, then hook up the camper move up the tract. Then call again and get another address, it is a different geotechnical coordinate on one piece of land. If they get a 911 call for this address and the RV is no longer there how can EMS find them, is another concern. Chairman Elmore said they will definitely meet on this.

**WILKES COUNTY BOARD OF COMMISSIONERS SCHEDULED MEETINGS – CANCEL JULY 19, 2022 REGULAR BOARD MEETING** – Chairman Elmore said the Board normally cancels the second meeting in July.

Commissioner David Gambill made a motion to cancel the Wilkes County Board of Commissioners second meeting in July scheduled for July 19, 2022. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**OLD BUSINESS** – Commissioner Gambill asked about the road sign they have discussed. He was coming back on 74 in Richmond county and they have a very nice one about 10 feet off the interstate and he would like them to get back on this. He added Commissioner Settle has sent a

picture of it as well. Commissioner Settle added Richmond and Scotland both have nice signs. Commissioner Gambill said he and Commissioner Settle can drive this train, they would like to have something similar, it looks nice and they need it. Commissioner Settle added there are several in Eastern NC. Chairman Elmore said he is not opposed to the sign and would like it too. Since they are still in old business he would like to mention they can fund it through the Occupancy Tax and would like to discuss both items in the future. Mr. Yates said he has an update, they are working with DOT and have been. They required a traffic study and it was just completed and will be submitted at the first of next week for them to say if they can or can't put a Welcome sign at the latest site identified. They will bring it to the Board to decide what they would like to do, if they can get approval from DOT.

Commissioner Gambill asked pending the possibility mentioned in the Public Hearing and potential for litigation can this be discussed and added to Closed Session. Mr. Triplett replied yes.

**CLOSED SESSION** – Commissioner Eddie Settle made a motion to go into Closed Session under Section 143-318.11(a)(3) of the North Carolina General Statutes to consult with the Board's Attorney to preserve the attorney-client privilege; and under Section 143-318.11(a)(3) of the North Carolina General Statute and to consult with and give instructions to the Board's attorneys regarding pending litigation titled Wilkes County vs. Wilkesboro Holdings, LLC; and 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)(5) of the North Carolina General Statutes to establish or instruct the staff concerning the price or other material terms of a contract or proposed contract for the acquisition of real property;. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

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

**ADJOURN** – Motion was made by Commissioner David Gambill, seconded by Commissioner Eddie Settle and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 9:01 P.M.

Sarah D. Call, Clerk

Giddeon Keith Elmore, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: June 21, 2022