

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
July 1, 2021**

PUBLIC HEARING – PROPOSED ECONOMIC INVESTMENT AGREEMENT BETWEEN WILKES COUNTY AND PROJECT FLOW – Chairman Eddie Settle stated the Public Hearing on the proposed Economic Investment Agreement between Wilkes County and Project Flow will be continued during the regular meeting. The following members were present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, and Commissioner Casey Joe Johnson. Commissioner David Gambill attended the meeting remotely audio and video through WebEx.

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

PUBLIC CONCERNS – NONE

The Wilkes County Board of Commissioners met on Thursday, July 1, 2021 at 5:58 P.M. with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, and Commissioner Casey Joe Johnson. Commissioner David Gambill attended the meeting remotely audio and video through WebEx.

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

Chairman Eddie Settle welcomed everyone and called the meeting to order. He added today is the 50th Anniversary of Wilkes County EMS, a lot of lives have been saved in the past 50 years and he wanted to recognize them today.

INVOCATION – Commissioner Casey Joe Johnson led the Invocation.

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

APPROVAL OF MINUTES – Motion was made by Commissioner Keith Elmore, seconded by Vice Chairman Brian S. Minton and unanimously adopted to approve the Minutes of the Board Meeting held on June 15, 2021.

APPROVAL OF MINUTES – Motion was made by Vice Chairman Brian S. Minton, seconded by Commissioner Keith Elmore and unanimously adopted to approve the Minutes of the Special Called Meeting held on June 21, 2021.

CONTINUE PUBLIC HEARING ON PROPOSED ECONOMIC DEVELOPMENT ACTIVITY – Chairman Settle stated they need to continue the Public Hearing on the proposed

Economic Development Activity for Project Flow, the company is not ready to proceed. The Public Hearing can be continued until the next meeting on Tuesday, August 3, 2021.

Motion was made by Commissioner Keith Elmore to continue the public hearing to Tuesday, August 3, 2021, at 5:50 PM, in the Commissioners' Meeting Room at the County Office Building, pursuant to G.S. §158-7.1, for comment on a proposed Economic Investment Agreement in connection with the economic development project known as Project Flow. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

TAX ADMINISTRATOR – APPOINTMENT OF TAX ASSESSOR AND TAX COLLECTOR – County Attorney Tony Triplett stated he has a motion to read when the Board is ready. The Board will be appointing both the Tax Assessor and Tax Collector which are two different positions and they are grouped together under the heading of Tax Administrator. Mr. Triplett added it requires one vote and they will need to specify a term. The Tax Collector can be appointed for any term the Board wishes that is at least one year or more. He added, the Tax Assessor has to be appointed to either a two or four year term and the initial appointment can be for a 2-year term only effective July 1st. Mr. Triplett stated normally the Board appoints the same person as both Tax Assessor and Tax Collector effective tonight, to have the title Tax Administrator.

Commissioner Elmore stated in December they appoint the County Attorney, County Manager, and County Clerk for a one year term and the Tax Administrator is a two year term. Mr. Triplett replied correct, they serve one year at a time and serve at the pleasure of the Board. The Tax Collector and Administrator by statute has to be appointed to a term. He added this is what they did with Mr. Hamilton, after the initial appointment he was reappointed to 4-year terms.

Vice Chairman Brian S. Minton made a motion to appoint William A. Lankford, Jr., as Wilkes County Tax Assessor under G.S. §105-294 with a term of two years to run from July 1, 2021 through June 30, 2023, and to appoint William A. Lankford, Jr., as Wilkes County Tax Collector under G.S. §105-349 with a term of two years to run from July 1, 2021 through June 30, 2023, to serve under the title Wilkes County Tax Administrator. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

OATH OF OFFICE – WILLIAM A. LANKFORD, JR. – Chairman Settle administered the Oath of Office for Tax Assessor and the Oath of Office for Tax Collector to Mr. Lankford at this time.

Mr. Lankford thanked the Board for their support and confidence and added he will not let them down. He stated he would also like to thank the County Attorney, Manager, Clerk, and his family for all of their support he could not do this without them. Mr. Lankford said he would like to thank the tax team upstairs, they do a good job and will continue to do a good job.

DEPARTMENT OF SOCIAL SERVICES UPDATE – Chairman Settle welcomed and recognized John Blevins, DSS Director. Mr. Blevins said first he would like to provide a couple updates. He stated today is the first day of Medicaid managed care. They have not had a lot of

calls and most have moved in to it. The rules for eligibility have not changed. They still determine this and there is a number on back of their card the clients can call for help and questions. He added the parent fees for daycare are still being waived by the state through October. Mr. Blevins stated the first page in the packet is child support for May and they had the 9th highest collection in the State. Tammy Daniels collected \$12,500 from a non-custodial parent that paid the arrears in full, she did a good job and they are very proud of her hard work.

Mr. Blevins went over the monthly caseload report for May. Next he went through the Adoption Services financial report, Child Development and Subsidized Child Care financial reports for May. Mr. Blevins went through the CPS Foster Care monthly report for May.

The Board thanked Mr. Blevins for the update.

PLANNING DEPARTMENT – ROAD NAME REQUEST – WOODLAND SKY DRIVE – TRAPHILL TOWNSHIP – Chairman Settle recognized W.C. Scroggs, Planner. Mr. Scroggs stated the Wilkes County Planning Department has received a petition to name a Private Road off Mining Ridge Church Road in the Traphill Township of Wilkes County. The name chosen by Petition is Woodland Sky Drive. He added this request meets the requirements of the Wilkes County Road Naming Ordinance. Mr. Scroggs said pursuant to the Wilkes County Road Naming Ordinance a Public Hearing and ten-day notification period has been met and it is for the Boards consideration. A Public Hearing was held to receive public input on the proposed Road Name Request for Woodland Sky Drive, with no opposition.

Commissioner Keith Elmore a motion to approve the Road Name Request for Woodland Sky Drive as presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

HIGH COUNTRY WORKFORCE DEVELOPMENT – BOARD APPOINTMENT – County Manager John Yates stated Keith Deveraux, Director of High County Workforce Development, requested this Board to appoint Rich Voisinet, Plant Manager InterFlex Group, to the High Country Workforce Development Board private sector seat. Mr. Deveraux's letter stated he will serve a 2-year term ending June 30, 2023.

Motion was made by Commissioner Keith Elmore to appoint Mr. Rich Voisinet to the High County Workforce Development Board as the private sector seat for a 2-year term ending June 30, 2023 as requested. The Motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

PURCHASING DEPARTMENT – DECLAR SURPLUS INVENTORY – Mr. Yates said the Wilkes County Purchasing Department is requesting approval from the Wilkes County Board of Commissioners to declare the Taxi Light Globes surplus and to donate to PTI Airport. He added Wilkes County does not use these type lights any longer. PTI has requested them and this is the type they use. The Wilkes County Airport has no need for the globes. Chairman Settle said this request did not go before the Airport Board. Mr. Triplett replied that is correct, surplus items do

not usually go to the Airport Board for approval. Mr. Yates added these are globes that cover the lights and they no longer use these at the Wilkes County Airport.

Commissioner Keith Elmore made a motion to declare the Taxi Light Globes to be surplus as requested and presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

SYNERGY RECOVERY, INC. – APPROVAL OF ADVERTISEMENT FOR LEASE AGREEMENT – County Attorney Tony Triplett stated they have talked about this for some time and as the memo explains Synergy has leased this property from the County for several years. He added in the past they have leased to them for one year at a time, but now that the Shirley Randleman Recovery Center is open and VAYA is working with them on this, they wanted a longer term. He added Zach Shepherd from VAYA is attending the meeting tonight and they have been working closely together on this and have structured the lease for a longer term. Mr. Triplett stated the County frequently does these leases at the Airport which is a total of five 2-year terms. At the end of any 2-year term with 90 days' notice either party can terminate the lease. He added it has the standard maintenance provisions as in the past. They did have the property surveyed as the Board requested and will not be leasing all of the property to Synergy. A little over 3 acres has been carved out for the lease which include the parking lot and building. The County kept a 30 foot right-of-way to access the remaining property.

Mr. Triplett said the process they have to follow for a lease of this term is first they have to authorize him to advertise it, which is what is before the Board tonight. Chairman Settle stated the rent is \$3.00 per sq. ft. Mr. Triplett replied correct, a monthly rental of \$3,000. He stated there is a specific motion that is needed and read the motion for the Board's consideration for this Lease to be advertised at this time. Commissioner Elmore said there is no increase in rent during the lease. Mr. Triplett replied correct. Chairman Settle asked what if they want to increase the rent can they do that at the end of the two years. Mr. Triplett replied with 90-days' notice they can terminate the lease and enter into a new lease and a new rate if that is what they would like to do. They have flexibility at the end of each two years to do this. Commissioner Elmore asked would a new Board be aware of this, would this lease come back before them every 2 years. Mr. Triplett replied they have discussed this before and in the past that has not been the case, but they can routinely do this if the Board would like to. Chairman Settle asked if it will automatically renew in two years. Mr. Triplett replied yes, unless they give 90 days' notice before the renewal. He added this is the same as the Airport leases work. Commissioner Elmore stated they are approving a 10 year lease and there is an Airport Board that should be monitoring those. He added every couple year the Board should be notified of the leases that are renewing, there could be a brand new Board down the road that would not know this and how it works.

Chairman Settle asked if all the leases at the Airport comes up July 1st. Mr. Triplett replied no they renew all different times, Synergy just happened to be July 1st. Chairman Settle stated he agrees the Board should be notified of leases that are coming due each year for automatic renewal. Vice Chairman Minton agreed. Mr. Triplett said they will revisit this.

Commissioner David Gambill made a motion to publish notice, pursuant to G.S. 153A-176 and 160A-272(a1), of the intent of the Board of Commissioners to enter into a Lease Agreement between Wilkes County (as Lessor) and Synergy Recovery, Inc. (as Lessee), for property consisting of 3.257 acres, more or less, situated in North Wilkesboro Township, Wilkes County, North Carolina, the same being located at 118 Peace Street, North Wilkesboro, NC 28659, together with improvements situated thereon and ingress and egress to and from the same, said property being a portion of that tract acquired by the County in that Deed Book 558, Page 069, Wilkes County Registry, under terms and conditions as set forth in the proposed Lease Agreement presented at tonight's meeting, with the County Attorney to present a Resolution for final approval of the Lease Agreement at the next meeting of the Board of Commissioners following the expiration of thirty (30) days after the date of publication of the required notice. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

WILKES COUNTY PUBLIC LIBRARY – TRAPHILL BRANCH – LEASE AGREEMENT – JUDY DURHAM – County Attorney, Tony Triplett stated there is a memo on this as well and in this case the County is the tenant. This is the lease for the Traphill Branch of the Library that is leased from Judy Durham. He added the lease expired on June 30, 2021 and is ready for renewal effective July 1, 2021. Mr. Triplett said Ms. Durham requested a rent increase to \$750 from \$650 per month. After talking with the Board, he put this at \$700 at the Board's direction, and it is up to the Board to set this amount. He added no advertising, special motion, or wording is needed and there is just a one-time approval for this lease.

Commissioner Keith Elmore made a motion to approve the Lease Agreement with Judy Durham for the Traphill Library Branch with a monthly rental of \$700 as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

GOLDENLEAF GRANT – WILKES COMMERCIAL BUSINESS CENTER – JOINT DEVELOPMENT AGREEMENT WITH WILKES EDC – REQUEST TO SET PUBLIC HEARING – County Attorney Tony Triplett stated there is a memo in the packet for the Board along with a draft of the contract. He added all that is on the agenda is to set a public hearing because this is an economic development agreement under 158-7.1 it requires a public hearing before the Board can approve it. Mr. Triplett said the contract is also in the packet for the Board to review, they have been talking about this for awhile and it is a big undertaking. The contract would call for a \$1.5 million allocation along with the GoldenLEAF \$1.5 million grant. This would fund the development of the Wilkes Small Business Center and construct a building on the former Carl Renfro property on Hwy 268 East which is currently owned by Wilkes EDC. Mr. Triplett said the agreement would set up a 5 member committee to govern the small business center and oversee the construction of the building, marketing, leasing, etc. The proceeds from the Lease would be placed into a separate fund for maintenance on that property and build up a fund to hopefully invest into another building as Bladen County has done. The hope is to get to a self-sustaining fund in time. He added it will consist of 2 County Commissioners and 3 members appointed by the Wilkes EDC Board. The Commissioners would be the Chairman and the EDC Board member from the Board of Commissioners. If that is the same person, the Chairman of the Board of Commissioners would have the authority to name the second County Commissioner from this Board to serve on that committee.

All that is before the Board tonight is to set a public hearing. Chairman Settle added it is a good program, they have money from GoldenLEAF and the match from the County to further economic development in Wilkes that everyone would like. He stated Commissioner Elmore is on the EDC Board and he assumes they are all behind this as well. Commissioner Elmore replied yes. He asked where is the match for the County coming from. Mr. Yates replied the intent is to take this from the ARF funds, they do not have the final rules on these funds, they come out at the end of July, but this is the plan.

Commissioner Keith Elmore made a motion to set a public hearing for Tuesday, August 3, 2021, at 5:55 PM, in the Commissioners' Meeting Room at the County Office Building, pursuant to G.S. §158-7.1, for comment on a proposed Joint Development Agreement with Wilkes EDC in connection with the Wilkes Commercial Business Center with the meeting to immediately follow. The Motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

OLD BUSINESS – Mr. Yates stated he wanted to remind the Board of the concerns they mentioned with regards to BROCC and asked for direction on the appropriation to them. Chairman Settle stated there are a lot of concerns with Blue Ridge Opportunity Commission and the proceeds and investigation that is currently taking place at BROCC. He asked how much do they fund them. Mr. Yates replied \$56,815. Chairman Settle stated this was approved in the Budget, but no appropriation has been made to them at this time. He added members from the Board of Commissioners have brought this to his attention and the misuse and fraudulent amount keeps increasing. They hope they can get to the bottom of this soon at BROCC. Commissioner Elmore stated Vice Chairman Minton is on that Board and ask what he recommends. Vice Chairman Minton replied they need to hold the funds at this point, the numbers are changing and according to the email from Mr. Triplett the amount has doubled from what they originally thought. Mr. Triplett stated at this point \$38,000 is in question and under investigation, they don't know anything else. This is the amount identified by their internal audit and accountant that is in question. Chairman Settle stated they will be dealing not only with the county government, but also the state and federal governments.

Commissioner Gambill stated he would make the recommendation to hold funding until the investigation is complete. He would also like to add if they need specific funds to continue a service and they can verify through finance this is needed and contingent on the specific reasons, he can support this. Commissioner Elmore stated he believes this will have a tremendous impact on BROCC and hopes they are doing the right thing. He added when those folks see the county withholding funding, it will hurt them and hopes they are doing the right thing, He asked Vice Chairman Minton as the BROCC Board member if this is his recommendation. Vice Chairman Minton replied yes, last week it was under \$20K, now it is almost double that. Mr. Triplett stated BROCC has not requested any funds at this time and that normally would not be sent until the end of the first quarter. Mr. Huffman replied correct. Mr. Triplett added that is nearly 90 days before funds would have been sent. Chairman Settle asked if BROCC appointed in interim director for that department. Commissioner Elmore replied yes, Mr. Mary Edna Faw has agreed to come back and fill that role at this time. Chairman Settle added she worked there for a long

time and will do a great job. Commissioner Elmore stated he hopes this will not shut them down when folks hear the county is withholding their funds, they will withhold funds also. Chairman Settle stated if they need funds they can make a request. Mr. Yates added if they need funds they will make the request and will be added to the agenda to come before the Board for approval. Chairman Settle stated they are receiving tax payer dollars, if they are being investigated tax payers will look to this Board to right that wrong as best they can. They can come and make the request when funds are needed. Vice Chairman Minton agreed and added the investigation may be finished in 90 days.

Commissioner David Gambill made a motion to recommend withholding the appropriation of \$58,515 to Blue Ridge Opportunity Commission until the investigation is complete, with the option for BROOC to come before the Board and request funds to continue a service that would otherwise be affected by withholding the County's appropriation, as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

ADJOURN – Motion was made by Vice Chairman Brian S. Minton, seconded by Commissioner Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:53 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: August 3, 2021