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Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

NOVEMBER 10, 2022

The Gaston County Board of Commissioners (BOC) met in Rescheduled Regular Session at 6:33 pm on November 10, 2022, immediately following its Work Session, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Chad Brown presided with Commissioners Bob Hovis, Vice-Chairman; Allen R. Fraley, Kim Johnson (via telephone), Tom Keigher and Ronnie Worley in attendance.

Commissioner Tracy L. Philbeck was not in attendance.

Others present included Dr. Kim S. Eagle, County Manager; William T. Stetzer, County Attorney; and Angela Stacks, Deputy Clerk to the Board.

Upon request of Chairman Brown, Commissioner Hovis led those assembled in the Invocation and Thomas Jentz and Sarah Jane Jentz, children of the Assistant Chief of County Police, led in the Pledge of Allegiance during the preceding Work Session.

Public Hearing - RE: Commissioner Brown - Building & Development Services - Zoning Text Amendments: TEXT-22-10-18-00005 Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 9 (General Provisions): Section 9.12

Chairman Brown announced the Public Hearings as advertised; explained procedures to be used and called for the motion to enter into Public Hearing.

Commissioner Hovis introduced the motion to enter into Public Hearing and Commissioner Keigher provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously entered into Public Hearing.

Chairman Brown recognized Mrs. Jamie Kanburoglu, Director of Planning and Zoning, for comments.

Mrs. Kanburoglu advised subject request is to update language in Section 9.12 in the Unified Development Ordinance (UDO); BOC adopted an amendment in July for the Home Occupation section to align the zoning code with what is allowed by the building code; recently staff found a section in Chapter 9 contradicting the changes made in Chapter 8 and the building codes; if the current text remains in the Ordinance, staff will not be able to issue Home Occupation Permits to manufactured home owners; staff confirmed with the County's Building Site Plan Reviewers that NC Building Codes allows for home occupations in manufactured homes; item "B" is not needed since manufactured homes will always be classified as such; they are built to HUD standards and can never be made to meet conventional building codes.

She reviewed slides depicting the proposed amendment for section A to read *in no instance may a manufactured home be used for a nonresidential purpose* which will allow home occupations in manufactured homes since they are classified as residential uses; this will keep them from being used for strictly commercial businesses.

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She concluded that the Planning Board unanimously recommended approval of the text amendments at its meeting.

Chairman Brown called for comments from the Applicant and for citizen comments; hearing none, called for questions from the BOC.

Commissioner Worley advised the text amendment indicates that manufactured homes can only be used for a place of residence; would that prohibit builders and developers from putting a manufactured or temporary unit on their property to use as a sales office.

Mrs. Kanburoglu responded "no"; those are classified as construction trailers and are under a temporary use permit versus a permanent residential permit.

Chairman Brown called for additional questions from the BOC; hearing none, declared the Public Hearing closed.

Chairman Brown asked the County Attorney to summarize the Planning Board's recommendation.

The County Attorney advised the Planning Board's recommendation was unanimous to approve the text amendment; finding it will be consistent with the future land use plan. The text amendment would allow home occupations in manufactured homes which aligns with Goal 6 of the Comprehensive Land Use Plan which is to improve the image of Gaston County both to current and potential residents, focusing on retaining and increasing the population of young professionals.

Chairman Brown called for a motion to approve.

Commissioner Keigher introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-346** upon consideration of the proposed amendments, public hearing comment and Planning Board recommendation, the County Commission considers this action to be reasonable and in the public interest and finds the proposed amendments to be consistent with the County's Comprehensive Land Use Plan. The text amendments would allow home occupations in manufactured homes which aligns with Goal 6 of the Comprehensive Land Use Plan which is to improve the image of Gaston County both to current and potential residents, focusing on retaining and increasing the population of young professionals.

The County Commission hereby approves, effective with the passage of the Resolution the amendments to the UDO Chapter 9 (General Provisions) Section 9.12 (Use of Manufactured Homes).

The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

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Sec. 9.12 Use of manufactured homes.

- A. ~~Manufactured homes may be used only as a place of residence (i.e., as a dwelling unit). Use of a manufactured home for other uses including, but not limited to, sales offices, school buildings, beauty shops, banks, retail stores, accessory structures, etc. shall be prohibited. **In no instance may a manufactured home be used for a nonresidential purpose.**~~
- B. ~~A manufactured home, once constructed, shall always be classified as such a use regardless of any external or internal renovations, improvements, additions, or changes made. Notwithstanding, the class of a manufactured home (i.e., class A, B, C, or D) may be changed according to the corresponding modifications being made.~~

Chairman Brown asked the County Attorney to provide the Consistency Statement.

The County Attorney read the following Consistency Statement: *The text amendments would allow home occupations in manufactured homes which aligns with Goal 6 of the Comprehensive Land Use Plan which is to improve the image of Gaston County both to current and potential residents, focusing on retaining and increasing the population of young professionals. This would be consistent with the future land use plan.*

Public Hearing - RE: Commissioner Philbeck - Building & Development Services - Road Renaming Request: To Rename an Existing State-Maintained (SR2348) Public Right-of-Way, of Which a Portion is Located in Gaston County's Jurisdiction, from Rhyne Floral Access Road to Interchange Drive

Chairman Brown recognized Mrs. Kanburoglu for comments.

Mrs. Kanburoglu advised that Mr. Lane Holbert (Applicant) is requesting to rename an existing state-maintained road (SR2348) from Rhyne Floral Access Road to Interchange Drive; a portion of the road is in the County and the rest is in the Gastonia City Limits; staff researched the request and learned the BOC originally named this road in 1988.

She reviewed maps depicting the vicinity of the site, the affected properties and property owners on Rhyne Floral Access Road and advised the road is located in the northern part of Gastonia city limits; the entrance of the road is in the County's zoning jurisdiction; the remainder of the road goes into the city limits; the road is located in the Dallas Township off of Friday Park Road; the areas in the County are zoned I-2 and RS-8; the property in the city limits is zoned I-2; current uses include industrial, residential, and vacant undeveloped parcels; Mr. & Mrs. Clemmer and the Manager of Dallas Industrial Partners Group (Rhyne Floral Access Road property owners) signed the petition supporting the name change; the property to the east owned by Beaufort L. Setzer and others is vacant and has no assigned address; the property owners listing depicts those notified about the Public Hearing; staff did not receive any calls or inquiries about the request.

The application was accompanied by a petition signed by a majority of the property owners; staff confirmed the proposed road name complies with E-911 standards and does not duplicate any existing road names in the County; this concludes the presentation.

Chairman Brown called for comments from the Applicant and for citizen comment.

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Mr. Lane Holbert (Applicant), 2248 Lyndhurst Ave., Charlotte, NC, advised he is one of the partners that purchased the property (formerly the Rhyne Floral complex); Rhyne Floral Access Road is a mouthful; ultimately there will be multiple and different companies in the buildings on the property; the main goal was to change the road name to a simpler one; there are no other parcels that have existing facilities or residences on that road.

Chairman Brown called for questions from the BOC; none was heard.

Chairman Brown declared the Public Hearing closed and called for a motion to approve.

Commissioner Worley introduced the motion to approve and Commissioner Fraley provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-347** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners approve the road name change as follows:

Rhyne Floral Access Road to Interchange Drive

BE IT FURTHER RESOLVED that the County Manager is authorized to make the necessary notifications to the appropriate State and local officials and to change the official records of the County.

Public Hearing - RE: Commissioner Hovis - Historic Preservation Commission - An Ordinance To Designate Southern Cotton Mills-Osage Manufacturing Located at 201 S. 12th Street, Bessemer City, NC, Gaston County as a Historic Property Pursuant to Part 4, Chapter 160D of the General Statutes of North Carolina

Chairman Brown introduced Mrs. Lucy Penegar, Vice-Chairman of the Historic Preservation Commission (HPC), for comments.

Mrs. Penegar, on behalf of Mr. Robert Carpenter, HPC Chairman, advised the Southern Cotton Mill was built in 1895 at 201 S. 12th St., Bessemer City, NC; many additions have occurred over the years; its location (near downtown and the railroad) created a successful economic community driver from 1895-1964; the textile industry was critical to growth in the County; only one of two mills remain in Bessemer City; reports indicate it retains good integrity and conveys historic qualities making it an important anchor to the Center City.

Mr. John Askew Smith and partner (J A Pinchback) constructed the mill; when the cotton mill venture went bankrupt, other owners, including prominent Attorney Stonewall Jackson Durham, facilitated restructuring the operation and made it successful; the Reeves Brothers purchased the mill in 1928 and maintained ownership for 67 years; it is now known as the Osage Mills; the designation report depicts many pictures, quality of workmanship, structural integrity and its economic impact.

The HPC unanimously approved its designation on July 19th and forwarded a report to Raleigh for review; Raleigh responded on August 19th concurring with the designation due to its central industrial and commercial development role in the late 19th and early 20th century; the HPC

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recommended it to the Bessemer City Council who were excited about doing it; the HPC is presenting it to the BOC for consideration as a local historic designated property.

Chairman Brown called for comments from the Applicant and for citizen comment; hearing none, called for comments from the BOC.

Commissioner Hovis advised he has an interest in the property (as a former Reeves Brothers employee for over 25 years); the entity that is remodeling it has acquired building permits and is performing work in accordance with County's Building Inspections; it involves a \$36M investment and will create 170+ homes in the heart (corner of Alabama Ave. and 12th St.) of Bessemer City; Mr. John Smith also built the first church (First United Methodist Church) in Bessemer City; a lot of history is associated with this building.

The City has been diligently working to find an individual to do this; it has taken six years of work and a lot of patience. In conclusion, he voiced his support of the City Council, developers and the project.

Hearing no further comments, Chairman Brown declared the Public Hearing closed.

Commissioner Hovis introduced the motion to approve and Commissioner Worley provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-348**, as filed with the Clerk to the Board, effective upon its passage, and to be set forth in the Gaston County Code of Ordinances as follows:

WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in Part 4, Chapter 160D of the General Statutes of North Carolina have been met; and,

WHEREAS, the Bessemer City Council has taken into full consideration all statements and information presented at the public hearing held on the 12th day of September 2022; and,

WHEREAS, the Board of Commissioners of Gaston County has also taken into full consideration statements and information presented at a public hearing held with the Gaston County Historic Preservation Commission on the 10th day of November 2022; and,

WHEREAS, the structure known as Southern Cotton Mills-Osage Manufacturing located at 201 South 12th Street, stands as an excellent example of industrial and commercial development from 1895-1964 that rises above other examples of the style in Bessemer City; and,

WHEREAS, the Gaston County Historic Preservation Commission has demonstrated the historic significance of the building and property and the North Carolina Department of Archives and History has given its suggestions to the nomination of Southern Cotton Mills-Osage Manufacturing.

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners:

1. That the building and property known as the Southern Cotton Mills-Osage Manufacturing located at 201 South 12th Street, Bessemer City, Crowder's Mountain Township, North Carolina, is hereby designated as historic property pursuant to Part 4, Chapter 160D of the General Statutes of North Carolina. For the purpose of description only, described as following:

BEGINNING at a rebar found at the intersection of the western margin of the 60 foot public right of way of South 11th street with the northern margin of the 80 foot public right of way of East Alabama Avenue in Bessemer City, North Carolina; running thence with the

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northern margin of the right of way of East Alabama Avenue North 76°01'37", West 600.00 feet to calculated point at the intersection of the northern margin of the right of way of East Alabama Avenue with the eastern margin of the 60 foot public right of way of South 12th Street; thence with the eastern margin of the right of way of South 12th Street North 14°04'37", East 478.45 feet crossing over railroad tracks to rebar set North of the railroad tracts; thence South 75°57'02" East 600.00 feet to a rebar set in the western margin of the right of way of South 11th Street; thence with the western margin of the right of way of South 11th Street South 14°04'37" West 477.65 feet to the POINT AND PLACE OF BEGINNING, and containing 6.585 acres, more or less, 1.563 acres of which fall within the Southern Railroad right of way.

The description is based on the survey entitled "A Boundary & Topographical Survey Showing #201 South 12th Street (at the intersection of East Alabama Avenue)" for Green Card Gateway Regional Center by Carolina Surveyors, Inc. dated August 9, 2016.

Being a portion of the property conveyed to Osage Mill Residential L.P. by deed dated February 23, 2018, and recorded February 26, 2018, in Deed Book 4962 at Page 1835 in the Gaston County Registry.

2. That said building and property may not be demolished, materially altered, remodeled, or removed until three hundred sixty-five days' written notice of the owner's proposed action has been given to the Gaston County Historic Preservation Commission.
3. That nothing in this ordinance shall be construed to prevent ordinary maintenance or repair of any architectural exterior feature in or on the said building or property that does not involve a change in design, material, or other appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that said action is required for public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owners from making any use of this property not prohibited by any other statutes, ordinances, or regulations.
4. That a suitable sign shall be posted indicating the said building and property designated as a historic property and containing any other appropriate information. If the owner consents, the sign shall be placed upon the said building or property. If the owner objects, the sign will be placed on a nearby public right-of-way.
5. That the owner and occupant of the building and property known as Southern Cotton Mills-Osage Manufacturing of Bessemer City, Crowder's Mountain Township be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the County Clerk, Gaston County Register of Deeds, Building Inspection Department, and Tax Supervisor as required by law.

Chairman Brown announced that the Public Hearings had concluded.

Agenda Revision/Approval

Chairman Brown introduced the motion to approve and Commissioner Keigher provided the second. He called for Commissioner Johnson's voice vote and for the vote from the remaining members (via show of hands) and the BOC unanimously approved the Agenda of November 10, 2022.

Citizen Recognition

Councilman Robert Kellogg, Gastonia City Council, 1652 Lowell Bethesda Rd., Gastonia, NC, commented on the BOC's continued support of the *Homelessness Taskforce in Gaston County* it originally implemented in March 2021 to review information, data, testimony, and expert advice to

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develop a plan to end homelessness in the County, and for the continued work of the committee. He also thanked Commissioner Philbeck for leading the Task Force and County staff and others that stepped up to make a difference via passion and hard work. He noted the County has become an example statewide on how a collaborative effort of stakeholders and people can come together and make a difference in the lives of its vulnerable residents. He thanked the BOC for having the political courage to do what it has done and continues to do, and for doing real things that impact the lives of people in the County.

Consent Agenda

Commissioner Hovis introduced the motion to approve and Commissioner Keigher provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved the Consent Agenda as follows:

2022-349 Commissioner Brown - BOC - To Revise the Gaston County Board of Commissioners' (BOC) 2022 Regular Meeting Schedule to Reschedule the time of the December 13th Combined Work Session and Regular Meeting from 6:00 PM to 5:00 PM

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board Commissioners, in accordance with N.C.G.S §143-318.12(a), hereby revises the 2022 BOC Meeting Schedule to reschedule the time of the December 13, 2022 Combined Work Session and Regular Meeting from 6:00 PM to 5:00 PM.

2022-350 Commissioners Keigher & Worley - Budget & Strategy - Administrative Correction - To Correct Fiscal Year to Reflect FY23 for Resolution 2022-013, Adopted 1/25/2022 - Accepting and Appropriating a Governor's Crime Commission Grant Awarded to Gaston County with Gaston College Campus Police as the Sub-Recipient (\$24,240) per Budget Change Request:

Account Description	Account Number	Amount
2021 GCC JAG: College Police	1000-FIN-140-00000-000000-000000-0000-01-410000-22538	(24,240.00)
2021 GCC JAG: College Police	1000-FIN-140-00000-000000-000000-0000-01-570006-22538	24,240.00

2022-351 Commissioner Brown - County Manager - Proclamation - To Proclaim November 12-20, 2022 as Hunger and Homelessness Awareness Week in Gaston County

2022-352 Commissioner Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of November 2022 as Adoption Awareness Month

2022-353 Commissioner Worley - Finance - To Amend Gaston County ARPA Grant Project Ordinance 2021-264 to Approve and Appropriate Project Funding for the Revenue Replacement (\$10,000,000) as follows:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF). Gaston County has received the full \$43,612,126 allocation of CSLRF funds. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff

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2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The following amounts are appropriated for the project and authorized for expenditure:

CSLRF Project	\$43,612,126*
Project Allocations	
• FJC Program Project	\$ 300,000 - Amended 06/28/2022
• Grants Manager Position	\$ 676,887 – Amended 04/26/2022
• Short-term Emergency Housing Assistance	\$ 250,000 - Approved 01/11/2022
• Cherryville Park Design	\$ 200,000 - Approved 03/22/2022
• North Belmont Park Waterline Extension	\$ 300,000 – Approved 04/26/2022
• Lowell Elementary School Waterline Extension	\$ 22,940 - Approved 09/27/22
• Chapel Grove Elementary Waterline Extension	\$ 472,000 – Approved 04/26/2022
• Tryon Elementary Waterline Extension	\$ 500,000 – Approved 04/26/2022
• Courthouse Video Arraignment System	\$ 136,313 – Approved 07/26/2022
• ARPA Project Coordinator (2 positions)	\$ 1,155,967 – Approved 07/26/2022
• Revenue Replacement (Standard Allowance)	\$10,000,000
Remaining Available CSLRF Project	\$29,598,019

[*Once it is determined how we will spend all or a portion of the ARP funds, the governing board will amend this section to authorize appropriations for specific programs, services, projects, and activities. The Board may also appropriate some or all of these funds to an enterprise fund in an annual budget ordinance for a water, wastewater, or stormwater infrastructure project.]

Section 3: The following revenues are anticipated to be available to complete the project:

CSLRF Funds	\$43,612,126
• ARPA: Family Justice Center	\$ 300,000 - Amended 06/28/2022
• Grants Manager Position	\$ 643,546 - Amended 04/26/22
• Grants Manager Position	\$ 33,341 – Amended 04/26/22
• Short-term Emergency Housing Assistance	\$ 250,000 - Approved 01/11/2022
• Cherryville Park Design	\$ 200,000 – Approved 03/22/2022
• North Belmont Park Waterline Extension	\$ 300,000 – Approved 04/26/2022
• Lowell Elementary School Waterline Extension	\$ 22,940 – Approved 09/27/22
• Chapel Grove Elementary Waterline Extension	\$ 472,000 – Approved 04/26/2022
• Tryon Elementary Waterline Extension	\$ 500,000 – Approved 04/26/2022
• Courthouse Video Arraignment System	\$ 136,313 – Approved 07/26/2022
• ARPA Project Coordinator (2 positions)	\$ 1,155,967 – Approved 07/26/2022
• Revenue Replacement (Standard Allowance)	\$10,000,000
Remaining Available CSLRF Project	\$29,598,019

Section 4: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 5: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 6: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to County Commissioners.

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Section 7: This grant project ordinance expires on December 31, 2026, or when all the CSLRF funds have been obligated and expended by the County, whichever occurs sooner.

and per Budget Change Request:

Account Description	Account Number	Amount
FedGrtRev: ARPA Std Allow	1000-NDP-000-00000-000000-0000000-0000-02-410000-AR013	\$ (10,000,000.00)
Transfer to CIF	1000-NDP-000-00000-TrfxTo-0000000-0000-98-584000	\$ 10,000,000.00
Salaries: ARPA Std Allow	1000-GPD-000-000000-000000-0000000-0000-02-510001-AR013	\$ 2,760,955.00
Departmental Chargeback	1000-GPD-000-000000-000000-0000000-0000-02-530031-	\$ (2,760,955.00)
Salaries: ARPA Std Allow	1000-SHF-000-000000-000000-0000000-0000-02-510001-AR013	\$ 3,548,682.00
Departmental Chargeback	1000-SHF-000-000000-000000-0000000-0000-02-530031-	\$ (3,548,682.00)
Salaries: ARPA Std Allow	1000-EMS-000-000000-000000-0000000-0000-02-510001-AR013	\$ 3,690,364.00
Departmental Chargeback	1000-EMS-000-000000-000000-0000000-0000-02-530031-	\$ (3,690,364.00)
Transfer From General Fund	4000-NDP-000-00000-TrfxFr-0000000-0000-98-481000-	\$ (10,000,000.00)
Future Capital Expenditures	4000-NDP-000-00000-000000-0000000-0000-01-540009-	\$ 10,000,000.00

2022-354 Commissioner Fraley - GEMS - Approval for Sole Source Purchase of MCI Trailer with Dual Axle from Mickey Truck Bodies (\$120,777)

2022-355 Commissioner Brown - Hope United Survivor Network - To Accept and Appropriate Current FY23 Donations for the Cathy Mabry Cloninger Center, The Lighthouse and Hope United Survivor Network Along with Reverted Donations from FY22. The Total Amount of These Donations is \$28,824.91 per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	1000-NDP-000-00000-FBApro-0000000-0000-99-490000-	(\$14,694.87)
Donations & Gifts	1000-CSS-291-29102-000000-0000000-0000-05-445004-	(\$2,820.73)
Donations: Battered Spouse Shelter	1000-CSS-291-29102-000000-0000000-0000-05-520019-08162	\$17,515.60
Fund Balance Appropriated	1000-NDP-000-00000-FBApro-0000000-0000-99-490000-	(\$6,137.25)
Donations: HUSN	1000-CSS-291-00000-000000-0000000-0000-05-520019-22218	\$6,137.25
Fund Balance Appropriated	1000-NDP-000-00000-FBApro-0000000-0000-99-490000-	(\$4,677.00)
Donations & Gifts	1000-CSS-291-29103-000000-0000000-0000-05-445004-	(\$495.06)
Donations: CAC	1000-CSS-291-29103-000000-0000000-0000-05-520019-16282	\$5,172.06

2022-356 Commissioner Worley - Library - Administrative Correction - To Correct Budget Change Request for Resolution 2022-255 Adopted at 8/23/2022 BOC Meeting per Budget Change Request:

Account Description	Account Number	Amount
FedGrtRev: ARPA St Aid to Libr	1000-LIB-000-00000-000000-0000000-0000-04-410000-AG014	(90)
F/E<\$5k ARPA State Aid to Libr	1000-LIB-000-00000-000000-0000000-0000-04-520020-AG014	90

2022-357 Commissioner Hovis - Police Department (Animal Care and Enforcement) - To Accept and Appropriate Donation Received from Bissell Pet Foundation for a Empty the Shelters Event (\$1,580) per Budget Change Request:

Account Description	Account Number	Amount
Donations and Gifts	1000-GPD-200-00000-000000-0000000-0000-02-445004	[1,580.00]
Professional Services	1000-GPD-200-00000-000000-0000000-0000-02-530010	1,580.00

2022-358 Commissioner Philbeck - Public Works - To Award a Construction Contract to Shamrock Environmental Corporation and Authorize the County Manager, or Her Designee, to Execute the Necessary Contracts for Unit III Site Grading at the Gaston County Landfill (\$1,789,670.00) per Budget Change Request:

Account Description	Account Number	Amount
Landfill Unit Permit/Construction	6000-SWS-380-00000-000000-0000000-0000-08-540006-20019	(\$220,000)
ProfScvs: LF Unit III	6000-SWS-380-00000-000000-0000000-0000-08-530010-20019	\$220,000

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2022-359 Commissioner Keigher - Public Works - To Award a Construction Contract to Davco Roofing & Sheet Metal, LLC, and Authorize the County Manager, or Her Designee, to Execute the Necessary Contract Documents for Roof Replacement at the York Chester Plaza (\$550,200)

2022-360 Commissioner Johnson - Sheriff's Office - To Appropriate Funding for Inmate Off-Site Medical Expenses (\$480,000) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	1000-NDP-000-00000-FBApro-0000000-0000-99-490000-	(480,000)
Professional Services	1000-SHF-210-00000-0000000-00000000-0000-02-530010-	480,000

2022-361 Commissioner Johnson - Sheriff's Office - To Authorize Northpointe, Inc. as the Sole Source Provider for the Purchase of Inmate Classification Management Software (\$65,460)

Other Matters

None.

Chairman Brown announced that the BOC voted under Consent Agenda to move the time of the December 13 combined Work Session/Regular Meeting from 6 pm to 5 pm; the Induction Ceremony/Organizational Meeting will be held on December 5 at 9 am.

Recognition of Sheriff Cloninger Upon his Retirement

Chairman Brown took a Point of Personal Privilege to invite Sheriff Cloninger to the podium and presented as follows:

Tonight, I would like to take a minute for our Board to publicly thank our outgoing Sheriff for his many years of service to our residents. We're going to bring him up here so we can talk just a little about his long career. Sheriff Cloninger has been in law enforcement going back to the 1970s, when he served with the Dallas PD and then for six years at the Gaston County PD as a patrol officer. He'd later become the Jail Administrator for the Sheriff's Office after spending time on a law career, before serving the last 18 years as Sheriff. Sheriff Cloninger has overseen a needed jail expansion and has represented our County well at the North Carolina Sheriff's Association and other organizations in our state. His passion for helping victims of domestic violence (as well as others) is well known (across the state as well as here in Gaston County) and he has produced top-caliber leaders in the Sheriff's Office, including our own Commissioner Johnson. We want to thank you for all the years of service you have put in (the effort), and (we) wish you the very best in your retirement.

Chairman Brown advised the Sheriff has done an outstanding job leading the County's community, keeping it safe and running the jail; his leadership has been impeccable, and he thanked him for being his mentor. He introduced the Sheriff for comments.

Sheriff Cloninger stated it is the eve of Veteran's Day and is the Marine Corps birthday, which the Sheriff's Office has recognized every year with an annual celebration. He noted it is important to remember our veterans and added he would not be wearing his uniform if it was not for the sacrifice of those that died or were wounded in combat. Being the top law enforcement officer in the County has a lot of responsibilities and is not a one man show. He recognized the men and women in the Sheriff's Office, along with other County law enforcement officers that do their jobs well and added

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we should all be thankful we have them. He stated this isn't about him but is about providing the citizens of the County the best protection and understanding as the citizens' duly elected law enforcement officer. He reiterated that the hard work of other law enforcement officers, firemen, rescue and emergency medical staff makes the Sheriff's job easy. He concluded that it is an honor the Board wants to talk about the Sheriff, but it is more important to remember the men and women in public safety that suit up every day and run in while everyone else runs out.

Commissioner Johnson stated that she learned a lot from the Sheriff's leadership, guidance and their close friendship over the many years that she has known him. When he was elected, she knew he was going to be a great Sheriff, and he has been. She expressed her thanks for their friendship and for the experience she gained while working for him over the years.

Commissioner Fraley thanked the Sheriff for his many years of service; stated he has enjoyed working with him and wished him well in his retirement. He added that he knew he would not truly be retired, but would continue to help other people as he always has.

Commissioner Worley thanked the Sheriff on behalf of the citizens and noted that he is a friend to many. He noted his appreciation for the Sheriff's commitment to the County and State, adding that he is looked up to as a leader by many of his peers across the State. He thanked him for his friendship, dedication, accessibility and for being the most visible elected representative in the County. He thanked his wife, Cathy, for her support over the years.

Commissioner Hovis stated the Sheriff has brought "value" to the citizens and has shown leadership, vision, innovation, and a level of change management that is unsurpassed during his tenure as Sheriff. He spoke of his many contributions, the results created under his leadership, and expressed his appreciation for his service to Gaston County citizens.

Commissioner Keigher stated that he hated to see the Sheriff go and that it had been a long ride; he noted his appreciation for the Sheriff's service over the years and for his genuine concern and friendship for him and for his family. He commended him and noted that he has done things right; that to be elected as a Democrat in this County is a testament to his ability and success for making friends across the aisle. He wished him well and stated that he is certain he will see him around.

Chairman Brown thanked the Sheriff for his integrity. He recounted personal examples of his genuine friendship over the years. He thanked him for his mentorship, which meant more than anything he could have ever asked of the Sheriff over the years.

Sheriff Cloninger stated that his wife, Cathy, has supported him the whole time; it is the family of the men and women in law enforcement that stand behind them. In response to Tom's comments, he stated he has never based a decision on party affiliation but on what he believed was best for the citizens of the County – from the 287g Program, to handgun issues, and to drug treatment for inmates. In closing, he stated that it is not about him, but about the men and women who do this work every day, who have helped to make his career a success.

Commissioner Recognition – Commissioner Tracy L. Philbeck

Chairman Brown advised that Commissioner Philbeck was unable to attend; his Service Awards will be forwarded to him. He thanked Commissioner Philbeck for his friendship, his time on the Board and for his leadership.

Appointments

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Council on Aging/Home and Community Care Block Grant Advisory Committee**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Worley	Commissioner Keigher	Ms. Cathy Kenzig	November 30, 2025
Commissioner Keigher	Commissioner Fraley	Ms. Vivian Eichelberger	November 30, 2025

On motion introduced by Commissioner Hovis and seconded by Commissioner Keigher, the BOC unanimously appointed Mr. Michael B. Collins to the **Workforce Development Board** to an unexpired term ending May 31, 2024.

On motion introduced by Commissioner Keigher and seconded by Commissioner Fraley, the BOC unanimously reappointed Ms. Clare Charzewski to the **Library Board of Trustees** to a term ending November 30, 2028.

On motion introduced by Commissioner Keigher and seconded by Commissioner Fraley, the BOC unanimously appointed Mr. Jay Falls to the **Gaston County Board of Adjustment** to an unexpired term ending July 31, 2023.

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Quality of Natural Resources Committee**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Brown	Commissioner Keigher	Dr. Steven Tracy	October 31, 2025
Commissioner Brown	Commissioner Keigher	Mr. Johnny Denton	October 31, 2025

On motions introduced by Commissioner Hovis and seconded by Commissioner Worley, the following individuals were unanimously appointed/reappointed to the **Fireman's Relief Fund Trustees** to terms ending November 30, 2024:

Mr. Bobby Bridges	Mr. Joshua Brown	Ms. Rebekah Flanary	Ms. Dora Groves
Mr. Richard Harris	Mr. Michael Hoover	Mr. David Lynn	Mr. Jim Pasour
Mr. David Allen Robinson	Mr. Jefferey Snuggs	Mr. Ricky Worley	

Commissioners Committee Reports

No reports.

Commissioner Keigher congratulated everyone that was on the electoral ballot.

Chairman Brown congratulated Commissioner Keigher on the birth of his granddaughter.

COMMISSIONER'S COURT

NOVEMBER 10, 2022

GASTON COUNTY, NORTH CAROLINA

County Manager's Report

No report.

County Attorney's Report

No report.

Chairman Brown - Re: Veterans Day: Thanked all Veterans worldwide for their service, guidance and love for our flag and country.

Adjournment

Chairman Brown called for a motion to adjourn.

Commissioner Hovis introduced the motion to adjourn and Commissioner Keigher provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously adjourned the Rescheduled Regular Meeting of November 10, 2022 at 7:17 pm.

(All aforementioned documents are on file with the Clerk to the Board.)

Chad Brown, Chairman
Gaston County Board of Commissioners

Angela Stacks
Deputy Clerk to the Board

Donna S. Buff
Clerk to the Board

SEAL

GASTON COUNTY, NORTH CAROLINA

Offgoing Commissioner Service Awards – Tracy L. Philbeck

WHEREAS, the Gaston County Board of Commissioners accepted the Gaston County Republican Party's nomination of Tracy Lorne Philbeck on January 15, 2009 to complete the term of the Dallas Township Commissioner and he received the Oath of Office on January 22, 2009. The Citizens of Gaston County elected him to the Gaston County Board of Commissioners in November 2010, and reelected him in 2014 and 2018; and,

WHEREAS, Commissioner Philbeck was elected Vice-Chairman of the Board on December 6, 2010, December 15, 2011 and December 3, 2012 and Chairman of the Board on December 10, 2013, December 1, 2014, December 3, 2018 and December 10, 2019; and,

WHEREAS, in his official capacity, Commissioner Philbeck diligently served the County, Region and State and many other affiliate organizations including:

- CaroMont Health/Gaston Memorial Hospital Board
- Charlotte Douglas International Airport Commission
- Charlotte Regional Partnership
- Commission on the Family / Family Advisory Board
- Consolidated Human Services Selection Subcommittee
- County Attorney Search Committee
- Economic Development Commission
- Emergency Medical Services Committee
- Farmer's Market Advisory Board
- Gaston College Board of Trustees
- Gaston Family Health Services, Inc. Board of Directors (GFHS)
- Intergovernmental and Interagency Taskforce on Homelessness - Chairman
- Partnership for Children of Lincoln/Gaston Counties – Board of Directors
- Mental Health/DD/SA Gaston-Lincoln-Cleveland Area Authority "Pathways"
- North Carolina Association of County Commissioners Liaison
- North Carolina Association of County Commissioners Steering Committees: Justice & Public Safety, Public Education & Community & Economic Development
- North Carolina Rural Infrastructure Authority
- Dallas Rescue Squad
- Least of These of Gaston County
- The Dream Center of Gaston County
- The Children's Advocacy Center of Gaston County

WHEREAS, a lifelong citizen of Gaston County, Commissioner Philbeck's commitment to minimizing the financial impact of County government was coupled with a genuine desire to address the many challenges facing Gaston County citizens. During his tenure, he readily sponsored and advocated for visionary approaches to complex problems. He brought forward a Small Business Incentive Grant to combat the effects of an economic downturn and to induce business expansion in Gaston County. At the onset of the COVID-19 pandemic, he advocated for the establishment of the Gaston County Capital and Relief Expansion (CARE) Plan to support County's citizens, businesses, and the overall local economy during the public health emergency; and,

WHEREAS, Commissioner Philbeck often challenged the status quo when addressing multifaceted issues. He led the charge in the consolidation of the Department of Health and Human Services. He actively supported the pursuit of technological advances in meeting digitization, livestreaming, and paperless agendas. He was a vocal proponent of education and school safety initiatives, while advocating for budgetary accountability and transparency within Gaston County Schools; and,

WHEREAS, Commissioner Philbeck's core beliefs were ever-present in his advocacy on behalf of the most vulnerable segments of our community. He sought out progressive solutions for the many challenges facing the children of Gaston County, military veterans, the elderly and the homeless population. In 2021, he chaired the Intergovernmental and Interagency Homelessness Taskforce to study and address the persistent homeless crisis in Gaston County.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners, on behalf of the citizens of Gaston County, commends and extends its grateful appreciation to

Tracy Lorne Philbeck

for his many years of dedicated service to the people of Gaston County in the performance of his elected duties as a Commissioner and for his strategic vision, enthusiasm and dedication to making Gaston County a better place to live.

Tray Inscription

THE CITIZENS OF GASTON COUNTY
EXPRESS SINCERE GRATITUDE AND APPRECIATION
FOR THE DEDICATED SERVICE OF

TRACY L. PHILBECK

GASTON COUNTY COMMISSIONER – DALLAS TOWNSHIP
2009 – 2022

CHAIRMAN OF THE BOARD

DECEMBER 10, 2013 – DECEMBER 1, 2014
DECEMBER 1, 2014 – DECEMBER 8, 2015
DECEMBER 3, 2018 – DECEMBER 10, 2019
DECEMBER 10, 2019 – DECEMBER 7, 2020

Gavel Plaque Inscription

Commissioner Tracy L. Philbeck
Gaston County Board of Commissioners
January 22, 2009 – December 5, 2022

Chairman of the Board
DECEMBER 10, 2013 – DECEMBER 1, 2014
DECEMBER 1, 2014 – DECEMBER 8, 2015
DECEMBER 3, 2018 – DECEMBER 10, 2019
DECEMBER 10, 2019 – DECEMBER 7, 2020