

**MINUTES  
WILKES COUNTY BOARD OF COMMISSIONERS  
September 5, 2023**

**PUBLIC HEARING – to consider whether to issue limited obligation bonds pursuant to a trust agreement or enter into a similar installment financing arrangement for the purpose of providing funds, together with any other available funds, to (a) pay the costs of acquiring, constructing and equipping a new County administration building and (b) pay certain financing costs relating thereto. The County would be obligated to pay debt service or installment payments under the proposed Agreement in a principal amount not to exceed \$25,000,000, together with interest thereon** – Chairman Keith Elmore declared the Public Hearing open at 5:00 P.M. on Tuesday, September 5, 2023 with the following members present: Chairman Keith Elmore, Vice Chairman Stoney Greene, Commissioner Casey Joe Johnson, Commissioner Bill Sexton, and Commissioner Greg Minton.

Also present were Tony Triplett, County Attorney; John Yates, County Manager; Chris Huffman, Finance Director; Brooke Felts, Assistant County Attorney; and Sarah Call, Clerk to the Board.

The Chair announced that this was the hour and day of the public hearing and asked the County Manager to explain the purpose. Mr. Yates mentioned the public hearing is for a trust agreement or similar installment financing arrangement (the “Agreement”) to be entered into by the County of Wilkes, North Carolina (the “County”) pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended, providing for the issuance of limited obligation bonds (the “Bonds”) in an aggregate principal amount not to exceed \$25,000,000 for the purpose of providing funds, together with any other available funds, to (a) pay the costs of acquiring, constructing and equipping a new County administration building (the “Project”) and (b) pay certain financing costs relating thereto. If the County enters into the proposed Agreement, it will secure its obligations thereunder by executing and delivering a deed of trust granting a lien on all or a portion of the site of the Project, together with all improvements or fixtures located or to be located thereon, subject to certain permitted encumbrances.

Section 160A-20(g) of the General Statutes of North Carolina requires that the County hold a public hearing prior to entering into the Agreement.

The County Manager acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in said County and directed the Clerk to the Board of Commissioners for the County to attach the affidavit showing publication in said newspaper on a date at least ten (10) days prior to the date hereof as Exhibit A.

Chairman Elmore then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on the proposed Agreement and Bonds as described above.

**WALTER VAUGHN – PUBLIC HEARING** – Mr. Vaughn thanked the Board for allowing him to speak. He said *“I don’t often get out of the house, I’m a busy father. I’ve got 7 kids, 4 of them are out of the house 3 are left in the house and 4 grandkids. In between cheerleading, just the sports and all the activities, I’m extremely busy. I had a conversation in the house and it has kind of struck a chord in me and I wanted to come before you and speak. Obviously, I want to get ahead of the curve. I was very vocal about 2 years ago, we all know the issue, but with the news in general. If I don’t like the news I can turn it off. I can just reach up, turn the power off, turn on Netflix, or some other channel, to get rid of that issue that I don’t want to hear about. My concern is, when we sat down and talked to our children, because there’s a little buzz in the air right now over this issue, and we asked each one of the kids you know this was probably what we’re going to do. We’re going to pull you guys out of school, because we don’t want to go down this route again. My little girl looked at me and it broke my heart when she said, daddy I want to play with my friends, I’ll wear a mask, that shattered me to the core. Now, I’m going to have to spend time as a parent to address that issue to get that out of my child. So, I started thinking about some of the other concerns, if I have the ability to reach up and turn the news off why can’t I do that in the county. When I was in Salisbury, we talked all the time, we got with all the different people and found out that the Health Department controls this.”*

Chairman Elmore stated that the public hearing was in regards to building a county office building and financing the building, that was the purpose of this hearing. Mr. Vaughn said he asked the lady on the phone, but he must have misunderstood. Chairman Elmore asked to allow Mr. Vaughn to continue and if it was permissible. County Attorney Tony Triplett replied yes. Mr. Vaughn apologized and said next time and he would ask for more information.

Mr. Vaughn continued *“As a parent you’re shocked when you can see the programming that is now instilled in your children, so I want to get ahead of that curve, how do I do that. In Salisbury I couldn’t get to the Health Department because it was an appointed position. It’s my understanding, the same thing is true here in Wilkes County, this is an appointed position. I want to kind of get some buzz on the issue of maybe moving that from an appointed position. If the people want to move forward, because in Wilkes County the people spoke for the school board and we have people up there that are anti-mask, they just won’t do it.*

*My concern is maybe the same thing could be done to the Health Department, the people could reach up, grab the remote and just turn it off. We’re all educated enough now on the subject, we know that there was so much untruth. I don’t want to go down that rabbit hole, as a parent, I want to be able to shut that department off. I don’t want them to have a right to speak if they’re just going to, basically be just like the news. There’s 4, 6 people that own the news and everything just goes down the chain. It’s the same thing with the Health Department, all the way from the top it comes down. The concern is if we’re going to allow that into our society, Wilkes County, it’s just going to create that environment again. I’m trying to get ahead of the curve. I know there’s a lot of good people in this county that will step up and address the issue and squash it before we get there. I want to see if that is a possibility and what I can do as a citizen, if it does start, to shut the Health Department off.*

*It is upsetting that the information and several things in society now that program people. If they're telling the numbers and telling all that, it gets to a point where there is so much untruth in it, that I would rather shut it off. I work with Mennonites and Amish, none of those folks get sick. They didn't mask up, or do any of that. We all know a lot of truth out there of what's come down. We had 3 doctors in Salisbury and each one of them sat down with our group and talked to us about the different medications that the government wouldn't allow you to have, but they would allow you to have others. Those 3 medications helped people and they were very adamant in telling us don't take those medications. One of them, I think it was Remdesivir, they said it causes pneumonia. I know a gentleman that got sick, went in the hospital, got the shot they said he needed and he was on his death bed. I just want to get a little buzz on the topic to see what I can do to mute that department. I don't mean to sound bad or good on it, I just feel like as a citizen, I don't want to pick any subject out in the world and it gets constantly said over and over and over, it's like sometimes you just want to turn it off.*

Chairman Elmore thanked Mr. Vaughn for his comments and asked if anyone else would like to speak about the proposed Agreement and Bonds at this time. Hearing no comments Chairman Elmore declared the Public Hearing closed at 5:06 P.M.

The Wilkes County Board of Commissioners met on Tuesday, September 5, 2023 at 5:07 P.M. with the following members present: Chairman Keith Elmore, Vice Chairman Stoney Greene, Commissioner Casey Joe Johnson, Commissioner Bill Sexton, and Commissioner Greg 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** – Commissioner Casey Joe Johnson led the Invocation.

**PLEDGE OF ALLEGIANCE** – Chairman Keith Elmore led the Pledge of Allegiance.

**APPROVAL OF MINUTES** – Motion was made by Vice Chairman Stoney Greene, seconded by Commissioner Casey Joe Johnson and unanimously adopted to approve the Minutes of the Special Called Meeting held on August 15, 2023.

**APPROVAL OF MINUTES** – Motion was made by Commissioner Bill Sexton, seconded by Commissioner Casey Joe Johnson and unanimously adopted to approve the Minutes of the Board Meeting held on August 15, 2023.

**BUDGET AMENDMENTS/TRANSFERS** – Mr. Yates stated this is a program that was approved to come from the Opioid Settlement funds to EMS. He added Mr. Pennington and staff are here to answer any questions the Board may have. Chairman Elmore asked if these funds are for salaries or are they hiring staff. Mr. Pennington replied they majority is salaries and they are hiring three people. He added one will coordinate the program and the other two will go out and

follow up with folks post overdose. They will go out and treat people with medication and follow them for 3 to 7 days and assist with getting them into treatment.

Motion was made by Vice Chairman Stoney Greene to approve Budget Amendment No. 2 (General – This amendment request is for \$288,205 from the Opioid funds approved through the Opioid Settlement with the County and the grant process through the Health Foundation. These funds will create a sustainable program aimed at reducing the number of overdoses an addiction within our County. These funds will cover the entire cost for the first 12 months of this program to include 3 staff members and all equipment necessary. This funding will be requested again through the grant process for upcoming years. They envision the Community Paramedicine Program becoming an all-inclusive health and well-being program for the County by improving the wellness of the community. This can be achieved not only by reducing overdoses, but also addressing the many other needs of the County). The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

**WILKES COUNTY AIRPORT – WORK AUTHORIZATION NO. 9 – RUNWAY PROTECTION ZONE (RPZ) ANALYSIS** – Chairman Elmore welcomed and recognized Jimmy Luther, Aviation Manager W.K. Dickson & Co., Inc. Mr. Luther stated in the packets is Work Authorization No. 9 for the Runway Protection Zone Analysis at the Airport. He added this is the first step for the proposed Runway extension. The FAA and DOA have mandated that a Runway Protection Zone, the area off the end of the Runway, have an analysis to see what impacts there may be from the extension. The County received a State Aid Grant at a 90/10 match for this Work Authorization. Mr. Luther said he is here to ask the Board to consider this, which is the first step to support the Runway extension in hopes to move this forward. Chairman Elmore added the County's portion is 10% of the \$50,802.46 cost. Mr. Luther replied yes. Chairman Elmore said they do a great job at the Airport and asked if they have a timeline. Mr. Luther replied it has taken awhile to get to this point, the analysis should take about 120 days to complete once they begin. The Board thanked Mr. Luther.

Commissioner Bill Sexton made a motion to approved Work Authorization No. 9 for Runway Protection Zone Analysis as presented at tonight's meeting. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

**RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED FINANCING OF A NEW COUNTY ADMINISTRATION BUILDING AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT** – Chairman Elmore recognized Finance Director Chris Huffman. Mr. Huffman introduced the following resolution, the title of which was read and a copy of which had been previously distributed to each Commissioner. He added this resolution is basically a reimbursement to the County for any expenditures they may have up until the Board may decide to build a new County Administration Building. The Board will need to pass this resolution in order to do this in the future which he is presenting for their consideration. Chairman Elmore stated this is a great building and design, but he does not agree with what they are spending on it. They have other priorities they should address, this is not his first priority.

Vice Chairman Stoney Greene made a motion to approve and adopt the Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of a New County Administration Building and Requesting the Local Government Commission to Approve the Financing Arrangement as presented at tonight's meeting. The motion was seconded by Commissioner Bill Sexton. Voting on the motion:

Ayes: Vice Chairman Stoney Greene  
Commissioner Casey Joe Johnson  
Commissioner Bill Sexton  
Commissioner Greg Minton

Nays: Chairman Keith Elmore

*RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE PROPOSED FINANCING OF A NEW COUNTY ADMINISTRATION BUILDING AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT*

*BE IT RESOLVED by the Board of Commissioners (the "Board") for the County of Wilkes, North Carolina (the "County") as follows:*

*Section 1. The Board does hereby find and determine as follows:*

*(a) The County has determined to pay the costs of acquiring, constructing and equipping a new County administration building (the "Project").*

*(b) After a public hearing and due consideration, the County has determined to enter into a Trust Agreement (the "Trust Agreement") between the County and U.S. Bank Trust Company, National Association (the "Trustee"), pursuant to which the County will issue limited obligation bonds thereunder in an aggregate principal amount not to exceed \$25,000,000 (the "Bonds") to provide funds, together with any other available funds, to (i) pay the costs of the Project and (ii) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds.*

*(c) In order to secure its obligations under the Trust Agreement, the County will execute and deliver a Deed of Trust (the "Deed of Trust") for the benefit of the Trustee granting a lien on all or a portion of the site of the Project, together with all improvements or fixtures located or to be located thereon, subject to certain permitted encumbrances.*

*(d) It is in the best interest of the County to enter into the Trust Agreement and to issue the Bonds pursuant thereto in that such plan of finance will result in the financing of the Project in an efficient and cost effective manner for the County.*

*(e) Entering into the Trust Agreement and issuing the Bonds pursuant thereto is preferable to a general obligation bond and revenue bond issue in that (i) the County does not have sufficient constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the County has not retired a sufficient amount of general*

*obligation debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the financing of the Project; (ii) the nature of the financing does not allow for the issuance of revenue bonds to finance the Project; (iii) the costs of financing the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to finance the Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of the Project by several months; and (v) there can be no assurances that the issuance of general obligation bonds to finance the Project would be approved by the voters and the current interest rate environment dictates the financing of the Project be accomplished in a timely and expedient manner.*

*(f) Based upon information provided to the Board, the costs of the financing described above is reasonably comparable to the costs associated with other alternative means of financing and is acceptable to the Board.*

*(g) Counsel to the County will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.*

*(h) The debt management policies of the County have been carried out in strict compliance with law, and the County is not in default under any obligation for repayment of borrowed money.*

*(i) Any ad valorem tax rate increase required to pay principal of and interest on the Bonds will not be excessive.*

*Section 2. The Board hereby authorizes and approves the filing of an application with the Local Government Commission for approval of the Bonds and the Trust Agreement and requests the Local Government Commission to approve the Bonds and the Trust Agreement and the proposed financing in connection therewith.*

*Section 3. The Board hereby finds, determines and declares the following:*

*(a) Section 1.150-2 of the Treasury Regulations (the "Regulations") prescribes specific procedures which will be applicable to certain bonds or notes issued by or on behalf of the County including, without limitation, a requirement that the County declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the County prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.*

*(b) The County may advance its own funds in order to pay certain capital costs (the "Original Expenditures") relating to Project, which it reasonably expects to reimburse itself for the Original Expenditures from the proceeds of the Bonds.*

*(c) \$25,000,000 is the maximum principal amount of the Bonds currently expected to be incurred for the purpose of paying the costs of the Project.*

*(d) This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the*

*proceeds of the Bonds for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.*

*(e) The funds heretofore advanced or to be advanced by the County to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the County to permanently finance the Original Expenditures.*

*(f) All Original Expenditures to be reimbursed by the County were paid no more than sixty (60) days prior to, or will be paid on or after the date of, this declaration of official intent, except with respect to certain amounts incurred before such 60-day period not exceeding 20% of the issue price of the proceeds of the Bonds which are expended for "preliminary expenditures" within the meaning of Section 1.150-2 of the Treasury Regulations (the "Preliminary Expenditures"). The County understands that, except for the Preliminary Expenditures, such reimbursement must occur not later than eighteen (18) months after the later of (a) the date the Original Expenditures were paid and (b) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the Original Expenditures were paid.*

*Section 4. This resolution shall take effect immediately upon its adoption.*

*Upon motion of Vice Chairman Stoney Greene, seconded by Commissioner Bill Sexton, the foregoing resolution was adopted by the following vote:*

*Ayes: Vice Chairman Stoney Greene, Commissioner Casey Joe Johnson, Commissioner Bill Sexton, and Commissioner Greg Minton.*

*Noes: Chairman Keith Elmore.*

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*I, Sarah Call, Clerk to the Board of Commissioners for the County of Wilkes, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board of Commissioners for said County at a regular meeting held on September 5, 2023, as it relates in any way to the holding of a public hearing and the adoption of the foregoing resolutions relating to a proposed financing of a new County administration building and that said proceedings are to be recorded in the minutes of said Board of Commissioners.*

*I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.*

*WITNESS my hand and the official seal of said County this 5<sup>th</sup> day of September, 2023.*

*[SEAL]*

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*Clerk to the Board of Commissioners*

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LIMITED OBLIGATION BONDS OF THE COUNTY OF WILKES, NORTH CAROLINA IN AN AMOUNT NOT TO EXCEED \$25,000,000 AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING A NEW COUNTY ADMINISTRATION BUILDING FOR SAID COUNTY** – Mr. Huffman introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Commissioner. He added this document lays out whom the underwriter would possibly be if the Board chooses to construct an Administration Building. It states the financing will not exceed 5.50% and the total amount will not exceed \$25 million.

Commissioner Minton asked why are they looking at Bonds rather than a traditional loan. Mr. Huffman replied this is the most advantageous for the County, it is the most economical to do the Bonds as opposed to a tradition loan. Commissioner Minton stated he has his reservations about the cost, he shares Chairman Elmore’s issues, but knows they have to pay for what they are doing and that is why he voted for the first resolution. He thinks moving forward they need to be mindful there might be other options for the County. Commissioner Minton stated they have not committed to anything at this point, correct. Mr. Tony Triplett replied correct. Mr. Huffman added they are just taking the steps necessary if the Board chooses to do it. Chairman Elmore stated if it was \$16 million max he might go along with it, and indicated that a year ago. They lost him at \$25 million. Commissioner Sexton stated they are not committing at this time.

Commissioner Bill Sexton made a motion to approve and adopt the Resolution Authorizing the Execution and Delivery of Limited Obligations Bonds of the County of Wilkes, North Carolina in an amount not to exceed \$25,000,000 and Related Documents in Connection with the Financing a New County Administration Building for said County as presented at tonight’s meeting. The motion was seconded by Vice Chairman Stoney Greene. Voting on the motion:

Ayes: Vice Chairman Stoney Greene  
Commissioner Casey Joe Johnson  
Commissioner Bill Sexton  
Commissioner Greg Minton

Nays: Chairman Keith Elmore

***RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LIMITED OBLIGATION BONDS OF THE COUNTY OF WILKES, NORTH CAROLINA IN AN AMOUNT NOT TO EXCEED \$25,000,000 AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING A NEW COUNTY ADMINISTRATION BUILDING FOR SAID COUNTY***

*BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Wilkes, North Carolina (the “County”):*

*Section 1. The Board does hereby find and determine as follows:*

*(a) There is a need to acquire, construct and equip a new County administration building for the County (the "Project").*

*(b) After a public hearing and due consideration, the County has determined at this time to issue its Limited Obligation Bonds, Series 2023 (the "Series 2023 Bonds") in a principal amount of not to exceed \$25,000,000 for the purpose of financing (i) the cost of the Project and (ii) certain financing costs related thereto. The Series 2023 Bonds will be issued under a Trust Agreement, to be dated as of October 1, 2023 (the "Trust Agreement"), between the County and U.S. Bank Trust Company, National Association, as trustee (the "Trustee"). In connection with the issuance of the Series 2023 Bonds, as security for the Limited Obligation Bonds issued under the Trust Agreement, the County will deliver a Deed of Trust on the site of the Project and the improvements to be located thereon.*

*(c) The Series 2023 Bonds will initially be sold to Robert W. Baird & Co. Incorporated (the "Underwriter"), pursuant to the terms of a Bond Purchase Agreement, to be dated the date of delivery thereof (the "Bond Purchase Agreement"), between the County and the Underwriter. In connection with the offering and sale of the Series 2023 Bonds by the Underwriter, there will be prepared and distributed to potential investors a Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Series 2023 Bonds and the Official Statement (hereinafter defined).*

*(d) There have been presented to the Board drafts of the following documents relating to the transaction hereinabove described:*

*(1) Trust Agreement, including a form of the Series 2023 Bonds attached as Exhibit C thereto;*

*(2) Deed of Trust;*

*(3) Bond Purchase Agreement; and*

*(4) Preliminary Official Statement.*

*Section 2. For the purposes described above, the County is hereby authorized to enter into the Trust Agreement and to issue the Series 2023 Bonds thereunder in a principal amount not to exceed \$25,000,000. The Series 2023 Bonds shall mature, shall bear interest at such rates, and shall be subject to redemption as set forth in the Trust Agreement. The Series 2023 Bonds shall bear interest at such interest rates or yields that, together with the sale prices paid to that County as described in Section 3, shall result in a true interest cost to the County of not to exceed five and one-half percent (5.5%). The final maturity of the Series 2023 Bonds shall not be later than December 31, 2044.*

*Section 3. The Series 2023 Bonds shall be sold to the Underwriter pursuant to the terms of the Bond Purchase Agreement. The Series 2023 Bonds may be sold to the Underwriter at a discount below the amount of the principal amount of the Series 2023 Bonds, such discount not to exceed one percent (1%) of the principal amount of the Series 2023 Bonds; provided, however, that if all or any*

*of the Series 2023 Bonds are to be sold to the public by the Underwriter at original issue discount (resulting in lower interest rates on the applicable Series 2023 Bonds), then the Series 2023 Bonds may be sold at a further discount in the amount necessary to cover such original issue discount.*

*Section 4. The Board hereby approves the forms of the Trust Agreement, the Deed of Trust, the Bond Purchase Agreement and the Series 2023 Bonds in substantially the forms presented at this meeting. The Chair or Vice Chair of the Board, the County Manager and the Finance Director are each hereby authorized to execute and deliver the Trust Agreement, the Deed of Trust, the Bond Purchase Agreement and the Series 2023 Bonds on behalf of the County in substantially the forms presented at this meeting, containing such insertions, deletions and filling in of blanks as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the Board of any such changes. The Clerk to the Board or any assistant or deputy Clerk to the Board is hereby authorized to affix the official seal of the County to said documents and to attest the same to the extent required.*

*Section 5. The Series 2023 Bonds, the Trust Agreement and the Deed of Trust relating thereto shall constitute installment contracts within the meaning of Section 160A-20 of the North Carolina General Statutes, as amended, entered into by the County for the purpose of financing the acquisition of real or personal property or the construction or repair of improvements thereon. No deficiency judgment may be rendered against the County in any action for breach of any contractual obligation with respect to the Series 2023 Bonds or under the Trust Agreement, and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due with respect to the Series 2023 Bonds or under the Trust Agreement.*

*Section 6. The Board hereby approves the form of the Preliminary Official Statement in substantially the form presented at this meeting and the distribution thereof by the Underwriter in connection with the offering and sale of the Series 2023 Bonds. Upon the sale of the Series 2023 Bonds to the Underwriter, a final Official Statement, to be dated as of the date of the Bond Purchase Agreement (the "Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the Series 2023 Bonds and such additional information as may be necessary. The Board hereby approves the delivery of the Official Statement on behalf of the County by the Chair or Vice Chair of the Board, the County Manager and the Finance Director and the distribution thereof by the Underwriter in connection with the offering and sale of the Series 2023 Bonds.*

*Section 7. The Chair or Vice Chair of the Board, the County Manager, the Finance Director and the Clerk to the Board, and any other officers, agents and employees of the County, are hereby authorized and directed to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described above.*

*Section 8. The County Manager and the Finance Director are hereby authorized to cooperate with the Underwriter in preparing and filing such filings under state securities or "blue sky" laws as the Underwriter may request; provided, however, that the County shall not be required to consent to the jurisdiction of any state in which it is not now subject unless the County Attorney shall determine that such consent is in the best interest of the County.*

*Section 9. The County Manager and the Finance Director are hereby authorized and directed to select a qualified financial institution to serve as Trustee under the Trust Agreement.*

*Section 10. This resolution shall take effect immediately upon its adoption.*

*Upon motion of Commissioner Bill Sexton, seconded by Vice Chairman Stoney Greene, the foregoing resolution was adopted by the following vote:*

*Ayes: Vice Chairman Stoney Greene, Commissioner Casey Joe Johnson, Commissioner Bill Sexton, and Commissioner Greg Minton.*

*Noes: Chairman Keith Elmore.*

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*I, Sarah Call, Clerk to the Board of Commissioners for the County of Wilkes, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board of Commissioners for said County at a regular meeting held on September 5, 2023, as it relates in any way to the holding of a public hearing and the adoption of the foregoing resolutions relating to a proposed financing of a new County administration building and that said proceedings are to be recorded in the minutes of said Board of Commissioners.*

*I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.*

*WITNESS my hand and the official seal of said County this 5<sup>th</sup> day of September, 2023.*

[SEAL]

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*Clerk to the Board of Commissioners*

**JCPC BOARD MEMBER APPOINTMENTS** – Chairman Elmore recognized Julie Haynes, JCPC Administrative Assistant for the 23<sup>rd</sup> Judicial District, as Jane Casarez could not be here tonight. Ms. Haynes stated the Wilkes County Juvenile Crime Prevention Council would like to make the following recommendations to fill vacancies to serve 2-year terms: Christelle Marsh from Vaya Health; and Valerie McGuire, ADA as the District Attorney’s designee. Commissioner Minton stated he serves on JCPC and they have been having issues getting a quorum and hopefully this will offset that issue.

Commissioner Greg Minton made a motion to appoint Christelle Marsh and Valerie McGuire to the JCPC Board for 2-year terms as requested and presented at tonight’s meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

**WILKES COUNTY PUBLIC LIBRARY:**

**1. BOARD APPOINTMENTS** – 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 Thomas Johnson and Gwen Shafer be appointed to serve on the Library Board to fill vacancies. They have submitted the required Board Application. Commissioner Bill Sexton made a motion to approve the Appointment of Mr. Thomas Johnson

and Ms. Gwen Shafer to the Wilkes County Public Library Board as presented at tonight's meeting. The motion was seconded by Commissioner Casey Joe Johnson and unanimously approved.

**2. INTRODUCE REGIONAL LIBRARY DIRECTOR – 2023 PROCLAMATION** – Ms. Moore said she would like to introduce the new Regional Director, Jacob Starks at this time. She read Mr. Starks Bio at this time and added this is his first day. Ms. Moore said also with them tonight is Tammy Holston, she served as the Interim Director and is the Finance Officer for the Region. Chairman Elmore welcomed Mr. Starks and stated they look forward to working with him. Ms. Moore said September is National Library Card Sign up month and she asked the Chairman if they could read a Proclamation on the importance of having a Library Card. Commissioner Casey Joe Johnson read the Proclamation at this time.

Commissioner Casey Joe Johnson made a motion to approve the 2023 Proclamation as presented at tonight's meeting. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

**DEPARTMENT OF SOCIAL SERVICES – UPDATE** – Chairman Elmore welcomed and recognized DSS Director Kevin Brown. Mr. Brown thanked the Board and provided the Commissioners with handouts for July. He stated as they probably know Medicaid expansion is postponed from October 1<sup>st</sup>, due to the state budget not being approved. A new date will be set once the budget is approved. As he mentioned in July, the state would probably require payments for kinship placement under Senate Bill 20. This will likely start in mid-November; the state is working on a policy. Mr. Brown said he wanted to make sure the Board is aware this is estimated to cost \$16,000 more in Foster Care payments this year, at a 50% reimbursement rate by the state. They sat with at least one child 27 nights in August and 148 year to date, this is an ongoing issue the staff deals with. Vice Chairman Greene asked if they utilized the new renovated space to keep the kids. Mr. Brown replied yes every night, it works great.

Mr. Brown went over the July monthly caseload report, Foster Care financial report, Adoption Services financial report, Child Development and Subsidized Child Care financial report. Next he went through the CPS Foster Care monthly reports for July. Mr. Brown said it is busy, but things are going very well. He added Child Welfare Worker Appreciation week is September 11-15, 2023 and they want to recognize their staff, they are wonderful and work tirelessly, work on call and do everything needed to take care of the kids. They want to recognize them and all they do and hope to have a breakfast for all DSS staff next week to celebrate all the great staff. Vice Chairman Greene asked about the agency conducting the out of town visits with foster kids, is this still working out well for them. Mr. Brown replied that agency is Vanguard, yes they are still using them, but they are running into so much cost on stipend pay they have had to cut back. They were doing 12 visits, but this month they cut it back to 5 to manage their budget. It does help, but they have a high cost and will continue to manage this. They are blessed with great staff that takes care of the kids and treats them like their own.

The Board thanked Mr. Brown for his update and all they do for the kids.

**LETTER OF AGREEMENT BETWEEN TFG, LLC AND WILKES COUNTY** – Ms. Felts stated before the Board for consideration is a Letter of Agreement with “TFG” The Ferguson Group and Wilkes County. She added the County is the only party signing the agreement, but it is a mutual agreement between Wilkes County and the Towns of Wilkesboro and North Wilkesboro. The cost is \$6,000 per month, which is split evenly three ways. Ms. Felts stated the advantage to being the only party to sign is the County has the ability to terminate at any point with 30-days’ notice. Chairman Elmore asked if the Towns will reimburse the County monthly. Ms. Felts replied yes, the County will bill the Towns each month and they will reimburse \$2,000 each. Chairman Elmore asked what is the term of the agreement. Ms. Felts replied the agreement is one year at a time and will terminate at the end of next August.

Commissioner Johnson stated they will help to find federal funding and grants for various projects to help the County. Ms. Felts replied yes, they will represent the County and both Towns in D.C., each will tell them their goals and priorities and they will look for funding opportunities for them. Chairman Elmore stated they will lobby on their behalf and they have discussed doing this over the years and this was mutually agreed upon with the Towns to try this and see how it goes.

Commissioner Casey Joe Johnson made a motion to approve the Letter of Agreement between TFG, LLC and Wilkes County, North Carolina (on behalf of Wilkes County and the Towns of Wilkesboro and North Wilkesboro) as presented at tonight’s meeting. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

**CLOSED SESSION** – Motion was made by Commissioner Casey Joe Johnson to go into closed session under Section 143-318.11 (a)(5) of the North Carolina General Statutes to establish or instruct the staff concerning the price or other material terms of a possible contract or proposed contract for the acquisition of real property; and under Section 143-318.11(a)(3) of the North Carolina General Statutes to consult with the Board’s Attorney to preserve the attorney-client privilege; and. The motion was seconded by Vice Chairman Stoney Greene and unanimously approved.

Motion was made by Vice Chairman Stoney Greene 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 Vice Chairman Stoney Greene seconded by Commissioner Casey Joe Johnson and by unanimous vote adopted to adjourn the meeting of the Wilkes County Board of Commissioners at 6:39 P.M.

Sarah D. Call, Clerk

Gideon Keith Elmore, Chairman

WILKES COUNTY BOARD OF COMMISSIONERS

Approved: September 19, 2023

**EXHIBIT A**

[Attach publisher's affidavit evidencing publication of the Notice of Public Hearing]