

# ADOPTED

JUN 28 2022

Gaston County Board  
of Commissioners

514

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

JUNE 14, 2022

The Gaston County Board of Commissioners (BOC) met in Special Session on June 14, 2022 at 6:35 p.m., immediately following its Work Session, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Commissioners Tom Keigher and Tracy L. Philbeck were not in attendance.

Others present included Mr. Matt Rhoten, Deputy County Manager; William T. Stetzer, County Attorney; and Donna S. Buff, Clerk to the Board.

Chairman Brown recognized dignitaries in attendance.

***Note:** The invocation and pledge were held during the preceding Work Session. Upon request of Chairman Brown, Commissioner Hovis asked for the observance of a moment of silence for the continued violence occurring in the country and led those assembled in the Invocation. Commissioner Fraley led in the Pledge of Allegiance.*

Public Hearing - Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the City of High Shoals to Expand the Gaston County Fire Protection Service District to Include the City of High Shoals

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

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

Chairman Brown introduced Mr. Kevin Gordon, Emergency Management & Fire Services Director, for comments.

Mr. Gordon advised subject Resolution requests that the North Gaston Fire Department and City of High Shoals be included in the newly established Gaston County Fire Protection Service District that the BOC established on March 22, 2022 which is effective July 1, 2022; the BOC directed the Tax Assessor/(Collector) to collect the \$0.11 tax levy that was approved in the budget.

The City of High Shoals adopted a Resolution on March 29, 2022 requesting BOC to include the City in the Gaston County Fire Protection Service District; the City has previously been funding its fire and rescue services through the High Shoals Fire Protection District which will be abolished effective June 30, 2022.

North Carolina General Statutes (NCGS) 153A-303 prescribes the process whereby municipalities may request any boards of commissioners to consider including municipalities within the county's fire protection service district, which has been created in order to finance, provide and maintain

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

The current district tax rate (10.4 cents) will be abolished and the new rate will be \$.11/\$100; and if this request is approved, the BOC has authorized an annual budget of \$309,753 under File#22-209 (Resolution 2022-147), for the North Gaston Volunteer Fire Department (VFD).

He advised that Mr. Dennis Cash, North Gaston VFD Fire Chief and City Councilman, was in attendance also.

Chairman Brown called for citizen comment and for any submitted written comments; none were heard or received.

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

Chairman Brown asked if this was a voluntary act by the City of High Shoals.

Mr. Gordon replied, "that is correct".

Chairman Brown called for a motion to approve the Resolution.

Commissioner Fraley introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-165** 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, the Board followed all necessary and prescribed steps outlined under North Carolina General Statutes to properly research, define and establish a fire protection service district including establishing a rate cap pursuant to NCGS § 153A-309.2; and,

WHEREAS, on March 22, 2022, the Board established the unified Gaston County Fire Protection Service District effective July 1, 2022 and directed the Gaston County Tax Assessor/Collector to 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the City of High Shoals duly adopted a Resolution on March 29, 2022, requesting the Gaston County Board of Commissioners to include the City of High Shoals in the Gaston County Fire Protection Service District; and,

WHEREAS, the City of High Shoals has previously been cooperatively funding their fire and rescue services through the High Shoals Fire Protection Service District, which will cease to exist on June 30, 2022; and,

WHEREAS, North Carolina General Statutes ("NCGS") § 153A-303 prescribes a process whereby municipalities may request the Gaston County Board of Commissioners (the "Board") to consider including municipalities within the county's fire protection service district, which has been created

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in in order to finance, provide, or maintain certain services in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the City of High Shoals acknowledged their responsibility for mailing written notice at least four weeks before the date of the public hearing to all property owners as shown by the County tax records as of the preceding January 1 of all property located in the municipality; and,

WHEREAS, the City of High Shoals acknowledged their responsibility to make available a report containing certain specified information to be prepared and filed with the Clerk to the Board; and,

WHEREAS, the Board is authorized by NCGS § 153A-303 to extend service districts and levy additional taxes in a county service district to finance the level of service provided in the district that is not provided in the entire county; and,

WHEREAS, the Clerk to the Board of the Gaston County Board of Commissioners made publication of the notice of the June 14, 2022 Public Hearing to consider the request from the City of High Shoals, to include the City of High Shoals in the Gaston County Fire Protection Service District, as set forth in NCGS § 153A-303.

NOW, THEREFORE, BE IT RESOLVED BY THE GASTON COUNTY BOARD OF COMMISSIONERS:

1. At the written request of the City of High Shoals, the unified, countywide service district is hereby extended to include the City of High Shoals, for the purpose of providing needed fire protection and rescue services within said district area. The municipal limits of the City of High Shoals will now be recognized from here forward as an integral part of the "Gaston County Fire Protection Service District" consistent with North Carolina General Statutes.
2. At the written request of the City of High Shoals, 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 and the City of High Shoals 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County.
3. At the written request of the City of High Shoals, this resolution extending the unified, countywide service district to provide fire protection and rescue services into the City of High Shoals shall take effect on July 1, 2022.

Public Hearing - Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the Town of Ranlo to Expand the Gaston County Fire Protection Service District to Include the Town of Ranlo

Chairman Brown introduced Mr. Gordon for comments.

Mr. Gordon advised on March 22, 2022 the BOC established a Unified Gaston County Fire Protection Service District which will become effective on July 1, 2022; the Town of Ranlo adopted a Resolution on April 14, 2022 requesting the BOC to include the Town in the Fire Service District; the Town has previously been included in the current Ranlo Fire Protection Service District which will cease to exist on June 30, 2022. He recognized Mr. Jonathan Blanton, Ranlo Town Manager, in attendance.

Mr. Gordon advised that the current district tax rate is 9.1 cents and the new rate will be \$0.11/\$100; if this request is approved, the BOC has authorized an annual budget of \$404,114 per (File# 22-209) Resolution 2022-147.

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Chairman Brown called for citizen comment and for any submitted written comments; none was heard or received.

Chairman Brown called for questions from the BOC; none was heard.

Chairman Brown asked if this was a voluntary act by the Town of Ranlo.

Mr. Gordon replied "yes".

Chairman Brown called for any additional comments; hearing none, declared the Public Hearing closed.

Chairman Brown called for a motion to approve the Resolution.

Commissioner Worley introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-166** 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, the Board followed all necessary and prescribed steps outlined under North Carolina General Statutes to properly research, define and establish a fire protection service district including establishing a rate cap pursuant to NCGS § 153A-309.2; and,

WHEREAS, on March 22, 2022, the Board established the unified Gaston County Fire Protection Service District effective July 1, 2022 and directed the Gaston County Tax Assessor/Collector to 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the Town of Ranlo duly adopted a Resolution on April 14, 2022, requesting the Gaston County Board of Commissioners to include the Town of Ranlo in the Gaston County Fire Protection Service District; and,

WHEREAS, the Town of Ranlo has previously been cooperatively funding their fire and rescue services through the Ranlo Fire Protection Service District, which will cease to exist on June 30, 2022; and,

WHEREAS, North Carolina General Statutes ("NCGS") § 153A-303 prescribes a process whereby municipalities may request the Gaston County Board of Commissioners (the "Board") to consider including municipalities within the County's fire protection service district, which has been created in order to finance, provide, or maintain certain services in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the Town of Ranlo acknowledged their responsibility for mailing written notice at least four weeks before the date of the public hearing to all property owners as shown by the County tax records as of the preceding January 1 of all property located in the municipality; and,

WHEREAS, the Town of Ranlo acknowledged their responsibility to make available a report containing certain specified information to be prepared and filed with the Clerk to the Board; and,

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WHEREAS, the Board is authorized by NCGS § 153A-303 to extend service districts and levy additional taxes in a county service district to finance the level of service provided in the district that is not provided in the entire County; and,

WHEREAS, the Clerk to the Board of the Gaston County Board of Commissioners made publication of the notice of the June 14, 2022 Public Hearing to consider the request from the Town of Ranlo, to include the Town of Ranlo in the Gaston County Fire Protection Service District, as set forth in NCGS § 153A-303.

NOW, THEREFORE, BE IT RESOLVED BY THE GASTON COUNTY BOARD OF COMMISSIONERS:

1. At the written request of the Town of Ranlo, the unified, countywide service district is hereby extended to include the Town of Ranlo, for the purpose of providing needed fire protection and rescue services within said district area. The municipal limits of the Town of Ranlo will now be recognized from here forward as an integral part of the "Gaston County Fire Protection Service District" consistent with North Carolina General Statutes.
2. At the written request of the Town of Ranlo, 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 and the Town of Ranlo 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County.
3. At the written request of the Town of Ranlo, this Resolution extending the unified, countywide service district to provide fire protection and rescue services into the Town of Ranlo shall take effect on July 1, 2022.

Public Hearing - Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the City of Lowell to Expand the Gaston County Fire Protection Service District to Include the City of Lowell

Chairman Brown introduced Mr. Gordon for comments.

Mr. Gordon advised this request is an addition (the other two municipalities were already in a service district). The County currently contracts with the Lowell Fire Department to provide service to the Pinhook or Smyre Fire District and this Resolution will extend coverage to the City of Lowell and the County will tax in the City of Lowell; the BOC established a Fire Protection District on March 22, 2022; the City adopted a Resolution on April 12, 2022 requesting that the City be included in the District; this would move all funding from the City's budget for the fire department to the County's Fire Protection District; the current fire rate in the city proper is \$0.0 for fire, and the new rate will be \$0.11/\$100; if this request is approved, the BOC has authorized an annual budget for Lowell of \$365,301 per (File# 22-209) Resolution 2022-147.

Chairman Brown called for citizen comment and for any written comments; none was heard or received.

Chairman Brown called for questions from the BOC and for any additional comments; none was heard.

Chairman Brown declared the Public Hearing closed.

Chairman Brown asked if this was a voluntary act of the City of Lowell.

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Mr. Gordon responded, "that is correct."

Chairman Brown called for a motion to approve the Resolution.

Commissioner Hovis introduced the motion to approve and Commissioner Fraley provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-167** 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, the Board followed all necessary and prescribed steps outlined under North Carolina General Statutes to properly research, define and establish a fire protection service district including establishing a rate cap pursuant to NCGS § 153A-309.2; and,

WHEREAS, on March 22, 2022, the Board established the unified Gaston County Fire Protection Service District effective July 1, 2022 and directed the Gaston County Tax Assessor/Collector to 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the City of Lowell duly adopted a Resolution on April 12, 2022, requesting the Gaston County Board of Commissioners to include the City of Lowell in the Gaston County Fire Protection Service District; and,

WHEREAS, the City of Lowell has previously been cooperatively funding their fire and rescue services through the Lowell Fire Protection Service District, which will cease to exist on June 30, 2022; and,

WHEREAS, North Carolina General Statutes ("NCGS") § 153A-303 prescribes a process whereby municipalities may request the Gaston County Board of Commissioners (the "Board") to consider including municipalities within the county's fire protection service district, which has been created in order to finance, provide, or maintain certain services in addition to or to a greater extent than those financed, provided, or maintained for the entire County; and,

WHEREAS, the City of Lowell acknowledged their responsibility for mailing written notice at least four weeks before the date of the public hearing to all property owners as shown by the County tax records as of the preceding January 1 of all property located in the municipality; and,

WHEREAS, the City of Lowell acknowledged their responsibility to make available a report containing certain specified information to be prepared and filed with the Clerk to the Board; and,

WHEREAS, the Board is authorized by NCGS § 153A-303 to extend service districts and levy additional taxes in a county service district to finance the level of service provided in the district that is not provided in the entire County; and,

WHEREAS, the Clerk to the Board of the Gaston County Board of Commissioners made publication of the notice of the June 14, 2022 Public Hearing to consider the request from the City of Lowell, to include the City of Lowell in the Gaston County Fire Protection Service District, as set forth in NCGS § 153A-303.

NOW, THEREFORE, BE IT RESOLVED BY THE GASTON COUNTY BOARD OF COMMISSIONERS:

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1. At the written request of the City of Lowell, the unified, countywide service district is hereby extended to include the City of Lowell, for the purpose of providing needed fire protection and rescue services within said district area. The municipal limits of the City of Lowell will now be recognized from here forward as an integral part of the "Gaston County Fire Protection Service District" consistent with North Carolina General Statutes.
2. At the written request of the City of Lowell, 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 and the City of Lowell 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 district in addition to or to a greater extent than those financed, provided, or maintained for the entire County.
3. At the written request of the City of Lowell, this Resolution extending the unified, countywide service district to provide fire protection and rescue services into the City of Lowell shall take effect on July 1, 2022.

**Appointments**

Commissioner Hovis introduced the motion to approve and Commissioner Fraley provided the second. Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously appointed the following individuals to the ***Gaston County Fire Commission, effective July 1, 2022:***

<b>Township</b>	<b>Appointee</b>	<b>Term Ending</b>
Cherryville	Mr. Bobby G. Cash, Jr.	June 30, 2025
Riverbend	Mr. Jeffery L. Hovis	June 30, 2023 (initial term staggered)
Crowders Mountain	Mr. Jamie Ramsey	June 30, 2025
Gastonia (Commissioner Keigher)	Mr. Curtis D. Conner, Jr.	June 30, 2024 (initial term staggered)
South Point	Mr. John (Barry) Wilson	June 30, 2023 (initial term staggered)
Full Board	Mr. Tony Robinson	June 30, 2023 (initial term staggered)
Full Board	Mr. James W. Brown	June 30, 2024 (initial term staggered)
Full Board (Commission Representative)	Commissioner Bob Hovis	June 30, 2023 (initial term staggered)
Full Board (Fire Marshal Representative)	Mr. Kevin Gordon	June 30, 2023 (initial term staggered)

Commissioner Hovis noted appreciation for Mr. Gordon's in-depth work with consultants and the countywide volunteer fire departments to put this new plan forward; this new approach provides balance for service areas and allows the County to assist the VFDS in many ways with their long-term efforts.

Chairman Brown advised anyone outside of revenue neutral from the three entities would be tax assessed from the individual municipalities and not the BOC.

**Purchase of Law Enforcement Equipment**

**2022-168 Commissioner Worley - Finance - To Authorize the Purchase of Body Cameras and Tasers for the County Police and Sheriff's Office from Sole Source Provider, DLX Axon Enterprise, Inc.; Approve Fund Balance Appropriation of \$3,134,771; and Approve Reimbursement Declaration**

Commissioner Worley introduced the motion to approve and Commissioner Hovis provided the second. Chairman Brown called for Commissioner Johnson's voice vote



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and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved **2022-168** authorizing the purchase of Body Cameras and Tasers for the County Police and Sheriff's Office from Sole Source Provider, DLX Axon Enterprise, Inc., approving fund balance appropriation of \$3,134,771 and approving reimbursement declaration per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	1000-NDP-000-00000-FBApro-0000000-0000-99-490000-	(3,134,771.00)
Furn/Equip <\$5,000	1000-GPD-000-00000-000000-00000000-0000-02-520020-	1,254,070.00
Furn/Equip <\$5,000	1000-SHF-000-00000-000000-00000000-0000-02-520020-	1,880,701.00

### **Adjournment**

Chairman Brown called for a motion to adjourn the Special Meeting of June 14, 2022 and announced that the Work Session would reconvene to receive a motion to enter into Closed Session.

On motion introduced by Commissioner Hovis and seconded by Commissioner Fraley, the BOC unanimously adjourned the Special Meeting of June 14, 2022 at 6:48 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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Donna S. Buff  
Clerk to the Board

SEAL



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Gaston County  
Board of Commissioners  
[www.gastongov.com](http://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 Kelgher  
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."*

## GASTON COUNTY, NORTH CAROLINA

CERTIFICATION

June 14, 2022

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that, pursuant to Chapter 188A of the NC General Statutes, no written comment was received for the public hearings scheduled for the Special Session on Tuesday, June 14, 2022. The written comment submission period expired at 6:00 p.m. on Monday, June 13, 2022.

- Public Hearing Purpose: Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the City of High Shoals to Expand the Gaston County Fire Protection Service District to Include the City of High Shoals
- Public Hearing Purpose: Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the Town of Randle to Expand the Gaston County Fire Protection Service District to Include the Town of Randle
- Public Hearing Purpose: Commissioner Hovis - Emergency Management and Fire Services - Resolution to Accept the Request by the City of Lowell to Expand the Gaston County Fire Protection Service District to Include the City of Lowell

  
Donna S. Buff, Clerk to the Board

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