

**MINUTES
WILKES COUNTY BOARD OF COMMISSIONERS
September 19, 2017**

PUBLIC CONCERNS – None

PUBLIC HEARING – CONDITIONAL USE PERMIT – BILLY FERGUSON, 6915 W NC HWY 268 – AUTO SALES IN HIGHWAY BUSINESS (H-B) ZONING DISTRICT – Chairman Greg Minton declared the Public Hearing open regarding the Conditional Use Permit for Billy Ferguson at 6:50 P.M. on Tuesday, September 19, 2017 with the following members present: Chairman Greg Minton, Vice Chairman Gary D. Blevins Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Eddie Settle.

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

Chairman Minton asked if anyone would like to speak regarding the proposed Conditional Use Permit. Hearing no comments on the proposed Conditional Use Permit for Billy Ferguson, 6915 W NC Hwy 268, Auto Sales in H-B Zoning District, Chairman Greg Minton declared the Public Hearing closed at 6:51 P.M.

The Wilkes County Board of Commissioners met on Tuesday, September 19, 2017 at 7:00 P.M. with the following members present: Chairman Greg Minton, Vice Chairman Gary D. Blevins, Commissioner Keith Elmore, Commissioner David Gambill, and Commissioner Eddie Settle.

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

Chairman Greg Minton welcomed everyone called the meeting to order.

INVOCATION – Commissioner David Gambill led the Invocation.

PLEDGE OF ALLEGIANCE – Chairman Greg Minton let the Pledge of Allegiance.

APPROVAL OF MINUTES – Motion was made by Commissioner Eddie Settle, seconded by Commissioner Keith Elmore and unanimously adopted to approve the Minutes of the Board meeting held on September 5, 2017.

WILKES COUNTY COMPREHENSIVE TRANSPORTATION PLAN (CTP) – OVERVIEW – FINAL DRAFT MAPS – RESOLUTION ADOPTING CTP FOR WILKES COUNTY – Chairman Minton welcomed David Graham, Transportation Planner, High Country Council of Governments and Dean Ledbetter, Transportation Planner, N.C. Department of Transportation, District 11. Mr. Graham thanked the Board and said he would like to present the Wilkes County Comprehensive Transportation Plan (CTP) for consideration. He said the Wilkes

CTP process began in November 2014 with the formation of a steering committee of local stakeholder to guide the planning process. This committee developed a mission statement “Wilkes County desires a safe, efficient, well connected multimodal transportation system that supports the economy of Wilkes County and its diverse population while being cost effective, affordable, and well maintained” he added. Mr. Graham next listed the various methods, meetings, and workshop in which the committee received input, conducted mapping reviews, and drafting of the plan based on recommendations and public input. He stated the CTP overview and final draft plan has been provided to the Board, along with maps. Mr. Graham said the overview identifies the proposed transportation improvement recommendations contained in the CTP, which include highway, aviation, public transit, bicycle, and pedestrian improvements. The projects are graphically illustrated on the associated maps that have been provided, he added. Mr. Graham stated he and Mr. Ledbetter will answer any questions the Board may have. He added the Town of North Wilkesboro approved the plan on September 5th, Town of Wilkesboro approved it on September 11th, and the Town of Ronda approved it on September 12th.

Commissioner Settle asked if the needs improvement for Hwy 268 is the recommendation from everyone. Mr. Graham replied yes, absolutely, the entire stretch from where the current construction is taking place all the way to Elkin Bypass needs some improvement. Chairman Minton stated the CTP elected to do this in multiple stages for a better chance of funding due to the large cost of the entire project. Mr. Graham replied this is correct, it is a unique highway and one specific treatment would not be the best for the whole stretch so it will have to be in segments. Commissioner Settle asked about Hwy 21 coming down the mountain. It has been widened in Alleghany, but the Wilkes portion is dangerous and has not been widened. Mr. Graham replied no deficiency was identified, but just because it is not a recommended improvement project it could still be submitted through the RPO for project prioritization.

Commissioner Elmore asked how often this plan updated. Mr. Graham replied typically every 5 years, unless there is an urgent need to update it sooner, or as needed. Commissioner Elmore asked if the plan is on the website so the public can review it. Mr. Graham replied yes it is on the High Country Council of Governments website. He added this version is not on their website at this time, it will be added as soon as it is approved by everyone and he will send a copy to Mr. Yates. Commissioner Elmore stated the projects are not in priority. Mr. Graham replied no there is no priority for these transportation projects this process was to identify the transportation deficiencies in Wilkes. He added they are now documented so next time a project is needed for prioritization for inclusion to the State Transportation improvement program the CTP is what needs to be looked at first. Commissioner Settle asked the time table on the superstreet. Mr. Ledbetter said it is scheduled for right-of-ways this fiscal year, they would like the right-of-way plans and authorizations complete by June 30, 2018. Construction could begin in fiscal year 2020, he added. Mr. Graham said this is a committed project and it is going to happen. Vice Chairman Blevins asked if the plan is final, even though the maps say draft. Mr. Graham replied this is the final draft and as soon as the CTP is approved the draft will be removed.

Chairman Greg Minton made a motion to approve the Resolution Adopting the Comprehensive Transportation Plan for Wilkes County, North Carolina, as presented. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

Wilkes County
Resolution
Adopting a Comprehensive Transportation Plan
for Wilkes County, North Carolina

WHEREAS, Wilkes County and the Transportation Planning Branch, North Carolina Department of Transportation actively worked to develop a comprehensive transportation plan for Wilkes County; and

WHEREAS, the County and the Department of Transportation are directed by North Carolina General Statutes 136-66.2 to reach agreement for a transportation system that will serve present and anticipated volumes of traffic in the County; and

WHEREAS, it is recognized that the proper movement of traffic within and through Wilkes County is a highly desirable element of the comprehensive plan for the orderly growth and development of the County; and

WHEREAS, after full study of the plan, and following community meetings, the Wilkes County Board of Commissioners feel it to be in the best interest of Wilkes County to adopt a plan pursuant to General Statutes 136-66.2;

NOW THEREFORE, BE IT RESOLVED: that the Wilkes County Comprehensive Transportation Plan as shown on a map dated May 23, 2017, be approved and adopted as a guide in the development of the transportation system in Wilkes County and the same is hereby recommended to the North Carolina Department of Transportation for its subsequent adoption.

ADOPTED by the County of Wilkes this the 19th day of September, 2017.

WILKES COUNTY:

By: _____
Gregory. A. Minton, Chairman
Wilkes County Board of Commissioners

ATTEST:

Sarah Call, Clerk

WILKES COUNTY SHERIFF'S DEPARTMENT – CHILLER/BOILER

REPLACEMENT – APPROVAL OF BID – County Manager John Yates stated Mr. Walsh is on vacation this week, but he provided a letter to the Board for his recommendation. Mr. Yates read a portion of the letter which stated, *“I would like to recommend accepting the bid from Profession Air Systems from Rural Hall to install a new chiller system at the Sheriff’s Office. The building was built in 1977 and the original system is still in operation, but it is starting to give a lot of problems. After thorough checks it was determined the chiller and electric hot water boiler is worn out and could fail at any time. The new chiller, along with replacing the electric boiler with a natural gas boiler, will be a much more energy efficient system. When the building was renovated a few years ago, it was decided not to replace the equipment at that time to help keep the initial renovation cost down. All work at that time would be marked up by the general contractor. Chris Stroup, with Consultant Engineering, was hired to design and handle the bidding for the project with a projected cost of \$595,000, as determined by previous projects. Three bidders (Associated Heating & Air Conditioning Professional Air Systems, and Stanley Hearing and Air Conditioning) all bid. The low bid by Professional Air Systems of \$347,666 was about \$247,000 less than estimated cost and a great savings to the county. The fact that all the contractors needed the work at this time, along with savings of not paying a general contractor, saved a great deal of money. Professional Air Systems has a good reputation and comes highly recommended.”* Mr. Yates stated they are requesting approval of the low bid of \$331,428 plus \$10,000 contingency, add addendum one of \$6,238, do not include addendum two as Mr. Walsh will take care of this in-house, and include addendum three for a total of \$350,947.

Mr. Yates said the bids were surprising, they expected them to be much higher. Commissioner Settle stated he is very happy to see they came in at a much more reasonable price. Vice Chairman Blevins stated \$500,000 was included in the current budget for this replacement. Mr. Yates replied yes, it is in the budget.

Commissioner Keith Elmore made a motion to approve and accept the low bid from Professional Air Systems, for the Chiller/Boiler Replacement at the Wilkes County Sheriff’s Building to include a base bid of \$331,428, contingency allowance of \$10,000, Alternate 1 of \$6,238, and Alternate 3 of \$3,281, for a total of \$350,947, as presented. The motion was seconded by Commissioner David Gambill and unanimously approved.

Below is the bid tabulation sheet provided to the Commissioners:

Bidders	Base Bid (including taxes & bonds)	Contingency Allowance	ADD ALT # 1 (remove existing chiller water control valves & replace with new electric)	ADD ALT #2 (remove gravel and install 4” slab concrete around new chiller and existing generator)	DEDUCT ALT # 3 (remove bonds)	Total (Base Bid incl. taxes & bonds, contingency, Alt # 1 and Alt # 3)
Associated Heating & Air	\$381,000	\$10,000	\$7,500	\$3,500	(\$5,400)	\$398,500
Professional Air Systems	\$331,428	\$10,000	\$6,238	\$6,559	(\$3,281)	\$347,666
Stanley Heating & Air	\$415,000	\$10,000	\$5,200	\$8,000	(\$7,000)	\$430,200

Vice Chairman Blevins and the Board stated they would like to thank Keith Walsh for his time and work on getting these bids without a general contractor as this saved the county a substantial amount of money.

WILKES COUNTY SHERIFF'S DEPARTMENT – 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) GRANT – SET PUBLIC HEARING –

Chairman Minton recognized Logan Kerr with the Wilkes County Sheriff's Office. Mr. Kerr thanked the Board and stated this is a request to set a Public Hearing so citizens can respond to the proposed use of the JAG funds. The Sheriff's Office has been awarded the 2017 Edward Byrne Memorial Justice Assistance (JAG) grant in the amount of \$10,410 and does not require a match, he said. Mr. Kerr added the Sheriff's office has received this grant for the past 5-years and they are proposing to use this money to purchase a bomb dismantling device along with updating aging tactical equipment. He stated they also plan to purchase a van ramp to load and unload the bomb diffusion robot they currently have.

Commissioner Elmore asked if they still maintain a bomb squad. Mr. Kerry replied yes. Commissioner Elmore asked if they still work the ball games at APP State. Mr. Kerry replied yes, some officers do as part time employees of Appalachian State University, but the bomb squad does not go there in their official capacity. He added the bomb team does respond to multiply adjacent counties that do not have the resources that Wilkes has to help them with these type situations. Vice Chairman Blevins added he is sure those counties appreciate this. Mr. Kerr replied yes and they have great working relationships with many agencies. Commissioner Settle stated they work back and forth and help each other. Mr. Kerr agreed.

Vice Chairman Gary D. Blevins made a motion to set a Public Hearing on Tuesday, October 3, 2017 at 10:00 A.M. regarding the 2017 Edward Bryne Memorial Justice Assistance (JAG) Grant Award, with the regularly scheduled meeting to follow, as presented. The motion was seconded by Commissioner David Gambill and unanimously approved.

PLANNING DEPARTMENT – CONDITIONAL USE PERMIT – AUTO SALES LOT IN HIGHWAY BUSINESS DISTRICT – BILLY FERGUSON, 6915 W NC HWY 268 –

Planning Director Eddie Barnes stated he has a request for a Conditional Use permit for an auto sales lot in a highway business district located at 6915 W NC Hwy 268. He said a Public Hearing was held earlier this evening with no comments. The Planning Department has received some calls regarding the sign placed on the property, as required they post the property with a zoning notice so the neighbors are aware. He added they have received no opposition to the property being used as an auto sales lot. Mr. Barnes said Mr. Billy Ferguson had completed the application and the Wilkes County Planning Board approved his request and if this Board chooses to approve the request they may do so with or without conditions. He added the Planning Board has not recommended any conditions be placed on the property.

Mr. Barnes said this is at the old Mom and Pops. Vice Chairman Blevins stated there is a business there currently. Mr. Barnes said the Conditional Use permit runs with the property once approved as an auto sales lot. Vice Chairman said when it was operated as a restaurant there was no need for this type zoning. Mr. Barnes stated Highway Business zoning allows restaurants and

currently there is a boat sales operation that is located on this property which is also allowed in H-B. He added auto sales lot is one that requires an extra step for a Conditional Use approved by the Board. County Attorney Tony Triplett stated the Planning Board approved this as Billy Ferguson DBA Auto Pro with no conditions and he would recommend it is approved under the same name by this Board. Billy Ferguson and his wife were both present at tonight's meeting, and Mrs. Ferguson stated they are not sure if the name Auto Pro is available. Mr. Ferguson stated he went to register the name at the Courthouse and he was told he cannot until he has an address, but he cannot obtain an address without this permit. Mr. Barnes said they have never had anyone to come back to obtain approval if their business name changed and he does not think that is an issue for this permit, if Auto Pro is not available. Mr. Triplett agreed and stated in this case it is best to approve the application for Mr. Billy Ferguson and leave Auto Pro off.

Vice Chairman Gary D. Blevins made a motion to approve the Conditional Use Permit for an Auto Sales Lot in Highway Business Zoning District for Mr. Billy Ferguson, located at 6519 W NC Hwy 268 in Boomer Township, as presented. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

REQUEST TO SET PUBLIC HEARING – WILKES COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) – APPLICATION FOR FUNDING – MULBERRY ELEMENTARY SCHOOL – County Manager John Yates said he would like to provide the background on this request to set a Public Hearing. He stated Mr. Bergie Speaks has told them of a continuing problem with the septic system at Mulberry Elementary School for the past few years. Mr. Yates stated in March the High Country Council of Governments (HCCOG) notified them of a CDBG funding that may be available in a meeting with the representatives from the County, North Wilkesboro, the School system, and HCCOG. He added the intent at that time was for N. Wilkesboro to apply for the grant since it is their sewer system. They are unable to apply for the grant since Mulberry School is outside the town limits. This is why the county has to apply for the grant, he added. Mr. Yates stated it will be a force main line to Mulberry, and Julie Cubeta, Supervisor with CDBG thinks the county has a very competitive grant application. The application will be for \$1 million and the request today is to set the public hearing so this can be submitted and see if it will be approved.

Vice Chairman Blevins asked if the HCCOG will administrator the grant. Mr. Yates replied yes. Commissioner Settle stated this is a needed project they are having septic issues. Mr. Yates agreed and added they have received NOV's. Commissioner Elmore asked if the folks that live along the area in which this new sewer line will be placed can tap on. Mr. Yates replied no this will be a force main. Commissioner Gambill stated this is a waste of money. Commissioner Elmore added there is something wrong with this. He asked what can be done to allow this to be used and opened up for development and citizens. Commissioner Gambill said there are folks now on Elledge Mill Road that are having septic issues. Commissioner Settle noted they have the same issue on Hwy 268 and the force main to East Wilkes High School and no one can hook on. Commissioner Elmore said this does not make sense, but this is only to set a Public Hearing. He asked if there is anyone in the Towns that can meet and talk about this. Mr. Yates replied he will be glad to mention this to Mr. Larry South during their trip to Raleigh tomorrow. He added they have discussed this in the past and North Wilkesboro felt like this would cost approximately

\$3.5 million. Chairman Minton stated this has the possibility of being a revenue generating project for them. Commissioner Settle added growth is being stifled if the folks can't hook on to it.

Chairman Minton stated the County has to take care of the school. Commissioner Elmore agreed. Commissioner Settle added there is no common sense to this. Commissioner Elmore said he has heard this from the folk's down East as well. Mr. Yates said he will be glad to pass this along, but would respectfully asked the Board to set the Public Hearing as the application is due on November 1st. Vice Chairman Blevins stated maybe North Wilkesboro could attend the Public Hearing and the Board could ask these questions. He added having been on the Town Board and been through some of these discussions their only obligation is to supply water and sewer to the Town and they are already doing this. Anything beyond the Town Limits they would have to annex to run this to them. Vice Chairman Blevins said no town in his opinion, North Wilkesboro or Wilkesboro is going to force annex anyone, it will have to be voluntary. He added there would be zero likelihood that anyone would want to come into the Town limits simply to get sewer. Vice Chairman Blevins said to take a \$1 million project up to \$3.5 million to add a few people that are not in the Town Limits may not be best from the Town's perspective. Commissioner Elmore stated it is a revenue generator and would make more sense to allow the folks to tap on and develop the property in that area. Vice Chairman Blevins said if the county paid for all of it the Town may do it. Commissioner Elmore said the county is paying for it anyway and it would benefit many more this way.

Commissioner David Gambill made a motion to set a Public Hearing on Tuesday, October 3, 2017 at 10:00 A.M. or immediately following the Public Hearing regarding the Application by Wilkes County for funding under the Housing and Community Development Act of 1974, as amended for a grant of approximately \$1.0 million in CDBG Infrastructure funds to extend public sewer service to Mulberry Elementary School as presented. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

VOLUNTEER COALITION OF WILKES – PROCLAMATION “MAKE A DIFFERENCE DAY” – John Yates, County Manager, read the Proclamation and requested approval by the Board to proclaim October 28, 2017 as “Make a Difference Day” in Wilkes County. Commissioner Keith Elmore stated it is a good event, with great projects, and the Board has participated many times over the years. Vice Chairman Blevins agreed and added they built a deck in the past.

Commissioner Keith Elmore made a motion to approve the “Make a Difference Day” Proclamation for October 28, 2017, as presented. Second was made by Vice Chairman Gary D. Blevins and was unanimously approved.

*Proclamation
“Make a Difference Day”
October 28, 2017*

WHEREAS, last Year, USA WEEKEND and the Points of Light Foundation inspired three million people to volunteer to help others on “Make a Difference Day”, the nation’s largest single day of volunteering. With communities working together to help those in need are the backbone of this nation and create a healthier society for our families and children.

WHEREAS, for over 26 years “Make a Difference Day” provides an ideal opportunity to once again help others in our communities. Since 1992, USA WEEKEND magazine, through its 43.9 million readers, and The Points of Life Foundation, through a National network of over 501 Volunteer Centers, have inspired millions of Americans to devote one Saturday a year to a voluntary project to benefit their communities.

WHEREAS, this will be Wilkes County’s 20th “Make a Difference Day” with an estimated cost savings of over \$350,000. Last year, we had over 265 volunteers and completed 89 projects, which included building ramps, washing windows, raking leaves, building steps, collecting soup, delivering meals, spread mulch, underpinning, etc. We hope to see a dramatic increase in the numbers of volunteers and the fantastic impact that it will make in our communities in Wilkes County.

NOW, THEREFORE, WE, THE WILKES COUNTY BOARD OF COMMISSIONERS, do hereby proclaim October 28, 2017 as “MAKE A DIFFERENCE DAY” in Wilkes County, and urge our citizens to observe this day by connecting with friends, fellow employees, relatives, and with religious, school, and civic groups to engage in projects benefiting their community.

Signed this 19th day of September, 2017.

WILKES COUNTY BOARD OF COMMISSIONERS

Gregory A. Minton, Chairman

Attest:

Sarah D. Call, Clerk

WILKES COUNTY LANDFILL – FARM LAND LEASE – APPROVAL TO PUBLISH NOTICE OF SOLICITATION OF BIDS – Chairman Minton recognized Tony Triplett, County Attorney. Mr. Triplett stated this is on the agenda at this time to accommodate a calendar year lease for this property. He added with the new notice requirements that will require 30-day notice instead of 10 for a lease it is being added to the agenda now. This will allow time for the advertisement in hopes to get it approved in October or November with a commencement date of January 1. Mr. Triplett said the memo before the Board points out that language has been added if the Board would like it to be included with a proposed notice that will address the situation from last year. He stated it makes it very clear if there are any standing

crops on the property they are forfeited when the lease is over. Mr. Triplett said he and Landfill Director Kent Brandon have discussed a 5-year lease rather than 3-years. He said there has been interest from the Ag community for a 5-year lease and they have requested this. Vice Chairman Blevins asked the benefit to the county for a 5-year lease. Mr. Brandon replied it would be beneficial to everyone. He added the farmer will benefit for planning purposes and the county will benefit from a higher bid that a 5-years lease should bring. Chairman Minton stated this will help with stability and they can plan for 5-years. Commissioner Settle agreed. Mr. Triplett said in the past once authorized it has been advertised 3 times and brought to the next meeting. With the change in the publication dates of the paper that cannot happen unless the time is extended to the second meeting to allow for more advertisement. Mr. Triplett said he and Kent Brandon will contact the folks that have expressed an interest in addition to the advertisement in the paper.

Commissioner David Gambill made a Motion to publish notice of solicitation of bids, to be published two times in the *Wilkes Journal-Patriot* with a deadline for submission of bids by 5:00 p.m. on Monday, October 16, 2017, and a high bid to be approved at the October 17, 2017 Commissioners' meeting, for a lease of approximately 33 acres of cropland owned by the County between Highway 268 East and the Yadkin River across from the landfill in Roaring River, with a lease term of five (5) years to commence January 1, 2018, and to run through December 31, 2022. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

ADJOURN – Motion was made by Commissioner Eddie Settle, seconded by Commissioner Keith Elmore and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 7:45 P. M.

Sarah D. Call, Clerk

Gregory A. Minton, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: