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Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

NOVEMBER 12, 2019

The Gaston County Board of Commissioners (BOC) met in Rescheduled Session on November 12, 2019 at 5:17 p.m., immediately following its 4:00 p.m. Work Session, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Commissioner Jack B. Brown was not in attendance.

Others present included Dr. Kim S. Eagle, County Manager; Charles L. Moore, 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 Worley led in the Pledge of Allegiance *during the preceding Work Session*.

Public Hearing - Zoning Map Change: Z19-15 Paul Windsor Bonham III (Applicant); Property Parcel: 167295, Located at 137 Dusty Hill Rd., Dallas, 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 Keigher, the BOC unanimously entered into Public Hearings.

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

Mrs. Penley advised that subject request is to rezone parcel 167295 located at 137 Dusty Hill Rd., Dallas, 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 Property Owner/Applicant is Paul Windsor Bonham, III; .488 acres is requested for rezoning; current use is vacant; property was recently occupied by a modular home.

She reviewed aerial and zoning maps which depicted the site as follows:

- Site Location – North-central portion of County between the Town of High Shoals and Town of Dallas
- Site Description – Currently vacant; surrounding area is wooded and adjoined by other residential structures
- Primary Area Zoning - R-1 with CU/C-1 district zoning; consistent with the Single Family Limited in the US Overlay with Conditional Use Light Commercial district to the South and West
- Adjoining Property Owners – reviewed map and list of property owners notified of the public hearing.

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In conclusion, Mrs. Penley noted the property is located within the Rural center area designation of Planning Area 2: North 321 Gaston/North Central Gaston; based on goals and objectives in the zoning district pattern and 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 received several calls for information.

Chairman Philbeck called for citizen comment.

Ms. Melanie Yarborough, 141 Dusty Hill Rd., Dallas, NC advised she did not understand the proposed rezoning request and voiced concerns about the uses allowed by right and questioned the number of residents allowed in a home. She noted there were (15) people living in the home that burned. She added there is only one road in and out and [the applicant] continuously blocks the road.

Chairman Philbeck explained if the BOC approved the rezoning request the Applicant/Property Owner could do certain things by right; asked if she had an easement to the road.

Ms. Yarborough responded "yes".

Chairman Philbeck advised that some of the matters she cited would probably be an issue for law enforcement.

Mr. Paul Bonham (Applicant/Property Owner) advised he formerly resided at 137 Dusty Hill Rd. before the modular home burned down; also owns 145 Dusty Hill Rd.; there are only four houses on this street; his goal is to place a doublewide on the property with brick underpinning; purchased the 145 Dusty Hill property last year to have more road space; distributed pictures to the BOC.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Worley, the BOC unanimously accepted the pictures/maps as information.

Mr. Bonham also advised the maps show a mobile home park across the street and one-half mile north.

Mr. Jeremy Bone, 1252 Pecan Springs Ct., Dallas, NC and adjacent property owner advised he does not have a problem with replacing the dwelling on the property; voiced concerns about the history of the property, of more than a dozen people (unrelated) living in that single dwelling, and incidents of those residents trespassing onto his property.

Chairman Philbeck called for questions from the Planning Board; hearing none, called for questions from the BOC.

Commissioner Chad Brown asked if any complaints had been received regarding the dwelling.

Mrs. Penley responded the Zoning Office received a Minimum Housing complaint filed in May 2019 that was closed out, a second complaint filed in June 2019 and resolved the same month, and a third complaint filed the week of the fire – staff was processing and assigning that complaint when the fire occurred, which nullified the case at that time.

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Commissioner Chad Brown asked if the complaints only involved occupancy issues.

Mrs. Penley responded "yes" for the zoning complaints.

Commissioner Worley asked if the doublewide would be a rental or a replacement for the primary residence.

Mr. Bonham advised he had lived there since 2014 and it will replace his primary residence; he moved in with his son at 145 Dusty Hill Rd. when the structure burned down.

Chairman Philbeck inquired about the applicant's intent to rent the property, how many tenants lived in the house previously, and how it burned down.

Mr. Bonham responded he plans to live there and not rent it; 12 people lived in the house previously; the cause of the fire was undetermined; because of the drought, the Fire Marshal indicated it was probably a cigarette.

Chairman Philbeck advised the Minimum Housing Code considers more than five people that are unrelated as a commercial dwelling and not a single-family dwelling; there have been numerous complaints about the property and the number of unrelated people living in the single dwelling.

Mr. Bonham responded his neighbors have made their vocalizations to him several times; part of the reason for buying the house at the end is for an extra roadway; there is a loop at the end of Dusty Hill which provides another way to get in and out.

Chairman Philbeck asked if people were living in cars and how many cars were on the property currently.

Mr. Bonham responded "nobody has lived in cars"; there are two cars on the property now.

Chairman Philbeck asked how many cars were there on the property and how many people lived in the other houses on the street.

Mr. Bonham responded "six" cars; he clarified that he currently lives with his son and his son's fiancé.

Chairman Philbeck advised that BOC had documentation where people were living in cars that created a huge nuisance; asked if someone died in the fire.

Mr. Bonham responded "yes, his friend, Bruce".

Chairman Philbeck advised that it happened after a complaint was filed.

Mr. Bonham responded his friend's death was not related to the issue; the issue of complaint involved lumber that was not stacked neatly; the lumber was to be used to build a home for unwed mothers and human trafficking victims; endeavored to tidy it up immediately.

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Commissioner Worley asked for the square footage of the proposed doublewide.

Mr. Bonham responded approximately 1,500SF; checked with different dealers to get something beautiful and cost effective.

Hearing no further questions, Chairman Philbeck moved to the next item of business.

Public Hearing - Zoning Map Change: Conditional District CD19-03, Teramore Development LLC, Joe Strickland (Applicant); Property Parcel: 301564 (part of), Located at Union Rd., Gastonia, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays to the (CD/C-1) Conditional District / Light Commercial Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays, in order to allow Retail, 0-24,999 sq ft GFA

Chairman Philbeck recognized Mrs. Penley for comments.

Mrs. Penley advised subject request is to rezone a portion of parcel 301564 located off Union Rd., Gastonia, NC from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays to the (CD/C-1) Conditional District/Light Commercial Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays to allow Retail use, 0-24,999 sq ft GFA; the Applicant is Teramore Development LLC in c/o Joe Strickland; the owner is James K. Yelton; total acreage of property is 45.49 acres; only two acres of the parcel is being considered for rezoning; the property is currently wooded and vacant; as required by the conditional district rezoning process the Applicant conducted two community input meetings (on September 19 & 20, 2019).

She reviewed aerial, zoning and adjacent property owners maps depicting the location of the site (southeast area of County on Gaston County/York County line; south and east of Gastonia; south and west of City of Belmont) and on the corner of Union and Duncan Roads with some residential and commercial uses; area zoning is R-1 (single family limited with urban standards overlay and corridor highway overlay), single family moderate, light commercial, R-2 and C-3 (general commercial) zoning; adjoining property owners notified of public hearing.

She reviewed slides of the Applicant's site map and the elevation of the property and other required details; she noted conditions proposed by staff, outside of the standard UDO regulations, are allowable at the BOC's discretion; advised the first 3 conditions require the Applicant to adhere to all local, state and federal regulations, otherwise, the application is null and void; *4th condition states the project will be used for retail uses only; #5 condition set forth by Applicant is for a 30' setback instead of the required 25' setback on the adjacent residentially zoned property; #6 condition is for a reduction in parking spaces from 37 to 31 if all other regulations or requirements are met.*

In conclusion, Mrs. Penley advised the property is located within the rural small area of Area 4: The Garden Gaston/Southeast Gaston; it is staff's opinion the request presented as a conditional district would be appropriate within the Comp Plan; the general area has residential, commercial, C-1 and C-3 zoned properties; staff recommends that these conditions be adopted if BOC approves the request; the request was advertised and notices were mailed out per County policy.

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Chairman Philbeck called for comments from the Applicant.

Mr. Robert Brown, Jonas Law Firm, 1258 N. Hwy. 16, Denver, NC, advised their law firm also has an office in the Carolina Trust Bank building on S. New Hope Road. He introduced Mr. Joe Strickland, NC Director of Operations for Teramore Development; advised the property's intended use is for a Dollar General; it is consistent with the Comp Plan; it will benefit the community in that area; thanked the Planning staff for doing a great job; the Dollar General approved by the BOC last year, between Cherryville and Bessemer City, opened this past weekend; Teramore Development's Engineer is also in attendance tonight and can answer any questions about the site plan or renderings.

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

Hearing no further discussion, Chairman Philbeck excused the Planning Board to Room 2029 for deliberations.

Public Hearing - RE: Commissioner Philbeck - EDC - To Authorize Completion of the Rolling Door Company's Application for the NCDOC Rural Economic Development Division's Building Reuse Program and to Authorize a Fund Balance Appropriation for a Required Local Match of \$2,500

Chairman Philbeck introduced Ms. Leslie Campbell, EDC Project Administrator, for comments.

Ms. Campbell advised Rolling Door is considering purchasing a building at 1931 Jordache Ct.; intends to create 11 new jobs with an annual wage of more than \$40,000; Rolling Door applied for a NCDOC Rural Economic Development Division Building Reuse Grant and the State is requiring a 5% local match (\$2,500).

Chairman Philbeck called for citizen comment and for questions from the BOC; hearing none, called for a motion to approve the Resolution.

2019-301 Commissioner Philbeck - EDC - To Authorize Completion of the Rolling Door Company's Application for the NCDOC Rural Economic Development Division's Building Reuse Program and to Authorize a Fund Balance Appropriation for a Required Local Match of \$2,500

On motion introduced by Commissioner Hovis and seconded by Commissioner Fraley, the BOC unanimously approved **2019-301** as follows:

WHEREAS, THE ROLLING DOOR COMPANY is considering a total investment of \$1.5 million in machinery & equipment to establish a manufacturing plant at 1931 Jordache Court in Gaston County, which includes the installation of machinery and equipment; and,

WHEREAS, the firm intends to create at least eleven (11) new jobs expecting to pay an average annual wage of \$40,909 with the current average annual wage for Gaston County being \$39,852; and,

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WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,

WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to assist THE ROLLING DOOR COMPANY in completing a NCDOC Rural Economic Development Division Building Reuse Grant Application and to provide a local matching grant of up to \$2,500.00 from Fund Balance; and,

WHEREAS, this will potentially increase property and sales tax revenue based upon THE ROLLING DOOR COMPANY choosing to locate its start-up manufacturing plant in the Delta Business Park in Gaston County; and,

WHEREAS, the Gaston County Board of Commissioners desires to support this manufacturing startup operation so as to induce the company to provide good job opportunities and capital investment which will enhance the County’s ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners:
 Authorizes the Chairman of the Gaston County Board of Commissioners to execute any documents necessary to complete this NCDOC Rural Economic Development Division Building Reuse Grant Application and to authorize a Fund Balance appropriation for a required local matching grant of up to \$2,500.00.

and per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	040-99-9900-0000-490000	\$ (2,500.00)
Building Reuse Grant: Proj. Rolling Door	040-07-4920-4920-540006-20552	\$ 2,500.00

Public Hearing - RE: Commissioner Chad Brown - EDC - To Authorize Gaston County to Apply for a One North Carolina Grant and Enter into an Economic Development Agreement (EDA) with Project LENO and to Authorize a Fund Balance Appropriation of \$50,000 for a Local Match

Chairman Philbeck recognized Ms. Campbell for comments.

Ms. Campbell advised Project Leno is purchasing an existing company in Stanley, NC and will invest \$3.4M and create 29 new jobs; they are moving current machinery and equipment from SC to the new facility; have applied for a One North Carolina Grant which requires a \$50k local match.

Chairman Philbeck called for citizen comment; hearing none, called for questions from the BOC.

Commissioner Chad Brown asked where the company would be located.

Ms. Campbell responded “Stanley”.

Hearing no further questions, Chairman Philbeck called for a motion to approve the Resolution.

2019-302 Commissioner Chad Brown - EDC - To Authorize Gaston County to Apply for a One North Carolina Grant and Enter into an Economic Development Agreement (EDA) with Project LENO and to Authorize a Fund Balance Appropriation of \$50,000 for a Local Match

On motion introduced by Commissioner Worley and seconded by Commissioner Chad Brown, the BOC unanimously approved **2019-302** as follows:

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WHEREAS, Project LENO is considering a total investment of \$3.4 million in purchasing a building and machinery and equipment (M&E) to maintain an advanced manufacturing and technical facility in Stanley with the expectation to complete this investment on or before December 31, 2020; and,

WHEREAS, the firm intends to create at least twenty-nine (29) new jobs expecting to pay an average annual wage of \$38,900 with the current average annual wage for Gaston County being \$39,852; and,

WHEREAS, this investment consist of not less than nine hundred twenty-five thousand dollars (\$925,000) in real property investment and two million five hundred thousand dollars (\$2.5 Million) in personal property (M&E) investment; and,

WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,

WHEREAS, it is anticipated that the Company's capital investment in and at the Property and its operations thereat will generate significant ad valorem tax, sales tax and other revenues for the County; and,

WHEREAS, The State of North Carolina is expected to offer a One North Carolina Fund Discretionary Grant of one hundred thousand dollars (\$100,000) which requires a local match of 50% (fifty thousand dollars \$50,000) being sourced from local investment grants of the County; and,

WHEREAS, the County's One North Carolina Fund application will be incorporated into a detailed economic development agreement (EDA), between Project LENO, and the County, so as to induce the company to provide good job opportunities and capital investment which will enhance the County's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners:
 Authorizes the Chairman of the Gaston County Board of Commissioners to execute any documents necessary to make application for a One North Carolina Grant and authorizes a fund balance appropriation of \$50,000 for the required local match. The Board further authorizes the Chairman to execute an Economic Development Agreement for Project LENO.

and per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	040-99-9900-0000-490000	\$ (50,000.00)
One NC Grant: Project LENO	040-07-4920-4920-540006-20551	\$ 50,000.00

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

On motion introduced by Commissioner Hovis and seconded by Commissioner Keigher, the BOC unanimously closed the Public Hearings.

Agenda Revision/Approval

- ADDED/ Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate a Christmas Donation in the Amount of \$50,000 Received from the Community Foundation of Gaston County for the Children and Family Services Division (100% Donations) - Section V., Item N.
- ADDED/ Commissioner Philbeck - County Manager - To Approve a Resolution of Support of the Charlotte Area Transit System (CATS) West Corridor Extending Into Downtown Gastonia - Section V., Item O.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Worley, the BOC unanimously approved the Agenda of November 12, 2019 with changes as noted above.

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Approval of Minutes

On motion introduced by Commissioner Hovis and seconded by Commissioner Fraley, the BOC unanimously approved the Minutes of the Regular Meeting of October 22, 2019.

Citizen Recognition

No request.

Consent Agenda

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

2019-303 Commissioner Chad Brown - BOC - Proclamation - To Proclaim November 16-24, 2019 as Hunger and Homelessness Awareness Week in Gaston County

2019-304 Commissioner Chad Brown - BOC - Proclamation - To Proclaim Veterans Day, November 11, 2019 in Gaston County

2019-305 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds for Two Law Enforcement Based Victim Specialists Housed in the Sheriff's Office (\$276,000) per Budget Change Request:

Account Description	Account Number	Amount
DOJ: Victim Specialist	010-02-4315-4315-420000-20542	(\$276,000)
Salaries: Victim Specialist	010-02-4315-4315-510001-20542	\$228,000
FICA: Victim Specialist	010-02-4315-4315-510100-20542	\$17,442
Retirement: Victim Specialist	010-02-4315-4315-510101-20542	\$20,406
Health Ins: Victim Specialist	010-02-4315-4315-510103-20542	\$4,402
Victim Specialist	010-02-4315-4315-560000-20542	\$5,750

2019-306 Commissioner Chad Brown - Cooperative Extension - To Accept and Appropriate \$950 in Donations for the Something Pumpkin Event and \$542 in Extension Workshop Fees per Budget Change Request:

Account Description	Account Number	Amount
Fee Based Prog:Food/Supplies	010-07-4950-4950-415013-15226	[542]
Fee Based Prog-Food/Supplies	010-07-4950-4950-560000-15226	542
Something Pumpkin	010-07-4950-4950-415013-17272	[950]
Something Pumpkin	010-07-4950-4950-560000-17272	950

2019-307 Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information as follows:

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
09/05/2019	Nat Res	010-07-4960-0000-510001-	C	\$9,000
09/05/2019		010-07-4960-0000-530029-	D	\$7,000
09/05/2019		010-07-4960-0000-530023-	D	\$2,000
09/10/2019	Planning	010-02-4910-4910-520007-	D	\$500
09/10/2019		010-02-4910-4910-520014-	C	\$500
09/17/2019	IT	010-01-4210-0000-530010-	C	\$800

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09/17/2019		010-01-4210-0000-530003-	D	\$800
09/23/2019	DSS	020-05-5522-0000-510001-	C	\$1,193
09/23/2019		020-05-5522-0000-510003-	D	\$1,193
09/23/2019		020-05-5623-0000-510001-	C	\$96
09/23/2019		020-05-5623-0000-510003-	D	\$96
09/23/2019		020-05-5640-0000-510001-	C	\$77
09/23/2019		020-05-5640-0000-510003-	D	\$77
09/23/2019		020-05-5660-0000-510001-	C	\$246
09/23/2019		020-05-5660-0000-510003-	D	\$246
09/25/2019	Sheriff	010-02-4315-4315-520015-	D	\$1,850
09/25/2019		010-02-4315-4315-520013-	C	\$1,850

2019-308 Commissioner Philbeck - Authorization for Tax Collection - To Adopt and Enter into the Minutes an Order Directing the Tax Collector to Collect the Taxes Charged in the Tax Records and Receipts, and a Copy of the Order to be Delivered to the Tax Collector, Pursuant to N.C.G.S. 105-321(b) as follows:

WHEREAS, under N.C.G.S. 105-321(c), the North Carolina Machinery Act, it is required that the Board of County Commissioners authorize the Tax Collector to collect the taxes charged in the tax records and receipts.

NOW, THEREFORE, BE IT RESOLVED that the following order be entered into the Minutes of the Board of County Commissioners and a copy delivered to G. Cecil Jackson, Jr., Tax Collector of Gaston County. It is also acknowledged and resolved that pursuant to N.C.G.S. 105-373(c) the previous Tax Collector of Gaston County provided a full and complete settlement of taxes and such settlement is hereby acknowledged and incorporated herein.

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed with the Office of the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Gaston, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for an on account thereof, in accordance with law.

2019-309 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Additional State Grant Funds Received from the NC Division of Public Health for the Family Planning Program (\$46,616) per Budget Change Request:

Account Description	Account Number	Amount
Health State Grant	011-05-5117-0000-425059-	(\$46,616)
Drugs	011-05-5117-0000-520003-	\$46,616

2019-310 Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of November 2019 as Adoption Awareness Month

2019-311 Commissioner Keigher - Parks and Recreation - To Accept and Appropriate \$3,000 in Sponsorships for the 32nd Annual Cotton Ginning Days Festival per Budget Change Request:

Account Description	Account Number	Amount
Donations	010-04-6120-0000-415001	(\$3,000)
Special Programs	010-04-6120-0000-560000-20000	\$3,000

2019-312 Commissioner Jack Brown - Public Works - To Approve the Sale of Surplus County Vehicle #192 to Ranlo Fire and Rescue

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2019-313 Commissioner Keigher - Public Works - To Finalize and Formally Accept an Offer to Purchase a County Owned Surplus Parcel (PID 147403 located at 5168 Crawford Road, Gastonia)

2019-314 Commissioner Philbeck - Public Works - To Award a Construction Contract for Camp Sertoma ADA Improvements at a Cost Not to Exceed \$380,900 and Authorize the County Manager to Execute Any Necessary Contract Documents (FY 20 Budgeted Funds)

2019-315 Commissioner Jack Brown - Travel & Tourism - To Approve the Appropriation of \$250,000 from Travel & Tourism’s Fund Balance and Transfer to the General Fund for the Investment in the Gaston Aquatics Project per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	022-99-9900-0000-490000	(\$250,000.00)
Gaston Aquatics	022-07-4921-0000-560000-20039	\$250,000.00

2019-316 Commissioner Chad Brown – DHHS (Social Services Division) – To Accept and Appropriate a Christmas Donation in the Amount of \$50,000 Received from the Community Foundation of Gaston County for the Children and Family Services Division per Budget Change Request:

Account Description	Account Number	Amount
Donations: Foster Care	020-05-5867-0000-415001-	(50,000)
Donations: Foster Care	020-05-5867-0000-560000-16194	50,000

2019-317 Commissioner Philbeck - County Manager - To Approve a Resolution of Support of the Charlotte Area Transit System (CATS) West Corridor Extending Into Downtown Gastonia as follows:

- WHEREAS, more transportation options are needed to provide greater mobility to our existing residents, as well as the growing population in Gaston County; and,
- WHEREAS, the US Census Bureau’s American Community Survey (2009-2013) indicates that 25,653 Gaston County residents are traveling into Mecklenburg County each weekday for work; and,
- WHEREAS, the Charlotte region is home to over 1.8 million people and is expected to grow to over 2.5 million by 2030 and the key to supporting this economic growth is a rapid transit system integrated with land-use planning creating a sustainable, economic-environment which improves the quality of life and attracts businesses and people to the region; and,
- WHEREAS, the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO), formally the Gaston Urban Area MPO, completed the Gastonia Rapid Transit Alternatives Study in 2005 which identified the need to link to the Charlotte Area Transit’s (CATS) West Corridor service via rapid transit to improve its accessibility to and from other parts of the Greater Charlotte area; and,
- WHEREAS, CATS is currently conducting a study to reevaluate and update the transit recommendation for the West Corridor with the primary purpose to conduct the necessary transportation and land use analysis to select a Locally Preferred Alternative (LPA) to update the 2030 Transit System Corridor Plan, which will be approved by the Metropolitan Transit Commission (MTC); and,
- WHEREAS, since the current West Corridor LPA was adopted in 2006, land use changes have continued along Wilkinson Boulevard, the CLT Airport has continued to expand, and the Charlotte City Council recently approved the River District, a large mixed-use development along the Catawba River; and,
- WHEREAS, Gaston County stakeholders have expressed renewed interest in exploring rapid transit options into Gaston County from Mecklenburg County; and,

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- WHEREAS, the transit options that will be considered may extend beyond Mecklenburg County, and at a minimum, will not preclude extensions into Gaston County as part of future investments; and,
 - WHEREAS, based on the Strategic Transportation Investments (STI) Law, public transportation projects with service spanning two or more counties and serving more than one municipality are eligible for funding at the Regional Impact Tier; and,
 - WHEREAS, there are two light rail transit corridor options currently being studied with both utilizing the US 74 Catawba River Bridge to connect into Gaston County; and,
 - WHEREAS, the replacement of both the US 74 Catawba River Bridge and the US 74 South Fork Catawba River Bridge are funded projects and there is a feasibility study currently underway to examine the potential for the design of the new bridges to include a future light rail corridor; and,
 - WHEREAS, the Gaston County Board of Commissioners supports the proposed light rail West Corridor extension into Downtown Gastonia, providing better access for Gaston County residents; and,
 - WHEREAS, the Gaston County Board of Commissioners understands that the West Corridor study is intended to define a project to move forward and is not identifying a "shovel ready" rail project.
- NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby supports the Metropolitan Transit Commission's (MTC) Locally Preferred Alternative (LPA) for the West Corridor extending into downtown Gastonia.

(Note: The Planning Board had not completed its deliberations at this point in the meeting and Chairman Philbeck moved to the next item of business.)

Non-Consent

2019-318 Commissioner Keigher - Information Technology - To Approve and Appropriate Fund Balance for the Carry Forward of Unused Funds from FY19 to FY20 for the Relocation of Fiber and Core Switches from the Pathways Building on South New Hope Road to a Different Location on the same Campus (\$46,731)

Commissioner Keigher introduced the motion to approve and Commissioner Hovis provided the second for the purposes of discussion.

Chairman Philbeck called for discussion.

Commissioner Keigher asked if certain monies were not needed that BOC allocated originally; advised he did not have an issue with it but why did the County over-budget almost \$50,000.

Mr. Ricky Johnson, IT Director, advised that the IT Department had left over funds from a project last year; this was an unplanned expense for this year; the building transferred ownership to Pathways which terminated the fiber relocation; IT had budgeted \$50,000 to purchase a SIM tool but decided to do an annual maintenance agreement.

Chairman Philbeck called for the vote and the BOC unanimously approved **2019-318** per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	(\$46,731)
IT Bundled Projects	010-01-4210-0000-560000-ITMsc	\$46,731

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Appointments

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

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Hovis	Commissioner Chad Brown	Ms. Tarsheika L. Conner	November 30, 2022
Commissioner Worley	Commissioner Hovis	Ms. Cathy Kenzig	November 30, 2022

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

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Chad Brown	Commissioner Keigher	Mr. David Toomey	November 30, 2022
Commissioner Chad Brown	Commissioner Keigher	Mr. Doug Mabry	November 30, 2022
Commissioner Chad Brown	Commissioner Keigher	Mr. Ted Hendrix	November 30, 2022
Commissioner Philbeck	Commissioner Keigher	Mr. Eric Hendrix	November 30, 2020
Commissioner Philbeck	Commissioner Keigher	Commissioner Chad Brown	November 30, 2020

On motions introduced and seconded, the following individuals were unanimously reappointed to **Centralina Council of Governments (COG):**

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Philbeck	Commissioner Chad Brown	Commissioner Ronnie Worley	November 30, 2020
Commissioner Philbeck	Commissioner Chad Brown	Commissioner Bob Hovis	November 30, 2020

On motions introduced and seconded, the following individuals were unanimously appointed/reappointed to **North Carolina Association of County Commissioners (NCACC):**

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Philbeck	Commissioner Chad Brown	Commissioner Ronnie Worley	November 30, 2021
Commissioner Philbeck	Commissioner Chad Brown	Commissioner Bob Hovis	November 30, 2021

On a motion introduced by Commissioner Philbeck and seconded by Commissioner Keigher, the BOC unanimously appointed Mr. Daniel Styers, Jr. to **Workforce Development Board** to an unexpired term ending May 31, 2022.

On motions introduced by Commissioner Philbeck and seconded by Commissioner Keigher, the following individuals were unanimously appointed/reappointed to the **Fireman's Relief Fund Trustees** to terms ending November 2021:

Mr. Klent Craft	Mr. Robert Foy	Mr. Harold Fullbright	Ms. Virgil K. Harper
Mr. Jeffery L. Hovis	Mr. Pete Martin	Mr. Jeffrey Peterson	Mr. Deany Phillips
Mr. Steven Johnson	Mr. Mike Rhyne	Mr. Ron Sadler	Mr. Gordon B. Walker
Mr. Richard Albough	Mr. Jeff Beasley	Mr. Chad Belcher	Ms. Barbara Bush

Commissioners Committee Reports

Commissioner Keigher reported his participation in the Veteran's Day Parade. He thanked Officer Hamrick for pulling the Police Boat and noted that he followed in a 1950s Military Jeep.

Commissioner Worley also reported his participation in the Veteran's Day Parade.

COMMISSIONER'S COURT

NOVEMBER 12, 2019

GASTON COUNTY, NORTH CAROLINA

County Manager's Report

Dr. Kim Eagle, County Manager, presented:

- She stated her report was the ***Economic Development Strategy Update*** which was presented in the preceding Work Session
- Reminded the BOC that staff is finalizing plans for its ***Retreat on November 26th, Daniel Stowe Botanical Garden, Belmont, NC - 11 am to 3 pm***
- Just received word that the Charlotte City Council approved funding for the (LYNX) Silver Line Phase 1 Study.

Zoning Matters From Public Hearings

FAILED Commissioner Philbeck - Planning & Development Services – Zoning Map Change: Z19-15 Paul Windsor Bonham III (Applicant); Property Parcel: 167295, Located at 137 Dusty Hill Rd., Dallas, 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 read the Planning Board's consistency statement as follows: *The proposed rezoning is in the Rural Center of the future land use plan. A Rural Center zone consists of rural development. The general surrounding area is virtually exclusively (R-1) zoning, and the property is not located on a main street. A rezoning less restrictive than (R-1) is not congruent with the general area, and has the potential to negatively impact the residential character of the community. For this reason, the proposed rezoning is inconsistent with the comprehensive plan.* The Planning Board did not recommend approval of the proposed zoning request.

Commissioner Philbeck introduced a motion to accept the Planning Board's recommendation to DISAPPROVE the zoning map change. Commissioner Chad Brown provided the seconded.

Chairman Philbeck called for discussion.

Hearing none, Chairman Philbeck called for the vote to DISAPPROVE the zoning map change and the vote carried as follows:

Ayes: Commissioners Chad Brown, Fraley, Hovis, Philbeck, Worley

Nay: Commissioner Keigher

Absent: Commissioner Jack Brown

County Attorney's Report

The County Attorney advised the County received a new draft from the Beam's family representative regarding the Cherryville property staff has been working on for some time and hope to have it on the December Regular Agenda.

COMMISSIONER'S COURT

NOVEMBER 12, 2019

GASTON COUNTY, NORTH CAROLINA

Chairman Philbeck recessed the meeting at 5:56 pm to allow the Planning Board to conclude deliberations on CD19-03.

Chairman Philbeck reconvened the meeting at 6:00 pm.

2019-319 Commissioner Worley - Planning & Development Services - Zoning Map Change: Conditional District CD19-03, Teramore Development LLC, Joe Strickland (Applicant); Property Parcel: 301564 (part of), Located at Union Rd., Gastonia, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays to the (CD/C-1) Conditional District / Light Commercial Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays, in order to allow Retail, 0-24,999 sq ft GFA

The County Attorney read the Planning Board's consistency statement as follows: *The Conditional Zoning application is for a rezoning from (R-1) with the (CH) and (US) Overlays to a Conditional District/Light Commercial (CD/C-1). The property in question is in a future land use designation of Rural. Rural areas support residential housing and some businesses. The general area has residential and commercial zones, including (C-3) and (C-1) zoned parcels near the subject parcel. In light of the conditions and submitted site plan, the rezoning and development will not undermine the character of the community. The subject property is also on a main road, suggesting non-residential development is appropriate. The overlays also require the development to be of an increased standard than if it was not in an overlay district. The Planning Board recommended approval with the six conditions in Exhibit A that the Planning & Development Services Senior Planner reviewed during the presentation.*

Commissioner Fraley introduced the motion to approve request with the staff's recommended conditions. Commissioner Hovis provided the second.

Chairman Philbeck called for discussion.

Hearing none, Chairman Philbeck called for the vote and the BOC unanimously approved **2019-319**, 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 Conditional Zoning application is for a rezoning from (R-1) with the (CH) and (US) Overlays to a Conditional District/Light Commercial (CD/C-1). The property in question is in a future land use designation of Rural. Rural areas support residential housing and some businesses. The general area has residential and commercial zones, including (C-3) and (C-1) zoned parcels near the subject parcel. In light of the conditions and submitted site plan, the rezoning and development will not undermine the character of the community. The subject property is also on a main road, suggesting non-residential development is appropriate. The overlays also require the development to be of an increased standard than if it was not in an overlay district.

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: 301564 (part of), is hereby approved as conditioned (Exhibit A), effective with the passage of this Resolution.

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

Exhibit A

CONDITIONS OF APPROVAL

CD19-03

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this zoning district shall be void and no effect, and shall revert to the original zoning district prior to approval.
3. Development shall meet all local, state and federal requirements.
4. Land Uses will be limited to Retail uses permitted in the (C-1) Light Commercial Zoning District.
5. A minimum building setback of thirty (30) ft from adjacent residentially zoned parcel shall be established.
6. A reduction of parking spaces from thirty seven (37) to thirty one (31) spaces shall be allowed, pending all other regulations and requirements have been satisfied.

Adjournment

Chairman Philbeck wished everyone a Happy Thanksgiving and called for a motion to adjourn the meeting.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Worley, the BOC unanimously adjourned the Rescheduled Meeting of November 12, 2019 at 6:03 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