

ADOPTED

JUN 28 2022

Gaston County Board
of Commissioners

422

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

MARCH 22, 2022

The Gaston County Board of Commissioners (BOC) met in Regular Session on March 22, 2022 at 6:00 p.m., in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Commissioner Tracy L. Philbeck was not in attendance.

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

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

Public Hearing - RE: Commissioner Philbeck- Building & Development Services - Zoning Map Change: Z22-05 Boyd and Aleta West (Applicants); Property Parcel: 218666, Located at 105 End of the Trail, Bessemer City, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

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

Commissioner Keigher introduced the motion to enter into Public Hearing and Commissioner Worley provided the second. The Chairman called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

Chairman Brown recognized Mrs. Jamie Kanburoglu, Building and Development Services Long Range Planner, for comments.

Mrs. Kanburoglu advised subject request is to rezone parcel 218666 from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District; the property is located on End of the Trail off Puetts Chapel Road; the Applicants/(Property) Owners, Boyd and Aleta West, are requesting the rezoning of 1.19 of 2.11 acres.

Parcel is located north of Bessemer City; the aerial map depicts a mixture of housing types in the area; the property owners are in the process of subdividing the lot to place a new dwelling unit on it which will have access off of End of the Trail; previously there was a non-conforming single-wide manufactured home on this portion of the lot, which was removed; any new structures must adhere to the UDO; the property (currently zoned R-1) is across the street from properties zoned R-2 and R-3. She referenced the map listing the property owners notified of the public hearing and advised that staff received a few telephone calls for general inquiry after the property sign was posted.

In conclusion, Mrs. Kanburoglu stated it is staff's opinion that the application, as presented, is consistent with the Comprehensive Land Use Plan (Comp Plan); per MPO, there are no funded transportation improvement plans in the immediate vicinity; the property is in a predominately

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residential area; the proposed use is residential; going from R-1 to R-2 will keep the parcel residential in nature and in harmony with the immediate vicinity.

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

Commissioner Worley advised the BOC usually receives a listing of the adjoining property owners notified of the public hearing; it was not included in BOC packets; assume that was done.

Mrs. Kanburoglu responded the map referenced earlier lists those notified of the public hearing and nobody on the list called staff for information.

Chairman Brown declared the Public Hearing closed.

Chairman Brown introduced the County Attorney to read the Planning Board's recommendation.

The County Attorney advised as described by staff, it is consistent with the future land use plan. *The proposed rezoning is consistent with the Comprehensive Land Use Plan. This going from (R-1) to (R-2) will keep the subject parcel residential in nature which is consistent with the rural designation and in harmony with the uses in the immediate vicinity.*

Responding to Chairman Brown, Mrs. Kanburoglu advised the Planning Board's vote was unanimous.

Chairman Brown called for a motion to approve.

Commissioner Keigher introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and **2022-064** carried unanimously as follows:

NOW, THEREFORE, BE IT RESOLVED by the County Commission, upon consideration of the map change application, public hearing comment and recommendation from the Planning Board and Planning staff, finds:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed zoning district meets the rural land use designation and would allow the parcel to continue as a residential use in nature while still providing for agribusiness opportunities and remain in harmony with the other residential uses in the immediate vicinity.

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. Therefore, the map change request for Property parcel: 218666, 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.

Public Hearing - RE: Commissioner Brown - Building & Development Services - Zoning Text Amendments: ZTA22-02 Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 9 (General Provisions): Section 9.9

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Chairman Brown introduced Mrs. Kanburoglu for comments.

Mrs. Kanburoglu advised this request is to amend **Chapter 9, Section 9.9 Accessory Structures** of the UDO; the goal was to simplify the staff review process for permitting accessory structures; currently the UDO considers whether a property is greater or less than one-half acre to determine the maximum permitted area of accessory structures via a formula; staff removed that two-step calculation and formula and separated the lots into separate categories as follows (**C. Location and Setbacks, 4., E.**):

- **Number of Structures Allowed on Lot:** Lots *less than two acres* can have two structures and lots *greater than two acres* can have three structures in addition to a detached garage or carport
- **Total Square Footage of All Accessory Structures on Site:** Included a cap of how much land could be dedicated to the accessory structures to keep the building accessory like and to help regulate impervious areas needed for water runoff
- ***Maximum Square Footage Allowed for Each Individual Accessory Structure:** Created a cap on how large accessory buildings can be based off of the size of the primary dwelling
- **Height of Each Accessory Structure:** Created a height requirement that will do the same thing (*noted above) by keeping them smaller than the principal dwelling units
- **Location of Garage/Carport:** Created this new regulation that will allow lots greater than two acres to have a garage or carport in the front yard as long as it is 30' from the road right-of-way.

In conclusion, Mrs. Kanburoglu stated it is staff's opinion that this amendment will simplify their review process and allow residents greater flexibility for having accessory structures.

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

Chairman Brown introduced the County Attorney to read the Planning Board's recommendation.

The County Attorney advised *the proposed text amendment is consistent with the Comprehensive Land Use Plan as it increases citizen awareness and knowledge into community issues and opportunities. It improves the image of Gaston County to current and potential residents.*

Chairman Brown called for a motion to approve.

Commissioner Hovis introduced the motion to approve and Commissioner Johnson provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and **2022-065** carried unanimously as follows:

SECTION 9.9 ACCESSORY STRUCTURES

A. ~~Within any zoning district, accessory structures shall be located as follows:~~

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1. ~~No portion of any accessory structure (except mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump houses, bus shelters and doghouses) shall be located within any front yard on lots less than one (1) acre in area. Mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump houses, and doghouses may be located in any front, side or rear yard. Bus shelters may be located in any required front yard setback. On lots of one (1) acre in area or greater, accessory structures may be located in the front yard, a minimum of one hundred fifty (150) feet from the edge of the street right-of-way line. Swimming pools, pumps, filters, and pool water disinfection equipment installations shall not be located in any front yard, regardless of lot size.~~
 2. ~~Accessory structures are allowed in any side yard, although none are allowed in any required side yard setback except as provided in Subsection 1 above. Swimming pools, pumps, filters and pool water disinfection equipment installations shall not be located in any required side yard, regardless of lot size.~~
 3. ~~Accessory structures are allowed in a rear yard provided that no accessory structure (except as provided in Subsection 1 above) shall be allowed within five (5) feet of any principal structure and five (5) feet of any rear or side yard line.~~
 4. ~~On any lot one-half (½) acre or less in area containing a principal residential use, the maximum permitted area of accessory structures (excluding outdoor swimming pools) shall not exceed one-half (½) the heated ground floor area of the principal structure or seven hundred fifty (750) square feet, whichever is less.~~
 5. ~~On a lot containing an area of greater than one-half (½) acre, the maximum permitted area of accessory structures shall be computed by taking three (3) percent of the lot area over one-half (½) acre (21,780 square feet) and adding seven hundred fifty (750) square feet or one-half (½) the heated ground floor area of the principal residential dwelling, whichever is greater.~~
 6. ~~Any building attached to a principal structure (e.g., via a breezeway) will not be considered an accessory structure. Any additions to the principal structure shall be deemed "attached" to such structure if the addition is in accordance with all applicable State Building Code requirements~~
 7. ~~On any lot one (1) acre or less in area containing a principal residential use, the number of accessory structures (other than a carport or garage) shall be limited to two (2). On any lot greater than one (1) acre in area containing a principal residential use, the number of accessory structures (other than a carport or garage) shall be limited to three (3).~~
 8. ~~Exceptions to the setback requirements above may be made per Section 5.15.1(B) of this Ordinance.~~
 9. ~~In no case may an accessory structure be placed in a general drainage or utility easement without prior approval by the Administrator.~~
 10. ~~With the exception of accessory structures in association with an agricultural use, the height of an accessory structure shall not exceed the height of the principal structure.~~
 11. ~~All outdoor or in-door swimming pools, including in-ground, aboveground or on-ground pools, hot tubs or spas shall be enclosed by a barrier (a fence, wall, building wall, or combination thereof which completely surrounds the water structure and obstructs access to the water structure) and shall comply with the most current North Carolina Building Code.~~
- B. ~~On any lot containing a principal residential use, no accessory structure shall be permitted that involves or requires any external construction features which are not primarily residential in nature or character except for an accessory structure used in conjunction with a mixed-use dwelling, temporary produce stand, agricultural use, or similar nonresidential use that otherwise would be allowed on the property. Accessory structures on lots containing a principal residential use shall not be made of highly reflective metal materials. Some examples of structures that cannot be used as an accessory structure to a residential use include: school buses, manufactured homes, tractor-trailers (with or without wheels), buses, recreation vehicles, cargo containers (with exceptions as listed below), etc.~~
1. ~~Residential cladding, when applicable, shall be brick, block, concrete siding, vinyl siding, exterior wood siding or any other material not listed that is approved by the administrator.~~
 2. ~~Cargo containers permitted on residential lots less than one (1) acre, must be clad, placed in the rear yard, and no larger than eight feet by twenty feet (8' x 20') in size.~~

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3. ~~Cargo containers permitted on residential lots one (1) acre or larger, must be one (1) or more of the following and approved by the administrator: clad, materially screened, or naturally screened, so that the structure is not visible to any adjoining property owner.~~
- C. ~~No accessory structure shall be constructed or placed on a lot prior to the issuance of a zoning permit and a building permit for the principal use or structure on the same lot.~~
- D. ~~Minor modifications to the size of accessory structures are provided for in Section 5.15.1(B).~~

A. Accessory Structures

The following structures are not considered accessory structures and shall not be regulated by this ordinance:

<i>Mailboxes</i>	<i>Newspaper Boxes</i>
<i>Walls</i>	<i>Fences</i>
<i>Birdhouses</i>	<i>Flag Poles</i>
<i>Pump Houses</i>	<i>Dog Houses</i>

B. General Regulations

1. *No accessory structure may be placed in the front setback except for the following structure type(s):*
 - A. *Bus Shelter*
 - B. *Structures listed in subsection A*
2. *All accessory structures shall be constructed out of standard recognized building materials.*
 - A. *Accessory structures on lots containing a principal residential use shall not be made of highly reflective metal materials.*
3. *Examples of structures that cannot be used as an accessory structure to a residential use include:*

<i>School Buses</i>	<i>Buses</i>
<i>Recreation Vehicles</i>	<i>Manufactured Homes</i>
<i>Tractor Trailers (with or without wheels)</i>	
<i>Cargo Containers (with exceptions listed below)</i>	
4. *Minor modifications may be allowed for agricultural buildings.*
5. *Private Residential Quarters do not count towards the total number of accessory structures allowed per lot.*
6. *In no case may an accessory structure be placed in a general drainage easement without prior approval by the Administrator.*
7. *No accessory structure shall be constructed or placed on a lot prior to the issuance of a zoning permit and a building permit for the principal use or structure on the same lot.*
8. *Accessory structures with attached carports will be considered a carport.*
9. *Minor modifications for accessory structures are provided in Section 5.15*

C. Location and Setbacks

1. *Accessory structures are allowed in any side and rear yard unless otherwise specified in this section.*
2. *No accessory structure shall be allowed within five (5) feet of any principal structures and shall be setback five (5) feet from any rear or side yard line.*
3. *For lots less than two (2) acres in size, the following regulations shall apply:*
 - A. *The height of all accessory structures shall not exceed 20'.*
 - B. *No accessory structure type shall be placed in the front yard.*
 - C. *The total square footage of all accessory structures on the subject parcel shall not exceed 3% of the total lot acreage.*
 - D. *The total square footage of each accessory structure shall not exceed 50% of the primary structure's building footprint.*
 - E. *No more than two (2) accessory structures and a garage or carport may be placed on each parcel under two (2) acres.*
4. *For lots larger than two (2) acres in size, the following regulations shall apply:*
 - A. *The height of each accessory structure shall not exceed 45'.*
 - B. *Only garage and carports may be located in the side and front yard as long as they are setback 30' from the road right-of-way.*
 - C. *The total square footage of all accessory structures on the subject parcel shall not exceed 4% of the total lot acreage.*
 - D. *The total square footage of each accessory structure shall not exceed 50% of the primary structure's building footprint.*

E. No more than three (3) accessory structures and a garage or carport may be placed on each parcel greater than two (2) acres.

	<i>Lots less than 2 acres in size</i>	<i>Lots greater than 2 acres in size</i>
<i>Number of structures allowed on lot</i>	<i>2 in addition to a detached garage OR carport</i>	<i>3 in addition to a detached garage OR carport</i>
<i>Total square footage of all accessory structures on site</i>	<i>Less than or equal to 3% of the lot acreage</i>	<i>Less than or equal to 4% of the lot acreage</i>
<i>Maximum square footage allowed for each individual accessory structure</i>	<i>Shall not exceed 50% of the building footprint of the primary residential structure</i>	
<i>Height of each accessory structure</i>	<i>Max height of 20' for each structure</i>	<i>Max height of 45' for each structure</i>
<i>Location of garage/carport</i>	<i>May not be located in the front yard</i>	<i>May be located in the front yard as long as structure is set back 30' from the road right-of-way</i>

D. Swimming Pools

- 1. Swimming pools, pumps, filters, and pool water disinfection equipment installations shall not be located in any front yard, regardless of lot size.*
- 2. Swimming pools may be placed in the side yard as long as the side setback requirements of the zoning district are met to the water's edge.*
- 3. All outdoor or in-door swimming pools, including in-ground, aboveground or on-ground pools, hot tubs or spas shall be enclosed by a barrier (a fence, wall, building wall, or combination thereof which completely surrounds the water structure and obstructs access to the water structure) and shall meet the North Carolina Building Code standards.*

E. Cargo Containers

- 1. Cargo containers permitted on residential lots less than one (1) acre, must be clad, placed in the rear yard, and no larger than eight feet by twenty feet (8' x 20') in size.*
- 2. Cargo containers permitted on residential lots one (1) acre or larger, must be one (1) or more of the following and approved by the Administrator: clad, materially screened, or naturally screened, so that the structure is not visible to any adjoining property owner.*
- 3. Residential cladding, when applicable, shall be brick, block, concrete siding, vinyl siding, exterior wood siding or any other material not listed that is approved by the administrator.*

Public Hearing - RE: Commissioner Hovis - Emergency Management/Fire Services - Approval of a Resolution to Define and Establish the Gaston County Unified Fire Protection Service District to Provide Fire Protection and Rescue Services

Chairman Brown introduced Mr. Kevin Gordon, Director of Emergency Management and Fire Services, and Mr. Greg Grayson, NC Fire Chief Consultant, for comments.

Mr. Gordon advised staff was directed to conduct a Comprehensive Fire Study during last year's budget process; the Consultant has started making recommendations and it is time to make some decisions and move forward to better serve our citizens; currently the County has contracts

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with 17 non-governmental fire departments that provide fire protection in the unincorporated areas along with the Towns of Ranlo and High Shoals; those 17 departments are funded via 20 fire districts; 18 are fire protection service districts and two are voted-in fire districts.

He advised Mr. Greg Grayson, NC Fire Chief Consultant, will provide an overview of what has been done to-date, what the next step is and purpose of the Public Hearing required by NCGS; a report was provided to BOC and the Clerk's Office for the allotted time.

He further advised that Mr. Grayson has been with the NC Fire Service for many years; has served in Wake County and as the Fire Chief in Asheville; he retired out of Greensboro; worked for NC Office of State Fire Marshal for a period of time and has been a consultant for many years; he is a great asset to this process and to the County and has done a yeoman's job for the County to this point. He introduced Mr. Grayson for comments.

Mr. Greg Grayson, Consultant with NC Fire Chief Consulting (NCFCC), thanked present/past staff for working with them through this process; provided visuals and a brief overview as follows:

Re: NC Process of Implementing a Fire Protection Service District

- This is presented as a Unified Fire Protection Service District
- NCFCC work with NC cities/counties and is the NC League of Municipalities Fire Consulting provider
- Some goals NCFCC has been working with the County on are making some changes with its environment and growth; changing dynamics in fire service via dedicated and sustainable funding to improve service delivery improvement; equity in service delivery countywide; a strengthened governance structure to set contracts/agreements; applying some dynamic funding formulas to help register the hazard and risk; having a more equitable level of taxation as the County moves forward and grows accordingly
- NCFCC and County staff has accomplished much work with Research and Review by looking at background data, financial information and resources; developed a NCGS Report that is required when considering the adoption of a service district in NC; BOC adoption of Resolution capping the service district rate and scheduling this Public Hearing
- If BOC moves forward, it would be adopting a rate for the service district as part of the budget process
- Municipalities can join the service district if they choose to do so via BOC approval; NCFCC would work with staff and BOC and implement the service district; would recommend using a Fire Commission that is a very successful model throughout NC.

Purpose of a Fire Protection Service District: To enable sustainable funding for fire and rescue services only; to have a governance structure to provide fire/rescue services for the County's residents.

Scope of Proposed Gaston County Fire Protection Service District: This is for the County's unincorporated areas only and does not include any municipalities; municipalities can request to join via a Resolution.

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Per NCGS, the BOC must find that four of these findings apply when considering the adoption of a service district:

- 1) There is a demonstrable need for providing fire protection in the district
- 2) It is impossible or impracticable to provide those services on a countywide basis
- 3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies
- 4) There is demonstrable demand for the proposed services by persons residing in the district.

Statutory Report Summary

- Requires that a map (of proposed district/boundaries) has been produced and advertised
- A statement it meets the five elements/standards (per NCGS) and the four key findings
- A plan outlining how the district will work for anyone to review.

Mechanics of Contracting Fire Department Funding

- **Baseline Funding:** Each private/non-profit fire department would use FY21-22 funding as a baseline of funding; there will also be a \$250k/year foundational amount for fire agencies within the County to insure they can fully operate and provide a level of service it expects for its citizens; this represents no loss to the contracted/non-profit fire departments for FY22-23
- **Service Delivery Enhancement:** A Method to Improve and Enhance - have proposed and developed an enhancement plan that looks at the hazards and risks in each community (what are the needs; hazards that are protected; population, square miles, number of businesses and homes; etc.)
- **Capital Funding (Improvement):** Fire apparatus and equipment are expensive; a large amount of this is "at or approaching" its life expectancy; need to plan to replace this fire apparatus
- **Grant Funding:** Sometimes private/non-profit fire departments want to apply for grants but do not have the matching grant funds; there may be opportunities for some departments to work together on a grant initiative.

FY 22-23 Unified Fire Protection Service District Tax Rate

- The County will have the opportunity to set the tax rate as part of its annual budget process; BOC set a cap (a maximum of \$0.15 cents/\$100) per NCGS.

Process Timeline Update

- February 22, 2022 – The BOC adopted Resolution setting the cap and scheduled the Public Hearing
- March 22, 2022 – Held Public Hearing today; BOC may adopt the new service district
- April–May, 2022 – Hear from municipalities that may want to be part of the service district; establish a Fire Commission and adopt appropriate by-laws
- June 2022 – Set the (service district) tax rate for FY22-23

He advised he was available to answer any questions.

Chairman Brown called for citizen comment.

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Mr. Joshua Brown, 1149 Noles Dr., Mount Holly, NC, involved in fire service for sixteen years, spoke in support of the Unified Fire Protection Service District. Has been part of fire service for sixteen years.

Mr. Chris Eason, 2406 Woodleaf Dr., Gastonia, NC, and Chairman of the Crowders Mountain Volunteer Fire Department, stated he sees the benefits, and will do everything he can to support the Unified Fire Protection Service District; however, he expressed his concern about the change in management and loss of control.

Chairman Brown called for questions from the BOC.

Chairman Brown responded this will ensure that citizens are getting the best fire protection the County can provide; the BOC answers to the citizens on County fire protection; the BOC is grateful for the men and women who serve these VFDs and wants to make sure the departments are not inadequate in any way.

Commissioner Hovis, BOC's representative on the Fire Commission, advised Mr. Grayson made a similar presentation at the Volunteer Fire Departments Chiefs meeting several weeks ago; he was encouraged by hearing the Chiefs' positive comments; by using the County's purchasing power, leverage and Grant staff, it can provide this to the VFDs countywide to strengthen their opportunity to continue providing exquisite fire protection service to the citizens; the BOC is not looking to build a Gaston County Fire Department; this will create a more robust system and better opportunity to fund capital needs to insure the long-term financial wherewithal is there, along with incorporating some contractual changes between the County and the VFDs to ensure we stay focused and on-target.

Commissioner Worley advised this model the County is moving toward will be equitable countywide for those VFDs that have less of a tax base; he asked Mr. Gordon to comment on the modelling for a prospective municipality to join the district.

Mr. Gordon stated his response is reflective of process only, and is not an attempt at forecasting. He used Ranlo (the one the County will do today) as an example and advised an elected body must adopt a Resolution to allow the County to tax within its municipal boundaries; then the County would contract with that non-governmental fire department to provide fire protection to the municipality.

Commissioner Worley asked if the same rate would apply for any municipality that wanted to participate, and if a municipality that funds a local fire department via property tax could possibly reduce its tax rate, and this would supplement its fire service.

Mr. Gordon responded that it would be difficult to predict without knowing what those department budgets are; if they participated, the municipality would levy the tax rate the BOC sets on the taxpayers within that municipal boundary; it might or might not deliver the same amount of money.

Chairman Brown advised that the County is currently participating with High Shoals also.

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Commissioner Fraley echoed the BOC's comments and support; advised it is going to be a good program and looks forward to implementing it.

Chairman Brown declared the Public Hearing closed.

Commissioner Hovis introduced the motion to approve and Commissioner Worley provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and **2022-066** carried unanimously as follows:

WHEREAS, North Carolina General Statutes ("NCGS") § 153A-301 and § 153A-309.2 authorize the Gaston County Board of Commissioners to establish and define a service district in order to finance, provide, or maintain for the district certain services in addition to or to a greater extent than those financed, provided, or maintained for the entire county; and,

WHEREAS, in determining whether to establish a unified, countywide service district to provide fire protection and rescue services, the Board considered the population and the population density of the proposed district, the appraised value of property subject to taxation in the proposed district, the present tax rates of the County and any special districts in which the district or any portion thereof is located, the ability of the proposed district to sustain the additional taxes necessary to provide the services planned for the district, and any other matters that the Commissioners believe to have a bearing on whether the district should be established, pursuant to NCGS § 153A-302(a); and,

WHEREAS, upon the information and evidence it has received, the Board finds there is a demonstrable need and demand by the persons living in the proposed unified service district for providing fire protection and rescue services in the district; and,

WHEREAS, the Board further finds that it is impractical to provide the fire protection and rescue services across the entire county, and it is economically feasible to provide these services within the proposed service district without unreasonable or burdensome annual tax levies; and,

WHEREAS, the Board approved on February 22, 2022, a "Resolution Calling a Public Hearing to Consider the Establishment of a Unified Fire Protection Service Tax District for All Unincorporated Areas of Gaston County and a Rate Cap," pursuant to NCGS § 153A-309.2; and,

WHEREAS, a report on "2022 Gaston County Unified Fire Protection Service District NCGS Report" has been prepared containing a map of the proposed unified countywide service district, showing its proposed boundaries, a statement showing that the proposed service district favorably meets the standards set forth in NCGS § 153A-302(b) and defined in NCGS § 153A-309.2(b), and a plan for providing the needed fire protection and rescue services; and a copy of the report has been available for public inspection in the office of the Clerk to the Board for more than two weeks before the date of the required public hearing before adopting a resolution defining a new service district, and the Notice and Report is attached hereto and incorporated herein by reference; and,

WHEREAS, it has been duly certified to the Gaston County Board of Commissioners that Notice of Public Hearing on the establishment of the unified, countywide service district for fire protection services was duly published in accordance with the provisions of NCGS § 153A-309.2 and such public hearing was held on March 22, 2022.

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

1. The unified, countywide service district is hereby defined and established, as more fully described in the attached Notice of Public Hearing and Report on "2022 Gaston County Unified Fire Protection Service District NCGS Report," for the purpose of providing needed fire protection and rescue services within said district area. This new service district, from this date forward, is to be recognized as the "Gaston County Unified Fire Protection Service District."
2. The Gaston County Tax Assessor/Collector shall levy a special tax in an amount to be determined by the Gaston County Board of Commissioners on behalf of Gaston County within said service district in addition to those levied throughout the County in order to finance, provide, and maintain fire protection and rescue services within the newly defined and established service

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district in addition to or to a greater extent than those financed, provided, or maintained for the entire County.

3. The following existing eighteen (18) individual fire protection service districts in Gaston County will be abolished in accordance with NCGS § 153A-306 as of June 30, 2022, and the Gaston County Tax Assessor/Collector is directed to make necessary changes: Agriculture Center, Alexis, Chapel Grove, Chestnut Ridge, Community, Crouse, East Gaston, High Shoals, Hughs Pond, Lowell, Lucia-Riverbend, New Hope, Ranlo, South Point, Spencer Mountain Road, Tryonota, Union Road, and Waco fire protection service districts.
4. This resolution defining and establishing the Gaston County Unified Fire Protection Service District to provide fire protection and rescue services shall take effect on July 1, 2022.

Chairman Brown announced that the Public Hearings had been concluded.

Agenda Revision/Approval

- **REVISED/** *Commissioner Philbeck - Public Works - To Appropriate Enterprise Fund Balance to Purchase a Waste Compactor for the Landfill and Authorize Purchase from State Contract (\$1,292,652.48) - Section IV., Item T.*
- **MOVED TO NON-CONSENT/** *Commissioner Worley - Public Works - To Finalize and Formally Accept an Offer of \$3.1 Million to Purchase the Old Belmont Middle School Located at 110 North Central Avenue, Belmont and Request Acceptance by Gaston County Board of Education – Section IV., Item U. Moved to Section V., Item C.*

Chairman Brown called for a motion to approve.

Commissioner Hovis introduced the motion to approve and Commissioner Johnson provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved the Agenda of March 22, 2022 with changes as noted above.

Approval of Minutes

Chairman Brown called for a motion to approve.

Commissioner Keigher introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved the Minutes of the Regular Meeting of February 22, 2022.

Citizen Recognition

Ms. Charlotte Brown, 1118 Dumbarton Rd., Gastonia, NC, urged the BOC to reconsider the laws governing animal abuse and cruelty; asked to be contacted by the County Manager's office soon with ideas for the next step in this process; submitted documentation for the record.

Chairman Brown called for a motion to accept.

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Commissioner Hovis introduced the motion to accept the documentation and Commissioner Keigher provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

Commissioner Keigher advised Ms. Brown to contact the Animal Care and Enforcement Advisory Board about her concerns.

She responded she attended a meeting Saturday and signed up to volunteer there.

Chairman Brown directed the County Manager to have the Animal Care Enforcement (ACE) Director contact Ms. Brown about the information she needs to attend their meetings.

Ms. Gayle Mahl, 501 Woodland Ave., Mount Holly, NC and Advisory Board member of the Gaston-Lincoln-Cleveland Continuum Care (GLCCC), advised *Healthnet Gaston* is comprised of community partners with the mission of preventing and assisting individuals experiencing homelessness; a point-in-time count was conducted on January 25 nationwide; the goal was to find individuals in the community experiencing homelessness that are unsheltered to obtain survey questions for planning purposes; participants included law enforcement, the United Way, community agencies, Social Services, etc.; law enforcement helped to identify the locations to conduct our survey; was happy to work with all of our partners and citizens.

Mr. John Church, 1004 Middleton Ct., Cramerton, NC, advised he and his wife have been County citizens for 25 years and are in the real estate business and recently developed The Chronicle Mill in Belmont; he introduced Mr. Adi Khindaria, CEO of Kare Partners, LLC, and winner of bid to redevelop Belmont Middle School; stated he and his wife are excited about helping to redevelop the property into a mixed use facility; the vision is to reactive the property, maintain it as an historic project, bring jobs into the community and invest money to maximize its highest and best use; it will include a health care facility (they recently purchased the Kress Building in downtown Gastonia for a health care service facility), retail space (restaurants, offices), and will reactivate the gym into a food court and the auditorium into a community project; they met with City of Belmont officials today and talked about their vision and are excited about the opportunity to redevelop the property to do some public/private partnerships.

Mr. Adi Khindaria, CEO of Kare Partners, LLC, advised their headquarters is located on Court Dr.; they serve many constituents (i.e., Compleat Rehab which provides cardiac/neuro/orthopedic rehab services; Compleat Kids which provides services to children on the spectrum); their vision for bidding on the property was driven by utilizing some of the facility to service kids on the spectrum that are atypical and Optimist Hall in Charlotte.

Chairman Brown thanked Mr. Khindaria for investing in Gaston County.

Ms. Zona Garrett, 1526 Sandyhill Rd., York, SC and Homeless Management Information System Administrator, advised the number of unsheltered homelessness counted on January 25th in Gaston County doubled from the previous year; the point-in-time count in 2021 counted 132 unsheltered persons and households experiencing homelessness; the deadline for Continuum of Care to submit its preliminary data to HUD is April 29th; thanked BOC for its time and attention to such an important matter.

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Ms. Ashley Hyman, 113 Daybreak Ln., Belmont, NC and Health & Human Services - Social Services Division Attorney, advised March is Social Worker Appreciation Month; these amazing workers do a thankless job daily; they work with children and adults in protective services; are unsung heroes of our community and deal with issues regarding homelessness, opioid crisis, mental health pandemic, etc.; the services being proposed at Belmont Middle School will be an amazing resource to our County.

Chairman Brown thanked Ms. Hyman and Social Services employees for the work that they do.

Consent Agenda

Chairman Brown called for a motion to approve the Consent Agenda.

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

2022-067 Commissioner Worley - Budget & Strategy - To Accept and Appropriate Additional Third Year Governor's Crime Commission Grant Funds for Therapeutic Services (\$22,629) per Budget Change Request:

Account Description	Account Number	Amount
2019 GCC Therapeutic Svcs for Children	010-01-4131-0000-420000-20559	(\$22,629)
Prof Svc:2019 Therap Svc Chldn	010-01-4131-0000-530010-20559	\$22,629

2022-068 Commissioner Worley - Budget & Strategy - To Accept and Appropriate Additional State Grant Funds from the NC Council for Women (NCCFW) for Domestic Violence for 2021-2022 (\$6,346) per Budget Change Request:

Account Description	Account Number	Amount
NCC4W: Domestic Violence Grt	010-05-5810-5585-425104-22511	(\$6,346)
Training: NCC4W DV Funds	010-05-5810-5585-520011-22511	\$6,346

2022-069 Commissioner Worley - Budget & Strategy - To Accept and Appropriate Additional Grant Funds from the Children's Advocacy Centers of NC (CACNC) for The Lighthouse (\$51,589) per Budget Change Request:

Account Description	Account Number	Amount
2021 CACNC Grant - Federal	010-05-5810-5585-420000-22531	\$131,698
2021 CACNC Grant - State	010-05-5810-5585-420001-22531	(\$183,287)
FICA: 2021 CACNC Grant	010-05-5810-5585-510100-22531	\$2,431
Retire: 2021 CACNC Grant	010-05-5810-5585-510101-22531	\$3,619
Health Ins: 2021 CACNC Grant	010-05-5810-5585-510103-22531	\$9,265
Prog Supplies: 2021 CACNC Grnt	010-05-5810-5585-520002-22531	\$3,683
Other Svcs: 2021 CACNC Grant	010-05-5810-5585-530015-22531	(\$4,283)
Salaries: 2021 CACNC Grant	010-05-5810-5585-510001-22531	\$31,772
Life Ins: 2021 CACNC Grant	010-05-5810-5585-510109-22531	\$139
Dues: 2021 CACNC Grant	010-05-5810-5585-520012-22531	\$600
Furn/Equip<\$5: 2021 CACNC	010-05-5810-5585-540001-22531	\$4,363

2022-070 Commissioner Worley - Budget & Strategy - To Accept and Appropriate Federal Grant Funds from the Bureau of Justice Assistance (BJA) for a Comprehensive

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Site-based Program for Children Impacted by Opioid, Stimulant, and Substance Abuse (\$899,999) per Budget Change Request:

Account Description	Account Number	Amount
2021 BJA COSSAP Grant	020-05-5491-0000-420000-G0003	(\$899,999)
Salaries: 2021 BJA COSSAP Grt	020-05-5491-0000-510001-G0003	\$619,031
FICA: 2021 BJA COSSAP Grt	020-05-5491-0000-510100-G0003	\$47,356
Retire: 2021 BJA COSSAP Grt	020-05-5491-0000-510101-G0003	\$70,508
401K: 2021 BJA COSSAP Grt	020-05-5491-0000-510102-G0003	\$410
Health: 2021 BJA COSSAP Grt	020-05-5491-0000-510103-G0003	\$101,376
Dental: 2021 BJA COSSAP Grt	020-05-5491-0000-510108-G0003	\$2,592
Life: 2021 BJA COSSAP Grt	020-05-5491-0000-510109-G0003	\$1,440
Prog Supplies: 21 BJA COSSAP	020-05-5491-0000-520002-G0003	\$16,230
Training: 2021 BJA COSSAP Grt	020-05-5491-0000-520011-G0003	\$5,056
Transit Hsg: 21 BJA COSSAP Grt	020-05-5491-0000-530053-G0003	\$36,000

2022-071 Commissioner Worley - Budget & Strategy - To Accept and Appropriate Directed State Grant Funds for Public Safety for Gaston County Police Department (\$50,000) per Budget Change Request:

Account Description	Account Number	Amount
NC OSBM PS Equip (GCPD)	010-02-4310-4310-420001-G0004	(\$50,000)
F/E>5: NC OSBM PS Equip GCPD	010-02-4310-4310-540002-G0004	\$50,000

2022-072 Commissioner Keigher - Cooperative Extension - To Accept and Appropriate \$3,617 in Donations and Extension Workshop Fees per Budget Change Request:

Account Description	Account Number	Amount
Fee Based Prog:Food/Supplies	010-07-4950-4950-415013-15226	[2,536.00]
Fee Based Prog:Food/Supplies	010-07-4950-4950-560000-15226	2,536.00
Something Pumpkin	010-07-4950-4950-415013-17272	[301.00]
Something Pumpkin	010-07-4950-4950-560000-17272	301.00
4-H Local Programs	010-07-4950-4952-410009-16276	[780.00]
4-H Programs	010-07-4950-4952-560000-16276	780.00

2022-073 Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information as follows:

ENTRY DATE	DEPT NAME	ACCOUNT	DR/CR	AMOUNT
02/01/2022	Public Works	040-01-4265-4260-540006-	C	383,000
02/01/2022		040-01-4265-4260-540006-22037	D	383,000
02/03/2022	Museum	010-04-6141-0000-520001-	C	200
02/03/2022		010-04-6141-0000-520010-	D	200
02/03/2022	Police	010-02-4380-0000-540002-	D	29,452
02/03/2022		010-02-4380-0000-530015-Medcl	C	29,452
02/03/2022	Museum	010-04-6141-0000-530014-	C	1,000
02/03/2022		010-04-6141-0000-520011-	D	1,000
02/03/2022	Police	010-02-4380-0000-530010-	D	10,452
02/03/2022		010-02-4380-0000-560000-SpyNu	C	10,452
02/03/2022		010-02-4380-0000-520004-	D	4,066
02/03/2022		010-02-4380-0000-560000-19569	C	4,066
02/03/2022		010-02-4380-0000-520004-	D	17,439
02/03/2022		010-02-4380-0000-560000-20052	C	17,439
02/04/2022	HUSN	010-05-5810-4121-520017-	C	3,000
02/04/2022		010-05-5810-4121-520002-	D	3,000
02/04/2022		010-05-5810-4121-520017-	C	1,300
02/04/2022		010-05-5810-4121-540001-	D	1,300
02/04/2022	Manager	010-01-4120-0000-520005-	C	700
02/04/2022		010-01-4120-0000-520012-	D	700
02/04/2022	Health	011-05-5115-0000-530030-RICOV	D	2,300
02/04/2022		011-05-5115-0000-520011-	C	2,300
02/04/2022		011-05-5110-0000-530030-RICOV	D	800
02/04/2022		011-05-5110-0000-520011-	C	800

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02/04/2022		011-05-5113-5121-530030-RICOV	D	100
02/04/2022		011-05-5112-5115-520010-	C	100
02/07/2022	Emer Mgmt	010-02-4330-0000-540003-21008	D	175
02/07/2022		010-02-4330-0000-560000-EMPGO	C	175
02/08/2022	Finance	010-01-4130-0000-520001-	C	400
02/08/2022		010-01-4130-0000-520007-	D	400
02/08/2022	Bldg Svces	010-02-4910-4910-520011-	C	500
02/08/2022		010-02-4910-4910-530023-	D	500
02/08/2022	HUSN	010-05-5810-5582-520010-	C	1,800
02/08/2022		010-05-5810-4121-520002-	D	1,800
02/08/2022		010-05-5810-5582-520007-	C	3,000
02/08/2022		010-05-5810-4121-520002-	D	3,000
02/08/2022		010-05-5810-5585-520010-	C	2,000
02/08/2022		010-05-5810-4121-520002-	D	2,000
02/09/2022	Public Works	010-01-4265-4260-530023-18084	C	25,000
02/09/2022		010-01-4265-4260-540001-	D	25,000
02/09/2022	Telecommunications	024-02-4311-0000-540001-	C	49,042
02/09/2022		024-02-4311-0000-530029-	C	31,518
02/09/2022		024-02-4311-0000-540002-22038	D	49,042
02/09/2022		024-02-4311-0000-530029-22038	D	31,518
02/09/2022	Social Services	020-05-4800-4811-510001-	C	20,000
02/09/2022		020-05-4800-4810-510102-	D	5,000
02/09/2022		020-05-4800-4811-510102-	D	5,000
02/09/2022		020-05-4800-4812-510102-	D	5,000
02/09/2022		020-05-4800-4813-510102-	D	5,000
02/09/2022		020-05-4800-4810-510001-21583	C	1,000
02/09/2022		020-05-4800-4810-510102-21583	D	1,000
02/11/2022	Parks and Rec	010-01-4261-0000-530023-	C	4,000
02/11/2022		010-01-4261-0000-530004-	D	4,000
02/11/2022	Social Services	020-05-5600-0000-530015-22505	D	9,300
02/11/2022		020-05-5600-0000-510001-22505	C	6,000
02/11/2022		020-05-5600-0000-510103-22505	C	3,100
02/11/2022		020-05-5600-0000-510108-22505	C	150
02/11/2022		020-05-5600-0000-510109-22505	C	50
02/12/2022	Tourism	022-07-4921-0000-520001-	C	500
02/12/2022		022-07-4921-0000-520012-	D	500
02/14/2022	Public Works	040-01-4265-4260-540005-19033	C	8,400
02/14/2022		040-01-4265-4260-540006-22040	D	8,400
02/14/2022	GEMS	010-02-4370-0000-520005-	D	7,000
02/14/2022		010-02-4370-0000-520014-	C	7,000
02/14/2022	Bldg Svces	012-02-4350-4351-540001-	D	500
02/14/2022		012-02-4350-4351-540002-	C	500
02/14/2022		010-02-4910-4910-530020-	D	200
02/14/2022		010-02-4910-4910-520011-	C	200
02/15/2022	Public Works	010-01-4265-4260-530023-18084	C	20,000
02/15/2022		010-01-4265-4260-540001-	D	20,000
02/16/2022	Health	011-05-5114-5125-520012-	C	450
02/16/2022		011-05-5114-5125-520011-	C	150
02/16/2022		011-05-5114-5125-520013-	D	600
02/16/2022	Public Works	010-01-4265-4260-530023-18084	C	46,403
02/16/2022		010-01-4265-4260-540001-	D	46,403
02/17/2022	Attorney	010-01-4150-0000-520017-	C	1,200
02/17/2022		010-01-4150-0000-540001-	D	1,200
02/17/2022	Parks and Rec	010-04-6120-0000-530010-	C	165
02/17/2022		010-04-6120-0000-520011-	D	165
02/17/2022	Museum	010-04-6141-0000-530003-	D	1,725
02/17/2022		010-04-6141-0000-540001-	C	1,725
02/18/2022	Manager	010-01-4120-0000-520005-	C	2,000
02/18/2022		010-01-4120-0000-520011-	D	2,000
02/22/2022	Elections	010-01-4170-0000-520007-	D	4,000
02/22/2022		010-01-4170-0000-520006-	C	1,000
02/22/2022		010-01-4170-0000-530015-	C	3,000
02/22/2022	Parks and Rec	010-04-6120-0000-530010-	C	40
02/22/2022		010-04-6120-0000-520011-	D	40

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02/22/2022	GEMS	010-02-4370-0000-530023-	D	11,000
02/22/2022		010-02-4370-0000-520006-	C	11,000
02/23/2022	Museum	010-04-6141-0000-520012-	D	500
02/23/2022		010-04-6141-0000-530010-	C	500
02/25/2022	IT	010-01-4210-0000-530010-	C	50,000
02/25/2022		010-01-4210-0000-530010-22041	D	50,000
02/27/2022	HUSN	010-05-5810-5585-520002-22531	C	6,600
02/27/2022		010-05-5810-5585-540001-22531	D	6,600
02/28/2022	Emer Mgmt	010-02-4330-0000-520013-	C	100
02/28/2022		010-02-4330-0000-530021-	D	100

2022-074 Commissioner Brown - DHHS (ACCESS Division) - To Accept and Appropriate Additional Federal CARES Act Funds for Transportation Services in the Amount of \$187,197 per Budget Change Request:

Account Description	Account Number	Amount
DOT CARES Funds	010-01-4521-0000-420000-21534	(\$187,197)
DOT CARES: Salaries	010-01-4521-0000-510001-21534	\$187,197

2022-075 Commissioner Brown - DHHS (Health Division) - To Accept and Appropriate State Grant Funds Received from the Women's and Children's Health Section/Nutrition Services Branch for the Special Supplemental Nutrition Program for Public Health Women, Infants, and Children (WIC) (\$27,476) per Budget Change Request:

Account Description	Account Number	Amount
Health State Grant	011-05-5113-5120-425059-	(\$27,476)
FY22 WIC Client Program	011-05-5113-5121-560000-225WC	\$27,476

2022-076 Commissioner Brown - DHHS (Health Division) - To Approve the Gaston County Public Health Department Patient Fee Schedule incorporated herein by reference as filed with the Clerk to the Board

2022-077 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate Adult Protective Essential Services Funds Allocated from the American Rescue Plan Act in the Amount of \$95,621 per Budget Change Request:

Account Description	Account Number	Amount
ARPA: APS Essential Services	020-05-5600-0000-420000-G0005	(\$95,621)
Prog Supplies: ARP APS Essent	020-05-5600-0000-520002-G0005	\$25,000
Utilities: ARPA/APS Essential	020-05-5600-0000-530000-G0005	\$10,000
Other Svcs: ARPA APS Essential	020-05-5600-0000-530015-G0005	\$10,000
Repairs: ARP/APS Essential Svc	020-05-5600-0000-530023-G0005	\$25,000
Transit Hsg: ARP/APS Essential	020-05-5600-0000-530053-G0005	\$10,000
F/E<\$5K: ARP/APS Essential Svc	020-05-5600-0000-540001-G0005	\$15,000
Trsp of Clients:ARP/APS Essent	020-05-5600-0000-560001-G0005	\$621

2022-078 Commissioner Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of March 2022 as National Social Work Month

2022-079 Commissioner Hovis - Emergency Management/Fire Services - To Approve a Revised Interlocal Agreement to Provide Fire Inspection/Enforcement Services for City of Bessemer City, Town of Cramerton, Town of Dallas, City of High Shoals, City of Lowell, Town of McAdenville and Town of Ranlo

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2022-080 Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should Be Recorded in the Board's Minutes. (Total NCVTS Refunds - \$334.43) as follows:

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
JANUARY 2022 REFUNDS			
AMMONS, DEWEY WAYNE	69.15	HUFFSTETLER, RODNEY GENE	39.96
DELLINGER, JACK COOPER	36.02	MOORE, ALLAN DAVID	33.75
ELLER, TONY LYNN	22.26	NICKS, EDGAR FRANKLIN	34.18
FOX, JUSTIN TYLER	99.11	Total NCVTS Refunds (January 2022)	\$ 334.43

2022-081 Commissioner Fraley - GEMS - To Accept and Appropriate Additional Provider Relief Funds (PRF) (\$395,592.94) per Budget Change Request:

Account Description	Account Number	Amount
CARES Act Funding	010-02-4370-0000-420000-20574	(395,592.94)
Salaries: CARES	010-02-4370-0000-510001-20574	395,592.94
Department Chargeback	010-02-4370-0000-530031-	(395,592.00)
Furn/Equip > \$5,000	010-02-4370-0000-540002-	214,092.00
Motor Vehicles	010-02-4370-0000-540003-	171,500.00
Employee Training	010-02-4370-0000-520011-	10,000.00

2022-082 Commissioner Fraley - GEMS - To Accept and Appropriate the Non-Federal Share of Medicaid Fees Received from the NC Medicaid Managed Care Plans for Separate Directed Payments (\$322,115) per Budget Change Request:

Account Description	Account Number	Amount
MCS Separate Directed Payts	010-02-4370-0000-435017-22219	(\$322,115)
MCS Separate Directed Payts	010-02-4370-0000-560000-22219	\$322,115

2022-083 Commissioner Worley - Library - To Accept and Appropriate \$232,469 from the North Carolina State Library for the Gaston County Public Library per Budget Change Request:

Account Description	Account Number	Amount
State Aid: Public Library	010-04-6110-6112-425071	(232,469)
FY22 State Aid to Libraries	010-04-6110-6112-560000-22548	232,469

2022-084 Commissioner Fraley - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Master Police Officer Joseph M. Burch

2022-085 Commissioner Hovis - Police Department - To Accept and Appropriate a Donation from an Anonymous Donor in the Amount of \$60,000 for Medical Equipment for Gaston County Animal Care and Enforcement per Budget Change Request:

Account Description	Account Number	Amount
Donat: Xray Mach/SurgicalSuite	010-02-4380-0000-415001-22047	[60,000.00]
E.5K:Xray Mach/Surgical Suite	010-02-4380-0000-540001-22047	60,000.00

2022-086 Commissioner Philbeck - Public Works - To Appropriate Enterprise Fund Balance to Purchase a Waste Compactor for the Landfill and Authorize Purchase from State Contract (\$1,292,652.48) per Budget Change Request:

Account Description	Account Number	Amount
Solid Waste Fund Balance Appropriated	060-99-9900-0000-490000-	(\$1,292,652.48)
Heavy Equipment Purchases	060-08-4720-0000-540012-	\$1,292,652.48

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2022-087 Commissioner Johnson - Sheriff's Office - To Authorize Motorola Solutions as a Sole Source Provider for the Purchase of APX6000 Portable Radios (\$22,885)

2022-088 Commissioner Johnson - Sheriff's Office - To Appropriate Funding for Inmate Off-Site Medical Expenses (\$460,000) per Budget Change Request:

Account Description	Account Number	Amount
FUND BALANCE APPROPRIATED	010-99-9900-0000-490000	{460,000}
PROFESSIONAL SERVICES	010-02-4315-4323-530010	460,000

2022-089 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the Listed Tax Refunds be Made. (Releases and Refunds - \$937.26; Overpayments - \$11,390.63; VTS Refunds - \$5,636.15; Grand Total - \$17,964.04) as follows:

TAXPAYER NAME	AMOUNT
FEBRUARY 2022 RELEASES AND REFUNDS	
Corelogic	\$607.50
Crocker, Edwin Dean	\$329.76
TOTAL	\$937.26
FEBRUARY 2022 OVERPAYMENTS	
Bailey, Karen F.	\$359.96
Barrett, Jack W	\$101.20
Blue Monarch Properties	\$1,590.99
Bragg, Larry	\$105.22
Cooper, Joshua	\$282.02
Gaston County Finance	\$741.15
Gibson, Norma H	\$1,123.44
Heafner, William Frank	\$182.91
Killian, Mary Gibson	\$134.20
Killian, Mary Gibson	\$152.15
McKown, Samantha	\$155.58
Montero, Sandra	\$122.86
Montero, Sandra	\$171.57
Moran, Wilson	\$276.00
Pagan, James	\$3,988.86
Payne, Evonne	\$435.65
River Falls Homeowners Association	\$365.37
Robinson Chiropractic Center PLLC	\$200.00
Turner, Karen	\$751.28
Wilcox Homes LLC	\$150.22
TOTAL	\$11,390.63
FEBRUARY 2022 VTS REFUNDS	
Alcom Services	\$201.48
Baucom, Matthew Cody	\$157.84
Beasley, Sharon Horne	\$211.72
Bowker, Candy Janell	\$222.89
Champion, Justin Carl	\$141.64
Erwin, Daryl Eugene	\$173.95
Fuhr, Thomas William	\$126.43
Graham, Jennifer Lynn	\$166.79
Gulf Coast LLC	\$215.29
Hall, Diane McClain	\$206.20
Herns, Timothy Shade	\$650.51
Huffstetler, Maria Evita	\$153.66
Lattanzi, Robert Marc	\$122.95
Mendoza, Heidi Maria	\$147.83
Moore, Jennifer Dyan	\$177.95

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Moran, Logan Harrison	\$359.86
Newell, William Samuel	\$232.67
Parker, Rodger Lewis	\$122.64
Pernick, Kattie R	\$283.69
Powers, John Graham III	\$111.64
Robinson, Anthony Lee	\$173.63
Scalzo, David Michael	\$132.54
Shirey, Casey Marie	\$225.49
Simmons, Billy Thomas Jr	\$138.20
Thomas, Jerry Lee	\$120.06
Vanderpoel, John Andrew	\$186.81
Vu, Thu Thuy Thi	\$263.21
Yoder, Ronda Dale Evans	\$208.58
TOTAL	\$5,636.15
GRAND TOTAL	\$17,964.04

Non-Consent

2022-090 Commissioner Fraley - Finance - To Amend Gaston County ARPA Grant Project Ordinance 2021-264 to Approve and Appropriate Project Funding for the Design of the Cherryville Park Project (\$200,000)

Commissioner Fraley introduced the motion to approve and Commissioner Keigher provided the second. Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-090** as follows:

BE IT ORDAINED by the County Commissioners of Gaston County, North Carolina, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, that:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF). Gaston County has received the first tranche in the amount of \$21,806,063 of CSLRF funds. The total allocation is \$43,612,126, with the remainder to be distributed to the County within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

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

CSLRF Project \$43,612,126*

Project Allocations

- FJC Program Project \$ 616,366 - Approved 09/28/2021
- Grants Manager Position \$ 535,159 - Approved 12/14/2021
- Short-term Emergency Housing Assistance \$ 250,000 - Approved 01/11/2022

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- **Cherryville Park Design** **\$ 200,000 (BCR Attached) - 3/22/2022**

Remaining Available CSLRF Project \$42,010,601

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

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

CSLRF Funds \$43,612,126

- ARPA: Family Justice Center \$ 616,366 - Approved 09/28/2021
- Grants Manager Position \$ 535,159 - Approved 12/14/2021
- Short-term Emergency Housing Assistance \$ 250,000 - Approved 01/11/2022
- **Cherryville Park Design** **\$ 200,000 - 3/22/2022**

Remaining Available CSLRF Project \$42,010,601

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

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

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

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

and per Budget Change Request:

Account Description	Account Number	Amount
ARPA: Cherryville Park	041-04-6120-4135-420000-AR010	(\$200,000)
Transfer to General Govt Capital Fund	041-98-9800-0000-580043-	\$200,000
Transfer from CIF Fund	043-98-9800-0000-480041-	(\$200,000)
ARPA: Cherryville Park	043-04-6140-4135-540006-AR010	\$200,000

2022-091 Commissioner Fraley - Public Works - To Authorize the County Manager, or Her Designee, to Execute a Professional Services Contract with Benesch for the Design of One American Rescue Plan Act (ARPA) Park Project

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

Commissioner Fraley advised the park project has checked off many boxes for ARPA funds and is much needed; the County already owns the seven (7) acres beside the elementary school; students will use the all-purpose-type field during school hours; the community will use it after school hours for soccer games and practice; appreciate the support of the BOC.

Commissioner Worley asked what other amenities are planned for the park project and what are the anticipated costs.

Chairman Brown deferred to the County Manager.

The County Manager advised the estimated construction cost is approximately \$1.4M; staff will have more detail after it work through the design process; a walking track and athletic fields are

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part of the project; staff talked with City of Cherryville about the maintenance the City will incur; lighting is still an outstanding question based on the desires of the community.

Chairman Brown advised he was approached by Cherryville about additional funding from PARTF (Parks and Recreation Trust Fund) and will be meeting with its City Manager about that soon.

Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via a show of hands) and the BOC unanimously approved **2022-091**.

2022-092 Commissioner Worley - Public Works - To Finalize and Formally Accept an Offer of \$3.1 Million to Purchase the Old Belmont Middle School Located at 110 North Central Avenue, Belmont and Request Acceptance by Gaston County Board of Education

Chairman Brown called for a motion to approve.

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

Chairman Brown called for discussion.

Commissioner Worley advised the building has been part of the Belmont community for 84 years and is a landmark; it is exciting to see what it will become next and how it will be used; everyone he has spoken to about the building did not want to see it demolished for houses, etc.; it will be an asset to the Belmont community; thanked Kare Partners, LLC for their investment in the community.

Chairman Brown called for Commissioner Fraley's voice vote and called for the vote from the remaining members (via a show of hands) and the BOC unanimously approved **2022-092**.

Appointments

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Christopher Waldroup to the **Child Fatality Prevention Team (CFPT)** to an unexpired term ending January 31, 2024.

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Edward Smith to the **Region F Aging Advisory Committee** to a term ending May 31, 2024.

On motion introduced by Commissioner Hovis and seconded by Commissioner Brown, the BOC unanimously reappointed Ms. Sharon Padgett to the **Personnel Advisory Board** to a term ending March 31, 2025.

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On motion introduced by Commissioner Johnson and seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Edwin Greg Springs to the ***Gaston County Board of Adjustment/Gaston County Housing Board*** to an unexpired term ending January 31, 2025.

Commissioners Committee Reports

Commissioner Keigher reported meeting attendance to the Gaston College Board of Trustees; advised the ribbon cutting to celebrate the new baseball season will be held Saturday (March 26th) at Sims Park 12:00 pm; activities will start at 2 pm; the doubleheader will start at 3 pm; urged everyone to go and support the Gaston College Rhinos.

Chairman Brown advised that the Rhinos were 19-0 at one time this season and the (Parks and Recreation) Senior Games will be held this Saturday also.

County Manager's Report

The County Manager presented as follows:

- **Re: *New County Website***: The County is getting a new website that has been a long time coming; staff has been spending a lot of time to ensure it is user friendly; staff is in the process of loading current contents and training employees
- **Re: *New Calendar of Upcoming Events***: The new calendar organizes events better to share with the community; there is a separate tab for Public Meetings; users will be able to click once to see BOC meetings which is much easier and a better experience; will also have a way for citizens to access the new website via a mobile version that will make interacting with the County much easier; the website will officially launch in July.

Chairman Brown thanked the employees that worked on the new website and calendar.

County Attorney's Report

No Report.

Other Matters

None.

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Adjournment

Chairman Brown called for a motion to adjourn.

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously adjourned the Regular Meeting of March 22, 2022 at 7:05 pm.

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

Chad Brown, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL

Gaston County
Board of Commissioners
www.gastongov.com



Chad Brown
Chairman
Riverbend Township

Bob Hovis
Vice-Chairman
Crowders Mtn. Township

Allen R. Fraley
Cherryville Township

Kim Johnson
Gastonia Township

Tom Keigher
Gastonia Township

Tracy L. Philbeck
Dallas Township

Ronnie Worley
South Point Township

Dr. Kim S. Eagle
County Manager

William T. Stetzer
County Attorney

Donna S. Buff
Clerk to the Board

*"Providing excellent
public service
every day."*

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CERTIFICATION

March 22, 2022

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that, pursuant to Chapter 166A of the NC General Statutes, no written comment was received for the public hearings scheduled for the Regular Session on Tuesday, March 22, 2022. The written comment submission period expired at 6:00 p.m. on Monday, March 21, 2022.

- Public Hearing Purpose: Commissioner Philbeck - Building & Development Services - Zoning Map Change: Z22-05 Boyd and Aleta West (Applicants); Property Parcel: 218666, Located at 105 End of the Trail, Bessemer City, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District
- Public Hearing Purpose: Commissioner Brown - Building & Development Services - Zoning Text Amendments: ZTA22-02 Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 9 (General Provisions): Section 9.9
- Public Hearing Purpose: Commissioner Hovis - Emergency Management/Fire Services - Approval of a Resolution to Define and Establish the Gaston County Unified Fire Protection Service District to Provide Fire Protection and Rescue Services


Donna S. Buff, Clerk to the Board