

# ADOPTED

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Gaston County Board  
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

DECEMBER 17, 2020

The Gaston County Board of Commissioners (BOC) met in Special Virtual Session on December 17, 2020 at 1:02 p.m., in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Chairman Keigher advised Commissioner \*Tracy L. Philbeck had a conflict but would join virtually later in the meeting.

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

Chairman Keigher led those assembled in the Invocation and in the Pledge of Allegiance.

**2020-327 Commissioner Keigher - BOC - To Revise the Gaston County Board of Commissioners' Regular Meeting Schedule for December, 2020 to Reschedule the Regular Meeting to December 29, 2020 – To be Held Virtually at 1:00 P.M.**

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

Chairman Keigher called for discussion; none was heard.

Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-327** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Regular Meeting Schedule for December, 2020 is revised in accordance with N.C.G.S. §143-318.12(a), to reschedule the Regular Meeting for December from December 8, 2020 to December 29, 2020 at 1:00 PM.

BE IT FURTHER RESOLVED that the meeting will be conducted electronically in accordance with the North Carolina General Statutes.

**2020-328 Commissioner Brown - County Attorney - To Restructure the Gaston County Board of Equalization and Review**

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

Chairman Keigher asked if the County Attorney had anything to add regarding the proposed Resolution.

The County Attorney advised the Resolution provides more structure for member criteria including term limits, residency, etc.

Chairman Keigher called for discussion; none was heard.

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Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-328** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners (BOC) approves the restructure of the Board of Equalization and Review as follows:

Membership

The Board of Equalization and Review (BoER) shall be composed of five (5) full-time members, appointed by the BOC. In addition, the BOC shall appoint five (5) alternate members to serve in the event a regular full-time member is unable to fulfill the duties.

The Chairperson of the BOC shall appoint the Chairperson of the BoER.

Qualifications

All members of the BoER shall meet the following minimum qualifications:

1. Be a Gaston County resident for at least five (5) years prior to initial appointment.
  2. Must maintain residency during the term of office.
  3. Must own property in Gaston County.
  4. Must have general knowledge of accounting or appraisal concepts/theories and property values in Gaston County.
  5. During initial three (3) year term, must have completed the Listing and Assessing Course – UNC School of Government - and/or one (1) summary appraisal course. Successful completion of course work is required for subsequent appointments.
- \*The County will cover the cost associated with the required coursework.

Terms of Office

BoER Members shall serve staggered three (3) year terms, not to exceed two (2) consecutive three (3) year terms. Members shall take at least a one (1) year sabbatical prior to any reappointment after completing two (2) consecutive terms.

Members currently serving under the 1979 Resolution creating the BoER may continue to serve their remaining term(s). Upon completion of their existing term, current members wishing to serve may reapply as new members beginning with a single three (3) year term to be followed by at least a one (1) year sabbatical before eligible to serve again.

Filling of Vacancies

When a full-time member is unable to complete a term, one of the alternate members will be given prior consideration to serve the remaining time of the vacated term. Upon completion of the original full-time member's term, the full-time position will be advertised and a candidate will be chosen by the BOC from a list of qualified candidates. The position will be treated as an initial appointment under the Terms of Office section.

Filling position of alternates shall follow the same procedures as filling vacancies of full-time members.

Compensation

Compensation will be set at the rate of \$150.00 for a single session of greater than four (4) hours. For sessions of less than four (4) hours, the rate is \$75.00. The BoER Chair will be paid \$175.00 for a single session of greater than four (4) hours, and \$100.00 for a session less than four (4) hours.

Concurrent Sessions

Work performed by the BoER is time sensitive due to the establishment of the annual tax roll. Should the workload require an extended period of time to hear and adjudicate all appeals in a timely and prudent manner, the Chairperson of the BoER may choose to divide the Board in the form of two separate hearing panels from a mix of full-time members and alternates to serve concurrently. Each panel of five (5) shall be empowered to hear and adjudicate respective appeals in the same form and manner as the panel of fulltime members. The Vice-chair shall become the Chair of the second hearing panel in this circumstance.

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Power to Compromise

Under NCGS § 105-312(k), the BOC hereby authorizes the BoER to receive and consider a petition of a taxpayer to adjust, compromise, or settle the county's claim for taxes arising from discovery under NCGS § 105-312.

BE IT FURTHER RESOLVED that this Resolution rescinds any conflicting language from all prior Board of Equalization and Review resolutions.

**2020-329 Commissioner Brown - DHHS (Social Services Division) - To Approve Northwoods Consulting Partners as a Sole Source Vendor of the Traverse Software for Child Protective Services and Adult Protective Services Case Management System in the Amount of \$170,500**

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

Chairman Keigher called for discussion; hearing none, asked if the County Manager had any comments to make.

The County Manager advised this is a continuation of existing software at DHHS (Social Services Division) to re-facilitate some additional work in the field for staff in Child Protective Services and Adult Protective Services.

Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-329**.

**2020-330 Commissioner Brown - DHHS (Social Services Division) - To Approve and Appropriate Additional Low Income Energy Assistance Program Funds for Program and Administration from COVID-19 CARES Grant Funds in the Amount of \$395,327**

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

Chairman Keigher called for discussion; none was heard.

Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-330** per Budget Change Request as follows:

Account Description	Account Number	Amount
Pandemic LIEAP	020-05-5440-0000-420000-21578	(336,988)
PA: Pandemic LIEAP	020-05-5440-0000-560008-21578	336,988
Pandemic Energy Admin	020-05-4790-0000-420000-21579	(58,339)
Other Svc: Pandemic Energy Admin	020-05-4790-0000-530015-21579	58,339

**2020-331 Commissioner Philbeck - Public Works - To Accept a Grant from the North Carolina Department of Environmental Quality (DEQ) for COVID-19 Recycling Relief Funding to Assist Local Governments to Purchase Recycling Equipment**

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**in North Carolina During the COVID-19 Pandemic and Appropriate the Required Local Match Necessary to Complete the Project (State Grant - \$20,000; Local Match and Associated Fees - \$5,350)**

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

Chairman Keigher called for discussion.

Commissioner Worley asked for clarification of the type of recycling equipment being purchased.

The County Manager pointed out the matching funds will come from existing funds in the current budget; the recycling equipment is used to sort and handle recycling materials; can provide more specifics about the equipment if needed.

Commissioner Worley asked if the purchase will replace worn-out equipment or if it is for new equipment; if the County is receiving more recyclables at the landfill because some municipalities have discontinued their recycling programs.

The County Manager responded the equipment is in use; does not anticipate the need for the equipment going away in the future; do not know the answer to the increase in volume related to the pandemic but can provide additional information to the Board.

Commissioner Hovis asked for confirmation that the County would not be building a materials recovery facility (MRF).

The County Manager responded that is correct.

Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-331** per Budget Change Request as follows:

Account Description	Account Number	Amount
FY21 CWRRG Recycling Grant	060-08-4720-0000-425097-21570	(20,000)
Furn/Equip > \$5,000	060-08-4720-0000-540002-	(350)
Rolloff Containers	060-08-4720-0000-540002-15156	(5,000)
FY21 CWRRG Recycling Grant	060-08-4720-0000-560000-21570	25,350

**2020-332 Commissioner Brown - Travel & Tourism - To Accept and Appropriate Additional Grant Funds from Visit North Carolina for the North Carolina Tourism Promotion Grant in the Amount of \$10,750 as a Part of the House Bill 1023 (Coronavirus Relief Fund/Additions & Revisions) from NCTIA (NC Travel Industry Association) and the EDPNC (Economic Development Partnership of NC)**

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

Chairman Keigher called for discussion; none was heard.

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Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously approved **2020-332** per Budget Change Request as follows:

Account Description	Account Number	Amount
NC Tourism Promotion Grant	022-07-4921-0000-420000-21566	(\$10,750)
Advertising: NC Tourism Grant	022-07-4921-0000-520015-21566	\$10,750

Closed Session Pursuant to NCGS 143-318.11(a)(3) – Consult with the Attorney

Chairman Keigher introduced the motion to enter into Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with the Attorney for the purpose of Gaston County v. C.Picard and Gaston County v. Gunnett Co. and Commissioner Worley provided the second.

Chairman Keigher called for any discussion; none was heard.

Chairman Keigher instructed the Clerk to the Board to call the roll for the vote and the BOC unanimously entered into Closed Session at 1:16 pm.

Chairman Keigher called for a motion to re-enter Open Session.

**\*Commissioner Philbeck joined virtually at 1:16 pm and remained in the meeting upon return to Open Session.**

Commissioner Worley introduced the motion to re-enter Open Session and Commissioner Hovis provided the second.

Chairman Keigher asked the Clerk to the Board to call the roll for the vote and the BOC unanimously re-entered Open Session at 2:03 pm.

**NOTE:** Commissioner Brown departed the virtual meeting and was not present upon return to Open Session.

Chairman Keigher stated the Board provided direction to the County Attorney during the consultation.

**Other Matters**

Chairman Keigher advised staff was working on the details for the January meeting schedule and the January 12<sup>th</sup> Work Session would be rescheduled to precede the January 26<sup>th</sup> Regular Meeting in the Public Forum.

He also advised the BOC's Rescheduled Regular Meeting would be held virtually on December 29<sup>th</sup> at 1:00 pm.

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## Adjournment

Chairman Keigher adjourned the Special Meeting of December 17, 2020 at 2:06 pm.

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

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Tom Keigher, Chairman  
Gaston County Board of Commissioners

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Donna S. Buff  
Clerk to the Board

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