

**MINUTES  
WILKES COUNTY BOARD OF COMMISSIONERS  
August 3, 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 and re-scheduled 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.

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

**PUBLIC HEARING – PROPOSED JOINT DEVELOPMENT AGREEMENT BETWEEN WILKES COUNTY AND WILKES ECONOMIC DEVELOPMENT CORPORATION – GOLDENLEAF GRANT FOR THE WILKES COMMERCIAL BUISNESS CENTER** – Chairman Eddie Settle declared the Public Hearing open regarding the Joint Development Agreement at 5:55 P.M. on Tuesday, August 3, 2021 with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, and Commissioner Casey Joe Johnson.

Also present were Tony Triplett, County Attorney; John Yates, County Manager; Brett Cothren; EDC Board President, Terry Bumgarner, EDC Board Member; LeeAnn Nixon, EDC President; Robin Hamby, EDC Vice President; and Sarah Call, Clerk to the Board.

Mr. Triplett stated the Public Hearing tonight is on a proposed Joint Development Agreement between the County and Wilkes Economic Development Corp. for the Wilkes Commercial Business Center. He added they have worked with the EDC for some time to develop the agreement for this project. This does involve an appropriation by the County of \$1.5 million, this is a G.S. 158-7.1 allocation which calls for a Public Hearing. Tonight's hearing is for the purpose of having comment, if any on the proposed agreement. Chairman Settle asked if anyone has signed up or would like to speak, hearing no further comments, he declared the Public Hearing closed at 6:00 P.M.

The Wilkes County Board of Commissioners met on Tuesday, August 3, 2021 at 6:00 P.M. with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, and Commissioner Casey Joe Johnson.

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.

**INVOCATION** – Commissioner Casey 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 July 1, 2021.

**JOINT DEVELOPMENT AGREEMENT BETWEEN WILKES COUNTY AND WILKES ECONOMIC DEVELOPMENT CORP. – GOLDENLEAF GRANT – WILKES COMMERCIAL BUSINESS CENTER** – Mr. Triplett said this project began with the presentation they heard from Bladen County on their Economic Development Program. He added this is Wilkes County's version and the first with the hope of more. This is part of a program LeeAnn Nixon has named The Leap Forward Program. The program will invest funds for a facility on property owned by Wilkes EDC with the hope to lease to the end user. Mr. Triplett said the leased proceeds will pay for expenses on the property and build a fund to invest in future projects they hope will continue for many years. The first building will be called the Wilkes Commercial Business Center. The program is not the same as the project, the program is the long term Leap Forward program with the first project to be the Wilkes Commercial Business Center. The contract tonight is for the Wilkes Commercial Business Center. If more is built later with assistance from the County, additional contracts would be required.

Mr. Triplett stated this contract sets up the parameters they will operate under. The construction, administration, marketing, leasing, and all matters concerning the building being constructed will be overseen by a committee. Wilkes EDC will modify its By-Laws and Articles of Incorporation to the extent necessary to comply with this Contract. He added a Committee will be formed, which includes 5 persons, which will always include 2 County Commissioners, the Chairman of the County Commissioners and the current County Commissioner member of the EDC Board. If those are the same person the Chairman of the Board of Commissioners will appoint a second Commissioner to serve on the committee. The remaining 3 are appointed by the EDC Board. This will not be a public body. It will be private and will not have more than two County Commissioners on the committee. Mr. Triplett said this agreement states in the event the Wilkes EDC dissolves and no longer exists, its Articles of Incorporation and By-Laws will require this property be conveyed to Wilkes County. He added the funds are coming from the County and a GoldenLEAF Grant of \$1.5 million each. The grant is a contract that Wilkes EDC will sign as the grantee. Mr. Triplett stated this agreement incorporates all the provisions of the GoldenLEAF Grant so they are consistent except if there is anything that is not the same the contract with the County controls. He added as far as how the money is disbursed, when it is disbursed, reporting requirements, all follow the GoldenLEAF contract. Wilkes EDC will perform the same with the County agreement as they do with GoldenLEAF.

Mr. Triplett asked LeeAnn Nixon if she has anything to add. Ms. Nixon replied Mr. Triplett covered the agreement well and they are happy to answer any questions. Chairman Settle asked if the EDC Board has approved this. Commissioner Elmore replied some of the members are present and yes this has been thoroughly discussed by the EDC Board for the past year. He

added they have worked with the EDC for many years and they have said they have no inventory and this will finally eliminate that. Commissioner Elmore has always said they need a plan and they now have that and this will move them forward. Chairman Settle stated they had a remote meeting with Bladen County and asked if this this is close to their model. Mr. Triplett replied the main difference in their model and Wilkes is they used a forgivable loan to their EDC, accompanied by a Deed of Trust. This presented issues that he and Mr. Yates were not comfortable with and it is more straight forward to do an appropriation for the seed money along with GoldenLEAF to construct the building.

Commissioner Elmore asked if they can use some of the American Rescue Funds. Mr. Yates replied they intend to make that case. Chairman Settle asked if there are plans for a second building. Ms. Nixon replied they hope so, the lease income minus maintenance will go into a fund to help with the next building. She added Bladen County has built 22 buildings in 19 years and had wonderful success. They came up with the size for the Wilkes building by using their matrix from the past 3 years. They know they had 13 companies that needed this size, 20,000 sq. ft. or less. This site will be divided into a 20,000 sq. ft and 10,000 sq. ft. They expect about 10 new jobs and \$2.25 million investment. Ms. Nixon said they feel confident there is a need for this. Mr. Yates stated he and Mr. Huffman were in Richmond County recently and they have built 7 buildings this size, their program is a little different, but successful. He added this is very exciting.

Commissioner Johnson stated he was visiting EDC and while he was there someone called and wanted to come to Wilkes and the size building they needed was not available. This will be the Leap Forward and next step to get new businesses to Wilkes County and he is excited to move forward. Commissioner Elmore stated he would like to recognize the EDC Board members here tonight, they have spent many hours on this project. Last year's Chairman Terry Bumgarner and current Chairman Brett Cothren are both here. Chairman Settle agreed and thanked them for all they do. Mr. Bumgarner replied they are very pleased that the County supports this project.

Motion was made by Commissioner Casey Joe Johnson to approve the Joint Development Agreement between Wilkes County and Wilkes Economic Development Corp. for the GoldenLEAF Grant for the Wilkes Commercial Business Center as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Commissioner David Gambill joined the meeting at this time and apologize for being late, and explained he was held up at work.

#### **DEPARTMENT OF SOCIAL SERVICES:**

**1. ENERGY PROGRAM OUTREACH PLAN – APPROVAL FOR FISCAL YEAR 2021-2022** – 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. 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. The first page list the committee members that participate and this is something that will change a little each year, next is the meeting dates. They also use the Journal Patriot and Radio to advertise the program. Their hours of operation are included next. Elain Vanstory is the supervisor of the food and nutrition unit and handles this program as listed on the last page.

Commissioner Elmore asked if the Wilkes County Public Library member will be updated to the new County Librarian. Mr. Blevins replied yes. Commissioner Elmore suggested they add social media as an additional outreach activity to notify the community. Mr. Blevins agreed that will help get the word out. Vice Chairman Minton asked if the ads at the movie theater worked well for them. Mr. Blevins replied yes for the foster parents program it did and they had good comments from those as well. They hope to get these back going this year.

Commissioner David Gambill made a motion to approve Wilkes County Department of Social Services Energy Program Outreach Plan for FY 2021-2022 as presented. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**2. UPDATE** – Mr. Blevins provided the Commissioners with handouts for June. He briefly 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 June. He added as of now Foster Care is up to 230. The Curtis Bridge Road facility is almost complete and all of APS will be relocated there soon.

The Board thanked Mr. Blevins for his update.

#### **PURCHASE OF COUNTY-OWNED PROPERTY:**

**1. WILKESBORO TOWNSHIP – PARCEL ID NO. 22-01098** – County Attorney Tony Triplett stated this property was acquired through a tax foreclosure sale in May and was formally owned by McLean Property Development, LLC. This lot is located at the intersection of Forest Drive and Woodfield Way. He added they have received an offer of \$5,730.81 from Mr. Herbert Ray Boone's plus deed and publication cost. He added Mr. Boone's property borders this lot and his offer is for what the county has in the property. Tonight, the Board is authorizing this to be advertised until 10-days run with no upset bids and the final offer will be brought back to the Board for approval. Mr. Triplett said this will get the process started if this is what the Board would like to do and he has a motion to read.

Commissioner Keith Elmore made a motion to publish notice in the *Wilkes Journal-Patriot*, pursuant to G.S. §160A-269, of the offer received from Herbert Ray Boone on June 11, 2021, for the purchase of property formerly owned by McLean Property Development, LLC, consisting of Lot 21, Block B, Section A, Foxtrot Subdivision, in Wilkesboro Township, Wilkes County, North Carolina, the same having been acquired by Wilkes County through tax foreclosure in Deed Book 1333, Page 123, Wilkes County Registry, for \$5,730.81 plus advertising costs, deed preparation, and recording costs; provided, that the County first receives a 5% deposit from Mr.

Boone; provided further, that the matter continue to be advertised by the County Attorney as required by law in the event of receipt of any upset bids, and that upon the expiration of the upset bid period the matter be brought back to the Board by the County Attorney for action as permitted under G.S. §160A-269. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**2. WILKESBORO TOWNSHIP – PARCEL ID NO. 22-06715** – County Attorney Tony Triplett stated this property was acquired through a tax foreclosure and also formally owned by McLean Property Development, LLC. They have received an offer of \$7,360.65 from Mr. Rip R. Rollins, Jr. which covers what the county has in it. The offer will include deed and publication cost. Mr. Rollins lives beside Mr. Boone and this property is located behind his house. Mr. Rollins stated he is in attendance tonight. Mr. Triplett said they will keep advertising until 10-days run with no upset bids and the final offer will be brought back to the Board for approval. Mr. Triplett said this will get the process started if this is what the Board would like to do and read the motion at this time.

Commissioner David Gambill made a motion to publish notice in the *Wilkes Journal-Patriot*, pursuant to G.S. §160A-269, of the offer received from Rip Rollins, Jr., on June 21, 2021, for the purchase of property formerly owned by McLean Property Development, LLC, consisting of 2.72 acres adjacent to Foxtrot Subdivision in Wilkesboro Township, Wilkes County, North Carolina, the same having been acquired by Wilkes County through tax foreclosure in Deed Book 1333, Page 124, Wilkes County Registry, for \$7,360.65 plus advertising costs, deed preparation, and recording costs; provided, that the County first receives a 5% deposit from Mr. Rollins; provided further, that the matter continue to be advertised by the County Attorney as required by law in the event of receipt of any upset bids, and that upon the expiration of the upset bid period the matter be brought back to the Board by the County Attorney for action as permitted under G.S. §160A-269. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**COURTHOUSE – LEASE AGREEMENT FOR PROBATION AND PAROLE OFFICE** – Mr. Triplett stated this is a lease renewal, he and Mr. Yates have reviewed this. He added they are required by law to provide space for the Probation and Parole office. He added a lease was sent back in 2013 and 2016 and it they were approved and renewed, but the state has waited five years to send them another lease. Mr. Triplett stated they really have no choice; this space is provided to them for \$1.00 per year. The lease is what the state requires them to provide. This is a three year lease and will expire June 30, 2024. Commissioner Gambill asked if this is something they have to provide then why is the lease only 3 years. Mr. Triplett replied he cannot answer that. The state prepared the lease and this is the term they asked for. Commissioner Elmore asked if there are any options to change this. Mr. Triplett replied they can ask the state, but this seems to be the lease they use for all counties. Commissioner Elmore asked if all 100 counties are required to do this and all have the same lease. Mr. Triplett replied the law requires every county to do this for their Probation and Parole office and this is the lease the state sent them. Chairman Settle asked if all leases are for 3 years. Mr. Triplett replied he assumes they are all the same, the statute does not spell out the time, just that they have provide the space. Commissioner Elmore said he would like to know if all 100 counties have the same lease. Mr.

Triplett replied he will ask that question. Mr. Yates added when they met with the insurance company they made sure this is covered in the county's policy. Vice Chairman Minton asked if this is the same lease they have for the Clerk of Court's Office. Mr. Triplett replied yes. Motion was made by Commissioner David Gambill to approve the Courthouse Lease Agreement for Probation and Parole Office as presented at tonight's. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

**TOWN OF NORTH WILKESBORO – ETJ ALTERNATE MEMBER BOARD OF ADJUSTMENT** – Chairman Settle said they have received a request from the North Wilkesboro Board of Commissioners who unanimously voted to recommend the appointment of Mr. Danny Long as an ETJ Alternate Member on the North Wilkesboro Board of Adjustments. Commissioner Gambill asked why they need an alternate. Mr. Triplett replied it is required by statute. Mr. Yates added it is required by 160D and another one will be on the agenda for the next Board meeting for consideration. Commissioner Elmore stated this gentleman lives in the ETJ and asked if that is a requirement. Mr. Triplett replied yes. Chairman Settle stated the ETJ is an odd thing, those folks do not get help from the town, but have to follow their requirements.

Mr. Triplett said he does not recall the Board approving this for the Town of Wilkesboro, they have for North Wilkesboro. He added 160D will require this and Wilkesboro should be sending a similar request at some point. The Board of Commissioners have to officially appoint the ETJ members to the Towns' Board of Adjustment as 160D requires.

Motion was made by Commissioner Keith Elmore to appoint Mr. Danny Long as ETJ Alternate Member on the North Wilkesboro Board of Adjustments for a 3-year term, as requested. The motion was seconded by Commissioner Casey Joe Johnson and passed unanimously.

**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:

- 21 Blue LED Light Bars/One Strobe*
- 20 Wheels (some are damaged)*
- Husqvarna Mower MZ225 (needs engine)*
- 3 (three) Storage Building (poor condition)*
- Truck Box (leaks and in poor condition)*
- John Deer Mower #1445 (condition unknown)*
- John Deer Mower #3235B (condition unknown)*
- 2011 Ford Crown Vic #12623 Mileage 228,496 - Sheriff*
- 2011 Ford Crown Vic #49568 Mileage 196,090 - Sheriff*
- 2008 Ford Crown Vic #05278 Mileage 121,715 - Sheriff*
- 2011 Ford Crown Vic #49569 Mileage 200,240 - Sheriff*
- 2009 Ford Crown Vic #05280 Mileage 192,984 - Sheriff*

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*2004 Ford Crown Vic #29366 Mileage 156,920 - Sheriff*  
*2008 Dodge Charger #38627 Mileage 141,483 - Sheriff*  
*2008 Dodge Charger #38633 Mileage 85,537 – Sheriff*  
*2008 Dodge Charger #38632 Mileage 140,007 – Sheriff*  
*2013 Ford Interceptor Sedan Mileage 187,899 – Sheriff*  
*1995 Jeep Cherokee #49637 Mileage 162,448 – Tax*  
*2004 Ford Focus #93450 Mileage 123,433 – Health*  
*2001 Ford Taurus Wagon #92973 Mileage 169,356 – DSS*  
*2000 Ford Taurus Sedan #36037 Mileage 118,900 – DSS*  
*2004 Chevy S-10 Blazer #53800 Mileage 130,589 - DSS*

Commissioner David Gambill 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 Brian S. Minton and unanimously approved.

**OLD BUSINESS** – Vice Chairman Minton stated he has an update on BROCC. The DA's office told Ms. Dare Stroman that charges were filed and a court date has been set for September 22, 2021. He added the insurance company has been contracted and they are proceeding with the investigation. They have been told the insurance will reimburse BROCC and then go after the suspect for restitution. Commissioner Elmore asked if they have an amount. Vice Chairman Minton stated they have an estimate, but the amount could change BROCC is still looking through their records. He added at this time the amount is \$38,000. Chairman Settle stated they hope the BROCC Board comes up with changes due to this issue. Vice Chairman Minton stated, they have addressed this and have rewritten the entire procedures manual. Commissioner Gambill asked who conducted the audit. Vice Chairman Minton replied no audit has been ordered, the DA has not requested this. BROCC's CPA and Director came up with this amount and employees are still going through statements. He added Ms. Stroman said she has found changes that go back to October. Commissioner Elmore asked if two Board members are still signing checks. Vice Chairman Minton replied that has changed, the Director and the Chairman of the Board will now sign checks so that the Director will review and sign all checks going forward.

Vice Chairman Minton said 90 days or October is when the first appropriation would have been requested. If the case is heard on September 22 they should be close to on time to make the appropriation as normal. Commissioner Elmore said they do not appropriate them a lot, but it goes for Meals on Wheels which is much needed program. Chairman Settle said it is a shame that someone would do this. Vice Chairman Minton agreed and added they are looking to fill that position with someone that will cater to and really take care of the seniors in the county. Commissioner Elmore said the Meals and Wheels Program is basically ran with volunteers. Vice Chairman Minton added this is a much needed program and Ms. Stroman keeps them updated and does an excellent job.

**NEW BUSINESS – 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 Tuesday, September 7, 2021.

Motion was made by Commissioner David Gambill to continue the public hearing to Tuesday, September 7, 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.

**CLOSED SESSION** – Commissioner David Gambill 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)(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; and 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. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

Motion was made by Commissioner Keith Elmore seconded by Vice Chairman Brian S. Minton 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 Vice Chairman Brian S. Minton and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 8:12 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: August 17, 2021