

**MINUTES**  
**WILKES COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**August 24, 2022**

The Wilkes County Board of Commissioners held a work session on Wednesday, August 24, 2022 at 4:35 P.M. in the Commissioners Meeting Room at the Wilkes County Office Building located at 110 North Street, Wilkesboro, N.C. to discuss Occupancy Tax. Present for the meeting were the following members: Chairman Keith Elmore, Vice Chairman Casey Joe Johnson, Commissioner David Gambill, and Commissioner Brian S. Minton.

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

**APPONTMENT OF ACTING CLERK** – Chairman Elmore appointed Chris Huffman as Acting Clerk for the Work Session.

Chairman Keith Elmore welcomed everyone and called the work session to order. He added they have discussed allowing public comment and stated anyone who would like to sign up and has not already, please do so. Chairman Elmore said comments need to be kept to 3 minutes, please include your name, address, and phone number.

Chairman Elmore stated the purpose of the work session is to discuss Occupancy Tax and the two resolutions that will be needed if they move forward and levy the tax. Tony Triplett will explain these items. He added Commissioner Settle could not make the work session.

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

**RESOLUTION LEVYING ROOM OCCUPANCY TAX** – Tony Triplett said in 2010 the legislature passed a local bill authorizing Wilkes County to levy an occupancy tax, which the County has not yet done. In order to levy an occupancy it tax takes two resolutions., one to actually establish the tax and another resolution passed at the same time which establishes a TDA and the structure. He added they are here at the work session to discuss these resolutions which are both necessary if the Board decides they want an occupancy tax. Mr. Triplett stated drafts of both resolutions are in the packet, the first one is to decide the amount of the tax from 1% up to 6%. The draft resolution has 3% as that was the discussion back in 2010.

At this time the Board briefly discussed District K. Mr. Triplett added this district was named in the Local Bill and includes all unincorporated parts of Wilkes County, which are outside of the three towns' corporate limits (North Wilkesboro, Ronda, and Wilkesboro). Chairman Elmore stated they have a divided Board and asked the feelings of the Board on the amount which seems to be 3% to 6% with most at 6%. Commissioner Minton stated it does not matter. Vice Chairman Johnson asked if there was a standard. Mr. Triplett replied most are 6%, but there are

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many at 3% and even 1%. There was a brief discussion among attendees in the audience at this time. Chairman Elmore stated he would like to see 6%. Commissioner Gambill asked why are they setting a tax when they have a split vote and before they move forward as a Board to approve this. He said he will have input once they vote to move forward on what he thinks the rate should be. Commissioner Gambill stated he would like to know what 1% and 3% would bring in and where the money would go and he is not at this point until it passes. Chairman Elmore stated that is a good point, they did have the votes to move forward with the work session and that's why they are here today. They thought they would continue and set the structure, hear comments, and take it from there. Vice Chairman Johnson added he was originally at 6% and asked could they start at 3% and see how it goes and give it some time and revisit it later. Mr. Triplett replied yes. They have the authority to do that, they can levy an amount now and go back and levy an additional amount later up to 6%.

**RESOLUTION CREATING TOURISM DEVELOPMENT AUTHORITY FOR DISTRICT K** – Mr. Triplett stated the first page is fairly standard, the second page is as well until # 3, "Membership." There are many ways to structure these, this resolution draft was from 2010 and it was to establish a 7-member TDA. He added there has been some discussion for 9 members. Mr. Triplett said the statute does prescribe one aspect of the member set-up: at least 1/3 of the members must be individuals affiliated with the businesses that collect the occupancy tax in District K (if there is a 9-member board, this would be 3 members); and at least 1/2 of the members must be individuals currently active in the promotion of travel and tourism in District K (if there is a 9-member board, this would be 5 members); this is 8 of the 9 members with a background that is already prescribed. He added there has been discussion the Board may want a County Commissioner as the 9<sup>th</sup> member of the TDA, and this is legal. Mr. Triplett stated the Board will have to decide how many members, their term, can they serve successive terms, term limits, staggered terms, and other related issues. Mr. Triplett noted that the Commissioners have frequently established 9-member boards with staggered 3 year terms which is an easier rotation, but this is not required. He added these are decisions they need to make and are here today to discuss.

Chairman Elmore stated he likes the 9-member board, to include the formula set out and representation throughout the county in the four school districts as an example of territories represented. He said they can't spend the money in the cities. Mr. Triplett replied that is correct. Chairman Elmore asked if they wanted representation from the towns. Mr. Triplett added they can do that as long as they understand no money can be spent directly within the towns. Vice Chairman Johnson asked for the 5 members that have to be individuals in the promotion of travel and tourism, what does this involve. Mr. Triplett replied the Chamber and EDC are the first two that come to mind. Mr. Thomas Salley, Executive Director of the Wilkesboro TDA, described the makeup of the Wilkesboro TDA Board and their process at this time. Chairman Elmore stated he would like to have a member of the Wilkesboro TDA to serve on the County TDA as a dual member to coordinate so they do not duplicate things. He added the Wilkesboro TDA selects its Chair. Mr. Triplett added this is something the Board will also need to decide per the resolution.

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Commissioner Minton asked if there has been any consideration for one county-wide TDA Board, combining the Town with the County. Mr. Triplett replied yes. Commissioner Minton added it would take legislation in Raleigh to do this. Mr. Triplett replied yes, that has been discussed, and it would take a new Local Bill. Chairman Elmore stated they have discussed this for years. He added the folks out in the county have said they did not think they would have representation if it was a combined Board. That is why the legislation was for a county TDA. Commissioner Minton stated in his research they can have a county board and have a subsidiary under the towns to receive the funds. It would be a county board; Wilkes County, he said, is not big enough for possibly 4 tourism boards. He added they could have one Board and subsidiaries under the one Board that would share the funds. Commissioner Minton added he does not believe that folks out in the county will lose representation as long as this Board appoints folks from the far reaches of Wilkes County. There is a portion of Elkin in Wilkes County as well and Elkin also has a TDA. He added he is proposing one board; however, new legislation would say how the board would be made up and appointed. One county-wide board would impose a rate county-wide and then have the subsidiary such as Wilkesboro that has a TDA already. He added all three towns would have a seat at the table and the legislation would have to be structured as such and it will go though. Commissioner Minton stated it would be run as an Omnibus Bill and would include other counties in the catchment area and will not be solely a Wilkes County Bill. Wilkesboro Town Manager Ken Noland briefly discussed this and added their Town Council is in support of one county-wide Board.

Chairman Elmore stated he does not disagree one board would be more efficient. He said years ago there was an issue with the TDA and that's why it went through as county only, plus also, to deal with concerns of representation from out in the county. Mr. Triplett added he has seen a local bill that is structured this way and the local bill would set this out to include members from each town, county etc. They would be going back to the drawing board with a new local bill that would aim to eliminate Wilkesboro's current TDA and replace it with a County-wide TDA that serves everybody. Commissioner Gambill added if they take a local bill and pass it that's on them. There are people out in the county that just have one rental. It makes them keep a separate tax and they are not telling them how to run the lodge, but they are making them collect a tax. He asked what if they do not collect it who will police it. They will need one person to administer this and another to make sure it is implemented like anything with County government. Commissioner Gambill added if they force this on them he would like to see more representation from the people with lodging in the county. Commissioner Minton agreed.

Mr. Triplett stated what is before the Board at this time is the local bill with a County-only TDA. He added that could proceed simultaneously as the Wilkesboro TDA would while a new local bill was being discussed. He said a new local bill could create one county-wide TDA that would absorb both if it passed. Chairman Elmore said that would involve a whole new discussion between the Towns and County and would have to take place another time. He opened the work session up for public comments at this time and stated for the sake of time please do not duplicate. The following have folks signed up and were recognized to speak at this time:

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- *Callie Walker Stone, Realtor and manager of 2 short terms rentals – in favor of the proposed occupancy tax.*
- *Marc Hauser, Mayor North Wilkesboro – in favor of the proposed occupancy tax and one TDA.*
- *Wit Tuttell, Head of State Tourism Office, Visit NC – part of the Economic Development Partnership of NC, occupancy tax will grow the economy, they will help market these funds, the state will support them when it is needed.*
- *Andrew Palmer, small business owner and North Wilkesboro Commissioner, in favor of the proposed occupancy tax.*
- *Doug Coffee, make sure funds are used appropriately.*
- *Dale Isom, works in hospitality, in favor of the proposed occupancy tax and one TDA.*
- *Angela Day, Commissioner Town of North Wilkesboro, in favor of the proposed occupancy tax.*
- *Seth Cohn, small business owner, in favor of the proposed occupancy tax and one TDA.*
- *Fred Costello, in favor of the proposed occupancy tax at 6% and one TDA.*
- *Erin Vanderploeg, in favor of the proposed occupancy tax.*
- *Vince Chelena, Exec. Director for the NC Travel Industry Association, looks for uniformity throughout the state on the TDA's Board and legislation on the state level. Also, a resource if needed. In favor of the proposed occupancy tax for the county now, work toward one Board with new legislation and TDA's working together until merged, can have one office and one director.*
- *Thomas Salley, in favor of the proposed occupancy tax. Also, answered questions from previous speakers.*
- *Mark Cook, small business owner, in favor of the proposed occupancy tax at 6%.*
- *Carl White, in favor of the proposed occupancy tax.*
- *Cindy Mittet, short term rental owner, not in favor of the proposed occupancy tax.*
- *John Ratledge, if they do this, Cindy needs representation on the TDA.*
- *Trevor Whitson, short term rental owner/manager, in favor of the proposed occupancy tax and moving forward now with two TDA Boards.*
- *Fred Brason, Airbnb owner, in favor of the proposed occupancy tax, is a solution to a problem.*
- *Luke Jans, signed up made no comments, stated it's been covered*
- *Linda Cheek, Chamber President, brief history of Wilkes Visitor Center, in favor of the proposed occupancy tax.*
- *LeeAnn Nixon, President Wilkes EDC, Wilkesboro TDA Board Member, in favor of the proposed occupancy tax.*
- *Peter Burgan, friends that own Airbnb and/or short term rentals, not in favor of the proposed occupancy tax.*
- *Brian Frazier, Wilkes Disc Golf, in favor of the proposed occupancy tax.*
- *Heather Murphy, Heathy Wilkes Action Team, in favor of the proposed occupancy tax.*

The Board thanked the speakers tonight and folks that have sent emails or called and took the time to contact them and speak on this important matter.

**SPECIAL CALLED MEETING – FIREWORKS DISPLAY PERMIT APPLICATIONS –**  
Chairman Elmore announced he will set a Special Called Meeting on Monday, August 29, 2022 at 5:00 P.M. in the Commissioners Meeting Room at the Wilkes County Office Building located at 110 North Street, Wilkesboro, N.C. 28697 for the purpose of considering Fireworks Display Permit Applications presented by the Fire Marshal's Office.

Chairman Elmore stated they will not have a meeting and place the occupancy tax on an Agenda again until they have the votes to do it.

The work session of the Wilkes County Board of Commissioners ended at 7:00 P.M.

Chris Huffman, Acting Clerk

Gideon Keith Elmore, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: September 20, 2022