

MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
July 5, 2022

PUBLIC CONCERNS – None

The Wilkes County Board of Commissioners met on Tuesday, July 5, 2022 at 6:00 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 consent of the Board Item G will be removed, Rachel Willard could not attend tonight.

INVOCATION – Vice Chairman Casey Joe Johnson led the Invocation.

PLEDGE OF ALLEGIANCE – Chairman Keith Elmore led the Pledge of Allegiance.

APPROVAL OF MINUTES – Motion was made by Commissioner Eddie Settle, seconded by Commissioner Brian S. Minton and unanimously adopted to approve the Minutes of the Board Meeting held on June 21, 2022.

DEPARTMENT OF SOCIAL SERVICES:

1. ENERGY PROGRAM OUTREACH PLAN – APPROVAL FOR FISCAL YEAR 2022-2023 – Mr. Blevins said this is a standard plan, it is almost identical to what was approved last year and the state requires approval every year. This is a federally funded block grant that includes the crisis program and low income energy. The committee meets to make sure they are doing enough to make sure the community is aware of the low income energy assistance program and the crisis intervention program. He added this plan states how they get the word out to the public and community about the programs to maximize the funding they receive. The first page list the committee members that participate and they will meet on October 5th by conference call. Word of mouth has been the best way they spread the word, but they also partner with the Journal Patriot, public TV station, and local Radio stations to advertise the program. Mr. Blevins added the energy worker reaches out to other organizations with the funding they have so they are aware as well.

Mr. Blevins said funding for the upcoming year for LIHEAP is \$371,065 that will begin December 1st for ages 60 and over, January 1st it opens to all until the funds are gone. This includes \$300 for wood; \$400 gas; and \$500 electricity. Crisis fuel assistance funding will be \$246,031 for this coming year and at this time is \$600 maximin they can give out per person and

may go up. The Crisis funds began July 1st and they have received \$37,545 for the initial allocation for cooling related emergencies. These are very good programs and Wilkes has no problem spending these funds and have asked for additional when available.

Commissioner Eddie Settle made a motion to approve Wilkes County Department of Social Services Energy Program Outreach Plan for FY 2022-2023 as presented. The motion was seconded by Commissioner Brian S. Minton and unanimously approved.

2. UPDATE – Mr. Blevins provided the Commissioners with handouts for May. He provided a brief update on the audit currently going on and added there are no paybacks to report at this time, which is great. This will conclude in October and they will provide a final report around the end of December. Next, Mr. Blevins went over the monthly caseload report, Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial report. He also went through the CPS Foster Care monthly reports for May.

The Board thanked Mr. Blevins for his update.

JCPC – FUNDING PLAN CERTIFICATION STANDARDS – Chairman Elmore welcomed and recognized Jane Casarez, JCPC Chair. Ms. Casarez thanked the Board and said she is presenting the JCPC annual plan. This is the Juvenile Crime Prevention Council made up of a group from different sections that relate back to youth. They serve youth that have minor infractions and JCPC programs help keep them out of the probation system. She added they fund 5 programs and the JCPC Administrative Assistant to include: Kids at work; Wilkes Teen Court, Community Service and Restitution; Why Try; and Strengthen Families. Ms. Casarez said they served over 100 youth this year and had good success with completions. They sent out RFP's this Spring and will be funding the same 5 programs next year which are: JCPC Administrative Assistant \$6,733; Kids at Work \$37,710; Wilkes Teen Court, Community Service, and Restitution \$136,101; and Wilkes Why Try, and Strengthen Families \$56,888.

Chairman Elmore asked why the Wilkes Teen Court funds go to the Children's Center of Surry, Inc. Ms. Casarez replied they run the Teen Court program in Wilkes and explained how the program works, with a jury of teens, a real judge, and is held in the court room at the courthouse. Commissioner Gambill asked why is the funding so much if a lot of the people that help are volunteers. Ms. Casarez replied those funds includes Wilkes Teen Court, Community Service, and Restitution which all share a Project Coordinator and their funding request includes all three programs. Most of the funds go to the Community Service and Restitution program, which pays for transportation, snacks, and cost of the site coordinators that have to go with the youth. Vice Chairman Johnson asked if Teen Court is successful. Ms. Casarez replied it is very successful, Wilkes recidivism rate for their teen youth is only 4% and much lower than the state average. Commissioner Gambill added it works, it is a great program and he supports it. Chairman Elmore asked what age youth do they serve. Ms. Casarez replied 7 to 17, teen court is for middle and high school to be on the jury, they also allow volunteers. The Teen Court is open to the public and she will send them a schedule and the member list that was left out of the packet. Commissioner Settle asked if the county match is in the budget. Mr. Huffman replied yes.

Commissioner Eddie Settle made a motion to approve the 2022-2023 Funding Plan and Certification Standards for Wilkes County Juvenile Crime Preventions Council (JCPC) as presented at tonight's meeting. The motion was seconded by Commissioner Brain S. Minton and passed unanimously.

NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS – DESIGNATION OF VOTING DELEGATES:

1. ANNUAL CONFERENCE – Chairman Elmore stated a voting delegate needs to be assigned for the NCACC Annual Conference in Cabarrus County on August 13, 2022. He said he would like to suggest Eddie Settle.

Motion was made by Commissioner David Gambill to appoint Commissioner Eddie Settle as the designated voting delegate for the North Carolina Association of County Commissioners Annual Conference as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and passed unanimously.

2. LEGISLATIVE GOALS CONFERENCE – Chairman Elmore stated a voting delegate needs to be assigned for the Legislative Goals Conference on November 16-17, 2022 in Wake County and added he would like Eddie Settle to do this as well.

Motion was made by Commissioner David Gambill to appoint Commissioner Eddie Settle as the designated voting delegate for the North Carolina Association of County Commissioners Legislative Goals Conference as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and passed unanimously.

NATIONAL ASSOCIATION OF COUNTIES – DESIGNATION OF VOTING DELEGATE – ANNUAL CONFERENCE – Chairman Elmore stated a voting delegate needs to be assigned for the NACo Annual Conference in Denver, Co for July 21-24, 2022. He said he would like to suggest Eddie Settle.

Motion was made by Commissioner David Gambill to appoint Commissioner Eddie Settle as the designated voting delegate for the National Association of Counties Annual Conference as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and passed unanimously.

SET PUBLIC HEARING – OCCUPANCY TAX – Chairman Elmore stated they need to set the Public Hearing on the Occupancy Tax for August 2, 2022. Mr. Triplett stated there are many types of public hearings, but for Occupancy Tax there is a particular type of public hearing, which does not mean they are moving forward. He added to consider an occupancy tax it must mirror the local bill passed in 2010. The public hearing will take public comment on a potential Occupancy Tax of up to 6% on eligible locations in Wilkes County which is known as District K. Mr. Triplett said this is the part of Wilkes County that is outside the corporate limits of any town or city in the county under the Local Bill. He added if the Board decides to move forward

two Resolutions will have to also be passed at a subsequent meeting, not at the meeting with the public hearing. A Resolution will set the tax a level up to 6¢. A Resolution is then needed to establish a Tourism Development Authority (TDA). Mr. Triplett said this is a two-step process and the public hearing is for all of these to take public comment on any part of this process. He added public comments can be taken on anything else as there has been discussion on other ways of setting up a TDA in Wilkes County other than the way to current Local Bill has it. This would require a new Local Bill, if the Board wants to move in this direction. Commissioner Settle asked why would they need a new Local Bill. Mr. Triplett replied if the Board wants to move forward with a TDA that is not a County TDA and was not separate from Wilkesboro's TDA. Chairman Elmore said they all have an opinion and it is important to give the community time to speak and propose their side, negative or positive. This is the purpose of setting the public hearing and to also help them make a smart decision on this.

Commissioner Gambill said he will keep an open mind in the Public Hearing, but he is not voting for a tax, it is bad timing. Commissioner Settle said it is ok to have a public hearing, they are going to have three new Board Members. Chairman Elmore agreed

Commissioner Brian S. Minton made a Motion to set a Public Hearing on the Occupancy Tax for Tuesday, August 2, 2022 at 6:00 P.M., with the Commissioners' regularly scheduled meeting to immediately follow in the Commissioners' Meeting Room located at the Wilkes County Office Building, 110 North Street Wilkesboro, N.C. The motion was seconded by Vice Chairman Casey Joe Johnson. Voting on the motion:

Ayes: Chairman Keith Elmore
Vice Chairman Casey Joe Johnson
Commissioner Eddie Settle
Commissioner Brian S. Minton

Nays: Commissioner David Gambill

SET PUBLIC HEARING – ROAD NAMING AND ADDRESSING ORDINANCE –
Chairman Elmore stated next, they need to set the Public Hearing on the Road Naming and Addressing Ordinance for August 16, 2022. Mr. Triplett said this Ordinance had been introduced to the Board and discussed at the June 7th meeting. It can't be voted on until it comes back to the Board again. A public hearing is not required on this, but it is a way the Board can get public comment if any on what is in the Ordinance. He added the ordinance seeks to take public comment on the proposed Road Naming and Addressing Ordinance for Wilke County

Commissioner David Gambill made a Motion to set a Public Hearing on the Road Naming and Addressing Ordinance for Tuesday, August 16, 2022 at 6:00 P.M., with Public Comments and the Commissioners' regularly scheduled meeting to immediately follow the Public Hearing in the Commissioners' Meeting Room located at the Wilkes County Office Building, 110 North Street Wilkesboro, N.C. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

RESOLUTION – OPIOID SETTLEMENT FUND – Assistant County Attorney Brooke Felts stated this Resolution sets forth in writing the procedure that the Board of Commissions has elected to follow in distributing the Opioid Settlement Funds. It formulates they are taking Option B under the MOA which allows the Board to coordinate with member of the community to make the funding decisions. She added every decision will be brought to this Board. Ms. Felts said a Resolution will be passed on an annual basis over the next 18 years as funding decisions are made.

Commissioner David Gambill made a motion to approve the Resolution to Direct the Expenditures of Opioid Settlement Funds as presented at tonight’s meeting. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

A RESOLUTION BY THE COUNTY OF WILKES TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

WHEREAS, the County of Wilkes has been harmed by misconduct committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic (hereinafter “Pharmaceutical Supply Chain Participants”); and

WHEREAS, the County of Wilkes, through its counsel, engaged in litigation seeking to hold Pharmaceutical Supply Chain Participants accountable for the damage caused by their misconduct; and

WHEREAS, settlements resulting from the investigations and litigation with Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson have taken the form of a National Settlement Agreement (hereinafter “NSA”); and

WHEREAS, the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (hereinafter “MOA”) is intended to facilitate compliance by the State and by the Local Governments with the terms of the NSA; and

WHEREAS, the County of Wilkes has been awarded \$12,862,149 in Opioid Settlement Funds, payable over eighteen (18) years; and

WHEREAS, the County of Wilkes wishes to establish a procedure for the expenditure of Opioid Settlement Funds from the Local Abatement Funds pursuant to the MOA for the purpose of abating and alleviating the impacts of the misconduct committed by certain Pharmaceutical Supply Chain Participants; and

WHEREAS, the Wilkes County Board of Commissioners intends to engage in the additional voluntary, collaborative, strategic planning activities outlined in Option B of the MOA; and

WHEREAS, Option B will allow the County of Wilkes to spend Opioid Settlement Funds from the list of High-Impact Opioid Abatement Strategies attached as Exhibit A to the MOA as well as from the broader list of categories attached as Exhibit B to the MOA;

NOW, THEREFORE, BE IT RESOLVED, that

The Wilkes County Board of Commissioners elects Option B under the terms of the MOA in compliance with the NSA and hereby directs the Opioid Settlement Funds to be spent in accordance therewith. AGPIP pursuant to the terms and conditions of the Deposit Agreement;

Approved by the Wilkes County Board of Commissioners of the County of Wilkes, this 5th day of July, 2022.

WILKES COUNTY

By: _____

*Giddeon Keith Elmore,
Chairman of the Wilkes County Board of Commissioners*

ATTEST:

Sarah D. Call, Clerk

WILKES COUNTY PROJECT ORDINANCE – OPIOID SETTLEMENT FUND – Mr. Huffman said the Board just adopted the Resolution for the Opioid Settlement Funds. This is a special revenue fund and now they need a Grant Project Ordinance for the Settlement. Wilkes County over 18 years will receive \$12,862,149 to be spent on activities as outlined in Option B of the MOA. He added this will be updated as needed as Ms. Felts stated, this is the beginning and for the Boards consideration.

Motion was made by Commissioner Brian S. Minton to adopt the Wilkes County Project Ordinance for the Opioid Settlement Fund, as presented. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

*Wilkes County
Project Ordinance
Opioid Settlement Fund*

BE IT ORDAINED by the Wilkes County Board of Commissioners, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

Section 1. The project authorized is the Opioid Settlement described in the Agreement between this unit and the State of North Carolina for the purpose of abating and alleviating the impacts of the misconduct committed by certain pharmaceutical companies.

Section 2. The officers of this unit are hereby directed to proceed with the project within the terms of the documents, the rules and regulations of agreement with the State of North Carolina, and the budget contained herein.

Section 3. The following revenues are available to complete this project:

Opioid Settlement Fund \$12,862,149

Section 4. The following amounts are appropriated for the project:

*Collaborative and strategic planning activities outlined in
Option B of the MOA.* \$12,862,149

Total Project \$12,862,149

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient, specific, and detailed accounting records to provide the accounting to the agency required by the state regulations.

Section 6. The Finance Officer is directed to report annual on the financial status of each project element in Section 4 and on the revenues received or claimed.

Section 7. Copies of this Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

ADOPTED this 5th day of July, 2022.

Giddeon Keith Elmore , Chairman

ATTEST:

Sarah D. Call, Clerk

PURCHASING DEPARTMENT – SALE OF SURPLUS INVENTORY – County Manager John Yates stated the Wilkes County Purchasing Department is requesting approval from the Wilkes County Board of Commissioners to sell the following surplus inventory using electronic auction method, govdeals.com:

- 2002 Dodge Caravan Vin #10163 Mileage 181,376 – Sheriff Narcotics*
- 2003 Ford Focus Vin #90239 Mileage 189,843 – Sheriff Narcotics*
- 2003 Chevrolet 1500 4X4 Vin #78283 Mileage 259,735 - DSS*
- 2007 Chevrolet Trailblazer Vin #24958 Mileage 261,531 - DSS*
- 2009 Ford F-150 Vin #84132 Mileage 182,186 – Sheriff Narcotics*
- 2009 Dodge Ram 1500 Vin #22892 Mileage 114,498 – Sheriff Narcotics*
- 2014 Chevrolet 3500 Ambulance Vin #37660 Mileage 218,528 - EMS*
- 1994 Honda TRX FW300 4X4 4-Wheeler Vin #15275 – Sheriff*
- Kobalt air compressor Inventory ID #10210 – Garage*
- Used and obsolete parts Inventory ID #0013 – Garage*

Pallet of used and obsolete wheels Inventory ID#0012 – Garage
2005 Century Bed Cover Inventory ID# BC01 – Sheriff
Enorossi side bar sickle cutter model BF-210H – Fire Marshal
Hi-CO box blade – Fire Marshal
Gill rotating scrap blade – Fire Marshal

Commissioner Brian S. Minton made a motion to approve the sale of surplus inventory using the electronic auction method govdeals.com as requested. The motion was seconded by Vice Chairman Casey Joe Johnson and unanimously approved.

NEW BUSINESS – Commissioner Settle stated he has some comments. Mr. Triplett lost his Dad last week at 91 years old, Mr. Ray Triplett. They have a Hall of Fame in the County, and they seem to recognize the good ones when they are gone. Mr. Ray Triplett was elected to the Wilkesboro Town Counsel 18 years; served on WCC Board of Trustees for 16 years; all state football player; played in the Shrine Bowl and caught a TD pass; had offers to play football at Carolina; played football at Appalachian State; Coached Football and Basketball at West Wilkes for 10 years; 1963 Coach of the Year. He added what tops it all off this man, as many coaches do have a huge influence on their players. Mr. Gerald Lankford, who serves this County on this Board and in many other ways in Wilkes County said he made an influence in his life. He said Coach Triplett taught us how to play and win, about living our lives, how to be honest, sportsmanship, and the importance of Church and Family. What more can you say about any person, the importance of the life they lived and the influence on these young people. He is the Hall of Fame in his book, Mr. Ray Triplett and should be in it and will one day. Commissioner Settle stated Tony Triplett had a great Dad and they miss folks like this. Mr. Triplett said he was a great Dad. Chairman Elmore agreed that would be very appropriate and added they are sorry for the loss to Tony Triplett and his family. Mr. Triplett thanked the Board and stated he appreciates them, it was a huge loss as many others have had, he was a great man.

ADJOURN – Motion was made by Commissioner Brian S. Minton, seconded by Vice Chairman Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:43 P.M.

Sarah D. Call, Clerk
Chairman

Giddeon Keith Elmore,

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: August 2, 2022