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Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

AUGUST 25, 2020

The Gaston County Board of Commissioners (BOC) met in Regular Session on August 25, 2020 at 6:00 pm, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Others present included Dr. Kim S. Eagle, County Manager; Jonathan L. Sink, County Attorney; and Donna S. Buff, Clerk to the Board.

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

Public Hearing - Zoning Map Change: Z20-12 Samantha McQueen Thornburg (Applicant); Property Parcel: 303426, Located at Sandy Ford Rd., Mount Holly, NC. Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (R-2) Single Family Moderate Zoning District with (US) Urban Standards Overlay

Chairman Philbeck 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 Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously entered into Public Hearings.

With a quorum of the Planning Board in attendance, Chairman Philbeck recognized Mrs. Sarah Penley, Development Services Senior Planner, for comments.

Mrs. Penley advised subject request is to rezone parcel 303426 located on Sandy Ford Rd., Mount Holly, NC, from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (R-2) Single Family Moderate Zoning District with (US) Urban Standards Overlay; the Applicant/Property Owner is Samantha McQueen Thornburg; the total acreage of property is .69 acres which is being considered for rezoning; the property is currently vacant; property owners listed on map were notified of public hearing.

She reviewed aerial, zoning and adjoining property owners maps and advised the property is located in northeast section of County (north and east of Town of Stanley, north of Mount Holly city limits off Sandy Ford Rd.); there are some adjoining residential structures with some vacant and wooded property across the street; area reflects R-1 zoning district with USO; R-2 zoning to the south and east of site; Mount Holly city limits.

This property is located within rural area designation of Planning Area 3 - Riverfront Gaston/Northeast Gaston; based on the goals and objectives in the zoning district pattern in overall vicinity it is staff's opinion the request is consistent with the Comprehensive Land Use Plan (Comp Plan); the request was advertised and notices were mailed out per County policy; staff did not receive any calls or inquiries regarding the application.

Chairman Philbeck called for citizen comments.

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Ms. Samantha Thornburg (Applicant/Property Owner) advised she wants to put a home on some land her dad gave her to be near him so that she can help him as he ages.

Chairman Philbeck called for questions from the Planning Board and BOC; none were heard.

Public Hearing - Zoning Map Change: Z20-13 Gary Dewayne Briggs (Applicant); Property Parcel: 222327, Located at 660 Dallas Bessemer City Hwy., Dallas, NC, Rezone from the (R-3) Single Family General Zoning District with (US) Urban Standards Overlay to the (C-1) Light Commercial Zoning District with (US) Urban Standards Overlay

Chairman Philbeck recognized Mrs. Penley for comments.

Mrs. Penley advised subject request is to rezone parcel 222327 located at 660 Dallas Bessemer City Hwy., Dallas, NC, from the (R-3) Single Family General Zoning District with (US) Urban Standards Overlay to the (C-1) Light Commercial Zoning District with (US) Urban Standards Overlay; Applicant/Property Owner is Mr. Gary Briggs; total acreage of property and total acreage considered for rezoning is 1.51 acres; current use of property is residential.

She reviewed aerial, zoning and adjoining property owners maps and advised the property is located in the north central to the northwest area of County (west of Gastonia city limits and Town of Dallas; east of city limits of Bessemer City); the surrounding area is residential with some commercial uses to the east of property; there is some vacant wooded property across from subject site; area zoning reflects R-3, C-1, some I-2 (general industrial) across the street and some C-3 (general commercial) to the far west; adjoining property owners were notified of public hearing.

The property is located within the rural area designation of Planning Area 5: Scenic Gaston/Southwest Gaston; based on goals and objectives and zoning district patterns in overall vicinity it is staff's opinion the property is consistent with the Comp Plan; the request was advertised and notices were mailed out per County policy; staff received one call for general information.

Chairman Philbeck called for citizen comment and for questions from the Planning Board and BOC; none were heard.

Chairman Philbeck invited Mr. Scott Attaway, Planning Board member, to the podium.

Mr. Attaway announced that this was Mr. David Williams (Planning Director) last night with the Planning Board; he has known Mr. Williams for 12 years; he has done a lot for the County and is transitioning to a new role in the County Manager's Office. He presented Mr. Williams with a plaque for 25 years of dedicated service and leadership to the Planning Board and the Planning Department.

Mr. Williams accepted the plaque and advised he is relocating down the hall; the County has made great strides in growth and development and has a lot of opportunities to make a difference in the Charlotte metro region; he will still be a part of that in a different capacity; he has enjoyed his position since 1996 and has always tried to leave the Planning Department better than he found it.

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Mr. Williams advised the County has many good things going on and there is still a lot of work to be done. The County has a good Planning Board that is concerned about smart growth and good quality development and also has a good Planning staff.

Commissioner Chad Brown thanked Mr. Williams for the job he has done and his professionalism.

Chairman Philbeck advised he has enjoyed working with Mr. Williams in that capacity.

Chairman Philbeck excused the Planning Board to the 4th Floor Jury Assembly Room - Room 4129 for deliberations.

Chairman Philbeck called for a motion to close the Public Hearings.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Worley, the BOC unanimously closed the Public Hearings.

Agenda Revision/Approval

- **ADDED/** Commissioner Worley - Family Justice Center - To Appropriate FVPSA CARES Funds in the Amount of \$10,000 to The Cathy Mabry Cloninger Center - Section IV., AB.
- **ADDED/** Commissioners Chad Brown and Jack Brown - County Attorney - To Rescind Resolution 2020-203: Resolution Conveying Ownership of the Gaston County Confederate Heroes Monument Located Outside of the Gaston County Courthouse to be conveyed to the Sons of Confederate Veterans Charles Q. Petty Camp in Exchange for a Promise to use the Monument for the Continued Public Purpose of Serving as a War Memorial Honoring Gaston County's Confederate Veterans – Section VI., B.

Commissioner Worley requested Non-Consent item VI., B., to be moved to follow approval of the Business Agenda:

Commissioners Chad Brown and Jack Brown - County Attorney - To Rescind Resolution 2020-203: Resolution Conveying Ownership of the Gaston County Confederate Heroes Monument Located Outside of the Gaston County Courthouse to be Conveyed to the Sons of Confederate Veterans Charles Q. Petty Camp in Exchange for a Promise to use the Monument for the Continued Public Purpose of Serving as a War Memorial Honoring Gaston County's Confederate Veterans, Commissioner Hovis provided the second.

Chairman Philbeck called for discussion.

Commissioner Keigher stated he thinks moving the item is a good courtesy to the public because a lot of people are outside waiting to hear what the BOC is going to do.

Commissioner Worley introduced a motion to approve the Business Agenda with Item VI., B. moved and with changes as noted above and Commissioner Hovis provided the second. The Motion carried unanimously.

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2020-204 Commissioners Chad Brown and Jack Brown - County Attorney - To Rescind Resolution 2020-203: Resolution Conveying Ownership of the Gaston County Confederate Heroes Monument Located Outside of the Gaston County Courthouse to be Conveyed to the Sons of Confederate Veterans Charles Q. Petty Camp in Exchange for a Promise to Use the Monument for the Continued Public Purpose of Serving as a War Memorial Honoring Gaston County's Confederate Veterans

Commissioner Chad Brown introduced the motion to approve and Commissioner Jack Brown provided the second.

Chairman Philbeck called for discussion.

Commissioner Hovis offered an amended Resolution and noted it was distributed to the BOC prior to the start of meeting. He recalled the BOC met a few weeks ago and voted to convey the monument to the Sons of Confederate Veterans (SCV), to locate it to a more proper place instead of in front of the Courthouse. He noted the Board heard many impassioned pleas requesting the relocation. He stated he was informed by the County Attorney at 4:56 pm on Friday that the SCV wanted to take it but had legal concerns. He noted the County Attorney's negotiations with the SCV created a deadline for the deed to be signed, which expired at 5:00 PM on Friday. Commissioner Hovis stated he viewed those negotiations to be similar to a real estate agent with a seller and buyer, and the Board ultimately had the final say. He also noted he was not aware of the Resolution to rescind the BOC's original action, which was done prior to 5 pm on Friday, until later that night. The amended Resolution, which would replace the proposed Resolution, would allow the BOC time to negotiate with the SCV, or any other entity. He also noted he was contacted and told that other entities are interested in relocating the monument.

Commissioner Chad Brown advised it is disconcerting that he received the amended Resolution two minutes before going on air; he has not had a chance to review it; everyone had a chance to review the proposed Resolution since it was published on Friday; he will not support the amended Resolution.

Commissioner Keigher stated the proposed Resolution seems to finalize that the monument will remain at Courthouse; he stated he would like for it to read that it would remain there until the County has an agreement with a responsible non-profit (organization); he also noted he would like the opportunity to relocate it for any kind of safety reasons and would like that language to be added to the final section of the resolution.

Commissioner Worley stated he agreed with Commissioner Keigher's comments, and with the amended language, which conveys to the public the BOC's intent to protect the monument and ensure that it will be in a good location where it can still be honored. He stated the BOC can then begin negotiations about a more inclusive memorial in front of the Courthouse. He read the proposed amended language:

BE IT FURTHER RESOLVED that the Gaston County Board of Commissioners is committed to continuing good faith negotiations with qualified nonprofit organizations dedicated to the preservation and honoring of the Confederate Heroes Monument at an alternative location on private land for the purpose of conveying legal title to and

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possession of the Monument to an agreed-upon nonprofit organization, which shall take ownership and possession of said Monument within 90 days of the signing of this Resolution.

Commissioner Hovis stated his amended Resolution was not intended to be second handed or underhanded and he pointed out it took time to create the direction and revised language.

Chairman Philbeck asked the County Attorney if he called and advised each Commissioner about the conversations he was having with the SCV, and the possibility that [they] would not take the monument.

The County Attorney responded he contacted the full Board, but did not get a return call from every Commissioner.

Chairman Philbeck advised it is a normal procedure for any Commissioner to add (green sheet) an Agenda item; Commissioners Chad Brown and Jack Brown's Resolution was added and the revised agenda was distributed to the public on Friday; he noted that the action was not abnormal.

Chairman Philbeck advised that the only motion on the table was made by Commissioner Chad Brown and seconded by Commissioner Jack Brown.

Chairman Philbeck called for any discussion.

Commissioner Hovis clarified his intent and introduced a substitute motion to replace the proposed Resolution with the amended Resolution. Commissioner Worley provided the second.

The County Attorney advised that is a motion to amend.

Commissioner Keigher stated he did not have any issue with the proposed Resolution but wanted to add the language that the monument would remain (at the Courthouse) until the County finds a reasonable location for it.

Chairman Philbeck called for the vote on the amended Resolution, *To Continue Good Faith Negotiations with Qualified Nonprofit Organizations to Receive Title to and Possession of The Confederate Heroes Monument Located Outside of The Gaston County Courthouse as Agreed Upon at the Board's August 3, 2020 Public Meeting for the Purpose of Relocating the Monument to an Appropriate Alternative Location Where It Can Continue to be Used for One or More Public Historical and Educational Purpose(s)*, which failed to carry as follows:

Ayes: Commissioners Hovis, Keigher, Worley

Nays: Commissioners Chad Brown, Jack Brown, Fraley, Philbeck

Hearing no further discussion on the original motion, Chairman Philbeck called for the vote *To Rescind Resolution 2020-203: Resolution Conveying Ownership of the Gaston County Confederate Heroes Monument Located Outside of the Gaston*

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County Courthouse to be Conveyed to the Sons of Confederate Veterans Charles Q. Petty Camp in Exchange for a Promise to Use the Monument for the Continued Public Purpose of Serving as a War Memorial Honoring Gaston County's Confederate Veterans and the BOC approved 2020-204 and the vote carried as follows:

Ayes: Commissioners Philbeck, Jack Brown, Chad Brown, Fraley

Nays: Commissioners Hovis, Keigher, Worley

WHEREAS, on August 3, 2020, the Gaston County Board of Commissioners (the "Board") adopted Resolution 2020-203 directing the Chairman of the Board to execute a legal deed transferring ownership of the Confederate Heroes Monument (the "Monument") located outside of the Gaston County Courthouse at 325 Dr. Martin Luther King Jr., Way, Gastonia, North Carolina 28052 to the Charles Q. Petty Camp of the North Carolina Sons of Confederate Veterans; and,

WHEREAS, after the Board adopted said Resolution, said deed was fully drafted and sent to the Charles Q. Petty Camp of the North Carolina Sons of Confederate Veterans, which refused to sign the deed, thereby refusing to accept legal ownership of the Monument, effectively rendering Resolution 2020-203 moot.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners rescinds Resolution 2020-203, *A Resolution Conveying Ownership of the Gaston County Confederate Heroes Monument Located Outside of the Gaston County Courthouse to the Sons of Confederate Veterans Charles Q. Petty Camp in Exchange for a Promise to Use the Monument for the Continued Public Purpose of Serving as a War Memorial Honoring Gaston County's Confederate Veterans.*

BE IT FURTHER RESOLVED that the Gaston County Board of Commissioners establishes that the Confederate Heroes Monument shall remain in its current location outside of the Gaston County Courthouse at 325 Dr. Martin Luther King Jr., Way, Gastonia, North Carolina 28052.

Adopted this the 25th day of August, 2020

Citizen Recognition

The following individuals spoke in support of keeping the Confederate Heroes Monument in front of the Courthouse: Ms. Angie Graham, Cherryville, NC; Ms. Clara Harkins, Belmont, NC, and former President of the United Daughters of the Confederacy, former President of the Gaston County Historical Society and member of Gaston-Lincoln Geno Logical Society; Mr. William Grice, Charlotte, NC and former 12-years resident of Gastonia, NC; Ms. Kathy Huss, County resident with a signed petition.

The following individuals spoke in support of relocating the Confederate Heroes Monument from in front of the Courthouse: Ms. Wendy Rayfield, Gaston County; Reverend Thomas Gillespie, Lowell, NC; Mr. Chris Thomasson, 1320 Eddie St., Gastonia, NC and President of the NAACP (National Association for the Advancement of Colored People) Branch; Ms. Kimber Zappia, County resident; Mr. Scotty T. Reid; Reverend Dr. Joan Martin, Gastonia, NC and Chaplin at Covenant Village, member of the Daughters of the American Revolution and Professor of Civil War Ancestors who fought for both sides; Ms. Kaily Reid, County resident; Ms. Sierra Hall, County resident; Reverend DeWayne Burkes, Jackson Rd.; Ms. Abby Fogarty, Gastonia, NC; Ms. Ashley Rivera, Gaston County; Dr. Reverend Pierre Crawford, Senior Pastor of Center Baptist Church (he also spoke in support of keeping the six month removal timeframe in place).

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On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously accepted the petition presented by Mr. Scotty T. Reid for the record.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Chad Brown, the BOC unanimously accepted the petition with over 270 signatures submitted by Ms. Kathy Huss for the record.

Following Reverend Gillespie's remarks, Chairman Philbeck clarified the Resolution had to be rescinded by law, once the SCV decided not to accept the monument.

Consent Agenda

On motion introduced by Commissioner Worley and seconded by Commissioner Jack Brown, the BOC unanimously approved the Consent Agenda as follows:

2020-205 Commissioner Philbeck - Budget & Management Services - To Amend the Emergency Management and Fire Services Fees in the FY 2021 Fee Schedule as follows:

Required Construction Permits:	Details	Adopted Fee Schedule FY20	Recommended Fee Schedule FY21	Change
105.7.5 Emergency responder radio coverage system	Corrected previous omission	\$ -	\$ 50.00	\$ 50.00
105.7.9 Gates and barricades across fire apparatus access roads	Corrected previous omission	\$ -	\$ 50.00	\$ 50.00
105.7.12 LP Gas	Corrected previous omission	\$ -	\$ 50.00	\$ 50.00
105.7.14 Smoke control or smoke exhaust systems	Corrected previous omission	\$ -	\$ 50.00	\$ 50.00
105.7.15 Solar photovoltaic power systems	Corrected previous omission	\$ -	\$ 50.00	\$ 50.00

2020-206 Commissioner Worley - Budget & Management Services - To Accept and Appropriate a Grant Award from NC Housing Finance Agency for the 2020 Urgent Repair Program (\$100,000) per Budget Change Request:

Account Description	Account Number	Amount
2020 Urgent Repair Program	010-07-4935-0000-420000-21544	(\$100,000)
2020 Urgent Repair Programl	010-01-4935-0000-560000-21544	\$100,000

2020-207 Commissioner Hovis - Cooperative Extension - To Accept and Appropriate \$2,956 Additional State Grant Funds for Cooperative Extension's Triple P Parenting Education Program per Budget Change Request:

Account Description	Account Number	Amount
FY20 Partnership: Triple P Grt	010-07-4950-4950-425083-20526	[2,956]
Salary: Partnership for Childn	010-07-4950-4950-510001-P4Chd	1,013
FICA: Partnership for Children	010-07-4950-4950-510100-P4Chd	118
Retire: Partnership for Childn	010-07-4950-4950-510101-P4Chd	485
Hlth Ins:Partnership for Chld	010-07-4950-4950-510103-P4Chd	1,839
Partnership:Triple P Parenting	010-07-4950-4950-560000-20526	[499]

2020-208 Commissioner Chad Brown - DHHS (ACCESS Division) - To Approve the Gaston County Central Transportation Title VI Program Plan (No Funding Impacted Herein)

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2020-209 Commissioner Chad Brown - DHHS (ACCESS Division) - To Accept and Appropriate Federal CARES Act Funds for Transportation Services in the Amount of \$202,734 per Budget Change Request:

Account Description	Account Number	Amount
DOT CARES Funds	010-01-4521-0000-420000-21534	(\$202,734)
DOT CARES: Salaries	010-01-4521-0000-510001-21534	\$202,734
Salaries	010-01-4521-0000-510001-	(\$202,734)
Fund Balance Appropriation	010-99-9900-0000-490000-	\$202,734

2020-210 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Grant Funds Received in Fiscal Year 2020 from the Gaston County Community Foundation for the Let Me Run Program (\$1,190) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	011-99-9900-0000-490000-	(\$1,190)
CF Run for the Money-LMR	011-05-5112-5115-560000-17208	\$1,190

2020-211 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Funds from Community Foundation for the DHHS Scholarship Program (\$3,000) per Budget Change Request:

Account Description	Account Number	Amount
Other Grants	011-05-5110-0000-430000-20537	(\$3,000)
Community Foundation Scholarship	011-05-5110-0000-560000-20537	\$3,000

2020-212 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Additional Federal/State Grant Funds Received from the NC Division of Public Health for the COVID-19 Response (\$74,989) per Budget Change Request:

Account Description	Account Number	Amount
Federal Grant Revenue	011-05-5116-5132-420000-21538	(\$74,989)
Grants and Projects	011-05-5116-5132-560000-21538	\$74,989

2020-213 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Federal Funds in the Amount of \$135,210 to Enhance the Adoption Program per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	020-99-9900-0000-490000-	(\$135,210)
Special Children Adoption Program	020-05-5867-5471-560000-00324	\$135,210

2020-214 Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of August 2020 as Child Support Awareness Month in Gaston County

2020-215 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate the Finish Line Grant Funding Through the Workforce Innovation and Opportunity Act (WIOA) in the Amount of \$11,522 per Budget Change Request:

Account Description	Account Number	Amount
WIOA- Finish Line Grant	020-05-4800-4810-420000-21541	(\$11,522)
Glenn Foundation Grant-Resource Closet	020-05-4800-4810-560000-21541	\$11,522

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2020-216 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Additional Federal CARES ACT Funds to Assist with COVID Related Expenses for Adult and Children Protective Services in the Amount of \$327,899 per Budget Change Request:

Account Description	Account Number	Amount
CARES ACT- APS/CPS	020-05-4790-0000-420000-21542	(\$327,899)
CARES ACT- APS/CPS	020-05-4790-0000-560000-21542	\$327,899

2020-217 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Federal CARES Funds through the Centralina Council of Governments for the Adult and Aging Program in the Amount of \$324,764 per Budget Change Request:

Account Description	Account Number	Amount
COG CARES: Aging Services	020-05-5600-0000-420000-21543	(\$324,764)
COG CARES: Program Supplies	020-05-5600-0000-520002-21543	\$3,250
COG CARES: Other Services	020-05-5600-0000-530015-21543	\$5,000
COG CARES: Equipment	020-05-5600-0000-540001-21543	\$51,514
COG CARES: Professional Services	020-05-5600-0000-530010-21543	\$100,000
COG CARES: Transportation	020-05-5600-0000-560001-21543	\$100,000
COG CARES: Motor Vehicles	020-05-5600-0000-540003-21543	\$65,000

2020-218 Commissioner Chad Brown - Elections - To Accept and Appropriate a Reimbursement Base Grant of Federal and State CARES Act Funds for Elections Preparations for the 2020 Election Cycle (\$231,246) per Budget Change Request:

Account Description	Account Number	Amount
2020 CARES Act Funds - BOE	010-01-4170-0000-420000-21536	(\$231,246)
Professional Services - CARES	010-01-4170-0000-530010-21536	\$30,000
Building Rental - CARES	010-01-4170-0000-530027-21536	\$40,000
Elections - CARES	010-01-4170-0000-530041-21536	\$161,246

2020-219 Commissioner Chad Brown - Elections - To Accept and Appropriate a Reimbursement Base Grant of Federal Help America Vote Act (HAVA) Funds (\$50,000) per Budget Change Request:

Account Description	Account Number	Amount
2020 HAVA Funds	010-01-4170-0000-420000-21HAV	(\$50,000)
Election - 21HAV	010-01-4170-0000-530041-21HAV	\$50,000

2020-220 Commissioner Worley - Library - To Accept and Appropriate a \$250 Gift from the IBM Corporation Matching Grants Program for the Geiger Fund per Budget Change Request:

Account Description	Account Number	Amount
IBM Matching Grant (Geiger)	010-04-6110-6112-430000-20528	(250)
IBM Matching Grant (Geiger)	010-04-6110-6112-560000-20528	250

2020-221 Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate Health Promotion Disease Prevention Grant Funds from Centralina Council of Governments Area Agency on Aging in the Amount of \$2,340 (Required County Match \$260 - Budgeted) per Budget Change Request:

Account Description	Account Number	Amount
Federal Revenue	010-04-6130-0000-420000-21540	(\$2,340)
Senior Center Programming	010-04-6130-0000-560000-20001	(\$260)

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HPDP Grant

010-04-6130-0000-560000-21540

\$2,600

- 2020-222 Commissioner Philbeck - Parks and Recreation - To Accept and Appropriate a CARES Contract Allocation from the Centralina Council of Governments Area Agency on Aging for the Senior Center in the Amount of \$35,088 per Budget Change Request:**

Account Description	Account Number	Amount
Miscellaneous Supplies	010-04-6130-0000-520007-21539	\$5,088
Furniture/Equipment Under \$5,000	010-04-6130-0000-540001-21539	\$10,000
Furniture/Equipment Over \$5,000	010-04-6130-0000-540002-21539	\$20,000
Federal Grant Revenue	010-04-6130-0000-420000-21539	(\$35,088)

- 2020-223 Commissioner Philbeck - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Master Police Officer Sheldon C. Christy**

- 2020-224 Commissioner Chad Brown - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Master Police Officer Michael T. McPherson**

- 2020-225 Commissioner Chad Brown - Public Works - To Award a Construction Contract for Pavement Repairs at the Gaston County Department of Health and Human Services - Public Health Building to Quinn Sales, Inc. Totaling \$1,222,433.09, and Authorize the County Manager to Execute Any Necessary Contract Documents.** The project was publicly advertised June 28, 2020 and bids were received and publicly opened on August 5, 2020 with the following bid results received:

Quinn Sales, Inc.	Gastonia, NC	\$1,222,433.09
Sloan Construction	Cornelius, NC	\$1,661,791.13
RAM Pavement	Charlotte, NC	\$2,705,927.60

- 2020-226 Commissioner Chad Brown - Public Works - To Accept Bids and Award a Construction Contract for \$640,500.00 to Pinnix, Inc. for North Belmont and South Fork River Parks Pavement Repairs and ADA Improvements.** The project was publicly advertised on July 12, 2020 and a bid opening was scheduled for July 31, 2020. On July 31, 2020 there were only two (2) bidders, which does not meet the minimum requirements for bid opening. The project was re-advertised on August 2nd and bids were opened on August 11, 2020 with the following results:

Showalter	\$859,965.15
Pinnix, Inc.	\$640,500.00

- 2020-227 Commissioner Worley - Sheriff's Office - To Accept Crye Precision, LLC as a Sole Source Vendor and Authorize the Purchase of High Caliber Ballistic Vests (\$6,181.26)**

- 2020-228 Commissioner Worley - Sheriff's Office - To Accept CPI/Guardian as a Sole Source Vendor and Authorize the Purchase of the Guardian Property and Evidence Packaging System (\$34,190)**

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2020-229 Commissioner Worley - Sheriff's Office - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Chief Deputy Kim Johnson

2020-230 Commissioner Worley - Sheriff's Office - To Accept JailCore as a Sole Source Vendor and Authorize the Purchase of Jail Management Compliance Mobile Devices (\$35,850)

2020-231 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the Listed Tax Refunds be Made. (Releases and Refunds - \$160,927.50; Overpayments - \$14,508.82; VTS Refunds - \$4,041.56; Grand Total - \$179,477.88) as follows:

TAXPAYER NAME	AMOUNT
JULY 2020 RELEASES AND REFUNDS	
LOWE'S HOME CENTER	\$68,597.24
LOWE'S HOME CENTER	\$10,845.67
LW AT MONTCROSS	\$70,962.43
LW AT MONTCROSS	\$10,522.16
TOTAL	\$160,927.50
JULY 2020 OVERPAYMENTS	
ADCOCK, MARY	\$113.00
ATLANTIS TITLE CO INC	\$141.56
BOHANAN, MELESA V	\$322.65
BOHANAN, MELESA V	\$222.63
BOWLIN, PAMELA DENISE	\$266.27
BUCKNER, NORMAN S	\$117.02
CLELAND, CHRISTOPHER	\$133.58
CLELAND, CHRISTOPHER	\$104.01
CORELOGIC	\$725.40
COSTNER LAW OFFICE PLLC	\$661.62
DUNCAN, RACHEL	\$100.00
FERGUSON, SHERRY	\$650.00
GASTON COUNTY EMS	\$317.63
GASTON COUNTY TAX PREPAY	\$3,045.41
HART, ANGELA S	\$234.95
HARTMAN, RANDALL SR	\$125.40
HERNANDEZ, ERIK	\$191.97
HERSEY, RONNIE L	\$170.38
HERSEY, RONNIE L	\$170.92
HERSEY, RONNIE L	\$170.52
HUDSON, PAMELA COLLEEN	\$113.89
JOHNSON, ERIC D	\$2,100.00
KALE, JEROME	\$336.64
LAWS, CLINTON ROY JR	\$430.00
LINDSAY, ALLEN G	\$108.40
LINDSAY, ALLEN G	\$111.64
LINGERFELDT, KIMBERLY	\$101.05
LINGERFELDT, KIMBERLY	\$101.30
MAYFIELD, NICOLE L	\$174.11
MEEK, JAMES B	\$160.00
MORRIS, VINCENT	\$784.00
ODELL, ROBERT	\$193.22
PARKER, DONNA S	\$236.25
PATTERSON, JEROME	\$112.09
PITTS, CARLA JEAN	\$104.49
SEUFERT, JUSTIN T	\$100.08
SHIV RAJ JANKI LLC	\$580.83
THE 4C COMPANY OF NC LLC	\$457.23

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WARREN L TADLOCK CHAPTER 13	\$218.68
TOTAL	\$14,508.82
JULY VTS REFUNDS	
AIR DIAGNOSTICS INC	\$210.04
BANKS, SHAWNA NICOLE	\$225.77
BECK, PETER HANSEN	\$144.24
BOOZER, GREGORY RAY	\$135.42
BULLOCK, LATREYA SHAVETT	\$111.08
BURGER, WALTER ADAM JR	\$107.99
COSTNER, TAYLOR ELAINE	\$108.36
DANIELS, CARLEY ANN	\$131.96
EGYA-ANSAH, PETER JR	\$140.40
GASTON RENTALS, INC	\$252.28
LANDRY, NICOLAS CHARLES	\$211.67
LANDRY, NICOLAS CHARLES	\$118.25
LINCOLN COUNTY TAX DEPARTMENT	\$292.70
LINCOLN COUNTY TAX DEPARTMENT	\$221.76
PRUITT, RUSSELL VARDIMAN JR	\$283.74
PURCIFUL, KELSEY MICHELLE	\$115.59
ROSS, JOSHUA MICHAEL	\$100.47
SANDERSON, ROLAND LEE	\$421.90
THE WISCONSIN REVOCABLE LIVING TRUST	\$253.21
TIMMONS, BENSON ELLISON LANE IV	\$118.63
TIMMONS, LORNA GILLETTE	\$207.56
WILLIAMS, LESTON GREG	\$128.54
TOTAL	\$4,041.56
GRAND TOTAL	\$179,477.88

2020-232 Commissioner Worley - Family Justice Center - To Appropriate FVPSA CARES Funds in the Amount of \$10,000 to The Cathy Mabry Cloninger Center per Budget Change Request:

Account Description	Account Number	Amount
Federal Grant Revenue	010-05-5810-5582-42000-21537	(10,000)
Grants and Projects	010-05-5810-5582-56000-21537	10,000

Zoning Matters (Non-Consent)

2020-233 Commissioner Chad Brown - Planning & Development Services - Zoning Map Change: Z20-12 Samantha McQueen Thornburg (Applicant); Property Parcel: 303426, Located at Sandy Ford Rd., Mount Holly, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (R-2) Single Family Moderate Zoning District with (US) Urban Standards Overlay

The County Attorney advised that the Planning Board recommended approval by a unanimous vote (9-0); the proposed rezoning is in the rural future land use plan with the US overlay; the use going from R-1 to R-2 will make it residential in nature which is consistent with the rural designation as in harmony with the uses of the surrounding area; the US overlay will help foster higher quality development of the parcel.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Keigher, the BOC unanimously approved **2020-233** after

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consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan with a (US) Urban Standards Overlay. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (R-1) to (R-2) will make the subject parcel residential in nature, which is consistent with the Rural Designation and is in harmony with the uses of the surrounding area. The (US) Overlay will also help foster higher quality development for the parcel.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcel: 303426, is hereby approved, effective with the passage of this Resolution.

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

2020-234 Commissioner Jack Brown - Planning & Development Services - Zoning Map Change: Z20-13 Gary Dewayne Briggs (Applicant); Property Parcel: 222327, Located at 660 Dallas Bessemer City Hwy., Dallas, NC, Rezone from the (R-3) Single Family General Zoning District with (US) Urban Standards Overlay to the (C-1) Light Commercial Zoning District with (US) Urban Standards Overlay

The County Attorney advised that the Planning Board recommended approval by a unanimous vote (9-0); the proposed rezoning is in the rural future land use plan with the US overlay; rural areas allow for residential homes located on large lots with opportunities for agri-business ventures; the use going from R-3 to C-1 will make the subject parcel commercial in nature while allowing for residential uses which is consistent with the rural designation; it is in harmony with other commercial uses within the immediate vicinity; the US overlay will help foster higher quality development of the parcel.

On motion introduced by Commissioner Jack Brown and seconded by Commissioner Keigher, the BOC unanimously approved **2020-234** after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan with a (US) Urban Standards Overlay. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (R-3) to (C-1) will make the subject parcel commercial in nature, while allowing for residential uses, which is consistent with the Rural designation and is in harmony with other commercial uses within the immediate vicinity. The (US) Overlay will also help foster higher quality development for the parcel.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses

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in the immediate area. Property parcel: 222327, is hereby approved, effective with the passage of this Resolution.

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

Non-Consent

2020-235 Commissioner Chad Brown - Finance - To Adopt a Preliminary Resolution and Bond Order Authorizing \$65,000,000 of General Obligation (G.O.) Refunding Bonds

Chairman Philbeck called for a motion on ***To Adopt the Bond Resolution for \$65,000,000 of General Obligation (G.O.) Refunding Bonds.***

Commissioner Chad Brown introduced the motion and Commissioner Fraley provided the second.

Hearing no discussion, Chairman Philbeck called for the vote and the motion carried unanimously.

Commissioner Keigher asked how much the refinancing would save taxpayers.

The County Manager responded approximately \$4.3M on debt service.

Chairman Philbeck called for a motion ***To Adopt the Resolution Introducing the Bond Order and Taking Related Action.***

On motion introduced by Commissioner Hovis and seconded by Commissioner Chad Brown, the BOC unanimously approved **2020-235** as follows and set forth herewith:

EXTRACTS FROM MINUTES OF BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in the Harley B. Gaston, Jr. Public Forum on the second floor of the Gaston County Courthouse located at 325 Dr. Martin Luther King, Jr. Way, in Gastonia, North Carolina, the regular place of meeting, at 6:00 P.M., on August 25, 2020.

Present: Chairman Tracy L. Philbeck, Vice-Chairman Jack B. Brown, Chad Brown, Allen R. Fraley, Bob Hovis, Tom Keigher and Ronnie Worley

Absent: None

Also present: Dr. Kim S. Eagle, County Manager, Jonathan L. Sink, County Attorney and Donna S. Buff, Clerk to the Board

RESOLUTION RELATING TO REFUNDING BONDS

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Commissioner Chad Brown moved adoption the following resolution, that motion was seconded by Commissioner Fraley, and the resolution was read by the above title.

WHEREAS, the Board of Commissioners for the County of Gaston, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal amount not exceeding \$65,000,000 for the purpose of providing funds, with other available funds, for refunding all or a portion of certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to realize debt service savings for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) the increase in taxes, if any, necessary to service such bonds will not be excessive because it is expected that debt service savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Assistant County Managers, the Finance Director and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed. The Finance Director is authorized to engage necessary professionals in connection with the issuance of such bonds.

Section 3. This resolution shall take effect immediately upon its passage.

The motion to adopt the resolution was adopted by the following vote:

Ayes: Commissioners Philbeck, Jack Brown, Chad Brown, Fraley, Hovis, Keigher and Worley

Nays: None

* * *

**RESOLUTION INTRODUCING AND ADOPTING BOND ORDER AND TAKING
RELATED ACTION**

Commissioner Hovis moved adoption of the following resolution, that motion was seconded by Commissioner Chad Brown, and the resolution was read by the above title.

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$65,000,000 REFUNDING
BONDS OF THE COUNTY OF GASTON**

WHEREAS, the Board of Commissioners (the "Board") for the County of Gaston (the "County") deems it advisable to refund all or a portion of the County's outstanding General Obligation School Bond, Series 2017 and the County's outstanding General Obligation Refunding Bond, Series 2017 (collectively, the "Bonds to be Refunded") pursuant to and in accordance with The Local Government Finance Act;

NOW, THEREFORE, BE IT ORDERED by the Board as follows:

Section 1. The Board has ascertained and hereby determines that it is advisable to refund the Bonds to be Refunded.

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$65,000,000.

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Section 3. Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board and is open to public inspection.

Section 5. The bond order shall take effect upon its adoption.

The Clerk is hereby directed to publish as prescribed by The Local Government Bond Act the foregoing bond order.

The Finance Director is hereby directed to file with the Clerk to the Board at this meeting a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County. That debt statement shows that the County's net debt does not exceed 8% of the assessed value of property subject to taxation by the County.

The Finance Director is hereby further directed to file with the Clerk to the Board at this meeting an estimate of the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued.

The motion to introduce and adopt the above bond order and take related action was adopted by the following vote:

Ayes: Commissioners Philbeck, Jack Brown, Chad Brown, Fraley, Hovis, Keigher and Worley

Nays: None

* * *

STATE OF NORTH CAROLINA)
) ss.:
COUNTY OF GASTON)

I, Donna S. Buff, Clerk to the Board of Commissioners of the County of Gaston, DO HEREBY CERTIFY as follows:

1. A meeting of the Board of Commissioners of the County of Gaston, located in the State of North Carolina, was duly held August 25, 2020, such meeting having been noticed, held and conducted in accordance with all requirements of law (including open meetings requirements), and minutes of that meeting have been or will be duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of the Board.

2. The attached extract accurately reflects the actions taken by the Board of Commissioners with respect to the matters therein.

3. That extract correctly states the time when the meeting was convened and the place where the meeting was held and the members of the Board who attended the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the seal of the County as of August 25, 2020.

(SEAL)

Clerk to the Board of Commissioners

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Appointments

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

Motion Introduced	Seconded	Appointee	Term Ending
Commissioner Fraley	Commissioner Jack Brown	Mr. Shane Shuford	May 31, 2022 (Unexpired Term)
Commissioner Worley	Commissioner Hovis	Mr. Jake Youngblood	May 31, 2023 (Unexpired Term)

Chairman Philbeck announced available appointments for the Dallas Township on the Adult Care Home Community Advisory Committee, Animal Care and Enforcement Advisory Board, Child Fatality Prevention Team, Juvenile Crime Prevention Council, Transportation Advisory Board and a Full Board appointment on the Quality of Natural Resources Committee.

Commissioners Committee Reports

No reports.

County Manager's Report

The County Manager presented as follows:

Re: Gaston Community Vision Process:

- Referred to handout regarding the *County's Community Visioning Process*. She recalled the economic development work that Mr. Ted Abernathy did in November 2019, which produced several recommendations. She noted she is working through the plan for those items including the recommendation to conduct a professional exercise with the community to talk about a community vision that is much larger than the County and economic development.
- Staff has put together a *Work Team* and is having conversations with some community partners and will begin holding dialogue sessions with municipalities and other stakeholder groups to kick-start this process; will provide more information at a later date.

County Attorney's Report

No report.

Closed Session Pursuant to NCGS 143-318.11(a)(6) – Personnel Matters

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously entered into Closed Session Pursuant to NCGS 143-318.11(a)(6) – Personnel Matters at 7:11 pm.

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously entered into Open Session at 8:03 pm.

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Other Matters

None.

Adjournment

Chairman Philbeck called for a motion to adjourn the Regular Meeting.

On motion introduced by Commissioner Jack Brown and seconded by Commissioner Fraley, the BOC unanimously adjourned the Regular Meeting of August 25, 2020 at 8:04 pm.

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

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL