

ADOPTED

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Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

SEPTEMBER 26, 2017

The Gaston County Board of Commissioners (BOC) met in Regular Session on September 26, 2017 at 6:00 pm, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Chad Brown presided with Commissioners Ronnie Worley, Vice-Chairman; Allen R. Fraley, Don Grant, Bob Hovis and Tracy L. Philbeck in attendance.

Commissioner Tom Keigher was not in attendance.

Others present included Earl Mathers, County Manager; Charles L. Moore, County Attorney; and Donna S. Buff, Clerk to the Board.

Upon request of Chairman Brown, Commissioner Philbeck led those assembled in the Invocation and Commissioner Hovis led in the Pledge of Allegiance.

Public Hearings - City of Belmont – 1) Belmont Board of Adjustments; Belmont Planning and Zoning Board ETJ

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

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously entered into Public Hearings.

Chairman Brown reported that one position was available on the Belmont Board of Adjustments; application was received from Mr. Vernon Abernathy as recommended by the Belmont City Council, to serve as an extraterritorial jurisdiction representative. The Chairman called for any additional applications or comments.

Commissioner Philbeck explained his opposition to ETJs and reason for voting against ETJ appointments.

Hearing no further comments, Chairman Brown called for a motion to approve.

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC reappointed Mr. Vernon Abernathy to the **Belmont Board of Adjustments** to a term ending April 30, 2018.

The motion carried as follows:

AYES: Commissioners Fraley, Brown, Hovis, Worley, Grant

NAY: Commissioner Philbeck

ABSENT: Commissioner Keigher

Chairman Brown called for a motion to continue the Public Hearing to the next Regular Meeting in order to allow enough time for the Belmont City Council to hold their public hearing for the Planning Board ETJ appointment.

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On motion introduced by Chairman Brown and seconded by Commissioner Hovis, the public hearing was continued to the October 26th Regular Meeting.

Parks and Recreation Comprehensive Master Plan Presentation

Ms. Cathy Hart, Parks and Recreation Director stated the intent of the plan is to guide the County's decisions on parks for the next ten years. She introduced Mr. Derek Williams with Benesch for the presentation of the Parks & Recreation Master Plan, which is to be adopted as part of the Consent Agenda.

Mr. Derek Williams, Benesch, provided slides and presented as follows:

- Benesch has worked with staff and the Parks and Recreation Advisory Board for the past eight months in the development of the plan
- 5-step planning process largely driven by the public
- 10-year plan broken into 5-year increments, with the first five years being the highest priority; primary focus was County parks but also included a collaborative process with County municipalities in order to avoid duplication of services and facilities (over half of the County's population is living in a municipality that has a Parks and Recreation department)
- Step One – performed an inventory of existing parks throughout the County and created a Gaston County parks, recreation and greenways map: 70 municipal parks with over 1,200 acres of land; County has 9 parks on almost 1,000 acres of land; County has joint-use opportunity with 10 school sites on 100 acres of land - totaling 2,400 acres of park land; Crowders Mountain increases the total to over 5,000 acres of park land in the County. There is good distribution but there needed improvements including ADA issues. The service population (currently at 217,000) was studied and the 10-year plan was designed to adapt to projected population growth of approximately 20,000 people
- Step Two – Public Input – approximately 600 people provided input through an online survey (over 500 participants) and two public workshops. Key findings: existing parks are heavily used and valued; Dallas Park and George Poston Park are the most used facilities; there is a strong demand for expansion/improvement of facilities
- Step Three – Development of Standards – inventory information was overlaid with the public input; park standards were developed for mini-parks, neighborhood parks (municipality focus), community parks, district parks, and regional parks & greenways (County focus)
- Step Four – Needs Assessment – included both facilities and park acreage and needs for both County and municipalities. The assessment determined there is a strong demand for walking trails and greenways; a need to expand facilities that support family recreation; an interest in trending recreation facilities such as splash pads and community gardens; need for additional soccer fields and other athletic facilities
- Step Five – Plan of Action -
 - Park Needs:
 - Develop several new mini parks and neighborhood parks (municipalities)
 - Existing community parks are currently meeting needs of County residents
 - Acquire land and develop new district park (100 acres) located in northeast area of County (Stanley area) within next ten years

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Recreation Facility Needs – there are needs for every type of recreation facility with emphasis on multi-use fields, playgrounds, picnic areas and splash pads (County and municipalities).

Special Use Facilities

- Recommend the construction of several spray grounds (one is planned for Dallas park) and include splash pads in other parks in the future
- Expand greenway trails – strong demand for walking, jogging and biking

Park needs (10-year plan)

- Renovate existing park areas
- Improvements to Senior Center
- Encourage development of additional infrastructure at Crowders Mountain State Park
- Expand building and grounds staff to maintain expanding park system

Park Development Priorities and Order of Magnitude Costs – recommended capital improvement budget (\$18M):

- Renovation of existing parks (capital improvements/land acquisition) - \$8.5M; development of additional spray grounds; \$275k improvements to Senior Center; ADA improvements
- Acquisition of land and development of new northeastern district park - \$2.75M
- Construction of 3-5 miles of new greenways - \$5M (improvements/expansion).

Commissioner Fraley requested an update on the renovations that were approved from the CaroMont lease proceeds.

Ms. Hart stated that improvements were made to the Dallas Park to mitigate the gas line issue; received an update that the gas company is verbally committed to the plan; should be bringing plans to the BOC in November. The renovations include a splashpad, dog park with water access, multi-purpose soccer/lacrosse/rugby field, fitness pavilion, walking trails, and a shade structure over the existing playground.

Mr. Josh Taylor, Chairman of the Parks and Recreation Advisory Board, provided the Board with an update on the new ADA trail section of the park and the future plans for additional trails.

Chairman Brown suggested that the CaroMont lease proceeds be used as matching funds for the PARTF (Parks and Recreation Trust Fund) grant.

Agenda Revision/Approval

- ADDED/ Commissioner Worley - Budget/Purchasing - To Accept and Appropriate a Grant Award from the US Department of Justice Office on Violence Against Women in the Amount of \$333,490.00 – V.,I.
- DELETED/ Commissioner Worley - To Approve the Requested Change of Scope for the Lowell Township Grant Funding – VI.,E.
- MOVED to Non-Consent/ Commissioner Grant - Fire Marshal - To Approve a Certificate of Need for Spencer Mountain Road VFD to Obtain Financing (\$82,500) to Purchase Land to Construct a New Fire Station as Unanimously Approved by the Fire Advisory Board on August 23, 2017

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On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously approved the Agenda of September 26, 2017 with changes as noted above.

Approval of Minutes

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously approved the Minutes of the Regular Meeting of August 22, 2017 and the Special Meeting of September 12, 2017.

Citizen Recognition

Ms. Linda Mauney of Life Chain of Gaston County advised this year's Life Chain one-hour event will be held on Sunday, October 1st, 2-3:00 PM at three different locations: Belmont, Mt. Holly and Gastonia.

Consent Agenda

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously approved the Consent Agenda as follows:

- 2017-205 Commissioner Brown - BOC - Proclamation - To Commemorate the Events of September 11, 2001**
- 2017-206 Commissioner Brown - BOC - Proclamation - To Proclaim September 17-23, 2017 as Constitution Week**
- 2017-207 Commissioner Brown - BOC - Proclamation - To Proclaim October as Long-Term Care Residents' Rights Month**
- 2017-208 Commissioner Keigher - BOC - Commendation - To Commend Mended Hearts Gastonia Chapter 379 Upon Being Presented the President's Cup Award as the Most Outstanding Large Chapter in the Nation**
- 2017-209 Commissioner Keigher - BOC - Commendation - To Commend Gaston Day School on its 50th Anniversary**
- 2017-210 Commissioner Keigher - BOC - Commendation - To Commend Shining Hope Farms on its 15th Anniversary**
- 2017-211 Commissioner Worley - BOC - Proclamation - To Proclaim October 23-31, 2017 as Red Ribbon Week**
- 2017-212 Commissioner Philbeck - BOC - Proclamation - To Proclaim October 6, 2017 as Textiles Day**

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2017-213 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate a Grant Award from the US Department of Justice Office on Violence Against Women in the Amount of \$333,490.00 per Budget Change Request:

Account Description	Account Number	Amount
2017 OVW Transitional Housing	010-01-4131-4131-420000-18592	(\$333,490)
2017 OVW Transitional Housing	010-01-4131-4131-560000-18592	\$333,490

2017-214 Commissioner Brown - Cooperative Extension - To Accept and Appropriate \$7,151 in NC Department of Insurance Grant Funding for the SHIIP Programming per Budget Change Request:

Account Description	Account Number	Amount
SHIIP:Sr Health Ins Info	010-07-4950-4950-425023	[7151.00]
SHIIP Grant	010-07-4950-4950-560000-18590	7151.00

2017-215 Commissioner Brown - Cooperative Extension - To Accept and Appropriate \$1,775 in 4-H Camp Fees per Budget Change Request:

Account Description	Account Number	Amount
4H Fees	010-07-4950-4952-410009-	[1775.00]
4-H Programs	010-07-4950-4952-560000-16276	1775.00

2017-216 Commissioner Brown - Cooperative Extension - To Accept and Appropriate \$350 in Extension Workshop Fees per Budget Change Request:

Account Description	Account Number	Amount
Coop Ext Serv Special Project	010-07-4950-4950-415013	[350.00]
Fee Based Prog-Food/Supplies	010-07-4950-4950-560000-15226	350.00

2017-217 Commissioner Brown - DHHS (ACCESS Division) - Approval of FY2017-2018 Gaston County ACCESS System Safety and Security Plan (No Funding Impacted Herein)**2017-218 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate Child Support Incentive Funds (\$47,500) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	020-99-9900-0000-490000	(47,500)
Equipment & Furniture < \$5,000	020-05-4790-0000-540001-	47,500

2017-219 Commissioner Brown - Economic Development Commission - Proclamation - To Proclaim October 2-6, 2017 as Manufacturing Week in Gaston County**2017-220 Commissioner Worley - Emergency Management - To Accept and Appropriate a Duke Energy Grant (\$30,000) per Budget Change Request:**

Account Description	Account Number	Amount
Emergency Assistance Duke Energy	010-02-4330-0000-415007-	(\$30,000)
FY18 Duke Energy Funds	010-02-4330-0000-560000-18124	\$30,000

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2017-221 Commissioner Grant - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should Be Recorded in the Board's Minutes. (VTS Refunds - \$4,249.88) as follows:

Gaston County, North Carolina Listing of Property Tax Refunds Less Than \$100.00 for Vehicles
To be Reported at the September 26, 2017 Board Meeting

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
VTS REFUNDS			
Armstrong, William Berkley II	38.51	Lineberger, Khahdja Travette	75.71
Ballard, Tommy Lee	52.71	Losiewicz, Lawrence Robert	6.48
Beane-Hall, Ersell, Lynette	17.49	Lowe, Cynthia Harrelson	28.69
Beaucham, James Robert	60.39	Maldonado, John III	89.03
Beaucham, James Robert	62.65	McGinnis, Clint Ashley	74.89
Beheler, William Richard	67.01	McNeely, Tommy Beam	35.49
Bennett, Randy Franklin	40.89	McNeil, Cynthia Sabetti	80.10
Bloom, Sandi Kneipp	5.06	Mcumber, Kenneth Benjamin Jr	21.47
Bowen, Christina White	15.76	Melia, Jennifer Elizabeth	32.98
Bradham, Kathy Gunnells	19.71	Mitchell, Kenneth Brian	32.24
Brenes, Carlos Alberto	30.14	Mitchell, Kenneth Brian	91.27
Bridges, Jeffrey Scot	52.46	Monk, Angee Welch	60.19
Brown, Ronald Jason	8.62	Moody, Rosemaire Joette	17.63
Broyles, Dallas Anthony-Taylor	48.70	Moore, Terry Wilkins	21.63
Buchanan, Mark Harrison	78.00	Newton, Daryl Keith	85.92
Cagle, Candy Bullard	40.56	Norris, Donald Richard	8.05
Chansamouth, Joseph Bouaphanh	50.21	Patterson, Vivian Heavenr	21.03
Chansourivong, Kristin Mullis	12.01	Porter, Jerry Lee	75.75
Cogdill, Brenda Sessoms	19.60	Provost, Sheridan, Austin	30.87
Collins, Samuel Dwayne	13.21	Reavis, Kelly Moose	48.29
Collins, Samuel Dwayne	15.50	Rental Uniform Service Inc	56.00
Cope, James Christopher	62.37	Rolen, Holden Nathaniel	4.76
Curry, Alan Brent	28.75	Rowland, Zachary Noah	62.98
Dean, Suzanne Carolyn	12.42	Rushing, Alice Payne	24.62
Dewberry, Erin Ann	21.78	Sanders, Terry Lee	59.81
Dickson, David Watt	16.05	Sanders, Alfred Bernard	3.48
Dreamer, Christopher Lee	65.25	Seagraves, Crystal Taylor	89.76
Duncan, Otis IV	27.12	Smith, Gary Donald	56.94
Edwards, Billy Chad	97.07	St Romain, Timothy John Jr	58.59
Ervin, Brittany Carole	50.36	Starnes, Michael Jerome	21.77
Faile, Charles Glenn	70.24	Stover, Timothy Kevin	16.83
Floyd, Chasate Enkeice	67.60	Struble, Eileen Annette	41.61
Foy, Totsie Barnes	22.21	Taylor, Grayson Russell	48.39
George, Kenneth Edward Jr	96.86	Thomas, Ricky Jay	38.13
Gilbert, Justin Frank	83.64	Thomas, Robert Scott	47.18
Goodwin, Edward Alexander	10.75	Thomas, Tamara Baldwin	76.83
Gordon, Sarah Mullinax	12.92	Thompson, Melissa Kim	33.60
Hall, Samuel Nathan	99.43	Torbett, John Alan	20.18
Harbin, Grace Ann	23.85	Trakas, Brittany Moon	46.73
Harbin, Grace Ann	66.62	Trull, Deborah Mauney	86.81
Henry, Patrick Lamar	57.57	Wallace Reeves, Roy John	27.05
Horne, Timothy Keith	8.98	Warlick, David Scott	24.25
Houston, Elizabeth Davis	32.65	Watkins, John Randall Jr	57.43
Hovis, William Curtis	15.23	Wiggins, Jan Stamey	54.79
Howington, Horace	36.53	Wright, James Clay	23.33
Jameson, Cynthia Diane	24.83	Wright, James Edward	11.67
Korte, Kenneth Frederick	78.66	Wright, Timothy Morton	57.64
Korte, Kenneth Frederick	68.25	York, David Ray	39.71
Lane, Douglas Ray	17.36	York, David Ray	89.85
Langley, George Edward	6.91	TOTAL VTS REFUNDS	<u>\$ 4,249.88</u>

2017-222 Commissioner Grant - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Crowder's Mountain Volunteer Fire & Rescue, Inc. (\$28,520.09) per Budget Change Request:

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Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000	(28,520.09)
*Additional Subsidies (A/S)		
Crowder's Mtn. Fire & Rescue (South Gastonia)	028-02-4415-0000-570007	28,520.09

2017-223 Commissioner Worley - Library - To Accept and Appropriate a \$10,000 Gift from the Pearl Dixon Balthis Foundation to the Gaston County Public Library (100% Donation) per Budget Change Request:

Account Description	Account Number	Amount
Gaston Co Public Library Special Gifts	010-04-6110-0000-415002	(\$10,000)
Pearl Dixon Balthis Fund	010-04-6110-6110-560000-12234	\$10,000

2017-224 Commissioner Brown - Parks and Recreation - To Accept and Appropriate a Senior Center General Purpose Grant from Centralina Council of Governments Area Agency on Aging (100% Grant Funds - \$10,939; Required County Match of \$3,646 is included in the Approved Senior Center Budget.) per Budget Change Request:

Account Description	Account Number	Amount
General Purpose Grant	010-04-6130-0000-425086-18589	(10,939)
Senior Center Programming	010-04-6130-0000-560000-18069	(3,646)
General Purpose Grant	010-04-6130-0000-560000-18589	14,585

2017-225 Commissioner Brown - Parks and Recreation - To Accept and Appropriate Sponsorships from the 30th Annual Cotton Ginning Days Festival (\$4,000) per Budget Change Request:

Account Description	Account Number	Amount
Donations	010-04-6120-0000-415001	(\$4,000)
Recreation Programming	010-04-6120-0000-560000-18068	\$4,000

2017-226 Commissioner Brown - Parks and Recreation - To Accept and Appropriate Donations Received from the Gaston Cyclists Annual Dog Days of Dallas Bike Ride to be Used for the Gaston County Senior Center Programs (\$1,951) per Budget Change Request:

Account Description	Account Number	Amount
Donations	010-04-6130-0000-415001	(\$1951)
Special Programming	010-04-6130-0000-560000-18069	\$1951

2017-227 Commissioner Brown - Parks and Recreation - To Formally Adopt the 2017 Gaston County Parks and Recreation Master Plan hereby incorporated by reference and filed with the Clerk to the Board.

2017-228 Commissioner Keigher - Police - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Master Police Officer Mark C. Stewart

2017-229 Commissioner Worley - Sheriff's Office - To Accept Reimbursement from the North Carolina Department of Public Safety Governor's Crime Commission (\$57,750.82) per Budget Change Request:

Account Description	Account Number	Amount
GCC 2015 STATE BODY CAMS GRANT	010-02-4315-4315-420001-18556	{57,750}
FY 2012 CIVIL PROCESS FUNDS	010-02-4315-4315-560000-12109	39,848
FUND BALANCE APPROPRIATED	010-99-9900-0000-490000	17,902

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2017-230 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the August Listed Tax Refunds be Made. (Real Estate - \$13,126.29; Vehicles and ETC - \$416.63; VTS Refunds - \$7,251.29; Grand Total - \$20,794.21) as follows:

TAXPAYER NAME	OWNER NAME	AMOUNT
AUGUST 2017 REAL ESTATE		
Bess, Michael Keith		\$241.24
Hance & Hance PA		\$280.38
Henderson, Jeffrey Lee		\$120.50
Hogan, Thomas Milton jr		\$140.55
Holbert, Deborah J		\$350.00
Jenkins, Penny		\$223.53
Littlejohn, Brian K		\$190.69
Long, Charles Ross		\$160.00
Macnorton, Richard Alan		\$184.93
McGerrigle, John R		\$266.55
Miller, Juan S		\$132.15
Owens,, Christy Ward		\$110.79
Price, Daphne		\$106.22
Price, Mark A		\$242.46
Rhyne, Phyllis		\$112.42
Roseboro, Stanley		\$105.24
Sellers, Joel Eric		\$121.61
Shuford, Michael		\$373.25
Smith, Jeffrey Gerald		\$144.29
Streng, David J		\$189.78
Hogan, Thomas Milton jr		\$143.18
Rhyne, Phyllis		\$119.24
Lewis, Rocia M		\$101.24
Alexander, Ricky		\$191.70
Warren L Tadlock Chap 13		\$319.87
Advantage Title LLC		\$153.02
Gaston County Code Enforcement		\$180.00
Simmons Kevin William		\$182.15
Sawyer, Susan Diana		\$114.60
Advantage Title LLC		\$331.99
The Shoaf Law Firm		\$115.24
Mortgage Connect LP		\$258.84
Melton, Charlotte H		\$435.00
Arms, Marcelene Kirkland		\$120.88
Griffin, James D		\$103.06
Al Nasra LLC		\$226.11
Fountain of Liv Water		\$109.20
Kendall, Dianne Culp		\$220.62
Lyons, Travis J		\$996.27
Vanderbilt Mortgage		\$187.53
Wilson, Joyce C		\$209.68
Thorpe, Ann		\$1,567.19
Taylor, George L JR		\$388.00
Hogan, Thomas Milton jr		\$140.55
Falls, Teresa W		\$162.30
Griffin, James D		\$124.00
Bridges, Frances P		\$118.04
Commonwealth USA		\$174.63
Crocker, Gary		\$544.71
Littlejohn, Vania D		\$178.08
McSwain, Tammie		\$153.07
Sawyer, Susan Diana		\$172.58
Timios, INC		\$440.20
Andrew M Adams PA		\$346.94
TOTAL		\$13,126.29

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AUGUST 2017 VEHICLES & ETC

Depoalo, Richard James	\$162.05
Webster, Deborah L	\$254.58
TOTAL	\$416.63

AUGUST VTS REFUNDS

Beale, Carrol Anthony	\$115.25
Blackwelder, William Eugene Jr	\$129.04
Camp, Mary Billings	\$197.76
Carnes, Oscar McDonald Jr	\$106.81
Carrigan, Steven Arbrey	\$157.35
Carswell, Anna Michelle	\$137.33
Case, Edward Frank Jr	\$122.15
Chandler, Lea Bradley	\$118.77
Christensen, Randy Allen	\$303.12
Christopher, Randy Nelson	\$340.52
Christopher, Richard Lemuel	\$179.64
Deltex Systems Inc	\$285.45
Fowler, Richie Lee	\$208.36
Hanak, Anthony Stephen	\$161.78
Higginson, David Mitchell	\$135.51
Hill, Roderick Charles	\$150.00
Jackson, Dennis Frank	\$150.52
Jones, Janet Coward	\$181.92
Lanier, Wayne Steven	\$102.57
Lay, Danny Gordon	\$1,593.28
Miller, Montgomery David Jr	\$217.53
Minton, Michael Eugene	\$180.18
Piedmont Energy Systems Inc	\$297.37
Posey, Billy Vernon	\$155.71
Rakes, Richard Dale	\$210.09
Reavis, Michelle Lee	\$126.77
Scoumis, George	\$227.49
Seminar, Elizabeth	\$100.98
Stroup, Tabettha Lynn	\$149.28
Taborda, Julian Mauricio	\$157.83
Tate, Dexter Cline	\$124.07
Valdes Cano, Lilliam L	\$149.20
Wruble, Bradley Alan	\$160.91
Yates, Bobby Wayne	\$116.75
TOTAL	\$7,251.29
GRAND TOTAL	\$20,794.21

Pulled From Consent Agenda

2017-231 Commissioner Grant - Fire Marshal - To Approve a Certificate of Need for Spencer Mountain Road VFD to Obtain Financing (\$82,500) to Purchase Land to Construct a New Fire Station as Unanimously Approved by the Fire Advisory Board on August 23, 2017

Chairman Brown called for a motion for the purposes of discussion. Commissioner Grant introduced the motion and Commissioner Fraley provided the second.

Commissioner Philbeck inquired about the current fund balance for the fire department and Chief David Flanary responded it is \$186k. He also confirmed that the number excluded emergency funds and the department was not requesting an increase.

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Chairman Brown called for the vote and the BOC unanimously approved **2017-231** approving a Certificate of Need for Spencer Mountain Road VFD to Obtain Financing (\$82,500) to Purchase Land to Construct a New Fire Station as Unanimously Approved by the Fire Advisory Board on August 23, 2017.

Non-Consent Agenda

2017-232 Commissioner Brown - County Attorney - To Provide an Advisory Opinion to the North Carolina Department of Transportation (NCDOT) Recommending an Abandonment of the Easternmost 315 Feet of Bay Shore Drive

Chairman Brown called for a motion for the purposes of discussion. Commissioner Philbeck introduced the motion and Commissioner Worley provided the second.

Chairman Brown introduced Mr. Gary Spangler, NCDOT District Engineer for comments.

Mr. Spangler explained that when the NCDOT receives a petition to abandon, the first step is to see if there are any other property owners involved. Once it is determined that the petitioners are the sole property owners affected by the request, it is sent to the County Commission with a request for support or denial. The Commission's recommendation is then sent to the Board of Transportation for consideration. He concluded that the NCDOT is only considering abandonment of the maintenance of the road and not the right of way (ROW) of the road.

Commissioner Hovis requested confirmation that the abandonment of the maintenance is only for the portion outlined in the petitioner's request.

Mr. Spangler confirmed the request is to abandon the last section (few hundred feet) of the road. A broader request would require consent from all of the property owners. He also confirmed that the requested turnaround (for school buses, emergency vehicles and other traffic) had been constructed and was actually larger than the previous turnaround.

Chairman Brown called for the vote and the BOC unanimously approved **2017-232** To Provide an Advisory Opinion to the North Carolina Department of Transportation (NCDOT) Recommending an Abandonment of the Easternmost 315 Feet of Bay Shore Drive *(as outlined by the petition)*.

WHEREAS, a certain state-maintained road known as Bay Shore Drive exists in Gaston County; and,

WHEREAS, a property owner wishes to ultimately to close approximately three hundred and fifteen (315) feet of the easternmost portion of said right of way; and,

WHEREAS, NCDOT requests that the County Commissioners make a recommendation to the NCDOT concerning abandonment of a state-maintained right-of-way; and,

WHEREAS, the NCDOT takes such recommendation into account when the NCDOT issues a final decision concerning the request to abandon a right-of-way; and,

WHEREAS, if the NCDOT subsequently abandons the subject right-of-way, the Gaston County Board of Commissioners, upon application, can consider the merits of the subject right-of-way being

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closed. Such consideration cannot be undertaken unless the NCDOT abandons the right-of-way from state control.

NOW, THEREFORE, BE IT RESOLVED, that the Gaston County Board of Commissioners recommends to the North Carolina Department of Transportation that the subject property, being approximately three hundred and fifteen (315) feet of the eastern most portion of Bay Shore Drive, as depicted on said map, be abandoned.

2017-233 Commissioner Brown - County Attorney - To Amend a Section of Chapter 7 of the Gaston County Code of Ordinances to Prohibit Littering and Vehicles Improperly Securing and Transporting Waste (First Reading)

On motion introduced by Commissioner Grant and seconded by Commissioner Fraley, the BOC unanimously approved the **FIRST READING** of the amendment to Chapter 7 of the Gaston County Code of Ordinances as follows:

WHEREAS, Gaston County has a significant governmental interest in protecting the health, safety, aesthetic appearance and welfare of its employees, customers, and general public; and,

WHEREAS, the County may, pursuant to G.S. 153A-136, adopt an ordinance to regulate solid waste and prohibit littering; and,

WHEREAS, the County wishes to prohibit littering by way of a County Ordinance, and prohibit vehicles from improperly securing and transporting waste.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby adds Section 7-3(q) and Section 7-3(r) to Section 7-3 entitled "Storage and disposal":

Chapter 7: Garbage and Trash
Sec. 7-3. Storage and disposal

(q) No person shall transport solid waste, garbage or refuse at any time, including yard waste, demolition waste, construction waste, or landscape waste, in any container or vehicle unless the waste is covered by being in an enclosed vehicle or container or otherwise adequately secured.

(r) Throwing, littering, scattering, spilling, placing, dumping, depositing or causing or allowing the same of any solid waste, garbage or refuse upon any property, which is inconsistent with solid waste management or other disposal practices, is prohibited.

This Ordinance amendment shall be effective immediately upon its adoption.

2017-234 Commissioner Hovis - Sheriff's Office - Appropriation of Additional Funds to House Inmates at the Cherokee County Detention Center (\$6,550)

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously approved **2017-234** per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	{6,550}
Inmates Housed Out of County	010-02-4315-4323-530015-18126	6,550

2017-235 Commissioner Hovis - Sheriff's Office - Appropriation of Additional Funds to House Inmates at the Yadkin County Detention Center (\$15,480.00)

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GASTON COUNTY, NORTH CAROLINA

Chairman Brown called for a motion for the purposes of discussion. Commissioner Hovis introduced the motion and Commissioner Worley provided the second.

In response to Commissioner Philbeck, the County Manager stated that an analysis had been conducted initially on the cost/benefit of transporting inmates due to overcrowding at the jail. A more definitive formula is being developed to analyze outsourcing of inmates and maintaining the US Marshal Federal Inmate Housing Program.

Chief Deputy Williams stated that it costs \$40/day/inmate to ship to other counties and the County receives \$73/day/inmate for federal inmates. He also explained that transporting was weighed against the potential cost of losing the U.S. Marshal Housing Program. He also noted that the two Board Actions were for previous transports and no inmates are currently housed outside of the County.

Commissioner Philbeck requested that more information be provided to the Board going forward and Chairman Brown reiterated that future Agenda items should include exact figures.

Commissioner Hovis stated that the two board items highlight the unusual costs associated with the current inmate housing/overcrowding situation. He noted past discussions regarding the infill project at the jail; pointed out rising inmate population over the years; noted there is nothing that indicates a reversion to 2007 trends. He also added that the jail has been operating under mandatory overtime, which is costing the County far beyond these two items.

Chief Deputy Williams stated that 16 inmates were transported to Cherokee County and 15 to Yadkin. He explained that inmates are brought back once numbers drop or if they make bond or have a court date. He also stated that he would be bringing statistics to the Board regarding the impact of the opioid epidemic on the jail population.

Chairman Brown called for the vote and the BOC unanimously approved **2017-235** Appropriation of Additional Funds to House Inmates at the Yadkin County Detention Center (\$15,480.00) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	{15,480}
Inmates Housed Out of County	010-02-4315-4323-530015-18126	15,480

2017-236 Commissioner Brown - County Attorney - To Approve the Transfer of Title of a Portion of the Orthopedic Hospital Property to Partners Behavioral Health

Chairman Brown called for a motion for the purposes of discussion. Commissioner Philbeck introduced the motion and Commissioner Fraley provided the second.

Commissioner Grant stated he was asked to attend a meeting earlier in day with County staff and a couple other people regarding a proposed plan for the property. He stated that he did not have a clear understanding of the issue and was displeased that he found out about it so late. He suggested tabling the item until everyone had a chance to look at the proposal.

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Chairman Brown stated that the issue came to the Board more than a year ago and the State has since relinquished the property to the County with the help of Representative John A. Torbett.

Commissioner Grant inquired how many Gaston residents are currently employed with Partners.

The County Manager stated that 240 people are employed at the Gastonia location; not certain how many are Gaston residents; jobs are well above average in terms of the compensation. He added that the State transferred the property to the County with the understanding that we would in turn provide a permanent home for Partners so that they could continue to deliver these vital and mandatory services to our community. Partners has been on the campus for several years and Gaston County has facilities onsite as well. There are claw-back provisions that would require the property to revert back to the County should Partners cease operations. There was never any intention of charging them any money for occupying the property.

Chairman Brown stated he would like to move forward with the vote. He called on Ms. Debbie Clary, Gaston County Governmental Relations Consultant, for comments.

Ms. Clary stated the conversations surrounding this property began in 2016. Partners has been an integral part of health care in Gaston County and it was important to shore up that relationship. The "nurses dormitory" property is very unsafe and attracts vagrants. The goal is to be able to prepare that property for additional jobs and to that end, she worked with the State property division and Representative Torbett to transfer ownership of the property to the County for this explicit purpose. Ms. Clary read an excerpt from Rep. Torbett's letter: *"The continued effort and successes of providing those health related services offered by Partners and having Partners located on this property that provides tremendous growth potential was the driving force and full intent behind the transfer taking place. I feel a change to the scope of the original "Ask" would not be prudent, and I know that Partners will continue to play a vital role in support of the health needs of our citizens well into the future."*

Ms. Clary concluded that the original goal for Gaston County is to keep and expand jobs in Gaston County. Partners has just added 7-8 new positions and former Commissioner and House of Representative Pearl Burris-Floyd was hired as the Chief Governmental Affairs Officer for Partners.

Chairman Brown clarified that the earlier meeting and the information presented was driven by an outside entity and not by Partners or County staff. He also clarified that he had not heard the proposal before today.

Commissioner Worley called the question.

Chairman Brown called for the vote and the BOC approved **2017-236** by a vote of 5-1.

The motion carried as follows:

AYES: Commissioners Fraley, Brown, Hovis, Worley, Philbeck
 NAY: Commissioner Grant
 ABSENT: Commissioner Keigher

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Appointments

On motions introduced and seconded, the following individuals were unanimously appointed/reappointed to the **Workforce Development Board**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Fraley	Commissioner Brown	Ms. Donna Caskey	May 31, 2020
Commissioner Worley	Commissioner Brown	Ms. Karol DeWitt	May 31, 2020
Commissioner Worley	Commissioner Philbeck	Ms. Claudette Argabrite	May 31, 2020
Commissioner Philbeck	Commissioner Brown	Mr. Scott Carter	May 31, 2019 (Unexpired Term)
Commissioner Worley	Commissioner Philbeck	Ms. Crystal McCabe	May 31, 2020

On a motion introduced by Commissioner Grant and seconded by Commissioner Philbeck, the BOC unanimously reappointed Dr. Rick Hovis to the **Animal Care and Enforcement Advisory Board** to a term ending September 30, 2021.

On a motion introduced by Commissioner Grant and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Mark Schultz to the **Parks and Recreation Advisory Board** to a term ending May 31, 2020.

On a motion introduced by Commissioner Grant and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Woodrow R. Thomas to the **SARA Local Planning Committee (LEPC)** to a term ending February 28, 2020.

On motions introduced and seconded, the following individuals were unanimously appointed to the **Family Advisory Board**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Philbeck	Commissioner Brown	Ms. Anita D. Sanders	April 30, 2019 (Unexpired Term)
Commissioner Brown	Commissioner Philbeck	Commissioner Don Grant	April 30, 2018

On a motion introduced by Commissioner Hovis and seconded by Commissioner Fraley, the BOC unanimously appointed Mr. Robert L. Pope to the **Gaston Community Action Board of Trustees (GCA)** to an unexpired term ending October 31, 2018.

On a motion introduced by Commissioner Brown and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Hall S. (Smitty) Hanks to the **Lake Wylie Marine Commission** to a term ending September 30, 2020.

On a motion introduced by Commissioner Worley and seconded by Commissioner Philbeck, the BOC unanimously reappointed Ms. Barbara Foy to the **Nursing Home Community Advisory Committee** to a term ending August 1, 2020.

Commissioners Committee Reports

Commissioner Grant expressed gratitude to Hospital Board Member, Mr. Barry Pomeroy, for hosting a social at his home last Saturday for Hospital Board Members and Commissioners, which he attended along with Commissioners Worley and Keigher. He conveyed his condolences to Hospital Board Member Michael Dixon for the passing of his mother.

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Commissioner Hovis reported attendance to the pre-dinner for the ribbon cutting of the Gaston College Center of Advanced Manufacturing; announced the Joint Schools Ad-Hoc Committee meetings will be held on Wednesdays and notice has been provided; efforts continue to move the bond package and the quarter-cent sales tax referendum to a vote in the Spring of 2018.

Commissioner Worley also reported attendance to Mr. Pomeroy's social last Saturday; attended the ***Dedication of the Culinary Arts Department at Stuart Cramer High School***. The Department was named in honor and memory of Mr. Cramer's daughter, Ms. Katherine Cramer Angel, who founded the Culinary Institute of America in Hyde Park, New York. Representatives from the Culinary Institute of America and members of the Cramer family were present at the ceremony. They unveiled a plaque and announced plans to establish a scholarship for culinary students at Stuart Cramer to attend the Culinary Institute of America.

Chairman Brown announced that October 2-6 is ***Manufacturing Week in Gaston County***; anyone interested should contact the Economic Development Commission for more information. In conclusion, he announced the closing for the Belmont Middle School property was held last week; asked this be passed along to the Ad Hoc Committee.

County Manager's Report

The County Manager presented:

- Attended the ***Shades of Color*** event at Loray Mill
- Attended ***2017 NCACC Annual Conference*** in Durham, NC
- Toured Stabilus (existing industry in Gaston County)
- DHHS Leadership Academy has been very effective and the County will kick off a County-wide Supervisory Effectiveness Program with an event on Thursday.

County Attorney's Report**Closed Session Pursuant to N.C.G.S.143-318.11(a)(6) – Personnel Matters**

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously entered into Closed Session at 6:53 pm.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Grant, the BOC unanimously re-entered Open Session at 9:51 pm.

Chairman Brown reported that no action was necessary as a result of the Closed Session.

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Adjournment

Chairman Brown called for a motion to adjourn the meeting.

On motion introduced by Commissioner Worley and seconded by Commissioner Grant, the BOC unanimously adjourned the Regular Meeting of September 26, 2017 at 9:52 p.m.

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

Chad Brown, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL