

**MINUTES**  
**WILKES COUNTY BOARD OF COMMISSIONERS**  
**October 19, 2021**

**PUBLIC CONCERNS – ROGER ELLIOTT – PUBLIC RECORDS** – Mr. Elliott thanked the Board and stated approximately 3 years ago he and his sister came to the Tax Office to retain information on their mother’s property. He added the employees told them there were no records available at that time due to being forwarded to an outside company that would be returned in digital form as some point. They had to go through a realtor to get information. Mr. Elliott said fast forward to one month ago he began to research information on a commercial property known as West Park Development Corporation formally Grier Cotton Manufacturing Corporation. He added after extensive searching he discovered county records, such as mapping department, planning department, and tax department records prior to 1984 had been shredded. Records 1984 to present are available in computerized form. Mr. Elliott explained how he was able to find out some information on this property and added shredding of the documents was disturbing. He understands the state only requires counties to hold these records approximately 10 years.

Mr. Elliott said his question is why destroy permanently these documents. Who authorized those decisions. The history of Wilkes County began in 1778 and only a limited amount of information is now available to the general public. He showed the Board a copy of a Map he was able to find through research with help from others. Mr. Elliott explained the reason he was looking for information on the cotton mill and his family ties and memories at this plant. In closing Mr. Elliott thanked the Board for their time and said any answers that they can provide him by the next Board meeting would be appreciated.

Chairman Settle and the Board thanked Mr. Elliott for his comments.

The Wilkes County Board of Commissioners met on Tuesday, October 19, 2021 at 6:10 P.M. with the following members present: Chairman Eddie Settle, Vice Chairman Brian S. Minton, Commissioner Keith Elmore, Commissioner David Gambill, 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 thanked them for coming, especially the group from the Humane Society. He called the meeting to order at this time.

**INVOCATION** – Commissioner David Gambill 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 October 5, 2021.

**BUDGET AMENDMENTS/TRANSFERS** – Motion was made by Commissioner Casey Joe Johnson to approve Budget Amendment No. 8 (General – Landfill – This budget request is for Insurance reimbursement for damage at the Landfill of \$1,500). The motion was seconded by Commissioner Keith Elmore and unanimously approved.

**HUMANE SOCIETY OF WILKES PRESENTATION** – Chairman Settle welcomed Katie Parsons and Doug Morris. Ms. Parsons thanked the Board and stated she is the Chair of the Foster Adoption Committee of the Humane Society of Wilkes. She is here to present the goals for the shelter and why they believe it will be a value to the county. They would like to build on the partnership with the county which has resulted in the Hidden Oaks Dog Park and their building there. Ms. Parsons stated they need a parcel of land 1-2 acres to build a shelter. They would offer dogs, cats, and other small animals for adoption to the community. She added they hope to also receive assistance from the county in preparing the building site on that land.

Ms. Parsons said they Humane Society pulls as many dogs and cats as they can from the Wilkes County Animal Shelter, but are limited by the number of foster homes they have until these pets can be adopted. They also have cage space for cats at Pet Smart and at Cub Creek. They average 10 foster homes and it can take from 1 week to 6 months to get foster pets adopted. She explained their adoption process at this time. Ms. Parsons added this shelter will improve efficiency and allow them to rescue significantly more animals. She stated 316 cats, 133 dogs were adopted from the Humane Society of Wilkes in 2020 and expect to exceed this for 2021. Ms. Parsons said in 2019/2020 reports show the county spends \$160 per animal held at the shelter and euthanizing 2,700 animals per year. They believe they can adopt out more animals per year with this shelter and contribute to a reduction of cost to the county as fewer pets would be housed in the county facility.

Ms. Parsons stated the Humane Society of Wilkes was established 25 years ago, and grown steadily since by improving policies and programs to support pets and pet owners. In addition, the spay/neuter assistance program helps low income residents with discounts to keeps pets from going to the shelter. She invited the Board to look at their website [www.humanesocietyofwilkes.org](http://www.humanesocietyofwilkes.org) to learn more. Ms. Parsons said they have begun fundraising for this goal, they have engaged an architect, toured other Humane Society shelters and share a preliminary drawing with the Board tonight. They propose a 6,000 sq. ft. shelter and she went over the outline of the facility at this time. They feel a shelter such as this along with their foster homes will allow them to adopt out 200 more animals per year.

They hope the Board agreed the Humane Society of Wilkes has made contributions to the quality of life for citizens and campaign animals in Wilkes. Ms. Parsons said they would like the Board to consider their request for land and site preparations for a new shelter and look forward to working with them on this project.

Mr. Morris stated there is a need for a larger facility, the current facility is small. It will be a benefit to the county. He added he used to be the County Planner and everyone has changed except for Mr. Triplett. Chairman Settle stated everyone agrees that the County and Humane Society have always worked well together, they have heard many times they are one of the best in the state. This Board supports the Humane Society and as someone mentioned earlier they can take a step. Chairman Settle stated they have many good volunteers, but asked how will they cover a much larger facility. This will take a lot of time and help to take care of the increase in animals and do they have enough people to do that. Ms. Parsons said they plan to hire some fulltime employees to take on the care 7 days a week. They will still need volunteers and foster homes.

Vice Chairman Minton stated they had a recent fundraiser, and asked if they did well with it. A Board Member responded yes, and added a vender fair is coming up on October 30<sup>th</sup>, to be held behind Cook's and they will be there selling items. Mr. Morris said they have always brought in funds to cover the annual budget, but they will need assistance to build a building and keep the budget going. Commissioner Elmore said he has been involved with them for a long time, being in existence for 25 years says something about their longevity and fundraising. A lot of folks in the community have been kind and supported the Humane Society. He added if they can locate this close to the County Shelter there is a benefit to both to work together. Commissioner Elmore stated he would like to see that happen. Chairman Settle asked if the location across the road from the county shelter is where they need it. Commissioner Elmore replied yes and added he got to go to Statesville and they have the Animal Control and Humane Shelter housed beside each other connected with a hallway. Commissioner Elmore said the Humane Society adds value and this will be a good working relationship and benefit the county, if they can work it out.

Chairman Settle stated surely they can work something out on the lot across the road. Vice Chairman Minton added he has looked at this location several times and it is a good option. Commissioner Elmore said adding the connector road from the Courthouse to the Ag Center was expensive, but made this area much more accessible and opened it up. It was fortunate they did that and he sees this as the same. It will be expensive initially but will pay dividends. Mr. Morris stated they are looking for a nod one way or the other so they can move forward with their planning. Chairman Settle replied there is not anyone that disagrees with giving them the lot. Mr. Morris said if the Humane Society has to do the site work that it could take a much longer time to build the new facility. They will continue to have the overflow at the county facility. Chairman Settle stated they are not taking any action on this tonight, but this is a step in the right direction.

Chairman Settle and the Board thanked the Humane Society for coming tonight and look forward to working with them.

#### **AMBULANCE FRANCHISE ORDINANCE:**

**1. FRANCHISE AGREEMENT – WILKES COUNTY EMS** – Chairman Settle welcomed and recognized Tim Pennington, EMS Director and Chris Minton, Wilkes Rescue Squad. Mr. Pennington said he is here because it is time for the Ambulance Franchise Ordinance

renewal for Wilkes County EMS and Wilkes Rescue Squad. Applications have been submitted and he has reviewed documents from the Rescue Squad and everything is in order. Mr. Pennington said both agencies are in great standing with the State of North Carolina for providing ambulance services.

Mr. Triplett stated the memo covers the background and they have had the Ambulance Franchise Ordinance in Wilkes since 2002. It requires this Board approve the franchise agreement to provide ambulance services. There are two entities that do this, Wilkes EMS and the Rescue Squad. He added the franchises are good for 5-years, both were granted in 2016 and they need to be renewed. The Ordinance specifies the information that has to be supplied and EMS must verify the information has been supplied and meets the requirements of the Ordinance. Mr. Triplett said Mr. Pennington has done that and he has copies. It meets the requirements of the Ordinance and is ready to be approved by the Board. He added Franchises are unlike any other Ordinance and require two votes at two separate meetings. It does not become final until the second approval.

Commissioner Gambill said Wilkes is blessed to have a County EMS. He asked if this agreement keeps any other EMS service from coming in. Mr. Pennington replied no. Commissioner Gambill asked how do they prevent this. Mr. Pennington said what it does is require them to follow the Franchise Ordinance and they have to follow their system plan including medication, equipment and anything they carry on their ambulances. He added they are very advanced in Wilkes and for someone else to do all they can do for the citizens would not be profitable for a private company. Commissioner Gambill asked how does Baptist Hospital do this, do they follow the agreement. Mr. Pennington replied they can only transport from facility to facility, but cannot transport from point A to point B in Wilkes. They can transport their own patients. Commissioner Elmore asked if there was an accident on Hwy 421 and they are driving by can they stop. Mr. Pennington replied they can stop and render assistance until EMS gets there, but could only transport if it was rendered under the mutual-aid agreement.

Mr. Triplett stated they do have a separate contract with the Rescue Squad just like the Fire Department Contracts that rolls over year to year unless terminated. In that contract the Squad agrees to serve as the backup to EMS and is a benefit to the County. Commissioner Gambill asked if they go through annual inspections as EMS does. Mr. Pennington replied yes their trucks are inspected yearly by the N.C. Office of EMS, just like EMS is.

Commissioner David Gambill made a motion to approve the Wilkes County EMS Franchise Agreement for the first approval, as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

## **2. FRANCHISE AGREEMENT – WILKES COUNTY RESCUE SQUAD –**

Vice Chairman Brian S. Minton made a motion to approve the Wilkes County Rescue Squad Franchise Agreement for the first approval, as presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

Commissioner Elmore asked if EMS has a rating system in the state like Hospitals and others. Mr. Pennington replied no. Commissioner Elmore added if they did Wilkes EMS would be at the top Mr. Pennington runs a good department and has very good equipment. He stated they also have very good people that are trained to do more. Commissioner Gambill added they do much more aggressive treatment in the field than a lot of others do because of the advanced training. Mr. Pennington agreed and added that is another thing the Ordinance does. It makes sure they all have the same level of training.

Chairman Settle asked about a site for Boomer and if the land they discussed recently would be a good location. Mr. Pennington replied that would be a good location. Chairman Settle stated they are getting ready to have the ribbon cutting and grand opening at the East Wilkes Base, this will be on November 17, 2021 at 4:00 PM. The Board thanked Wilkes EMS and Wilkes County Rescue Squad for all they do for the citizens.

#### **MEMORANDUM OF AGREEMENT FOR SALE & PURCHASE OF REAL PROPERTY**

– Chairman Settle recognized County Attorney Tony Triplett. Mr. Triplett said the President of The Wilkes Community College Foundation Board is here tonight, Mr. Arnold Lakey. He added they have reviewed the contract and it is ready for the Board's consideration. They have been discussing this for several months now, which is to acquire a 5.05 acres tract beside Herring Hall. This is in connection with a donation to the College Promise Program. Mr. Triplett said the Foundation requested this contract which allocates on paper a portion of what they county donated to the College Promise Program for the purchase price of the property. The Foundation gave the County this number which specifies \$300,499.98 to be allocated to the purchase price. He added this is set up as a Memorandum because they have already given them the funds and this memorialized it. They can close on this property once the agreement is signed and expects that to be completed in the next 30 days.

Chairman Settle asked Mr. Lakey if they are a little short of funds for the College Promise goal. Mr. Lakey replied it depends on who they talk to. It may be very little, commitments have been made, but the money has not been received. He added he would be glad to discuss individually, but they do not want to stop the campaign yet and do not want to discourage anyone from giving. The College through the Foundation always has a need. Mr. Lakey said they may be able to go back and redo the agreement of how this works and what the money could be used for. They might be able to use some of the money to help students in ways other than tuition. Chairman Settle this is one of the greatest things for Wilkes County in a long time.

Commissioners Elmore asked if the Federal Government passes the bill for free college what happens to this money. Mr. Lakey replied he does not believe they will pay for the students' other expenses to go to college, only tuition. Commissioner Elmore stated such are housing, car and things. Mr. Lakey replied the program now does not pay for books, they might be able to pay for books. Chairman Settle added they need an educated workforce. Commissioner Elmore said he would like to mention Mr. Lakey is involved in many things to include the Humane Society of Wilkes, College Foundation, and much more. They Board appreciates all he does and thanks him for his service.

Commissioner Keith Elmore made a motion to approve the Memorandum of Agreement for Sale & Purchase of Real Property to Wilkes Community College Foundation, Inc. as presented at tonight's meeting. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**JCPC:**

**1. BOARD MEMBER APPOINTMENT** – Chairman Settle stated JCPC has requested a new Board appointment. He added Vice Chairman Minton serves on this Board. Vice Chairman Minton replied he does and they are doing a good job. He added Ms. Sain is replacing Mr. Shepherd because he went to work at the Shirley Randleman Center. *“Wilkes County Juvenile Crime Prevention Council is submitting the following recommendation for approval of a 2-year term appointment to fill the vacancy on their board created by resignation for the following position. They are recommending Heather Sain of Vaya Health to fill vacancy created by Zachary Shepherd (Director, LME/MCO of that person's designee.)”*

**2. BOARD MEMBER REAPPOINTMENTS** – Vice Chairman Minton said all the others are on the JCPC Board currently and are reappointments. *“The Wilkes County Juvenile Crime Prevention Council is submitting the following recommendations for approval of 2-year term appointments: Jana Hayes, Amy Mastin, Scott Perry, Shelley Brucker, Bryan McDevitt, Andrew Warren, Jane Casarez, and Casey Prim-Shields.”*

Commissioner Keith Elmore made a motion to appoint Heather Sain and to reappointment Jana Hayes, Amy Mastin, Scott Perry, Shelley Brucker, Bryan McDevitt, Andrew Warren, Jane Casarez, and Casey Prim-Shields to the JCPC Board for 2-year terms as requested and presented. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**OLD BUSINESS – NATIONAL GUARD ARMORY** – Chairman Settle said Vice Chairman Minton and Mr. Yates went last week and showed them sites to keep this on the list. Mr. Yates added Colonel Newton and Kenny Cook came down on 10/15 he and Vice Chairman Minton took them out to a couple of sites in Wilkes. He said they were pleased with the sites, but did say it was all according to the money. Mr. Yates stated they saw nice sites and have some good options to work with. It is up to them to see what money they can get. Chairman Settle added they need to keep discussing it. Vice Chairman Minton agreed and added if it they don't keep discussing it, this will be the biggest loss they have seen in a long time. Chairman Settle stated the voters voted for this in Wilkes County and for the Northwest.

**NEW BUSINESS – COMMISSIONERS' SCHEDULED MEETING – NOVEMBER 2, 2021 – CHANGE OF LOCATION** – Chairman Settle stated due to expecting a large group coming and many Churches with a Resolution presentation the Board needs to change the location of their November 2, 2021 regular meeting. The Ag Center Meeting room has been reserved if this is the pleasure of the Board. Commissioner Elmore asked the reason the large crowd is expected. Vice Chairman Minton replied for a Resolution. Commissioner Gambill

added for Sanctuary County for Life. Chairman Settled stated this will be many more than came for the Second Amendment Resolution.

Commissioner David Gambill made a motion to move the location of the Wilkes County Board of Commissioners Regular Meeting scheduled on Tuesday, November 2, 2021 at 6:00 P.M. to the Wilkes County Agricultural Center located at 416 Executive Drive, Wilkesboro, N.C. The motion was seconded by Vice Chairman Brian S. Minton and unanimously approved.

**CLOSED SESSION** – Commissioner Keith Elmore 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 to discuss qualifications, competence, or conditions of employment for a county employee or prospective county employee pursuant to the personnel exception under G.S. § 143-318.11(a)(6). The motion was seconded by Commissioner David Gambill and unanimously approved.

Motion was made by Vice Chairman Brian S. Minton seconded by Commissioner Casey Joe Johnson 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 7:56 P.M.

Sarah D. Call, Clerk

Eddie Settle, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: November 2, 2021