

**MINUTES**  
**WILKES COUNTY BOARD OF COMMISSIONERS**  
**August 16, 2022**

**PUBLIC HEARING – ROAD NAMING AND ADDRESSING ORDINANCE** – Chairman Keith Elmore declared the Public Hearing open concerning the Road Naming and addressing Ordinance on Tuesday, August 16, 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; W.C. Scroggs, IV, Planning Director; Brooke Felts, Assistant County Attorney; and Sarah Call, Clerk to the Board.

Chairman Elmore asked if anyone would like to speak, hearing no comments he declared the Public Hearing closed at 6:01 P. M. on the Road Naming and Addressing Ordinance.

**PUBLIC CONCERNS** – None

The Wilkes County Board of Commissioners met on Tuesday, August 16, 2022 at 6:01 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.

**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 August 2, 2022.

**WILKES COUNTY’S RECIPIENT – N.C. DIVISION MILITARY & VETERANS AFFAIRS SCHLORSHIP** – Chairman Elmore recognized Allison Huffman, Veterans Service Officer. Ms. Huffman said every year the N.C. Division of Military & Veteran Affairs awards children of War Time Veterans a scholarship. Years ago, the County Veterans Service Office was part of the application process, now they have shifted to an online application and they are no longer aware of who applies and who is awarded the scholarship. She added this year a parent reached out and said their son received it. Ms. Huffman contacted Raleigh to see how

many recipients Wilkes County had, it was one. The recipient this year is Tyler Holland, this scholarship will cover tuition for 4-years to a public university in North Carolina. She added this is a huge accomplishment for Mr. Holland. At this time Ms. Huffman introduced Mr. Tyler Holland. Ms. Huffman, Chairman Elmore and the Board of Commissioners congratulated and awarded a Certificate for the N.C. Division of Military & Veteran Affairs Scholarship to Mr. Tyler Holland. Chairman Elmore asked where he was going to School. Mr. Holland replied App State. Mr. Holland was joined by his parents Andrew and Kim Holland.

**WILKES COUNTY SHERIFF'S OFFICE – REQUEST FOR SERVICE WEAPON AWARD TO RETIREE** – Chairman Elmore welcomed and recognized Sheriff Chris Shew and Captain Jana Hayes. Captain Hayes stated she has been in law enforcement for 35 years, Fred Myers was Sheriff when she started, and began her law enforcement career serving Wilkesboro Police Department. She added she appreciates the opportunity to serve the citizens of Wilkes County, it has been a blessing, thank you. Sheriff Shew stated it have been a blessing to have Captain Hayes and they don't find many people like her that has been with them almost two lifetimes. She has served in may capacities and has been an SRO and a fixture at Wilkes Central for a long time. He added she was in charge of the SRO program for the last few years, 35 years is a long time and they appreciate her. Sheriff Shew said they are few and far between the caliber of employee and law enforcement officer as Captain Hayes has been. She has been an asset to the Wilkes County Sheriff's Office as well as the other department she worked for. He thanked Captain Hayes and presented a plaque that stated: *"In honor of Jana McGuire Hayes retired with distinction from the Wilkes County Sheriff's Office after providing 35 years of dedicated and loyal service to the Great State of Wilkes and her Citizens."* Captain Hayes thanked Sheriff Shew and the Board.

Sheriff Shew, Chairman Elmore and the Board of Commissioners congratulated Captain Jana Hayes on her retirement and thanked her for 35 years of service to Wilkes County and the citizens. Captain Hayes was joined by her husband Neal and son Blake Hayes. Sheriff Shew added Neal and Blake Hayes have been a part of their family throughout the years. He added Captain Hayes raised two sons while also doing a great job looking after Wilkes County.

Commissioner David Gambill made a motion to approve the service weapon and badge carried by Captain Jana Hayes be awarded upon her retirement, as requested and presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

*WHEREAS, G.S. 20-187.2 provides that retiring members of county law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the county; and*

*WHEREAS, G.S. 20-187.2 further provides that the governing body of the county law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring member; and*

*WHEREAS, Captain Jana Hayes served as a member of the Wilkes County Sheriff's Office until she reached a period of 35 years in law enforcement; and*

*NOT, THEREFORE, BE IT RESOLVED by the Wilkes County Board of Commissioners that the badge and service weapon worn and/or carried by Captain Jana Hayes ( SN: 47A196158 Sig Sauer 226) be awarded to her on the occasion of her retirement.*

*ADOPTED this, the 16<sup>th</sup> day of August, 2022.*

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*Sheriff, Wilkes County*

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*Clerk to the Board, Wilkes County*

**HIGH COUNTRY REGIONAL HAZARD MITIGATION PLAN – RESOLUTION –** Chairman Elmore welcomed and recognized Nathan Slaughter, Hazard Mitigation Department Manager ESP Associates. Mr. Slaughter thanked the Board and said he is the Project Manager for the High Country Regional Hazard Mitigation Plan. This plan is a requirement of FEMA in order for the county to remain eligible for certain pots of FEMA money. He is based out of Raleigh and this is his third presentation to this Board. This plan is updated every 5-years and he has worked on it for over 15 years. The plan lays out what the hazards are that the county is vulnerable to natural, human cause, manmade and lays out what steps the county and municipalities can take to reduce the impact of the next event. It is required by FEMA, but by implementing the plan they will become a more resilient community. Mr. Slaughter stated the plan has been completed, it made it through N.C. Emergency Management Agency review and approval, and subsequently has been reviewed and approved by FEMA. The last step in the process is for the County and all the participating jurisdictions to adopt the plan by Resolution. It does not hold the county to anything as far as implementing the plan it just says they officially recognize the plan and will try to implement it over the next 5-years. He added the document is over 1,000 pages and Suzanne Hamby sent a link to it. The plan also includes Alleghany County, Ashe County, Watauga County and they have all adopted it and they are working with all the municipalities within these counties to adopt it and he does not expect any issues with it being adopted by all.

Chairman Elmore asked if there have been any changes to the hazards in the last 15 years while he has been working on this. Mr. Slaughter replied yes. Initially in these plans FEMA was concerned with natural hazards. In recent years it has included manmade, human cause, technological, and includes infectious disease such as Covid 19, cyber threats and terrorism are now all included hazards that could impact the region.

Vice Chairman Casey Joe Johnson made a motion to adopt and approve the Resolution for the High Country Regional Hazard Mitigation Plan, as presented at tonight's meeting. The motion was seconded by Commissioner David Gambill and unanimously approved.

*RESOLUTION TO ADOPT THE  
HIGH COUNTRY REGIONAL HAZARD MITIGATION PLAN*

*WHEREAS, Wilkes County is vulnerable to an array of hazards that can cause loss of life and damages to public and private property; and*

*WHEREAS, the Wilkes County desires to seek ways to mitigate situations that may aggravate such circumstances; and*

*WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and*

*WHEREAS, it is the intent of the Wilkes County Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and*

*WHEREAS, it is also the intent of the Wilkes County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Wilkes County; and*

*WHEREAS, Wilkes County, in coordination with Alleghany County, Sparta, Ashe County, Lansing, Jefferson, West Jefferson, Watauga County, Beech Mountain, Blowing Rock, Boone, Seven Devils, North Wilkesboro, Ronda, and Wilkesboro has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;*

*WHEREAS, the North Carolina Emergency Management and the Federal Emergency Management Agency have reviewed the High Country Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;*

*NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Wilkes County hereby:*

- 1. Adopts the High Country Regional Hazard Mitigation Plan; and*
- 2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.*

*Adopted this the 16<sup>th</sup> day of August, 2022*

*ATTEST:*

*WILKES COUNTY*  
*By: \_\_\_\_\_*  
*Giddeon Keith Elmore, Chairman*  
*Wilkes County Board of Commissioners*

*Sarah D. Call, Clerk*

**WILKES COUNTY PUBLIC LIBRARY:**

**1. APPALACHIAN REGIONAL LIBRARY BOARD APPOINTMENT –** Chairman Elmore recognized Suzanne Moore, County Librarian. Ms. Moore thanked the Board and said the Wilkes County Library Board of Trustees would like to recommend that Arnold Lakey, a current board member, be appointed to serve as a county representative on the Appalachian Regional Library Board.

Vice Chairman Casey Joe Johnson made a motion to approve the Appointment of Mr. Arnold Lakey to the Appalachian Regional Library Board as the Wilkes County representative as presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**2. WILKES COUNTY PUBLIC LIBRARY BOARD APPOINTMENT –** Ms. Moore was joined by Ms. Jennifer Chatham. Ms. Moore stated the Wilkes County Library Board would like to recommend Jennifer Chatham be appointed to serve on the Library Board to fill one of the vacancies. Chairman Elmore thanked Ms. Chatham and added she will be an asset to the Board. Commissioner Settle added these are two great appointments and will both be good for the Library. He added Mr. Lakey has served before and Ms. Chatham will be a great addition. Vice Chairman Johnson stated the Library Board voted unanimously for both of these Board members and they appreciate her willingness to serve on the board. Ms. Chatham thanked them and added she is looking forward to it.

Vice Chairman Casey Joe Johnson made a motion to approve the Appointment of Ms. Jennifer Chatham to the Wilkes County Public Library Board as presented. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**ROAD NAMING AND ADDRESSING ORDINANCE –** W.C. Scroggs, Planning Director stated before the Board is the Wilkes County Road Naming and Addressing Ordinance. This is an ordinance that Mr. Triplett has been working on to bring it into compliance with N.C.G.S. 160D. They have worked on this for a couple of years and will allow them to be more organized and add an Ordinance Administrator. This has been under the Planning Department for years, but didn't include an official administrator. Mr. Triplett has also added verbiage to bring it up to date.

Mr. Triplett said Mr. Scroggs, Ms. Felts, and many Department Heads have spent a lot of time on this to include the Health Department Rachel Willard; Environmental Health Angie Rhodes; Inspections Keith Walsh and Jacob Patrick; Sheriff's Office Logan Kerr and anybody that had any connection with addressing and E911. As mentioned before they have to bring all of the ordinances back before the Board due to the decriminalization law and Chapter 160D that the General Assembly passed. This is one of the first to come before the Board and is one of their oldest ordinances. The statute on road naming and addressing allows counties to name roads and assign addresses as long it is not in conflict with the Department of Transportation and was passed in 1979. In 1985 Wilkes County adopted a Road Naming Ordinance and it has not been changed since except one minor change in 2001. They have basically been utilizing a lot of

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procedures in road naming and addressing that were not in the ordinance. Mr. Triplett stated they used this as an opportunity to update it and put these procedures into the Ordinance. The Ordinance does not change what they have been doing, except with respect to campers and RV's, but is not the main reason behind the ordinance.

The Ordinance does now say that an RV or camper is not eligible to obtain an address unless it has an approved septic system under state regulations or is part of an RV Park as approved by the County Planning Board. Mr. Triplett said this is a change. Many years ago, campers began obtaining address and this has caused many problems with them not having septic systems or sources of water. Campers are temporary in nature and assigning an address to this does not make a lot of sense. He added otherwise it is pretty much the same and now includes all the procedures they are utilizing.

Mr. Triplett said there are two changes from the last version presented: first on page 14 section (a) vertical sizes of road name signs they would like to change to six inches (6"). At the beginning of this section it says 9 inches (9") and all of their signs are 6 inches and this should have said 6 inches which is not a change, all their road signs are 6 inches currently. If they do not remove this they will need to buy two different sizes of road name signs. Commissioner Settle asked what is the state law on the size of signs for roads greater than 35MPH. Mr. Scroggs replied he researched this and there is not law on this. Commissioner Settle added it is important that law enforcement and EMS see the road signs. Mr. Scroggs replied they order all the signs from the Dept. of Corrections through NC DOT. He added 6 inch is pretty much the standard in the state. Mr. Triplett said the state statute does not require 9 inch signs. They leave it up to the county to name the roads and select the size. Commissioner Settle said he is good if they are in line with the state. Commissioner Gambill agreed it could be tough for them on roads that are 35, then 45 and 55 to put different sizes on the road depending on the speed limit. He is good with 6 inches for all signs. Mr. Scroggs added 6 inch signs is what they are set up for and all the letters ordered are based on this size sign.

Vice Chairman Johnson said they appreciate all the hard work put into updating this, he enjoys reading the ordinances. Mr. Triplett said the decriminalization statute does state that the Board cannot vote on an ordinance that has criminal provisions in it the first time it comes before them. This is the second time this has come before the Board, this is the second time. The Board can adopt it tonight if that is what they would like to do. This ordinance does have criminal misdemeanor provisions in it. Commissioner Settle asked what if it is not a 5-0 vote. Mr. Triplett replied that is not required, only a simple majority. Chairman Elmore stated this is driven first of all by the state and they have to revisit all ordinances. He added ultimately the purpose is safety. Assigning the addresses and road names so the ambulances and law enforcement can find them when people need them. Mr. Scroggs replied yes. Mr. Triplett agreed and added it is a police power ordinance which means its purpose is public safety.

Vice Chairman Casey Joe Johnson made a motion to adopt and approve the Road Naming and Addressing Ordinance as presented at tonight's meeting with the one change as noted in Section 5.02. The motion was seconded by Commissioner David Gambill and unanimously approved.

**SET WORK SESSION – OCCUPANCY TAX** – Chairman Elmore stated the Board needs to set a work session for the Occupancy Tax and asked Mr. Triplett to explain why and what they would need to do. Mr. Triplett said a Public Hearing was held at the last meeting on the Occupancy Tax. In order to enact an occupancy tax there are two resolutions that have to come before the Board that has to be approved. The statute also requires they be approved together at one time. One resolution is to impose an Occupancy Tax and the second is to establish a Tourism Development Authority (TDA). He added if the Board wants to move forward with the Occupancy Tax the first resolution will need to decide how much the tax will be, up to 6%. With the second resolution they will decide how to structure the TDA. Mr. Triplett said when this came up in 2010, 12 years ago the Board discussed this, but this Board may feel different. They will decide how many members are on the TDA, what are the terms, when are they appointed, how is the Chairman and Vice Chairman appointed and all the usual structural issues that come up when a Board is created. He added they thought maybe it would be best to set a work session and discuss solely this topic to include the amount of the tax and how to structure the TDA. Mr. Triplett stated at work sessions they do not normally take any action and would only talk about it. It would then be placed on an agenda to vote on, if this is what the Board would like to do. They are not ready to do this until they make some decision to move forward, if the Board wants to move forward.

Chairman Elmore stated they need two resolutions to approve for the tax and structure of the board. The idea is to have the work session sometime next week and discuss establishing a TDA and set the Occupancy Tax. Mr. Triplett said the Chairman has the resolutions they came up with in 2010 and he will send copies of this to everyone to look at prior to the work session. Chairman Elmore agreed and asked if there is a desire to set a work session next week.

Commissioner Gambill stated he missed the last meeting and was out of town, but did go back and listen to some of the comments. He added there are some that did not get to come that found out later and he thinks they need more than one Public Hearing on the Occupancy Tax. Commissioner Gambill said his view has been pretty clear, he would not be willing to move forward on this topic. Vice Chairman Johnson stated a work session would be beneficial before deciding to move forward. Commissioner Settle asked if the work session is open to the public. Chairman Elmore replied yes. Commissioner Settle asked if folks can make public comments. Mr. Triplett replied typically no. It is just a work session for the Board and they do not hear public comments. Chairman Elmore added, they could ask for comments during the work session if they choose to. Mr. Triplett replied yes, the Chairman can.

Vice Chairman Casey Joe Johnson made a motion to set a Work Session on the Occupancy Tax for Wednesday, August 24, 2022 at 4:30 P.M., in the Commissioners' Meeting Room located at the Wilkes County Office Building, 110 North Street Wilkesboro, N.C. The motion was seconded by Chairman Keith Elmore. Voting on the motion:

Ayes:                   Chairman Keith Elmore  
                              Vice Chairman Casey Joe Johnson  
                              Commissioner Eddie Settle

Nays: Commissioner David Gambill  
Commissioner Brian S. Minton

**PURCHASE OF COUNTY-OWNED PROPERTY – MULBERRY TOWNSHIP** – County Attorney Tony Triplett stated this property was acquired through a tax foreclosure sale several years ago was formally owned by Helen M. Kilby. This 0.57 acre undeveloped lot is located on Elledge Mill Road. He added they have received several calls, but no one is willing to pay much for this property. It is ½ acre with a burned home on it and will require a lot of clean up, it is overrun with bamboo and a mess. This came to their attention from a solid waste complaint and when they looked into it they found taxes had not been paid for several years and proceeded with the tax foreclosure. Mr. Triplett added it is surrounded by other homes and some have expressed interest in buying it, but with the cost of clean up are not willing to pay anywhere near what the county has in it. They have an offer of \$500 from Ms. Jane Osborne plus deed and publication cost. He added Ms. Osborne’s property borders this lot and her offer is well below what the county has in the property which is \$7,866.21 that was bid in at the sale in 2019. Mr. Triplett said this will get the process started and they have many interested in the property that could upset the bid if this is what the Board would like to do. He added they do not think they will get what is owed because the taxes were based on the property when the house was on it before it burned. Who ever gets it will have to clean it up, it is a solid waste violation. They will make it clear to anyone who is interested and bids so they understand this is required.

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. Yates added Mr. Scroggs has already put signs up that the property is for sale.

Commissioner Eddie Settle made a motion to publish notice in the *Wilkes Journal-Patriot*, pursuant to G.S. §160A-269, of the offer received from Jane E. Osborne, on August 1, 2022, for the purchase of property formerly owned by Wilkes County, consisting of 0.57 acres on Elledge Mill Road in Mulberry Township, Wilkes County, North Carolina, the same having been acquired by Wilkes County through tax foreclosure in Deed Book 1295, Page 239, Wilkes County Registry, for \$500.00 plus advertising costs, deed preparation, and recording costs; provided, that the County first receives a 5% deposit from Ms. Osborne; 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 Casey Joe Johnson and unanimously approved.

**ADJOURN** – Motion was made by Commissioner Eddie Settle, seconded by Commissioner David Gambill and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:49 P.M.

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Sarah D. Call, Clerk  
Chairman

Giddeon Keith Elmore,

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: September 6, 2022