

**MINUTES  
WILKES COUNTY BOARD OF COMMISSIONERS  
November 21, 2017**

**PUBLIC CONCERNS – None**

The Wilkes County Board of Commissioners met on Tuesday, November 21, 2017 at 7:02 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 and called the meeting to order.

**INVOCATION** – Commissioner David Gambill led the Invocation.

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

**APPROVAL OF MINUTES** – Motion was made by Commissioner Keith Elmore, seconded by Vice Chairman Gary D. Blevins and unanimously adopted to approve the Minutes of the Board meeting held on November 7, 2017.

**TOWN OF WILKESBORO – DUKE ENERGY EASEMENTS** – Chairman Greg Minton welcomed and recognized Ken Noland, Wilkesboro Town Manager and Andrew Carlton, Planning & Community Development Director. Mr. Carlton thanked the Board and said they have easements that have already been presented to the County Attorney for review and are now ready for the Boards consideration. He explained the purpose for the easements are to provide the main system upgrades from overhead to underground that allow the 3 block construction area to function. Next he presented a short power point and said the parcels affected are: the wooded area behind the County Office Building; County Office Building; Veterans Office; two parcels that make up the Greenway Trail Head separated by the right-of-way; and Wilkes Heritage Museum. Mr. Carlton stated there are six parcels, but two are on the same deed and therefore there are only five easements. County Attorney Tony Triplett added this is correct.

Mr. Carlton provided a brief overview of the system as it relates to the six parcels. He added two new poles will be added behind the County Office Building to provide the power that is needed at the site now and in the future. He thanked the County for their help in getting these poles moved. Mr. Carlton explained the location of the new transformers and the screening that will be constructed or included so that each one is out of public view.

Vice Chairman Blevins asked if the above ground pole and line in front of the Heritage Museum and across Main Street to the Pet Store will be moved to underground. Mr. Carlton replied the only poles that will remain on the perimeter of the construction site is one in front of the old

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Lenderman Shoe Shop, one in front of the stage, and two in front of the Museum for a total of four. He added the Town plans to deal with these during phase two, but they have to remain at this time, but all the rest will move to underground in the project area. Commissioner Elmore stated it looks great and asked if there is any talk about bringing back the stop lights. Town Manager Ken Noland replied he has heard rumblings in the community, but the Town Council has not mentioned it. Commissioner Elmore stated he has heard comments as well and thought maybe they were coming back.

Mr. Carlton stated the easements were provided to the County Attorney for review. Mr. Triplett said Mr. Carlton provided a great summation of what they have been working on with the Duke Energy easements. He added this will allow them to put the power underground. Mr. Triplett said there are six parcels and five easements before the Board. He added the parcel the County Office Building sits on and the wooded area behind it came in under one deed in 1973, but the tax office has assigned two parcel ID and pin numbers. Mr. Triplett said this is the only one that will have overhead poles on it. The other four parcels will all have underground power, he added. Mr. Triplett said this is set out in the easements and something that took extra time, but is not included. He added the easements say the County is granting a 30 foot easement for overhead and 20 foot for underground and the center line will be established once they are installed. Mr. Triplett said this is not a blanket easement, it is pinned down for this project area in these agreements. He added the easements are legally appropriate if the Board would like to move forward.

Motion was made by Commissioner Eddie Settle to approve the five Easements to Duke Energy Carolinas, LLC as presented. The Motion was seconded by Chairman Greg Minton and unanimously approved.

Commissioner Elmore stated the new water tower is going to be fantastic and asked what kind of lettering, photo, or welcome to Wilkesboro will be on it. Mr. Noland replied no decision has been made, the tank will be primed and painted sky blue as the others. He added it will make a great billboard for the Town of Wilkesboro and Wilkes County and it will be appropriately used as such. At this time they do not know what it will include, the tourism committee and the City Council is looking into ideas, a graphic artist may be hired to come up with some ideas. Mr. Noland said if this Board has any ideas to let them know. It is a great opportunity to showcase Wilkes County and Wilkesboro and they would like to do this. He added it is a big tank and will be seen for a long way and a great addition to the Town.

Mr. Carlton said they have been working with 3 Scouts and Jennifer Furr at the Heritage Museum to come up with Eagle projects while construction is going on. He said the Scouts normally make a presentation to an elected body as part of their project and asked if he and the Eagle Scouts could present their plan to the Board, along with Jennifer Furr. Chairman Minton replied absolutely. Mr. Carlton thanked the Board.

**WILKES COUNTY JUVENILE CRIME PREVENTION COUNCIL (JCPC) – BOARD APPOINTMENTS** – Chairman Minton recognized County Manager John Yates. Mr. Yates said Christyn Grant, JCPC Chairman could not attend the meeting. He stated the Juvenile Crime Prevention Council is requesting approval for Lindsey Roberts of Wilkes County Health Department to fill the vacancy created by Melissa Black and R. Scott Perry, Chief Court Counselor to fill the vacancy created by Bill Davis. He added this will be for 2-year terms.

Commissioner David Gambill made a motion to appoint Lindsey Roberts and R. Scott Perry to the Juvenile Crime Prevention Council for two year terms, as presented. The motion was seconded by Vice Chairman Gary D. Blevins and unanimously approved.

**WILKES COUNTY LANDFILL – RESOLUTION – APPROVAL OF LEASE AGREEMENT** – Chairman Minton recognized County Attorney Tony Triplett. Mr. Triplett stated this is for the new lease agreement for the landfill farm land. This is the last step in the process and it is ready for the Boards approval. He added if the Board adopts the Resolution that will also approve the Lease Agreement with Brian Chatham for the 33-acres of farmland at the landfill.

Motion was made by Commissioner David Gambill to adopt the Resolution Approving the Lease Agreement with Brian Chatham d/b/a High Mountain Farms as presented. Motion was seconded by Commissioner Keith Elmore and unanimously approved.

*RESOLUTION  
APPROVING  
LEASE AGREEMENT*

*WHEREAS, Wilkes County (the “County”) is the owner of certain real property as described in that Deed recorded at Book 683, Page 601, Wilkes County Registry, the same being located in Edwards Township, Wilkes County, North Carolina; and*

*WHEREAS, the County has received an offer from Brian Chatham d/b/a High Mountain Farms, of Ashe County, North Carolina, to lease a portion of said real property at a rental of \$5,511.00 per year for a term of five (5) years for the purpose of conducting agricultural operations thereon, said portion consisting of 33 acres, more or less, of farmland located between N.C. Highway 268 East and the Yadkin River near Roaring River, North Carolina; and*

*WHEREAS, the first annual rent payment of \$5,511.00 is to be for the period from January 1, 2018 through December 31, 2018, and is to be paid to the County upon the execution of the Lease Agreement described below; the second annual rent payment of \$5,511.00 is to be for the period from January 1, 2019 through December 31, 2019, and is to be made on or before January 1, 2019; the third annual rent payment of \$5,511.00 is to be for the period from January 1, 2020 through December 31, 2020, and is to be made on or before January 1, 2020; the fourth annual rent payment of \$5,511.00 is to be for the period from January 1, 2021 through December 31, 2021, and is to be made on or before January 1, 2021; and the fifth annual rent*

*payment of \$5,511.00 is to be for the period from January 1, 2022 through December 31, 2022, and is to be made on or before January 1, 2022; and*

*WHEREAS, the Wilkes County Board of Commissioners (hereinafter the “Board of Commissioners”) finds that, pursuant to G.S. §105-282.7(b), the above stated rental payments should be accepted in lieu of ad valorem taxes on the above described property and are equivalent to or in excess of the amount of such taxes that could otherwise be lawfully assessed by the County; and*

*WHEREAS, the Wilkes County Board of Commissioners (hereinafter the “Board of Commissioners”) desires to accept said offer and to enter into a Lease Agreement evidencing the terms of the same, as presented to the Board of Commissioners together with this Resolution at the regular meeting of the same held on November 21, 2017; and*

*WHEREAS, notice describing the terms of said Lease Agreement has been duly published at least thirty (30) days prior to said meeting, as required by G.S. §160A-272;*

*NOW, THEREFORE, BE IT RESOLVED, pursuant to G.S. §§153A-176 and 160A-272, that the Board of Commissioners hereby approves the Lease Agreement as described herein and further authorizes its Chairman and Clerk to execute the same.*

*This the 21<sup>st</sup> day of November, 2017.*

ATTEST:

WILKES COUNTY:

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*Sarah Call, Clerk*

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*G. A. Minton, Chairman  
Wilkes County Board of Commissioners*

**HIGH COUNTRY COUNCIL OF GOVERNMENTS – WILKES COUNTY ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE – REAPPOINTMENT –** County Manager John Yates stated we have received a letter from Stevie John, Regional Ombudsman, stating the appointment term for Harry Padgett, II to the Wilkes County Adult Care Home Community Advisory Committee expired May 5, 2017. Mr. Padgett has indicated his desire to be reappointed for an additional three-year term and the Board Application has been received. Mr. Yates said it is for the Board’s consideration.

Vice Chairman Gary D. Blevins made a motion to reappoint Mr. Harry Padgett, II to serve on the Wilkes County Adult Care Home Community Advisory Committee for an additional three-year term as requested. The motion was seconded by Commissioner Keith Elmore and unanimously approved.

**N.C. DEPARTMENT OF TRANSPORTATION – ROAD MAINTENANCE – JOLLY LANE** – County Manager John Yates said they received a letter for the Department of Transportation. It stated they *recently received a petition form SR-1 requesting consideration of the addition of Jolly Lane to the State Maintenance system. It is required that County Commissioners demonstrate approval of this process. After the approval is sent back to their District Office, property information research, along with road investigation will follow.* Mr. Yates added Jolly Lane is located in Ronda.

Motion was made by Commissioner Keith Elmore, seconded by Commissioners Eddie Settle and unanimously adopted to approve the Road Petition for Jolly Lane to be added to the State Maintenance System as presented and requested.

**NEW BUSINESS – CHANGE OF TIME – DECEMBER 5, 2017 – BOARD OF COMMISSIONERS MEETING** – Chairman Minton asked if there is interest in moving the December 5<sup>th</sup> regular meeting from 10:00 AM until a later hour that evening. Vice Chairman Blevins said he has a previously scheduled meeting and ask if this meeting could be as early in the evening as possible. Chairman Minton asked if 6:00 P.M. would work. Vice Chairman Blevins and Commissioner David Gambill both said this would work. Commissioner Keith Elmore asked if the time is being changed for only this one meeting. Chairman Minton replied yes.

Vice Chairman Gary D. Blevins made a motion to change the time of the December 5, 2017 Board of Commissioners Regular meeting from 10:00 AM until 6:00 PM in the Commissioner's Meeting Room located at 110 North Street, Wilkesboro. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**NEW BUSINESS – CHANGE OF TIME FOR PUBLIC HEARING – ROAD NAME REQUEST – LONESOME DOVE TRAIL** – Chairman Minton stated a public hearing was set at the last meeting for the Road Name Request for Lonesome Dove Trail, Boomer Township for 10:00 AM on Tuesday, December 5, 2017. This meeting has been moved to 6:00 PM and the Public Hearing time will need to be moved.

Commissioner David Gambill made a motion to change the time for the Public Hearing for the Road Name Request for Lonesome Dove Trail in Boomer Township set for Tuesday, December 5, 2017 to 6:00 P.M. with the meeting to immediately follow. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

**CLOSED SESSION** – Motion was made by Vice Chairman Gary D. Blevins to go into closed session under Section 143-318.11(a)(3) of the North Carolina General Statute and to consult with and give instructions to the Board's attorney with respect to one or more potential judicial or administrative actions and to consult with the Board's attorney to protect the attorney-client privilege. The motion was seconded by Commissioner Eddie Settle and unanimously approved.

Motion was made by Commissioner Keith Elmore, seconded by Commissioner Eddie Settle 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 Keith Elmore, seconded by Commissioner Eddie Settle and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 8:01 P.M.

Sarah D. Call, Clerk

Gregory A. Minton, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: