

REGULAR MEETING

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 on Tuesday March 5, 2019.

THERE WERE PRESENT: Robert L. Johnson, Mayor
Debbie Ferguson, Commissioner
Junior Goforth, Commissioner
Bert Hall, Commissioner
Joe Johnston, Commissioner
Angela Day, Commissioner

COMPRISING THE ENTIRE BOARD, ALSO:
H. Edward (Ed) Evans, Jr. Interim Town Manager
Debra Pearson, Town Clerk
Gary Vannoy, Town Attorney

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.

Before the consent agenda items were presented for approval, the Mayor formally introduced Mr. H. Edward (Ed) Evans, Jr. to the board and to the public attending the meeting. At this time Mayor Johnson requested Mr. Evans to come forth to be sworn in as North Wilkesboro’s Interim Town Manager before the board. Mr. Evans was officially sworn in for duty on March 4, 2019.

The Oath of Office for new North Wilkesboro Police Officer Matthew Brian Richardson effective March 4, 2019 had been added to the agenda but was actually carried out at the same time as Interim Town Manager Evans’ oath was taken.

The consent agenda items were as follows:

- a. Approve minutes of the February 5, 2019 regular board meeting, the February 21, 2019 Special Meeting, the February 21, 2019 Board Work Session meeting, and approve and seal the two February 21, 2019 closed session meeting minutes.
- b. Approval of Resolution to Set Filing Fee for 2019 Election at \$10.00.
- c. Approval of 3rd Quarter Appropriation money for EDC from the 2018-2019 budget
- d. Approval of Resolution declaring certain property surplus and authorizing its disposal using GovDeals
- e. Approval of the Contract to Audit by Gibson & Company, P.A.

OATH OF OFFICE

I, H. Edward Evans, Jr., do solemnly swear (or affirm) that I will support and maintain the Constitution and Laws of the United States and the Constitution and Laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of the office of Interim Town Manager of the Town of North Wilkesboro, according to the best of my skill and ability, so help me, God.

H. Edward Evans, Jr.

Subscribed and sworn to before me
this 4th day of March 2019

Mayor Robert L. Johnson

OATH OF OFFICE NORTH WILKESBORO POLICE DEPARTMENT

I, Matthew Brian Richardson, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith; that I will be alert and vigilant to enforce the criminal laws of this State; that I will not be influenced in any matter on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Police Officer with the North Wilkesboro Police Department according to the best of my skill, abilities, and judgment; so help me, God.

Matthew Brian Richardson

Sworn to and subscribed before me
this the 4th day of March, 2019.

Robert L. Johnson, MAYOR

RESOLUTION TO SET
FILING FEE FOR 2019 ELECTION

WHEREAS, G. S. 163 A-1620 states that the filing fee for a primary or election shall be fixed by the governing board not later than the day before candidates are permitted to begin filing notices of candidacy.

WHEREAS, there shall be a minimum filing fee of five dollars (\$5.00), and

WHEREAS, the governing board shall have the authority to set the filing fee at not less than five dollars (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless 1% of the annual salary of the office sought is less than five dollars (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged; and

WHEREAS, the fee shall be paid to the Board of Elections at the time notice of candidacy is filed.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of North Wilkesboro, that the filing fee for the 2019 Election be set for ten dollars (\$10.00).

This the 5th day of March, 2019.

TOWN OF NORTH WILKESBORO

Robert L. Johnson, MAYOR

ATTEST:

Debra W. Pearson, Town Clerk

February 12, 2019

Mr. Larry South
Town Manager
Town of North Wilkesboro
P.O. Box 218
North Wilkesboro, NC 28659

Dear Mr. South,

On behalf of the Wilkes EDC, I hereby respectfully request the Town of North Wilkesboro send their approved appropriation to our organization for the 3rd quarter of our 2018-2019 budget. The annual amount approved was \$50,000. This would make the quarterly appropriation payment for 3rd quarter **\$12,500.**

If you have any questions, please let me know. Thank you for your continued support of the Wilkes EDC.

Sincerely,

Robin D. Hamby
Vice President
Wilkes EDC

**RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS AND
AUTHORIZING ITS DISPOSAL BY THE TOWN MANAGER**

WHEREAS, the Board of Commissioners of the Town of North Wilkesboro hereby declares the following property surplus and desires to dispose of certain surplus property of the Town;

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

1. The following described property is hereby declared to be surplus to the needs of the Town of North Wilkesboro:
 - i. 1992 Chevy 3500 Truck – VIN# 1GBJC34K5NE214666
 - ii. 2000 Ford Ranger – VIN# 1FTZR15X0YTB27253
 - iii. 2001 Dodge 2500 – VIN# 3B7KF23631G781712
 - iv. 1998 Chevy C7500 2wd 2 Ton Dump Truck – VIN# 1GBM7H1J2WJ105536
 - v. 2002 Chevy Blazer – VIN# 1GNNDT13W92K237938
 - vi. 1996 Ford F-250 - VIN#1FTHF26H8TEA77104
2. The Town Manager is authorized to dispose of the described property by private sale at a negotiated price.
3. The Town Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.
4. The sale may be consummated not earlier than 10 days from the date of publication.

Duly adopted this 5th day of March, 2019.

Robert L. Johnson, Mayor

ATTEST:

Debra W. Pearson
Town Clerk

**** END CONSENT AGENDA****

There was one item removed from the consent agenda by Commissioner Johnston for further comment only. This was Item e. Approval of the Contract to Audit by Gibson & Company, P.A.- Mayor Johnson placed this item under Item 10. (a)-. Motion to approve the Consent Agenda was made by Commissioner Johnston and seconded by Commissioner Day. Motion unanimously carries.

Two additional items were added to the agenda in addition to Commissioner Johnston's request. A second item was added to the agenda and placed as Item 10. (b). Safer Grants- This item was presented by Fire Chief Jimmy Martin, "Safer Grants", an Assistance to Firefighters Grant Program (FEMA) and 10. (c). Oath of office before the board for new North Wilkesboro Police Officer Matthew Brian Richardson.

There was one deletion from the agenda. Item 14. Procurement Policy for the Town of North Wilkesboro- this item was placed on the regular session in error and was intended by Commissioner Ferguson to be on the March 21, 2019 Board Work Session and will be placed on the March 21, 2019 work session agenda. Motion for approval of the agenda was made by Commissioner Hall and seconded by Commissioner Goforth. Motion unanimously carries.

Mayor Johnson opened the floor for public comments at this time. There was no one that wished to speak at this meeting.

Scheduled Oath of Office was taken by North Wilkesboro Police Officer Zachary Adam Whitley. Officer Whitley was officially promoted to Sergeant as of February 18, 2019 and was sworn in before the board March 5, 2019.

**OATH OF OFFICE
NORTH WILKESBORO POLICE DEPARTMENT**

I, Zachary Adam Whitley, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith; that I will be alert and vigilant to enforce the criminal laws of this State; that I will not be influenced in any matter on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Police Sergeant with the North Wilkesboro Police Department according to the best of my skill, abilities, and judgment; so help me, God.

Zachary Adam Whitley

Sworn to and subscribed before me
this the 18th day of February 2019.

Robert L. Johnson, Mayor

Item 10. on the agenda is a request presented to the board by LeeAnn Nixon with the EDC to call for Public Hearing for a CDBG (Community Development Block Grant) to be heard April 2, 2019. Commissioner Ferguson made a motion to approve the call for a Public Hearing. Commissioner Hall seconds the motion, motion unanimously carries. 10. (a) Commissioner Johnston wanted to clarify with Finance Officer Connie Bauguess the costs for audit and to reiterate the reason he had previously changed his position and has shown his approval of using Gibson and Company. He stated this is due to the fact that even though the audit was delayed, it was due to the yearly deposit of the hospital money right at audit time. This took the audit company longer to complete the audit than it normally would. Having resolved this audit delay Commissioner Johnston commented that since Gibson & Company are now familiar with the financial situations of the Town it would be in the Town's best interest to stay with this audit company. Gibson did not charge additional fees to research and complete the audit and came in below projected costs. Item 10. (b) Safer Grant- This is a three-year grant based on need and is offered to help recruit and retain personnel. Fire Chief Martin gave the board a brief overview of the program as well as a 13-page informative printout of the program. Mayor Johnson commented "it is a good thing to try for." Commissioner Hall made a motion to have Fire Chief Martin apply for the grant. Commissioner Ferguson seconded that motion, Motion unanimously carries.

Dan Huffman was scheduled to speak to the board regarding the Catherine H. Barber Homeless Shelter. Mr. Huffman was not able to make this meeting.

North Wilkesboro Parks and Recreation Director Nelson Martin was asked to report to the board regarding progress of the Splash Pad at Smoot Park. Director Nelson reported that no further progress has been made to the Splash Pad and there was no good news. He stated that a new engineer taking over the project would charge \$188,000.00 to build the splash pad. Existing plumbing that has been done would have to be removed as it can not be guaranteed by another builder/engineer and would require new plumbing be installed. Director Nelson said he figured only 10-15% of the project had been completed. This project was to be in full operation May 2018. Commissioner Hall stated it was time to take legal action against Mr. Buster Mastin due to these delays and loss of revenue from the stalled project. Director Martin said that Mr. Mastin has asked for permission to complete the project at no additional cost other than what he has already been paid, which is approximately \$125,000.00 so far. The board agreed that Attorney Vannoy should go with Director Nelson to discuss this situation directly with Mr. Mastin. Majority opinion is to start possible legal action against Mr. Mastin if he cannot satisfy the board by March 21, 2019.

Commissioner Johnston excused himself from the meeting at 6:10 p.m. and returned at 6:13 p.m. The Board discussed extending Mr. John Ganus' contract as Interim Code Enforcement Officer. Mr. Ganus is a codes enforcement officer with N-Focus and has been doing an excellent job for the town. Interim Town Manager Ed Evans was given permission to extend the contract for Mr. Ganus with the contract renewing March 5, 2019 and running through June 30, 2019. Commissioner Goforth made a motion to approve the extension and Commissioner Hall seconds. Motion unanimously carries.

The town has begun accepting bids on the 912 Main Street property. A bid for a barber shop business with family living space above the business was presented at the meeting. Commissioner Ferguson stated this bid is very appealing due to the fact owner occupied businesses with owner occupancy is a vested interest. A higher bid was also submitted without any plan for use of the property. Commissioner Johnston commented "part of the value to him is what are you going to do with it"? Commissioner Hall made a motion to accept the higher bid with Commissioner Goforth seconding. The town will advertise the property for sale, along with the bidding procedure. The board will accept a bid and the upset bidding

process will begin. Once a bid is accepted and advertised an upset bid would have to be presented within a 10 day window with the upset bid being 10% on the first \$1000.00 and 5% on the balance above the previous bid. Attorney Gary Vannoy will put a notice in the paper and a newspaper ad will run with each bid accepted. The board previously agreed on a "hard date" of March 5, 2019, to be the cutoff for submission of bids.

There being no further business, Commissioner Hall made a motion to adjourn. Mayor Johnson declared the meeting adjourned at 6:25 p.m.

TOWN CLERK

MAYOR

APPROVED: _____

