

# ADOPTED

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Gaston County Board  
of Commissioners

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GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

NOVEMBER 14, 2017

The Gaston County Board of Commissioners (BOC) met in Rescheduled Regular Session on November 14, 2017 at 7:10 pm, immediately following its Work Session, 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, Tom Keigher and Tracy L. Philbeck in attendance.

Others present included Earl Mathers, County Manager; Charles L. Moore, County Attorney; and Angela Stacks, Deputy Clerk to the Board.

Upon request of Chairman Brown, Commissioner Hovis led those assembled in the Invocation and Commissioner Grant led in the Pledge of Allegiance during the preceding Work Session.

## Public Hearing - Authorization for a Gaston County Level 2 Economic Development Grant for Project "Roo"

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 Grant, the BOC unanimously entered into Public Hearings.

Chairman Brown introduced Mr. Steve Nye for comments.

Mr. Steve Nye, EDC Marketing Director, advised the request for Project Roo is to provide a standard Level 2 Grant with a \$25,000 local match for the NC Department of Commerce (NCDOC) Building Reuse Grant. This is a Canadian company planning to operate an advanced manufacturing facility producing thermoset products for the military transportation industry. Three locations with similar sized buildings are being considered for this project (Gastonia Technology Park - Maistro building, Hickory, NC and Tennessee). Project Roo intends to create 54 jobs with an average annual wage of \$39,667 (Gaston County annual wage is \$38,438). The company intends to make an initial investment of \$8.9M for building up-fit and machinery and equipment. Company officials have described this as their advanced manufacturing and production facility and corporate office for the United States. The State is authorizing an application for the Building Reuse Grant and a One NC Grant. The County must provide a local match (\$25k) as part of the overall application which will be taken from the first payments of the standard Level Two grant, enabling the County to recoup that match upfront. The City of Gastonia intends to mirror the County's grant and will provide an economic development rider on electricity.

Chairman Brown called for citizen comment and questions from the BOC. Hearing none, he called for a motion to approve the resolution.

**2017-262      Commissioner Keigher – EDC – To Authorize a Level 2 Grant for Project Roo and the Required Local Match for a Building Reuse Grant**

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On motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously approved Resolution **2017-262** as follows:

- WHEREAS, Project ROO is considering an investment of \$8,900,000 to locate a manufacturing operation to Gaston County, including the installation of machinery and equipment and the up-fit of a spec building in the Gastonia Technology Park and the creation of at least fifty new jobs expecting to pay an average annual wage of \$39,667 which is above the 2017 average annual wage of Gaston County (\$38,438); and,
- WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for rehabilitation of existing structures and the location of industry; and,
- WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to offer a standard level two grant for Project ROO for the proposed investment of \$8,900,000 which will create at least fifty new jobs; and,
- WHEREAS, the Gaston County Board of Commissioners understands that a local match of up to twenty-five thousand dollars (\$25,000) is required should Project ROO be awarded this grant; and,
- WHEREAS, The Gaston County Board of Commissioners has conducted a properly advertised public hearing to provide the required local match for the proposed Building Reuse Grant for Project ROO and will produce an economic development agreement for the standard level 2 grant.

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

The Chairman of the Gaston County Board of Commissioners is authorized to:

1. Instruct the Gaston County Economic Development Commission to apply for a Building Reuse Grant from the REDD of NC Commerce for Project ROO when directed by the company.
2. Execute any documents necessary to apply for this competitive State incentive program and the standard level 2 grant for Project Roo.

and per Budget Change Request:

Account Description	Account Number	Amount
Land Purchase and Development	040-07-4920-4920-540004-18120	(25,000)
Building Reuse Grant: Project Roo	040-07-4920-4920-540005-18596	25,000

Public Hearing - To Authorize an application for an NCDOT/PTD FY19 Community Transportation Program Grant to Provide Rural Public Transportation Services; To Enter into an Agreement with the (NCDOT) and To Provide the Necessary Assurances and Required Local Match

Chairman Brown introduced Ms. Cheree Wilson for comments.

Ms. Cheree Wilson, ACCESS Transportation Coordinator, advised the NCDOT Public Transportation Division Program Grant for FY19 is an administrative and capital grant; the administrative grant provides funding for administrative salary and costs (total grant amount - \$203,066; local match - 15% or \$30,461); the capital grant is for replacement of ten vehicles that

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have met life expectancy, scheduling software for vehicle tablets, and interface software used to claim reimbursement for Medicaid trips (70% of trips provided by ACCESS); total grant amount requested - \$722,896; local match - 10%, or \$72,291.

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

Commissioner Grant asked how many salaries the administrative grant covered, how many vehicles would be replaced and if they were bus-type vehicles.

Ms. Wilson advised the grant covered three salaries and ten vehicles - replacing four LTVs (light transit vehicles) and six lift vans with two 20' LTVs, three 25' LTVs, one 22' LTV, one 28' LTV and three raised roof vans.

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

**2017-263 Commissioner Brown – DHHS (ACCESS Division) – Permission to Apply for NCDOT/PTD FY19 Community Transportation Program (5311) Grant to Provide Rural Public Transportation Services; Enter into an Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and Required Local Match**

On motion introduced by Commissioner Fraley and seconded by Commissioner Hovis, the BOC unanimously approved **2017-263**.

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

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

**Agenda Revision/Approval**

- REVISED/ATTACHED RESOLUTION/ *Public Hearing - RE: Commissioner Keigher - EDC - To Authorize a Gaston County Level 2 Economic Development Grant - Project "Roo" – I, Item A*
- ADDED/ *Commissioner Brown - County Attorney - Resolution Relating to the Authorization of Refunding Bonds of the County of Gaston, North Carolina; Order Authorizing \$61,000,000 Refunding Bonds – VI, Item D*
- MOVED to Non-Consent/ *Commissioners Brown & Fraley - Fire Marshal - Resolution To Support the Designation of the NC State Highway Patrol Voice Interoperability Plan for Emergency Responders (VIPER) as the Next Generation Emergency Services Radio System Platform for Gaston County; Specifically, to Endorse the Fire Service Application for a 2017 FEMA Assistance to Firefighters Grant and to Provide the Required 10% Matching Funds Not to Exceed \$200,000 – IV, Item G*

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously approved the Agenda of November 14, 2017 with changes as noted above.

**Citizen Recognition**

No requests.

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**Consent Agenda**

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

**2017-264 Commissioner Keigher - BOC - Commendation - To Recognize the Gaston Interfaith Dialogue**

**2017-265 Commissioner Worley - BOC - Commendation - To Commend the Cramerton Police Department Upon their 50th Anniversary**

**2017 266 Commissioner Brown - BOC - Proclamation - To Proclaim Veterans Day, November 11, 2017 in Gaston County**

**2017-267 Commissioner Brown - Cooperative Extension - To Accept and Appropriate \$1,100 in Extension Fees per Budget Change Request:**

Account Description	Account Number	Amount
Coop Ext Serv Special Project	010-07-4950-4950-415013-17272	[105]
Something Pumkin	010-07-4950-4950-560000-17272	105
Coop Ext Serv Special Project	010-07-4950-4950-415013-18134	[650]
Healthy Harvest	010-01-4950-4950-560000-18134	650
4H Fees	010-07-4950-4952-410009-18135	[315]
State/District 4-H Programs	010-07-4950-4952-560000-18135	315
Coop Ext Serv Special Project	010-07-4950-4950-415013-15226	[30]
Fee Based Prog-Food/Supplies	010-07-4950-4950-560000-15226	30

**2017 268 Commissioner Brown - DHHS (Social Services Division) – Proclamation - To Proclaim the Month of November 2017 as Adoption Awareness Month**

**2017 269 Commissioner Brown - Finance - To Appropriate Juvenile Justice and Delinquency Prevention Grant Funds Out of Fund Balance in Order to Refund the State for Unspent Funds in Fiscal Year 2016/2017 (\$2,513) per Budget Change Request:**

Account Description	Account Number	Amount
FUND BALANCE APPROPRIATED	010-99-9900-0000-490000	(2513)
JCPC ADMINISTRATION	010-05-5830-0000-560010-17172	13
PSYCHOLOGICAL TESTING	010-05-5830-0000-560010-17173	2500

**2017 270 Commissioner Brown - Parks and Recreation - To Accept and Appropriate a Community Foundation Grant from the George Poston Estate Fund in the Amount of \$155,000 per Budget Change Request:**

Account Description	Account Number	Amount
Community Foundation Grant	040-04-6120-0000-430005-18136	(\$155,000)
Poston Pump Track and Upgrades	040-04-6120-0000-540006-18136	\$155,000

**2017 271 Commissioner Grant - Public Works - To Accept a Federal Congestion Mitigation and Air Quality (CMAQ) Grant and Appropriate the Necessary Funds for Expenditure Purposes (Sidewalk to Connect the Lowell Sidewalk Network to George Poston Park) per Budget Change Request:**

Account Description	Account Number	Amount
Federal Grant - Revenue	040-01-4265-4260-420000-18553	(334,379)
Lowell-Poston Park Sidewalk	040-01-4265-4260-560000-18553	334,379

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**2017 272 Commissioner Philbeck - Public Works - To Accept a Federal Congestion Mitigation and Air Quality (CMAQ) Grant and Appropriate the Necessary Funds for Expenditure Purposes (Nature Trail from Gastonia Technology Parkway to Rankin Lake) per Budget Change Request:**

Account Description	Account Number	Amount
Federal Grant - Revenue	040-01-4265-4260-420000-18594	(757,478)
Rankin Lake to GTP Trail	040-01-4265-4260-560000-18594	757,478
Lowell-Poston Park Sidewalk Match	040-01-4265-4260-540006-18553	(189,369)
Rankin Lake to GTP Trail - Match	040-01-4265-4260-540006-18594	189,369

**2017 273 Commissioner Worley - Sheriff's Office - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Sergeant Sherry Tindall**

**2017 274 Commissioner Keigher - Veterans Services - Retirement Commendation - To Recognize the Retirement of Veteran Service Officer Darryl C. Adolf**

**Zoning Matters from Public Hearings (Non-Consent)**

**2017-275 Commissioner Philbeck – Planning/Zoning – Zoning Map Change: Z17-10, Richard Welch (Applicant); Property Parcel: 169762, Located at 827 Dallas Spencer Mtn. Road, Dallas, Rezone from the (R-1) Single Family Limited Zoning District with the (US) Urban Standards Overlay District to the (C-1) Light Commercial Zoning District with the (US) Urban Standards Overlay District**

The County Attorney advised the Planning Board recommended approval by a unanimous vote.

On motion introduced by Commissioner Keigher and seconded by Commissioner Grant, the BOC approved **2017-275**, after consideration of the map change application, 10/24/2017 public hearing comment and Planning Board recommendation:

The vote carried as follows:

Ayes: Commissioners Brown, Hovis, Fraley, Grant, Keigher, Worley

Nays: Commissioner Philbeck

- 1) The map change request is consistent with the County's approved Comprehensive Plan because the use is similar to the surrounding area. 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 169762, be approved, effective with the passage of this Resolution.
- 2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

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## Non-Consent Agenda Items

**FAILED Commissioner Hovis – Sheriff's Office – To Appropriate Funding and Authorize the Sheriff's Office to Implement GPS Electronic Monitoring for Offenders (\$789,954)**

Chairman Brown called for a motion to approve for the purposes of discussion.

Commissioner Worley introduced the motion to approve and Commissioner Hovis provided the second.

Chairman Brown called for discussion.

At the request of Commissioner Hovis, Sheriff Cloninger reported that a meeting was held on Monday with six District Court Judges regarding the GPS electronic (ankle) monitoring program (one Judge could not attend); Commissioners Grant and Worley were also in attendance. He referenced a letter of support from Superior Court Judges that was provided to the BOC. He noted that the ankle bracelet system available in Mr. Doug Lance's pretrial program is for low-level offenders; several Judges indicated they do not use it but would perhaps be more comfortable using a system that would provide an immediate response to a violation. He cited the statute which authorizes law enforcement to take an inmate into custody if they have violated any terms and conditions of their release.

Commissioner Hovis suggested the need for a scalable program for staffing based on initial program participants.

Sheriff Cloninger stated he requested the minimum number of staffing; hopes program will be at 70 within the first few months; may request more personnel if the program grows beyond that. He added that if the infill project is approved and the ankle monitoring program is unsuccessful, the employees will already be in place to work with the infill. Staff has identified and presented to the Judges a list of 125 inmates that could possibly be placed in the program immediately. He noted 20 inmates had to be transferred this week because the jail population rose to 622.

Commissioner Keigher expressed his concern that the County could potentially lose its investment should there be a demand from citizens or judges for the program to be halted in the event an inmate committed a serious crime. He stated his preference to focus on the infill and expansion project.

Sheriff Cloninger responded there is no guarantee that someone who is released on bond will not commit a crime. However, with this program, there is an immediate response to release violation, which is a safeguard currently not available. This is the best option to reduce the jail population and perhaps avoid liability as a result of overcrowding.

Commissioner Worley indicated that District Court Judges were comfortable with the program's level of supervision and monitoring of inmates. He added that most of the inmates discussed were non-violent; some are currently incarcerated on charges that would not result in jail or prison

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time should they be convicted. He stated that it is incumbent of the Board to immediately address jail overcrowding, adding the infill project can be worked on down the road.

In response to Chairman Brown, Sheriff Cloninger stated it would be three months before the new K-9 dogs arrived. He also advised that a portfolio of information would be created on each inmate in the program. If a violation occurs and an inmate cannot be located immediately, additional deputies would be called in and a BOLO would be sent to all law enforcement.

Commissioner Brown noted his preference to focus on a long-term solution, which the infill and jail expansion would provide.

Responding to Commissioner Hovis, the County Manager indicated the infill and jail expansion construction project could potentially be designed and completed within 12 months. Regarding the comparison to the Animal Control Shelter, he explained the shelter is a more complicated facility; the infill project is a straightforward solution which involves pre-constructed components and a relatively small amount of construction activity. Ordering additional equipment is imminent and is on the BOC's agenda now; the design process is fairly well along at this point and should not take an extended period of time.

Sheriff Cloninger clarified that 72 beds would be added but classification requires a 10% vacancy rate within the jail and annex.

Commissioner Keigher advised the infill program needs to be completed by the end of 2018.

Hearing no further discussion, Chairman Brown called for the vote ***To Appropriate Funding and Authorize the Sheriff's Office to Implement GPS Electronic Monitoring for Offenders (\$789,954)***, which failed to carry as follows:

Ayes: Commissioners Hovis, Worley

Nays: Commissioners Brown, Fraley, Grant, Keigher, Philbeck

**2017-276 Commissioner Hovis – Sheriff's Office – To Authorize Implementation of Gaston County Jail Capital Needs Projects to Commence Prior to Jail Expansion Project (Estimate of \$654,000)**

Chairman Brown called for a motion to approve for the purposes of discussion.

Commissioner Hovis introduced the motion to approve, and Commissioner Worley provided the second.

Chairman Brown called for discussion.

In response to Commissioner Philbeck, Sheriff Cloninger advised that two proposals were received for the body scanner: \$159,000 with a one-year warranty and \$189,000 with a five-year warranty; he recommended the five-year warranty and noted the County will be a pilot site.



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Commissioner Philbeck noted agreement with the five-year warranty and introduced an amendment to change the total from \$654,000 to \$674,000 to include an additional \$20,000 five-year warranty for the body scanner.

Commissioner Hovis advised he would accept the amendment. Commissioner Worley provided the second and the amendment carried by unanimous consent.

Hearing no further discussion, Chairman Brown called for the vote, and the BOC unanimously approved **2017-276, AS AMENDED, To Authorize Implementation of Gaston County Jail Capital Needs Projects to Commence Prior to Jail Expansion Project (Estimate of \$674,000)** per Budget Change Request:

Account Description	Account Number	Amount
FUND BALANCE-APPROPRIATED	010-99-9900-0000-490000	{674,000}
FURN/EQUIP < \$5,000	010-01-4265-4260-540001-18133	54,000
FURN/EQUIP > \$5,000	010-01-4265-4260-540002-18133	460,000
REPAIRS & MAINTENANCE	010-01-4265-4260-530023-18133	160,000

**2017-277 Commissioner Brown – Travel & Tourism – To Approve and Appropriate \$150,000 from Travel & Tourism’s Fund Balance to Assist Gaston County Parks and Recreation with the Installation of a Pumptrack at Poston Park per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	022-99-9900-0000-490000	(\$150,000.00)
Transfer to Capital Improvements	022-98-9800-0000-580040	150,000.00
Transfer from Tourism Fund	040-98-9800-0000-480022	(\$150,000.00)
Poston Pump Track & Upgrades	040-0406120-0000-540006-18136	\$150,000.00

Commissioner Keigher introduced a motion to approve. Commissioner Philbeck provided the second and the motion carried unanimously.

**2017-278 Commissioner Brown – County Attorney – Resolution Relating to the Authorization of Refunding Bonds of the County of Gaston, North Carolina; Order Authorizing \$61,000,000 Refunding Bonds**

Chairman Brown asked the County Attorney to provide a brief overview.

The County Attorney advised staff has been working with its consultants for some time and have determined there is some savings to accrue by moving forward with the refunding; have asked Bond Counsel to provide the documents.

Commissioner Brown advised he sat in on the meeting yesterday; staff is waiting on the Local Government Commission to approve the financing to save \$3.8M over the next ten years.

The County Attorney further advised that two separate motions would be required.



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Hearing no further discussion, Chairman Brown called for the motion and action was taken as set forth herewith and therein as follows:

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 in 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 November 14, 2017.

Present: Chairman Chad Brown, presiding, and Commissioners Ronnie Worley, Allen R. Fraley, Don Grant, Bob Hovis, Tom Keigher and Tracy L. Philbeck

Absent: None

Also present: Tonya C. Frye, Finance Director, and Angela Stacks, Deputy Clerk to the Board of Commissioners.

\* \* \* \* \*

Commissioner Brown introduced the following resolution, a copy of which had been made available to each Commissioner:

RESOLUTION RELATING TO THE AUTHORIZATION  
OF REFUNDING BONDS OF THE COUNTY OF  
GASTON, NORTH CAROLINA

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 \$61,000,000 for the purpose of providing funds, with any other available funds, for refunding all or a portion of the outstanding General Obligation School Bonds, Series 2009B, dated August 18, 2009, of the County, including paying expenses related thereto, and it is necessary to take certain related actions 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 any 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 Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such bonds with the Local Government Commission of North Carolina and are authorized to take such other 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.

Section 3. In connection with the authorization and issuance of such bonds, the law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as

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bond counsel of the County and Davenport & Company LLC is hereby confirmed as financial advisor of the County.

Section 4. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Hovis seconded by Commissioner Philbeck the foregoing resolution was passed by the following vote:

Ayes: Commissioners Chad Brown, Ronnie Worley, Allen R. Fraley, Don Grant, Bob Hovis, Tom Keigher and Tracy L. Philbeck.

Noes: None

Thereupon Commissioner Brown introduced the following order authorizing bonds which was read:

ORDER AUTHORIZING \$61,000,000  
REFUNDING BONDS

BE IT ORDERED by the Board of Commissioners for the County of Gaston, North Carolina:

1. That, pursuant to The Local Government Bond Act, as amended, the County of Gaston, North Carolina ( the "County"), is hereby authorized to issue Refunding Bonds in an aggregate principal amount not exceeding \$61,000,000 for the purpose of providing funds, with any other available funds, for refunding all or a portion of the outstanding General Obligation School Bonds, Series 2009B, dated August 18, 2009, of the County, including paying expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of the County has been filed with the Clerk to the Board of Commissioners for the County and is open to public inspection.

4. That this order shall take effect upon its adoption.

The Board of Commissioners thereupon designated the Finance Director of the County (the " Finance Director") as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended ( the "Act"), to be filed after said order has been introduced and before said order has been adopted.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

The Board of Commissioners thereupon designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners and the Local Government Commission of North Carolina the statement estimating the total amount of interest that will be paid on the bonds authorized by said order, if issued, that is required by the Act to be filed with the Clerk to the Board of Commissioners at the time said order is introduced and with the Local Government Commission of North Carolina.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the statement estimating the total amount of interest that will be paid on said bonds as so required.

Thereupon, upon motion of Commissioner Hovis , seconded by Commissioner Philbeck , the order heretofore introduced and entitled:

"ORDER AUTHORIZING \$61,000,000 REFUNDING BONDS" was placed upon its adoption.

The vote upon the adoption of said order was:

Ayes: Commissioners Chad Brown, Ronnie Worley, Allen R. Fraley, Don Grant, Bob Hovis, Tom Keigher and Tracy L. Philbeck

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Noes: None

The Chairman of the Board of Commissioners then announced that the order entitled: "ORDER AUTHORIZING \$61, 000,000 REFUNDING BONDS" had been adopted.

The Clerk to the Board of Commissioners was thereupon directed to publish said order, together with the appended statement as required by the Act, once in The Gaston Gazette.

\* \* \* \* \*

I, Angela Stacks, Deputy Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on November 14, 2017 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book No. \_\_\_\_\_ of the minutes of said Board, beginning on page and ending on page \_\_\_\_\_.

I HEREBY FURTHER CERTIFY that notice of said meeting was duly given in accordance with G.S. § 143- 318. 12.

WITNESS my hand and the corporate seal of said County, this 14<sup>th</sup> day of November 2017.

\_\_\_\_\_  
Deputy Clerk to the Board of Commissioners

#### **Items Pulled from Consent Agenda**

**TABLED    Commissioners Brown & Fraley - Fire Marshal - Resolution To Support the Designation of the NC State Highway Patrol Voice Interoperability Plan for Emergency Responders (VIPER) as the Next Generation Emergency Services Radio System Platform for Gaston County; Specifically, to Endorse the Fire Service Application for a 2017 FEMA Assistance to Firefighters Grant and to Provide the Required 10% Matching Funds Not to Exceed \$200,000**

Commissioner Hovis advised he did not think the County could afford the system and thus the Board should continue to explore other opportunities. He also suggested the County create a separate department, outside of County Police, for emergency communication explaining that it would take some of the politics and pressure out of this decision.

Chairman Brown interjected to call for a motion to approve for the purposes of discussion.

Commissioner Keigher introduced the motion to approve and Commissioner Fraley provided the second.

Commissioner Hovis stated that several South Carolina counties have implemented a newer technology that is a third of the cost and worth exploring further.

Commissioner Fraley asked if it was possible for the County to look into this and still move forward with the application for the grant.

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Commissioner Hovis advised that specifying a preferred system is how the points are rated for the grant award.

Commissioner Worley advised that many fire service and police personnel have indicated it is not a requirement of the grant to specify VIPER; currently the City of Cherryville is the only agency in the County that uses VIPER; Gastonia, Mount Holly and other potential municipal partners, including Charlotte are on UASI. He explained the importance of being able to communicate with regional partners and stated that he will not support a motion to specify VIPER.

Commissioner Keigher suggested allowing more time to explore other opportunities.

Commissioner Brown asked if this was time sensitive.

Mr. Eric Hendrix, Fire Marshal, responded there is generally a short window and waiting until next month may not fit that schedule.

Commissioner Keigher asked if it is a mandated requirement that a system be specified in the application.

Mr. Hendrix responded it was his understanding that it is not a mandated requirement but is recommended by the AFG Grant Specialist.

Commissioner Philbeck inquired if there were repercussions for applying for the grant and later opting not to do it.

Mr. Hendrix advised it was possible but would give the County a black eye for any additional funding requests in the future.

Commissioner Fraley stated Cherryville's system is not strictly VIPER; suggested having Mr. Jeff Cash, Cherryville's Fire Chief, attend the next meeting to answer questions; asked the County Manager to recap the results of the committee's study and why they ultimately recommended VIPER.

The County Manager noted it came down to financial reasons; first five years of the VIPER program would result in a significant savings to the County; VIPER is a robust system with a strong level of interconnectivity to the area however patching would be required for anyone currently on UASI; it was hoped that Gastonia would be interested in moving away from their contractual relationship with the Charlotte UASI system; this was in fact a deterring factor for the committee insomuch as it would cede control of the County's public safety radio to Charlotte.

Commissioner Grant cautioned that patching systems could result in possible loss of response time and/or patch failures. He suggested selecting a unified system that other partners in the area are using and also recommended not specifying a specific service in the grant if that was possible.

Commissioner Keigher questioned if both services could be listed in the grant.

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Commissioner Philbeck asked if VIPER improved the chances of obtaining the grant since that is the State system.

Mr. Hendrix stated that Chief Cash or other technical experts would be better able to respond to those questions.

Commissioner Philbeck recommended tabling the item and having the committee attend a Work Session.

Commissioner Worley suggested the committee reach out to Wake County; Wake went with VIPER initially and later partnered with the City of Cary to switch to UASI after experiencing service related problems with VIPER.

Mr. Hendrix noted that a smaller committee did speak with Wake and a number of other organizations in order to capture the pros and cons of each system.

Commissioner Philbeck introduced a motion to table the item and Commissioner Fraley provided the second. The motion carried unanimously.

**Appointments**

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

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Grant	Commissioner Philbeck	Mr. Brandon Love	May 2020
Commissioner Grant	Commissioner Philbeck	Mr. Joseph Eason	May 2020
Commissioner Keigher	Commissioner Brown	Ms. Linda McConnell	May 2019 (Unexpired Term)

On motion introduced by Commissioner Brown and seconded by Commissioner Fraley, the BOC unanimously reappointed Mr. Roger D. Hurst to the **Environmental Review Advisory Board** to a term ending November 2020.

On motion introduced by Commissioner Grant and seconded by Commissioner Philbeck, the BOC unanimously reappointed Ms. Michelle Cook to the **Quality of Natural Resources Committee (QNRC)** to a term ending October 2020.

On motion introduced by Commissioner Brown and seconded by Commissioner Grant, the following individuals were unanimously reappointed to the **Fireman's Relief Fund Trustees** to a term ending November 2019:

Mr. Jeffery Hovis	Mr. Mike Rhyne	Mr. Virgil Harper	Mr. Deany Phillips
Mr. Claude Ratchford	Mr. Jeff Beasley	Mr. Klent Craft	Mr. Robert Foy
Mr. Ron Sadler	Mr. Harold Fullbright	Mr. Pete Martin	Ms. Barbara Cash
Mr. Gordon Walker	Mr. Chad Belcher	Mr. Richard Albough	

COMMISSIONER'S COURT

NOVEMBER 14, 2017

GASTON COUNTY, NORTH CAROLINA

**Commissioners Committee Reports**

Commissioner Keigher noted that Ms. Pat Rudisill recently rotated off as the Chair of the ***Museum of Art and History Board***; he cited a letter he received from her and relayed her gratitude to the Board and to the County Manager and Assistant County Manager for their assistance during the absence of a director; reported attendance to the ***Economic Development Commission*** meeting held today; noted that Mr. Fred Jackson rotated off as Chairman. He cited an article in the Gazette and reported ***CaroMont Health*** has received an A-rating with the State for hospital public safety.

Chairman Brown thanked Commissioner Keigher and Worley for representing the Board at the Veterans Day Parade.

Commissioner Worley provided a handout to the County Attorney regarding the opioid crisis litigation; he stated he met with a group of attorneys and several commissioners last week; a presentation was made to the Cleveland County Board of Commissioners concerning a lawsuit against opioid distributors. He concluded that the County Attorney would be attending the NCACC's Attorney Conference tomorrow and he asked him to report back to the Board with any information obtained on the matter.

Commissioner Grant reported attendance at last week's ***Fire Advisory Board (FAB)*** meeting and noted the Crowders Mountain Fire and Rescue Department presented a Certificate of Need (CON) to purchase and erect a 1,500 square foot building with three bays to be used as Station 03 on Olney Church Road. The CON was approved unanimously by the FAB.

**County Manager's Report**

Mr. Earl Mathers, County Manager Presented:

- Plans are ongoing for a Gaston County Summit on the Opioid epidemic for mid-January; will be an opportunity to devise strategies and share the great results produced thus far; Gaston County is on the leading edge of this issue and one of the top in the State.
- Gaston County staff is working on floodplain mitigation issues to ensure the County receives a high rating with the National Flood Insurance Program; their work will impact Gaston County citizens that live in the floodplain by significantly reducing their insurance premiums.

**County Attorney's Report**

No Report.

**Other Matters**

None reported.

COMMISSIONER'S COURT

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**Adjournment**

Chairman Brown called for a motion to adjourn the Rescheduled Regular Meeting.

On motion introduced by Commissioner Philbeck, seconded by Commissioner Worley, the BOC unanimously adjourned the Rescheduled Regular Meeting of November 14, 2017 at 8:27 pm.

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

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Chad Brown, Chairman  
Gaston County Board of Commissioners

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Angela Stacks  
Deputy Clerk to the Board

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Donna S. Buff  
Clerk to the Board

SEAL