

**Town of North Wilkesboro
Commissioners Monthly Meeting
January 7, 2020**

A Regular Meeting of the Mayor and Board of Commissioners of the town of North Wilkesboro was held in the Commissioners Room at Town Hall January 7, 2020.

THERE WERE PRESENT: Robert L. Johnson, Mayor
 Andrew Palmer, Commissioner/Mayor Pro-Tem
 Angela Day, Commissioner
 Debbie Ferguson, Commissioner
 Michael Parsons, Commissioner

ALSO PRESENT: Wilson B. Hooper, Town Manager
 Debra Pearson, Town Clerk

ABSENT: Bert Hall, Commissioner

CALL TO ORDER

Mayor Robert Johnson called the meeting to order at 5:30 p.m. and delivered the Invocation. The Pledge of Allegiance was led by North Wilkesboro Police Chief Joe Rankin.

IV. Additions/Deletions to agenda:

There was a request made by Town Manager Hooper for a reversal of item numbers XII and XIII due to the latter being a closed session item. Reversal of these two items would prevent having the public sit and wait for council to come out of the closed session to hear item XII, *Mayor and Commissioner Topics*. **Motion to approve the change to the agenda was made by Commissioner Ferguson and seconded by Commissioner Palmer.**

V. Approval of the Agenda:

Mayor Johnson called for a motion to approve the agenda as amended. **Motion was made by Commissioner Ferguson and seconded by Commissioner Parsons. Motion unanimously carries.**

VI. Public Comments:

Mayor Johnson opened the floor and called for any Public comments, but there was no one in the audience that wished to be heard.

VIII. Consent

All consent items may be approved in one motion. Items requiring further discussion will be pulled and voted upon separately.

- A.) Approval of Meeting Minutes (*action*) – Debbie Pearson
- B.) Administrative Budget Amendment (*action*) – Wilson Hooper, Connie Bauguess
- C.) Resolution for Financing Sanitation Truck (*action*) – Connie Bauguess

TOWN OF NORTH WILKESBORO
AMENDMENT TO BUDGET ORDINANCE
FISCAL YEAR ENDING 6/30/2020
BUDGET AMENDMENT #7

BE IT ORDAINED by the Governing Board for the Town of North Wilkesboro, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

SECTION 1. To amend the GENERAL FUND budget as follows:

<u>DEPARTMENT</u>	<u>AMENDMENT</u>	<u>FINAL BUDGET</u>
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Revenue:

Court Order for Disposition Drug Money Seized 10-3570-0200	\$256.00	\$256.00
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Expenses:

Court Ordered Disposition To Wilkes County Schools 10-5100-3315	\$256.00	\$256.00
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Total:	\$256.00	\$256.00
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Budget for Seized Drug Funds Ordered by the Court, \$256.00 to forward to Wilkes County Schools.

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and the Finance Officer for their direction.

Adopted this _____ day of January, 2020.

ATTEST:

Debra W. Pearson, Town Clerk

Robert L. Johnson, Mayor

Resolution 2020-001
Approving Financing Terms

WHEREAS: The TOWN OF NORTH WILKESBORO (NC) ("Borrower") has previously determined to undertake a project for the financing _____ of vehicles (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T") in
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the BB&T financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of January, 2020

Attest:

Debra W. Pearson, Town Clerk

Robert L. Johnson, Mayor

Mayor Johnson read the consent agenda items and asked if anyone had anything else they would like to add or delete from the consent agenda. **With no further additions or deletions requested to be made, Mayor Johnson called for a motion to approve the consent agenda. Commissioner Ferguson made the motion to approve the consent agenda with Commissioner Parsons seconding the motion. Motion unanimously carries.**

*****END CONSENT AGENDA*****

IX. Town Manager's/Attorney's Report:

There was not report for this session.

X. Business:

D.) FY19 Audit Report – Craig Hopkins, Gibson & Company PA
Craig Hopkins, with Gibson & Company PA gave a brief yet informative presentation on the Town Audit for FY 2019. He commended the Town and its employees on a strong budget year and for even coming in under budget in some departments. Commissioner Ferguson thanked Mr. Hopkins for his help, and also commended and thanked the Town employees for making FY 2019 Audit a good one. The Town of North Wilkesboro Audit can be viewed on the Town website and a copy of the audit is on display in the lobby of Town Hall.

E.) Elevated Water Tank Project Update Emily Miller, McAdams & Associates
Emily Miller was unable to attend this meeting due to a scheduled surgery the next morning. Emily will reschedule her presentation for a later date.

Manager Hooper presented a budget amendment re-allocating money from the Water/Sewer Capital Reserve Fund to a Capital Project Fund. **Commissioner Day made a motion to approve the budget amendment with Commissioner Palmer seconding the motion. Motion unanimously carries.**

**TOWN OF NORTH WILKESBORO
CAPITAL PROJECT ORDINANCE
JELDWEN ELEVATED WATER TANK PROJECT**

BE IT ORDAINED by the Board of Commissioners of the Town of North Wilkesboro, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted.

SECTION 1. The project authorized is the **JELDWEN ELEVATED WATER TANK PROJECT**

SECTION 2. The officers of this unit are hereby directed to proceed with the project within the terms of the budget contained herein.

SECTION 3. The following revenues are anticipated to be available for the project:

N C Department of Environmental

Quality (Loan)	\$1,300,000
Golden Leaf Grant	\$ 420,000
CDBG Grant	\$ 580,000
Total	<u>\$2,300,000</u>

SECTION 4. The following expenses are appropriated for the project:

Professional Services	\$ 304,500
Construction	\$1,998,500
Total	<u>\$2,300,000</u>

SECTION 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to provide the accounting required by any agreement associated with this project.

SECTION 6. Copies of this Capital Project Ordinance shall be furnished to the Clerk of the Governing Board and to the Finance Officer for direction in carrying out this project.

Adopted this _____ day of _____, 2020

Robert L. Johnson, MAYOR

ATTEST:

Debra W. Pearson, Town Clerk

Town Manager Hooper presented a Resolution for approval to Designate Town Manager as Signatory for Certain Elevated Water Tank Documents. **Commissioner Palmer made a motion to approve Town Manager Hooper as signatory for Certain Elevated Water Tank Documents with Commissioner Ferguson seconding the motion. Motion unanimously carries.**

**Town of North Wilkesboro
Resolution 2020-002**

Designate Town Manager as Signatory for Certain Elevated Water Tank Documents

WHEREAS, the Board of Commissioners of the Town of North Wilkesboro is determined to grant signing and authority to certain person(s) described hereunder for matters related to the Elevated Water Tank project.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of North Wilkesboro is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse and deliver in the name of and on behalf of the Town of North Wilkesboro, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, and other instruments whose disposition is not specifically endowed to the Board of Commissioners by North Carolina General Statute.

Name: Wilson B Hooper

Position/Title: Town Manager

Telephone Number: 336-667-7129 ext. 3012

Email Address: townmanager@north-wilkesboro.com

Signature: _____

The undersigned certifies that Wilson Hooper is the properly appointed and qualified Town Manager for the Town of North Wilkesboro, NC, duly conformed pursuant to the laws of the state of North Carolina, and that said meeting was held in accordance with state law and with the Town Code of the above-named municipality.

This resolution has been approved by the Board of Commissioners of the Town of North Wilkesboro, on the _____ day of January, 20____.

I, as Mayor for the Town of North Wilkesboro, authorized by the Board of Commissioners, hereby certify and attest that all the information above is true and correct.

ATTEST:

Debra W. Pearson, Town Clerk

Robert L. Johnson, Mayor

IX. Policy:

F.) Appointments Housing Rehabilitation Loan Program Committee- Meredith Detsch
Planning Director Meredith Detsch presented the list of current volunteers for the North Wilkesboro Housing Rehabilitation Loan Program. Those persons are, Dave Barton, Jimmy Martin, Debbie Ferguson and Meredith Detsch, Secretary. **A motion to approve the current committee was made by Commissioner Parsons and seconded by Commissioner Day. Motion unanimously carries.** There are two new applicants for position on the committee. If accepted, these applicants' terms would run 2020 through 2023. Planning Director Detsch introduced Holly Minton and Elisa Rodriguez-Valles. Planning Director Detsch asked the Board to make a motion to accept the new applicants to the committee. **Commissioner Ferguson made a motion to appoint new applicants Minton and Rodriguez-Valles, Commissioner Palmer seconded the motion. Motion unanimously carries.**

G.) Resolution Establishing Board of Commissioners Subcommittees- Wilson Hooper
A resolution was presented to the Board establishing sub-committees to consider polices and extend the capacity of the Board. **A motion to approve Resolution 2020-001 to Establish Board of Commissioners Subcommittee was made by Commissioner Ferguson and seconded by Commissioner Palmer. Motion unanimously carries.**

**Town of North Wilkesboro
Resolution 2020-001
To Establish Board of Commissioners Subcommittees**

WHEREAS, subcommittees of municipal elected boards enable those boards to exercise their policymaking duties in more depth and detail than is possible with a full board, and;

WHEREAS, the 2019-2021 North Wilkesboro Board of Commissioners wishes to extend the working capacity of the board in this way by establishing subcommittees, and;

WHEREAS, the Board of Commissioners and Town Manager have discussed the establishment of subcommittees in open session, including the names and areas of focus for each subcommittee, and;

WHEREAS, referrals to subcommittees made in open session or by the Town Manager are considered the most transparent, and;

WHEREAS, Town Code requires that subcommittees be established by a resolution of the full Board of Commissioners,

NOW, THEREFORE, be it resolved that the North Wilkesboro Board of Commissioner does hereby establish Administration, Public Safety, Physical Environment, and Recreation and Culture subcommittees for the 2019-2021 board term, and;

BE IT FURTHER RESOLVED that the members of these subcommittees shall be appointed by the Mayor from amongst the duly elected members of the North Wilkesboro Board of Commissioners, with staff assistance as assigned by the Town Manager, and;

BE IF FURTHER RESOLVED that topics for subcommittee consideration be referred according to the procedure described herein.

This the 7th day of January, 2020

Robert L. Johnson, Mayor

ATTEST:

Debra W. Pearson, Clerk

H.) Street Closure Application (*action*)- Meredith Detsch
Planning Director Detsch presented a Resolution of Intent to Close Street or Alley. This is a request for the Commissioners to consider adopting a resolution of intent to close a portion of the alleyway between 5th and 6th Streets to allow the property owner, Scott Nafe to install safety fire escapes on his properties. If approved, staff can begin advertising the public hearing which is posting the property, notifying all adjacent property owners via certified mail and an ad in the newspaper for four consecutive weeks. **Commissioner Parsons made a motion to approve this Resolution with Commissioner Ferguson seconding the motion. Motion unanimously carries.**

RESOLUTION 2020-004
RESOLUTION OF INTENT
TO CLOSE STREET OR ALLEY

A Resolution declaring the intention of the Board of Commissioners of the Town of North Wilkesboro to consider closing an unnamed alley of the eastern portion of the alley between 5th and 6th streets to the east/west, and Main St. and C St. to the north/south, and of approx. 175 ft. of public right of way, on Plat Book 1 Page 36, Block 33 on Trodgon's Map. Scott Nafe of 502 Main Street, 503 C Street and 507 C Street, North Wilkesboro, NC 28659 has petitioned to close a portion of the alley.

Beginning on an iron pin set on the north side of an alleyway, the southwest corner to lot # 14 of Trodgon's Map of North Wilkesboro, Plat Book 1 Page 36, and being in the southern property line of Scott Nafe, Deed Book 1193 Page 341, and also said iron pin set being located South 74° 27' 04" East 102.55' from an iron pin found, and said iron pin found being located South 27° 27' 14" East 69.92' from an iron pin found.

Thence with the north side of said alleyway and the southern boundary of lot # 14 and lot # 12 owned by Scott Nafe, Deed Book 1193 Page 341 and the southern boundary to lot # 10, lot # 8 and a portion of lot # 6 owned by Grandfather Mountain Log Homes, LLC, Deed Book 1182 Page 120, and the southern boundary to a portion of lot # 6, lot # 4 and lot # 2 owned by Community Baptist Church of Wilkes County, Inc, Deed Book 1204 Page 073, North 62° 33' 00" East 175.23' to an iron pin set in the western margin of right of way for Fifth Street.

Thence with said right of way for Fifth Street, South 27° 32' 40" East 10.45' to a nail set. Thence continuing South 27° 32' 40" East 10.46', for a total distance of 20.91' to an "x" chiseled in a concrete retaining wall, the south side of said alleyway and being the northern corner to lot # 1, and also said "x" chiseled in concrete retaining wall being located South 80° 17' 10 West 922.72' from N.C.G.S. monument "Smoot" (Northing – 884,915.18' Easting – 1,368,914.76' position only, no orientation) and said N.C.G.S. monument "Smoot" being located North 49 43' 44" East 1298.34' from N.C.G.S. monument "Domino" (Northing – 884,098.80' Easting – 1,367,605.19' position only, no orientation).

Thence with the south side of said alleyway, and the northern boundary to lot # 1, lot # 3, lot # 5, lot # 7, lot # 9, lot # 11, and lot # 13 owned by Grandfather Mountain Log Homes, LLC, Deed Book 1182 Page 120, South 62° 33' 00" West 174.77' to a computed point, the northwestern corner to lot # 13.

Thence running North 28° 48' 29" West 10.46' to a nail set. Thence continuing North 28° 48' 29" West 10.45' to the **Point of Beginning**.

Containing 0.084 Acres (3,658.33 sq.ft.) by coordinate calculations.

Reference: Plat Book 1 Page 036

Located in the city of North Wilkesboro, North Wilkesboro Township, Wilkes County, North Carolina.

Reservation of Easement: The Town of North Wilkesboro hereby reserves an easement (ref. Proposed Alley Closure of Trogdon's Map of North Wilkesboro Block 33, Lots 1-14, prepared by Arch Surveyors, Gale W. Maiden, PLS., filed herewith) for the purpose of installing, operating and maintaining water, sewer, and stormwater lines therein including as a part of said easement the perpetual right to go upon the property burdened with the easement for the purpose of inspecting, maintaining, and repairing the water, sewer, and stormwater lines.

WHEREAS, G.S. 160A-299 authorizes the Board of Commissioners of the Town of North Wilkesboro to close public streets and alleys; and

WHEREAS, the Board of Commissioners of the Town of North Wilkesboro considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of said street;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of North Wilkesboro that:

- (1) A meeting will be held at 5:30 p.m. on the 7th day of January, 2020, in the Commissioners Room located at 210 9th Street, North Wilkesboro, NC, to consider a resolution closing the aforementioned street.
- (2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in a newspaper of general circulation in the area.
- (3) The Town Clerk is further directed to transmit by registered or certified mail to each owner, those being; TYG. LLC, Community Baptist Church of Wilkes County, Inc., Grandfather Mountain Log Homes, LLC., and Mr. Scott Nafe of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The Town Clerk is further directed to cause adequate notices of this Resolution of intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made and seconded, the above resolution was duly adopted by the Board of Commissioners of the Town of North Wilkesboro at the meeting held on the 4th day of February 2020, in the Commissioners Room, Town Hall.

Robert L. Johnson, MAYOR

ATTEST:

Debra W Pearson, Town Clerk

XIII. Mayor and Commissioner Topics:

Town Manager Hooper stated he would like to set up and hold a workshop in two (2) weeks, around the week of January 23, 2020. He would also like to begin getting dates for the Board Retreat.

XII. Closed Session:

At 6:10 p.m. Mayor Johnson called for a motion to go into closed session to discuss matters pursuant to GS 143-318.11 (a)(6) Personnel. **Commissioner Ferguson made the motion to go into closed session with Commissioner Parsons seconding the motion.** Motion unanimously carries.

XIV. Adjourn:

The Board returned to open session at 7:15 p.m. With no other items to discuss Mayor Johnson called for a motion to adjourn. **Commissioner Ferguson made the motion to adjourn with Commissioner Palmer seconding.** Meeting adjourned at that time with no action taken.

Debra W. Pearson, Town Clerk

Robert L. Johnson, Mayor

Approved _____