

ADOPTED

MAY 24 2016

348

Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

APRIL 26, 2016

The Gaston County Board of Commissioners (BOC) met in Regular Session on April 26, 2016 at 6:00 pm in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Tom Keigher presided with Commissioners Jason Williams, Vice-Chairman; Joe D. Carpenter, Allen R. Fraley and Tracy L. Philbeck in attendance.

Commissioners Chad Brown and Mickey Price were not in attendance.

Others present included Earl Mathers, County Manager; Charles L. Moore, County Attorney; and Donna S. Buff, Clerk to the Board.

Upon request of Chairman Keigher, Reverend Joe Collins, First United Methodist Church, Cherryville, NC, led those assembled in the Invocation and Commissioner Fraley led in the Pledge of Allegiance.

Public Hearing – Re: To Close a Portion of Love Street

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

On motion introduced by Commissioner Carpenter and seconded by Commissioner Philbeck, the BOC unanimously entered into Public Hearings.

Chairman Keigher introduced the County Attorney for comments.

The County Attorney stated that the adjacent property owners to the unimproved right-of-way have petitioned the County to close that portion of the street. He referenced the map included with the resolution and noted that only the portion of the street outlined will be closed. Owners will be vested in title to equal parts of that unimproved right-of-way. The public hearing was advertised in accordance with statutes.

Chairman Keigher called for citizen comment.

Gregory Holland, 2105 Virginia Allen Court, Stanley, stated he had no comment but was available for questions; father-in-law is the petitioner.

Commissioner Keigher called for questions from the BOC, hearing none, called for a motion to approve.

2016-094 Commissioner Brown – County Attorney – To Close a Portion of an Unimproved Right-of-Way Named Love Street, Riverbend Township, Gaston County

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously approved Resolution 2016-094 as follows:

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WHEREAS, the Gaston County Board of Commissioners has received a request to close a portion of an unimproved right-of-way known as Love Street, being approximately one hundred and seventy five feet in length; and,

WHEREAS, the subject area of the unimproved right-of-way is bordered by Gaston County Parcel Number 180991 on the north. Said property is owned by Wade Ausby Shuler. The subject area is bordered on the south by Gaston County Parcel Number 180989. Said property is owned by Linda Sue Worick Miller. Both individuals petitioned to have the right of way closed; and,

WHEREAS, the subject area of the unimproved right of way terminates at the intersection with Abernathy Street on the west and on the east by the eastern boundary of both above-mentioned parcels; and,

WHEREAS, only the part of Love Street described herein is subject to closure; the area of Love Street east of the areas described herein is not subject to this Resolution. The area of Love Street east of the subject area is an improved road; and,

WHEREAS, the Petitioners of the unimproved right-of-way closure own all the parcels of land surrounding the subject area subject to closure; and,

WHEREAS, the subject area to be closed is currently not open to vehicular traffic and is partially wooded; and,

WHEREAS, pursuant to North Carolina General Statute 153A-241, the Board of Commissioners may close whatever interest, if any, Gaston County had at one time on this unimproved right-of-way, subject to the results of a public hearing on the issue; and,

WHEREAS, said unimproved right-of-way is not controlled or maintained by the North Carolina Department of Transportation; and,

WHEREAS, on April 26, 2016, the Gaston County Board of Commissioners held a public hearing on this matter after properly notifying the public per 153A-241 and approved to close the subject right-of-way on that date.

NOW, THEREFORE, BE IT RESOLVED THAT the portion of the unimproved right-of-way bordered by the following Gaston County Parcel Identification Numbers 180991 and 180989, and being approximately one hundred and seventy feet in length, be closed as reflected on a map and description attached as Exhibit "A". It is also resolved that any interest Gaston County may have had in the subject area be extinguished; and for ownership of the unimproved right-of-way to revert to Wade Ausby Shuler, pursuant to a request by both parties.

Public Hearing – Re: Naming of Private Drive as Crowders Ridge Camp Rd

Chairman Keigher recognized Mrs. Sarah Penley, Planning GIS Specialist III, for a brief overview.

Mrs. Penley stated the property owner petition under consideration, which received 100% signatures, is for the naming of a private drive as Crowders Ridge Camp Road. As part of the site plan review, access to the property would be named in accordance with the Street Naming and Addressing Ordinance in an effort to maximize response times to the site should there be a need for emergency services. Multiple structures located on the property are used for seasonal group gatherings, which necessitates the need for road signage. Via maps, Mrs. Penley outlined the property as being located in the Southwest area of the County, near the intersection of Linwood and Camp Rotary Road. Petition received staff support; Planning Board reviewed the recommendation at its regularly scheduled meeting in March and unanimously recommended approval for consideration by the Board of Commissioners. All mailings and notifications were posted and/or sent out in accordance with the County policy; no calls for inquiry or comment were received.

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

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2016-095 Commissioner Carpenter – Planning/Zoning – To Approve Naming of Private Drive as Crowders Ridge Camp Rd

On motion introduced by Commissioner Carpenter and seconded by Commissioner Philbeck, 2016-095 was unanimously approved as follows: Name Private Drive Crowders Ridge Camp Road and authorize the County Manager to make the necessary notifications to the appropriate State and local officials.

Chairman Keigher called for a motion to close the Public Hearing.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously closed the Public Hearings.

Agenda Revision/Approval

- REVISED/ *Section IV, Item AC Revised Board Action*
- ADDED/ *Section IV, Item AF*
- REVISED/ *Section V, Item A – Resolution Added*
- REVISED/ *Section V, Item B – Resolution Added*
- DELETED/ *Section V, Item C*
- ADDED/ *Section IX, Item C – Closed Session 143-318.11(a)(4)*
- MOVED TO NON-CONSENT/ *Section V, Item E*

Commissioner Philbeck requested that item E be pulled to Non-Consent for questions - *To Adopt a Fee Schedule Effective July 1, 2016 through June 30, 2017.*

Chairman Keigher called for a motion to approve the Business Agenda as Revised.

On motion introduced by Commissioner Carpenter, seconded by Commissioner Philbeck, the BOC unanimously approved the Agenda of April 26, 2016 as noted above.

Approval of Minutes

On motion introduced by Commissioner Carpenter and seconded by Commissioner Fraley, the BOC unanimously approved the Minutes of the Regular Meeting of March 22, 2016.

Citizen Recognition

David Humphries, 1611 Belmar Drive and Gastonia City Councilman, spoke in favor of the Board allocating \$20k annually to the Gaston County School Board for an annual sponsored field trip to the Schiele Museum for Gaston County 8th grade students. He provided a handout to the BOC which was accepted unanimously as information on motion introduced by Commissioner Philbeck and seconded by Commissioner Carpenter.

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Commissioner Philbeck expressed his opposition to the request; he noted the City of Gastonia's 36% fund balance and indicated that it would be more appropriate for the request to be funded by the City since they own the Schiele Museum.

Consent Agenda

Chairman Keigher announced the Consent Agenda contained a resolution for the approval of the appointment of Joy A. Scalera as new Deputy Clerk to the Board.

On motion introduced by Commissioner Fraley, seconded by Commissioner Carpenter, the BOC unanimously approved the Consent Agenda as follows:

2016-096 Commissioner Keigher – Animal Care and Enforcement – To Accept and Appropriate a Walmart Grant Donation to be Used for Spay/Neuter Voucher Program:

Account Description	Account Number	Project	Amount
Donations	10-4380-840-501		[1500.00]
special programs-feral cat-spay/neu	10-4380-298-000	16200-0001	1500.00

2016-097 Commissioner Philbeck – Animal Care and Enforcement – To Appropriate Spay/Neuter Program Donations that Reverted to Fund Balance in Prior Fiscal Years into Special Programs:

Account Description	Account Number	Project	Amount
Fund Balance	10-9900-991-500		[2399.00]
special Programs	10-4380-298-000	16200-0001	2399.00

2016-098 Commissioner Keigher – Budget and Purchasing – To Approve the Carry Forward of \$3,811,248 (\$3,508,639 in Outside Funding Sources and \$302,609 in County Dollars) from FY 2015-2016 Funds into FY 2016-2017:

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TO BE CARRIED FORWARD FROM FY 16 to FY 17

<u>Department Name</u>	<u>Account</u>	<u>Project Number</u>	<u>Description/Project Name</u>	<u>Estimated Amount</u>	<u>Source of Funds</u>
Emergency Management	10-4330-298-000	15198-0001	FY 15 Duke Power Funds	\$ 9,315	Duke Energy
Emergency Management	10-4330-298-000	16196-0001	FY 16 Duke Power Funds	\$ 25,351	Duke Energy
PIO	10-4124-4125-510-000		equipment refresh	\$ 104,000	general fund
Human Resources	10-4122-298-000	16036-0001	employee recognition	\$ 8,400	vending machine commission
Social Services	20-5582-211-000		Janitorial Supplies	\$ 1,074	Donations
Social Services	20-5582-220-002		Food and Provisions-Donations	\$ 6,171	Donations
Social Services	20-5582-220-003		Food and Provisions-Glenn Fdn	\$ 2,070	Donations
Social Services	20-5582-237-000		Program Supplies	\$ 204	Donations
Social Services	20-5582-298-000	08162-0001	Shelter Donations	\$ 161,970	Donations
Social Services	20-5582-298-000	09253-0001	Shelter Child Care Program	\$ 18,989	Donations and Grants
Social Services	20-5582-298-000	10321-0001	Shelter Unmet Client Needs	\$ 35,338	Donations and Grants
Social Services	20-5582-298-000	16229-0001	CFW- Expanded Services	\$ 15,000	Grant
Social Services	20-5582-352-000		Repairs & Maint: Equipment	\$ 135	Donations
Social Services	20-5582-393-000		Shelter Temporary Help	\$ 5,953	Donations and Grants
Social Services	20-5582-399-008		Transitional Housing	\$ 700	Grant
Social Services	20-5582-530-000		Shelter Equip/Furn: \$250-\$4,999	\$ 12,454	Donations and Grants
Social Services	20-5582-580-000	08321-0001	Shelter Bldgs., Structures & Improvements	\$ 104,553	Donations and Grants
Social Services	20-5600-298-000	08159-0001	Adult Services Donations	\$ 98,970	Donations
Social Services	20-5600-298-000	14234-0001	Home Community Care Block Grant	\$ 127,805	Grant
Social Services	20-5600-298-000	15259-0001	Adult Nutrition	\$ 4,595	Donations
Social Services	20-5600-298-000	15260-0001	EGADC	\$ 3,921	Donations
Social Services	20-5600-298-000	15261-0001	GADC	\$ 172	Donations
Social Services	20-5600-5622-298-000	16244-0001	Meals on Wheels Volunteer Recruitment	\$ 500	Grant
Social Services	20-5867-298-000	16194-0001	Residential Child Care: Donations	\$ 132	Donations
Social Services	20-5867-298-000	16210-0001	Residential Child Care: General Purpose	\$ 570	Donations
Social Services	20-5867-298-000	16211-0001	Residential Child Care: Emergency Asst	\$ 600	Donations
Social Services	20-5867-298-000	16212-0001	Residential Child Care: Resource Closet	\$ 50	Donations
Social Services	20-5867-298-000	16213-0001	Residential Child Care: Education	\$ 200	Donations
Social Services	20-5867-5471-298-000	00324-0001	Special Children Adoption Program	\$ 201,203	Special Federal Funds-Incentive
Social Services	20-5867-5868-298-000	13263-0001	Special Programs: Links Program Donations	\$ 4,113	Donations

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NC Cooperative Extension	10-4950-4950-298-000	12243-0001	School Gardens (Caromont)	\$	1,518	grants
NC Cooperative Extension	10-4950-4950-298-000	12249-0001	Home Grown Gaston Event	\$	3,217	fees
NC Cooperative Extension	10-4950-4950-298-000	12295-0001	Blue Cross Blue Shield Grant	\$	4,271	grants
NC Cooperative Extension	10-4950-4950-298-000	13279-0001	REINS Horse Group	\$	917	fees
NC Cooperative Extension	10-4950-4950-298-000	15226-0001	Fee Based Programs Food/Supplies	\$	6,970	fees
	10-4950-4950-298-000	16277-0001	Farm School	\$	3,000	fees
NC Cooperative Extension	10-4950-4952-298-000	16276-0001	4H Programs	\$	5,000	fees
Sheriff's Office	10-4315-4315-510-000	N/A	Body cameras: equipment, hardware, & software	\$	28,290	FY 15-16 appropriations
Sheriff's Office	10-4315-4315-298-000	11042-0001	FY 11 civil process funds	\$	10,606	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	11042-0002	2013 GCC/VAWA grant match	\$	0	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	11042-0003	2013 GCC supplies	\$	-	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	11042-0004	2013 GCC travel	\$	-	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	12109-0001	FY 12 civil process funds	\$	124,517	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	12109-0002	Net motion project	\$	-	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	13075-0001	DV deputies	\$	217,148	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	15088-0001	DV deputies	\$	380,000	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	15088-0002	Half court advocate	\$	36,842	Civil process revenues
Sheriff's Office	10-4315-4315-298-000	15088-0003	Court advocate	\$	54,700	Civil process revenues
Sheriff's Office	10-4315-4315-620-000	09289-0001	SCAAP\$:Disaster preparedness	\$	793	2008 SCAAP grant
Sheriff's Office	10-4315-4315-620-000	12303-0001	2011 SCAAP grant funds	\$	359	2011 SCAAP grant
Sheriff's Office	10-4315-4315-620-000	14216-0001	2013/14 JAG grant	\$	29	2013-2014 JAG grant
Sheriff's Office	10-4315-4315-620-000	14228-0001	2012 SCAAP grant	\$	3,744	2012 SCAAP grant
Sheriff's Office	10-4315-4315-620-000	14229-0001	2013 SCAAP grant	\$	2,947	2013 SCAAP grant
Sheriff's Office	10-4315-4315-620-000	15222-0001	JAG 2014: Sheriff's Office	\$	5,113	2014 JAG grant
Sheriff's Office	10-4315-4315-620-000	15227-0001	2014 SCAAP	\$	9,837	2014 SCAAP grant
Sheriff's Office	10-4315-4315-620-000	16231-0001	2015 JAG grant	\$	14,506	2015 JAG grant
Sheriff's Office	10-4315-4315-620-000	16233-0001	2015 SCAAP grant	\$	18,365	2015 SCAAP grant
Health - Administration	11-5100-5110-298-000	12291-0001	Community Health Assessment	\$	9,000	Gaston Memorial Foundation
Health - Administration	11-5100-5110-298-000	12293-0001	EMR Incentives - Year 1	\$	10,585	Medicaid

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Health - Administration	11-5100-5110-298-000	14221-0001	Medicaid Incentives	\$	24,930	Medicaid
Health - Administration	11-5100-5110-298-000	14247-0001	SPP - Incubator Project	\$	22,941	Cabarrus Health Alliance
Health - Administration	11-5100-5110-298-000	15202-0001	EHR Incentives - #3	\$	110,573	Medicaid
Health - Administration	11-5100-5110-298-000	15228-0001	CHA - United Way	\$	352	United Way
Health - Administration	11-5100-5110-298-000	15229-0001	CHA - CaroMont	\$	25,000	CaroMont
Health - Administration	11-5100-5110-298-000	15252-0001	FY14 Excess Fee-CA Fee Rev.	\$	4,246	Fees
Health - Administration	11-5100-5110-298-000	15277-0001	EHR Incentives - #4	\$	136,000	Medicaid
Health - Administration	11-5100-5110-298-000	16216-0001	FY16 E H R Medicaid Incentives	\$	21,250	Medicaid
Health - Administration	11-5100-5111-298-000	08319-0001	HHC Building Project	\$	620	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	08320-0001	HHC Contingency Fund	\$	104,830	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	10363-0001	FY 09 Medicaid Max	\$	39,057	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	11280-0001	FY 10 Medicaid Cost Settlement	\$	3,878	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	14203-0001	MCS - #1 Appropriated	\$	125,491	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	15218-0001	FY15 Budget Appropriated	\$	31,022	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	15219-0001	MCS - #2 Appropriated	\$	288,736	Medicaid Cost Settlement
Health - Administration	11-5100-5111-298-000	16163-0001	FY16 Budget Appropriated	\$	4,105	Medicaid Cost Settlement
Health - CHE	11-5100-5112-5115-298-000	15279-0001	NFP - RISE Home Visiting Eval.	\$	16	SRI International - RISE Eval.
Health - CHE	11-5100-5112-5115-298-000	16265-0001	FY16 NFP - RISE	\$	380	SRI International - RISE Eval.
Health - CHE	11-5100-5112-5118-298-000	15253-0001	FY14 Excess Nutr. Fee Revenue	\$	3,387	Fees
Health - CHE	11-5100-5112-5118-298-000	16271-0001	FY15 Excess Nutr. Fee Revenue	\$	4,211	Fees
Health - CHE	11-5100-5112-5119-298-000	13283-0001	CDC - YRB Survey	\$	5,854	APPCNC - CDC Grant
Health - CHE	11-5100-5112-5119-298-000	15231-0001	FY15 LMR - CF Sims Fund	\$	5,454	Community Foundation
Health - CHE	11-5100-5112-5119-298-000	15232-0001	LMR Participant Fees	\$	449	Let Me Run Fees
Health - CHE	11-5100-5112-5119-298-000	15240-0001	FY 15 CaroMont - LMR Sponsor	\$	2,500	CaroMont
Health - CHE	11-5100-5112-5119-298-000	16008-0001	FY16 LMR Participant Fees	\$	2,008	Let Me Run Fees
Health - CHE	11-5100-5112-5119-298-000	16225-0001	Youth Empowered Solutions Grant	\$	1,080	YES Grant
Health - CHE	11-5100-5112-5119-298-000	16242-0001	LMR FY16 CF Garrison Fund	\$	5,000	Community Foundation
Health - CHE	11-5100-5112-5119-298-000	16243-0001	LMR - FY16 CaroMont Grant	\$	5,000	CaroMont
Health - CHE	11-5100-5112-5119-298-000	16253-0001	Healthy Corner Store Initiative	\$	500	UNC Chapel Hill
Health - CHE	11-5100-5112-5131-298-000	15010-0001	FY 15 Top Teens - GYC Grant	\$	8,903	APPCNC - CDC Grant
Health - CHE	11-5100-5112-5131-298-000	16241-0001	SHIFT NC Funds	\$	4,000	SHIFT Grant
Health - CHE	11-5100-5112-5131-298-000	16251-0001	FY16 Community Foundation-TAC	\$	400	Community Foundation
Health - Personal Health Services	11-5100-5113-5120-298-000	11031-0001	FY 09 Excess Fee Revenue	\$	347	Fees

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Health - Personal Health Services	11-5100-5113-5120-298-000	11241-0001	Quality Improvement Course	\$	10,929	Quality Improvement Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	11273-0001	APPCNC Initiative	\$	1,125	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	12235-0001	Teen Health Clinic	\$	1,541	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	12255-0001	Guttmacher - Training	\$	142	Guttmacher Company
Health - Personal Health Services	11-5100-5113-5120-298-000	12292-0001	Teen Wellness Clinic Services	\$	1,528	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	13065-0001	Teen Wellness Clinic - Year 3	\$	5,049	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	14016-0001	APPCNC Grant - Year 4	\$	65,356	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	14211-0001	Ann Wolfe Grant	\$	851	NCPHA Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	15017-0001	APPCNC Grant - Year 5	\$	72,930	APPCNC - CDC Grant
Health - Personal Health Services	11-5100-5113-5120-298-000	15203-0001	HPV Project	\$	666	University of Kentucky
Health - Personal Health Services	11-5100-5113-5120-298-000	15214-0001	Duke Preceptor	\$	2,737	Duke University
Health - Personal Health Services	11-5100-5113-5120-298-000	15233-0001	GlaxoSmithKline Recognition	\$	224	Glaxo Smith Kline
Health - Personal Health Services	11-5100-5113-5120-298-000	15239-0001	CHS Preceptor Program	\$	1,540	Carolinas Healthcare System
Health - Personal Health Services	11-5100-5113-5120-298-000	16202-0001	Duke Nursing Preceptor Project	\$	2,710	Duke University
Health - Personal Health Services	11-5100-5113-5120-298-000	16266-0001	FY16 CHS Preceptor Program	\$	846	Carolinas Healthcare System
Health - STD	11-5100-5113-5121-298-000	14236-0001	FY13 Excess Fees - STD/TB/CD	\$	801	Fees
Health - STD	11-5100-5113-5121-298-000	16272-0001	FY15 Excess ICS Fee Revenue	\$	70,604	Fees
Health - TB	11-5100-5113-5122-298-000	15254-0001	FY14 Excess Fees - TB	\$	9,797	Fees
Health - Environmental Health	11-5100-5114-5128-298-000	16223-0001	CDC Healthy Wells Grant	\$	10,705	CDC Grant
Health - Highland	11-5100-5117-298-000	15255-0001	FY14 Excess Fees - Highland	\$	6,908	Fees
Health - Highland	11-5100-5117-298-000	16273-0001	FY15 Excess Highland Fee Rev.	\$	99,700	Fees
Health - Family Planning	11-5100-5130-298-000	10199-0001	FY 08 Excess Fee Revenue	\$	3,108	Fees
Health - Family Planning	11-5100-5130-298-000	15256-0001	FY14 Excess Fee Revenue	\$	25,546	Fees
Health - Family Planning	11-5100-5130-298-000	16274-0001	FY15 Excess FP Revenue	\$	25,826	Fees
Health - Maternity	11-5100-5150-5151-298-000	14237-0001	FY13 WCH Program Excess Fees	\$	103,422	Fees
Health - Maternity	11-5100-5150-5151-298-000	15257-0001	FY14 Excess Maternity Fees	\$	102,022	Fees
Health - Maternity	11-5100-5150-5151-298-000	16275-0001	FY 15 Excess Mat. Fee Revenue	\$	5,922	Fees
Health - Child Health	11-5100-5150-5153-298-000	14227-0001	Reach Out and Read	\$	750	Wal-Mart Foundation
County Police	25-4310-4310-511-000	10002-0001	Drug Forfeitures - Treasury	\$	72,704	Federal Drug Forfeitures
	25-4310-4310-511-001	50113-0001	Drug Forfeitures - Justice	\$	3,199	Federal Drug Forfeitures
	26-4310-4310-511-002	50112-0001	Control Substance Abuse Tax	\$	4,269	State of North Carolina

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	26-4310-4310-298-000	07300-0001	Control Substance Abuse Tax	\$	818	State of North Carolina
	10-4310-4310-620-000	12277-0001	Homeland Security Grant: Equipment, Police	\$	124	Grant/Federal Funds
	10-4310-4310-620-000	16230-0001	JAG 2015:County Police	\$	2,607	U.S. Justice Department
	10-4310-4310-298-000	12282-0001	OBI/Smart Talk	\$	2,500	State of North Carolina
	10-4310-4310-298-000	13253-0001	Prescription Drug Abuse Enforcement	\$	908	Grant/National Assoc. of Drug
	10-4310-4310-298-000	13272-0001	Marine Unit	\$	2,712	Diversion Investigators, Inc
						Duke Energy
Parks & Recreation	10-6120620-000		Special Grants	\$	3,600	Poston Estate Funds
Senior Center	10-6130-298-000	13270-0001	Senior Games	\$	5,000	Donations & Sponsorships*
County Police	10-4310-4310-540-000		Vehicles equip/decal/TTT	\$	79,524	
Sheriff	10-4315-4315-540-000		Vehicles equip/decal/TTT	\$	17,960	
Building Inspections	10-4350-540-000		Vehicles equip/decal/TTT	\$	2,338	
Animal Control	10-4380-540-000		Vehicles equip/decal/TTT	\$	12,903	
Environmental Health	11-5100-5114-5128-540-000		Vehicles equip/decal/TTT	\$	2,366	
Social Services	20-5300-5310-540-000		Vehicles equip/decal/TTT	\$	1,512	
GEMS	10-4370-540-000		TTT	\$	48,228	
Rescue Squad	10-4372-540-000		TTT	\$	3,988	
ACCESS	10-4520-4521-540-000		ADA Minivan	\$	1,500	
Animal Care and Enforcement	10-4380-298-000	16200-001	feral cat/spay/neuter program	\$	9,900	donations received for program
			TOTAL	\$	3,811,248	
			County Funds	\$	302,609	
			Other Funding Sources	\$	3,508,639	

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2016-102 Commissioner Keigher – Commissioners – Proclamation – To Proclaim Thursday, May 5, 2016 as A Day of Prayer in Gaston County

2016-103 Commissioner Keigher – Commissioners – Proclamation – To Proclaim April 2016 as Guardian Ad Litem Child Advocate Month in Gaston County

2016-104 Commissioner Carpenter – County Attorney – To Approve the Second Amendment to the Option Agreement Between Gaston County and KRM Development Corporation

2016-105 Commissioner Keigher – County Manager – To Accept Departmental Budget Change Requests as Information:

<u>Department</u>	<u>Account Number</u>	<u>Project #</u>	<u>Amount</u>
<u>#4110 Commissioners</u>			
Miscellaneous Expenditure	10-4110-499-000		(4,200)
Equip/Furn: \$250-\$4,999	10-4110-530-000		4,200
<u>#4120 County Manager</u>			
Employee Development/Training	10-4120-395-000		(520)
Equip/Furniture: \$250-\$4,999	10-4120-530-000		520
<u>#4122 Human Resources</u>			
Program Supplies	10-4122-237-000		(165)
Mobile Telephone Usage	10-4122-321-010		165
<u>#4122 Human Resources</u>			
Office Supplies/Materials	10-4122-260-000		(107)
Books	10-4122-293-000		107
<u>#4131 Budget</u>			
Salaries	10-4310-4310-121-000		(60,000)
Salaries - Overtime	10-4310-4310-122-000		60,000
<u>#4131 Budget</u>			
GFHS: Clinic/Pharm-Active	81-4190-189-011		(20,000)
GFHS: Clinic/Pharm-Retiree	81-4190-189-012		20,000
<u>#4170 Elections</u>			
Other Services	10-4170-399-000		(5,000)
Postage	10-4170-325-000		5,000
<u>#4170 Elections</u>			
Elections	10-4170-697-000		(5,000)
Postage	10-4170-325-000		5,000
<u>#4170 Elections</u>			
Elections	10-4170-697-000		(10,000)
Printing	10-4170-341-000		5,000
Postage	10-4170-325-000		5,000
<u>#4265 Public Works</u>			
Professional Services	10-4265-4265-199-000		(3,346)
Salaries - Longevity	10-4265-4250-127-000		215
Salaries - Longevity	10-4265-4260-127-000		802
Salaries - Longevity	10-4265-4265-127-000		2329
<u>#4265 Public Works</u>			
Professional Services	10-4265-4265-199-000		(3,200)

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Rental of Equipment	10-4265-4260-432-000		2,000
Repairs & Maintenance: Vehicles	10-4265-4260-353-000		1,200
<u>#4310 County Police</u>			
Professional Services: Other	10-4310-4310-199-000		(5,000)
Printing	10-4310-4310-341-000		(2,500)
Professional Services: Medical	10-4310-4310-193-000		7,500
<u>#4310 County Police</u>			
Other Services	10-4310-4310-399-000		(1,500)
Miscellaneous Expenditures	10-4310-4310-499-000		1,500
<u>#4315 Sheriff's Office</u>			
Net Motion Project	10-4315-4315-298-000	12109-0002	(7,177)
FY 12 Civil Process Funds	10-4315-4315-298-000	12109-0001	7,177
<u>#4340 Fire Marshal's Office</u>			
Office Supplies	10-4340-260-000		(60)
Miscellaneous	10-4340-499-000		60
<u>#4350 Building Inspection</u>			
Books	10-4350-293-000		(541)
Training	10-4350-395-000		(678)
Travel-Mileage reimbursement	10-4350-311-000		1219
<u>#4350 Building Inspection</u>			
Professional Services	10-4350-199-000		(1,000)
Clothing	10-4350-185-000		(1,020)
Banking Services	10-4350-194-000		2,020
<u>#4370 Emergency Medical Services</u>			
Other Services	10-4370-399-000		(16,574)
Employee Development/Training	10-4370-395-000		15,554
Equipment & Furniture: \$250 - \$4,999	10-4370-530-000		1,020
<u>#4372 Rescue Squads</u>			
Other Services	10-4372-399-000		(1,284)
Program Supplies	10-4372-237-000		1,284
<u>#4520 DHHS - Social Services</u>			
ACCESS Marketing - Paid Advertise	10-4520-4520-371-000		(800)
ACCESS Office Supplies/Materials	10-4520-4521-260-000		800
<u>#4720 Public Works - Solid Waste</u>			
Repairs & Maintenance: Equipment	60-4720-352-000		(5,050)
Postage	60-4720-325-000		500
Dues & Subscriptions	60-4720-491-000		4,550
<u>#4921 Travel & Tourism</u>			
Special Programs	22-4921-298-000	16093-0001	(22,500)
Special Programs	22-4921-298-000	16267-0001	22,500
<u>#4921 Travel & Tourism</u>			
Food & Provisions	22-4921-220-000		(400)
Dues & Subscriptions	22-4921-491-000		400
<u>#4921 Travel & Tourism</u>			
Professional Services	22-4921-199-000		(3,500)
Promotional Items	22-4921-372-000		3,500
<u>#4921 Travel & Tourism</u>			
Marketing	22-4921-371-000		(9,900)
Printing	22-4921-341-000		9,900
<u>#4921 Travel & Tourism</u>			
Equipment/Furniture	22-4921-530-000		(1,200)

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Employee Development	22-4921-395-000		(1,000)
Office Supplies	22-4921-260-000		2,200
<u>#4950 NC Cooperative Extension</u>			
Printing	10-4950-4950-341-000		(300)
Professional Services: Banking	10-4950-4950-194-000		300
<u>#5100 DHHS - Public Health</u>			
Motor Fuels & Lubricants	11-5100-5114-5128-251-000		(4,000)
Vehicle Maintenance/Parts	11-5100-5114-5128-253-000		4,000
<u>#5100 DHHS - Public Health</u>			
Postage	11-5100-5110-325-000		(500)
Dues & Subscriptions	11-5100-5110-491-000		500
Program Supplies	11-5100-5113-5120-237-000		(700)
Dues & Subscriptions	11-5100-5113-5120-491-000		700
<u>#5300 DHHS - Social Services</u>			
Administration - Printing	20-5300-5310-341-000		(4,700)
CAC Bldgs, Structures, & Improvements	20-5300-5585-580-000	16264-0001	4,700
<u>#5300 DHHS - Social Services</u>			
Office Supplies/Materials	20-5300-5310-260-000		15,000
Equipment/Furniture: \$250-\$4,999	20-5300-5310-530-000		(3,000)
Printing	20-5300-5310-341-000		(5,000)
Software Rental	20-5300-5310-422-000		(7,000)
<u>#5300/5521 DHHS - Social Services</u>			
Admin Salaries	20-5300-5310-121-000		(16,725)
Admin Longevity	20-5300-5310-127-000		16,725
Work First Salaries	20-5521-5522-121-000		(2,001)
Work First Longevity	20-5521-5522-127-000		2,001
<u>#5300/5582 DHHS - Social Services</u>			
Printing	20-5300-5310-341-000		(800)
Janitorial Supplies	20-5300-5310-211-000		800
Shelter Program Supplies	20-5582-237-000		(800)
Shelter Office Supplies/Materials	20-5582-260-000		800
<u>#5310 DHHS - Social Services</u>			
Other Services - Home Study Contract	20-5300-5310-399-000	16062-0001	(10,000)
Other Services - Child Support Filing	20-5300-5310-399-000	16068-0001	10,000
<u>#5520 DHHS - Social Services</u>			
Temporary Help Services	20-5520-4800-4827-393-000		(20,000)
Office Supplies	20-5520-4800-4827-260-000		20,000
<u>#5600 DHHS - Social Services</u>			
Equipment/Furniture \$250-\$4,999	20-5600-5650-530-000		(600)
ADC Food & Provisions	20-5600-5650-220-000		600
<u>#6120 Parks & Recreation</u>			
Mileage Reimbursement	10-6120-311-000		(300)
Employee Development/Training	10-6120-395-000		300
<u>#6130 Parks & Rec - Senior Center</u>			
Special Programs	10-6130-298-000	16092-0001	(3,000)
Senior Games	10-6130-298-000	13270-0001	3,000
<u>#6130 Parks & Rec - Senior Center</u>			
Repairs & Maintenance	10-6130-352-000		(150)
Employee Development/Training	10-6130-395-000		150

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#6141 Museum

Employee Development/Training	10-6141-395-000	(60)
Food & Provisions	10-6141-220-000	60

2016-106 Commissioner Price – DHHS – Public Health Division – To Appropriate Excess Fee Revenue Earned During Fiscal Year 15 for the Public Health Clinics:

Account Description	Account Number	Project	Amount
Fund Balance	11-9900-991-500		(\$206,263)
special Programs	11-5100-5112-5118-298-000	16271-0001	\$4,211
special Programs	11-5100-5113-5121-298-000	16272-0001	\$70,604
special Programs	11-5100-5117-298-000	16273-0001	\$99,700
special Programs	11-5100-5130-298-000	16274-0001	\$25,826
special Programs	11-5100-5150-5151-298-000	16275-0001	\$5,922

2016-107 Commissioner Price – DHHS – Public Health Division – To Accept and Appropriate Grant Funds from Youth Empowered Solutions for the Public Health Teen Action Council:

Account Description	Account Number	Project	Amount
Other Grants	11-5100-5122-5119-890-512		(\$1,000)
special Programs	11-5100-5122-5119-298-000	16225-0001	\$1,000

2016-108 Commissioner Price – DHHS – Social Services Division – To Accept and Appropriate \$25,400 in Adoption Promotion Funds to Enhance Gaston County's Adoption Services Program from the Public Assistance Fund Balance to the DHHS - Social Services Division FY15-16 Budget:

Account Description	Account Number	Project	Amount
Fund Balance Appropriated	20-9900-991-500		(25,400)
Special Programs:			
Special Children Adoption Program	20-5867-5471-298-000	00324-0001	25,400

2016-109 Commissioner Price – DHHS – Social Services Division – To Accept and Appropriate Received Revenue Over the Amount Budgeted for the ACCESS Community Transportation Department (\$80,000):

Account Description	Account Number	Project	Amount
Departmental Chargebacks	10-4520-4521-497-000		(80,000)
Transportation of Clients	10-4520-4521-315-000		80,000

2016-110 Commissioner Price – DHHS – Social Services Division – To Transfer \$61,500 of Budgeted Funds Between Administration Equipment and Furniture Accounts to Purchase a Universal Protection Security Card Swipe System:

Account Description	Account Number	Project	Amount
Equip/Furn: \$250- \$4,999	20-5300-5310-530-000		(61,500)
Equip/Furn: \$5,000 or >	20-5300-5310-510-000	16278-0001	61,500

2016-111 Commissioner Price – DHHS – Social Services Division – To Transfer Funds Within the Workforce Initiative and Opportunities Act Program to the Appropriate Accounts to Cover Expenses for Required Training of Employees (\$35,500):

Account Description	Account Number	Project	Amount
Temporary Help Services	20-5520-4800-4827-393-000		(32,500)
Employee Development/Tmng	20-5520-4800-4827-395-000		30,000
Food and Provisions	20-5520-4800-4827-220-000		2,500
WIA Admin Mileage Reimbursemen	20-5520-4800-4810-311-000		(1,500)
WIA Admin Equip/Furn \$250-4,999	20-5520-4800-4810-530-000		(1,500)
Employee Development/Tmng	20-5520-4800-4810-395-000		3,000

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2016-112 Commissioner Price – DHHS – Social Services Division – Proclamation – To Proclaim April 2016 as Public Health Month in Gaston County

2016-113 Commissioner Price – DHHS – Social Services Division – Proclamation – To Proclaim the Month of April 2016 as Child Abuse Prevention Month in Gaston County

2016-114 Commissioner Carpenter – Economic Development Commission – To Approve Exclusive Easement Agreement between Gaston County and Transcontinental Gas Pipe Line Company, LLC at the Gastonia Technology Park To Allow Gas Line Replacement and Valve Addition

2016-115 Commissioner Brown – Fire Marshal – To Approve the Finance Arrangements and a Certificate of Need for Lucia Riverbend Fire Department to Obtain Financing (\$400,000) to Purchase a 3000 Gallon Smeal/US Tanker to Replace Their Current 17 Year Old Tanker as Approved by the Fire Advisory Board on March 10, 2016

2016-116 Commissioner Keigher – Human Resources – To Appropriate Funds for a Comprehensive Classification and Compensation Study (\$75,000):

Account Description	Account Number	Project	Amount
Fund Balance	10-9900-990-500		(\$75,000)
Professional Services	10-4122-199-000		\$75,000

2016-117 Commissioner Brown – Information Technology – To Declare Twenty (20) Public Safety Laptops Surplus Property and Authorize Staff to Sell Them to the Dallas Police Department for \$1:

Hardware Id	Status	Type	Description	Product Id	Model	Serial Number	Purchase Date	Warranty Number
11546	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1475	09/07/2010	P-SYSTDEXT2Y
11560	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1580	09/07/2010	P-SYSTDEXT2Y
11567	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1578	09/07/2010	P-SYSTDEXT2Y
11580	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1511	09/07/2010	P-SYSTDEXT2Y
11595	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1397	09/07/2010	P-SYSTDEXT2Y
11606	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1449	09/07/2010	P-SYSTDEXT2Y
11617	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1565	09/07/2010	P-SYSTDEXT2Y
11623	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1560	09/07/2010	P-SYSTDEXT2Y
11634	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1391	09/07/2010	P-SYSTDEXT2Y
11635	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1480	09/07/2010	P-SYSTDEXT2Y
11638	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1451	09/07/2010	P-SYSTDEXT2Y
11661	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1494	09/07/2010	P-SYSTDEXT2Y
11672	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1432	09/07/2010	P-SYSTDEXT2Y
11677	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1457	09/07/2010	P-SYSTDEXT2Y
11681	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1406	09/07/2010	P-SYSTDEXT2Y
11690	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1512	09/07/2010	P-SYSTDEXT2Y
11700	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1458	09/07/2010	P-SYSTDEXT2Y
11740	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1394	09/07/2010	P-SYSTDEXT2Y
11748	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1489	09/07/2010	P-SYSTDEXT2Y
11763	Surplus	Laptop	Getac, P470, C2D2GHz, 160GHd, 2GRam	P470	P470 SUPER	RA839P1476	09/07/2010	P-SYSTDEXT2Y

2016-118 Commissioner Williams – Police Department – Proclamation - To Proclaim April 10-16, 2016 as Public Safety Telecommunicators Week in Gaston County

2016-119 Commissioner Brown – Police Department – Commendation - To Award Police Officer Wanda J. Grier, Retired, With Her Service Side Arm and Badge

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2016-120 Commissioner Carpenter – Public Works – To Accept an Offer to Purchase County Owned Surplus Parcels (PIDs 103376, 111926, 122509, 199342, 199359) and Authorize Staff to Initiate the Upset Bid Process

2016-121 Commissioner Carpenter – Public Works – To Finalize Offers to Purchase Two (2) Vacant County Owned Surplus Parcels (PIDs 106052 and 101789)

2016-122 Commissioner Price – Public Works – To Appropriate Funds for a Comprehensive Americans with Disabilities Facility Transition Plan Update, Authorize the County Manager to Execute a Contract with Tindale Oliver to Perform the Field Study/Plan Update and Transfer Funds for Staff ADA Training. (\$141,250):

Account Description	Account Number	Project	Amount
Fund Balance	10-9900-991-500		(\$141,250)
Professional Services	10-4122-199-000		141,250

2016-123 Commissioner Carpenter – Tax – To Award a Contract to DEVNET and Authorize the County Manager to Execute the Necessary Documents for the Purchase of New Property Tax Software (Computer-Assisted Mass Appraisal “CAMA”) to Replace the Existing System for the Tax Department.

2016-124 Commissioner Fraley – Tax – Tax Pursuant to G.S. 105-381, the Tax Collector Requests that the March Listed Tax Refunds be Made. (Real Estate – \$112,918.08; Vehicles & ETC – \$6,208.72; VTS Refunds – \$6,114.33; Grand Total – \$125,241.13):

TAXPAYER NAME	OWNER NAME	AMOUNT
MARCH 2016 REAL ESTATE		\$147.47
Adams, Nicole		\$102.79
Alton, Matthew		\$247.17
Beard, Lee		\$111.03
Beaver, Michael		\$329.00
Bell, Rodney		\$100.56
Blackledge, Rose		\$164.94
Bradshaw, Gregory		\$335.39
Bragg, Larry		\$155.21
Brown, Pauline		\$514.17
Burgess, Donnie		\$3,293.86
Carswell Construction		\$249.95
Cathey, Henry		\$231.27
Clinton, Christopher		\$95,124.68
Eastridge Mall Inc		\$232.95
Edwards, Ivan		\$1,615.41
Fulton, Mona		\$101.22
Garvey, Thomas		\$233.44
Gentry, Tracy		\$822.12
Giles, Evelyn		\$1,375.84
Goins, Edna		\$134.08
Griffin, Brian		\$168.08
Grigg, Jerry		\$114.93
Hoffman, Ralph		\$100.00
Holmes, Joann		\$252.18
Huffstickler, Johnny		\$188.17
Mauney, Tracy		\$286.70
Mintz, Jacqueline		\$595.00
MW Properties Of NC Inc		

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Payne, Joann	\$679.94
Pearce, Charles	\$2,166.83
Petty, Thomas	\$102.16
Saxon, Patti	\$121.48
Sexton, Charles	\$132.98
Stackston, Sharon	\$150.77
Tate, Larry	\$1,016.88
Warren L Tadlock Chap 13	\$157.24
Weaver, Michael	\$153.85
White, Frederick	\$334.95
Wise, Jeffery	\$573.39
TOTAL	\$112,918.08

MARCH 2016 VEHICLES & ETC

	\$112.75
Beaver, William	
Benge, Jesse	\$120.14
Brimbury, Keith	\$2,668.28
Falls, Brad	\$101.83
Gladden, Hermisa	\$161.51
Hallelujah Diet	\$1,962.11
Little, Gerry	\$100.00
Moody, Renee	\$173.51
Reep, Gary	\$124.00
Warren L Tadlock Chap 13	\$404.10
Werran, Elizabeth	\$280.49
TOTAL	\$6,208.72

MARCH VTS REFUNDS

	\$129.44
A & A Grading And Hauling Inc	
A & A Grading And Hauling Inc	\$127.45
Barnett, Akivia	\$130.50
Beattie, Ethel	\$109.07
Bell, Konika	\$116.01
Bonham, Christopher	\$110.42
Braswell, Timothy	\$237.09
Clayton, Regina	\$168.79
Deets, Derek	\$137.19
Featherstone, Roger	\$166.92
Ferguson, James	\$109.86
Fortner, Louise	\$155.16
Frey, Gregory	\$197.28
Hibberd, Danielle	\$139.89
Huffsteler, Emily	\$395.14
Jones, Carroll	\$241.17
Leonard, Christine	\$425.44
Leonhardt, Elizabeth	\$208.12
McFalls, Bobby	\$185.19
Mendenhall, Charles	\$106.51
Moran, Sheila	\$157.54
Moses, Jody	\$216.98
Pena, Angel	\$434.02
Peters, Michael	\$373.12
Sanderson, Roland	\$235.98
Self, Howard	\$102.47
Shukis, Brian	\$110.97
Sides, Phillip	\$307.42
Stromberg, June	\$276.23
Sweeney, Richard	\$179.39
Taylor, Barry	\$123.57
TOTAL	\$6,114.33

GRAND TOTAL**\$125,241.13**

COMMISSIONER'S COURT

APRIL 26, 2016

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2016-125 Commissioner Carpenter – Travel & Tourism – To Approve the Transfer of Funds from the Travel & Tourism's Professional Services Account to the Advertising Account for Advertising Projects (\$74,500):

Account Description	Account Number	Project	Amount
Professional Services	22-4921-199-000		\$(74,500.00)
Advertising	22-4921-370-000		\$74,500.00

2016-126 Commissioners Philbeck, Carpenter, Williams, Fraley, & Brown – County Manager – A Resolution in Support of Assigning the Service Sales Tax Revenue to Economic Development Capital Needs**2016-127 Commissioner Keigher – County Attorney – Resolution Relating to the Authorization of Refunding Bonds of the County of Gaston, North Carolina, a Resolution Providing for the Issuance of General Obligation Refunding Bonds, Series 2016**

Chairman Keigher called for a motion and action was taken as set forth herewith and therein as follows:

A regular meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in The Harley B. Gaston Public Forum in the Gaston County Courthouse located at 325 Dr. Martin Luther King Jr. Way, North Carolina, the regular place of meeting, at 6:00 P.M., on April 26, 2016.

Present: Chairman Tom Keigher, presiding, and Commissioners Jason Williams, Allen R. Fraley, Tracy L. Philbeck, Joe D. Carpenter.

Absent: Commissioners Chad Brown and Mickey Price.

* * * * *

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

RESOLUTION PROVIDING FOR THE ISSUANCE OF
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016

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

Section 1. Said Board of Commissioners (the "Board of Commissioners") has determined and does hereby find and declare:

(a) That an order authorizing not exceeding \$84,500,000 Refunding Bonds was adopted by the Board of Commissioners on February 28, 2013, which order has taken effect.

(b) That \$58,855,000 of said Refunding Bonds have been issued; that no notes have been issued in anticipation of the receipt of the proceeds of the sale of the balance of said Refunding Bonds; and that it is necessary to issue at this time a portion of the balance of said Refunding Bonds in accordance with the provisions of Section 2 of this resolution.

(c) That the shortest period of time in which the debt of said County to be refunded by the issuance of said Refunding Bonds can be finally paid without making it unduly burdensome on the taxpayers of said County, as determined by the Local Government Commission of North Carolina (the "Local Government Commission"), is a period which expires on February 1, 2019.

Section 2. Pursuant to said order, there shall be issued bonds of the County of Gaston, North Carolina (the "Issuer"), designated "General Obligation Refunding Bonds, Series 2016" and dated the date of delivery thereof (the "Bonds"). The Bonds shall be in such aggregate principal sum not exceeding \$5,800,000 and shall be stated to mature in such principal amounts on February 1 of such years not exceeding February 1, 2019 as shall be determined by the County Manager or the Finance Director of the Issuer, subject to the limitations contained in this resolution. The County Manager or the Finance Director of the Issuer shall execute one or more certificates to evidence the making of such determinations, and each such certificate shall be conclusive evidence of the determinations of the County Manager or the Finance Director of the Issuer, as applicable, as to the matters stated therein.

The bonds shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "Local Government Commission") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on February 1, 2017 and semiannually thereafter on February 1 and August 1 of each year until payment of such principal sum.

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Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of The Depository Trust Company, New York, New York ("DTC"), will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at such office of the Bond Registrar mentioned hereinafter or such other place as the Issuer may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the Issuer determines not to continue to use the book-entry system of evidence and transfer of ownership of the Bonds through DTC in accordance with DTC's rules, the Issuer will discontinue the book-entry system with DTC. If the Issuer identifies another qualified securities depository to replace DTC, the Issuer will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will deliver replacement Bonds in the form of fully registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. The Issuer may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC in accordance with DTC's rules.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to said Board and the corporate seal or a facsimile of the corporate seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of the Local Government Commission and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the Local Government Commission whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following forms:

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Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-

\$.....

United States of America
State of North Carolina

COUNTY OF GASTON

GENERAL OBLIGATION REFUNDING BOND, SERIES 2016

<u>Date</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Cusip</u>
.....

The County of Gaston, in the State of North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said County (the "Bond Registrar"), the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a February 1 or August 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on February 1, 2017 and semiannually thereafter on February 1 and August 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said County. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said County of Gaston are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Refunding Bonds, Series 2016" (the "Bonds") and issued by said County for the purpose of providing funds, with any other available funds, for refunding certain outstanding bonds of said County, including paying expenses related thereto, as provided in a resolution duly passed by the Board of Commissioners for said County on April 26, 2016 (the "Resolution"), and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by said Board of Commissioners, which has taken effect, and the Resolution.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One fully-registered Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said County will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said County will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said County for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond

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Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said County sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said County, including this bond, does not exceed any constitutional or statutory limitation thereon.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said County of Gaston, by resolution duly passed by its Board of Commissioners, has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of said Board and the Clerk to said Board and [a facsimile of] its corporate seal to be [printed] [impressed] hereon, all as of the date of this bond set forth above.

[SEAL]

Chairman of the Board of Commissioners

Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Finance Director of the County of Gaston, North Carolina, as Bond Registrar
By: _____

Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

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Section 4. The Bonds will not be subject to redemption prior to maturity.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Issuer or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositories or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Bonds. The Finance Director of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his or her office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The Issuer covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended, as are applicable to the Bonds to the extent necessary so that interest on the Bonds will not be includable in the gross income of the owners of the Bonds for purposes of federal income taxation.

Section 7. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, beginning with the fiscal year ending June 30, 2016, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Issuer, beginning with the fiscal year ending June 30, 2016, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "Debt Information" and "Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults; if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds; if material;
- (8) Bond calls, if material, and tender offers;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of property securing repayment of the Bonds; if material;
- (11) rating changes;

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- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the United States Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(e) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(f) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(g) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds then outstanding pursuant to the terms of this resolution, as it may be amended from time to time, at the time of the amendment.

The Issuer agrees that the annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. The actions of the County Manager, the Finance Director and the County Attorney of the Issuer in applying to the Local Government Commission to advertise and sell the Bonds are hereby approved and ratified. The Local Government Commission is hereby requested to ask for sealed and electronic bids for the Bonds by distributing a Notice of Sale and Bid Form and printing and distributing a Preliminary Official Statement relating to the sale of the Bonds. The Local Government Commission is also hereby requested to print and distribute an Official Statement relating to the sale of the Bonds. Such Notice of Sale and Bid Form, substantially in the form thereof presented to the Board of Commissioners, and such Preliminary Official Statement, dated April 22, 2016 and substantially in the form thereof presented to the Board of Commissioners, are hereby approved, and the Chairman of the Board of Commissioners and the County Manager and the Finance Director of the Issuer are each hereby authorized to approve changes in such Preliminary Official Statement and to approve and execute such Official Statement for and on behalf of the Issuer.

Section 9. In connection with the issuance of the Bonds, the law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as bond counsel to the County and Davenport & Company LLC is hereby confirmed as financial advisor to the County.

Section 10. U.S. Bank National Association is hereby approved as escrow agent in connection with the refunding of the bonds to be refunded by the issuance of the Bonds (the "Escrow Agent"), subject to the right of the governing body of the Issuer to appoint another Escrow Agent as provided in the Escrow Deposit Agreement hereinafter mentioned, and as such shall perform its responsibilities as provided in such Escrow Deposit Agreement. Such Escrow Deposit Agreement, substantially in the form of the draft thereof presented to the Board of Commissioners, and the creation of the Escrow Fund and the other arrangements described therein to accomplish such refunding are hereby approved, and the Chairman of the Board of Commissioners of the Issuer and the Clerk to said Board are each hereby authorized to approve such changes in such Escrow Deposit Agreement as are necessary and to execute such Escrow Deposit Agreement for and on behalf of the Issuer.

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Section 11. Bingham Arbitrage Rebate Services, Inc. is hereby appointed to verify the accuracy of certain mathematical computations in connection with the issuance of the Bonds, as described in the Official Statement mentioned above.

Section 12. The County Manager, the Finance Director and the County Attorney of the Issuer and their designees are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the issuance of the Bonds or the refunding of the bonds to be refunded in connection with the issuance of the Bonds. Such actions include determining on behalf of the Issuer whether or not to proceed with such refunding in whole or in part depending upon the cost savings available on the sale date of the Bonds and, if a determination is made to proceed with such refunding, giving or causing to be given notices of redemption of such bonds to be refunded as required by the resolutions providing for their issuance passed by the Board of Commissioners and such related documents as may be applicable.

Section 13. This resolution shall take effect upon its passage.

Upon motion of Commissioner Philbeck, seconded by Commissioner Williams, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016" was passed by the following vote:

Ayes: Commissioners Keigher, Williams, Fraley, Philbeck, Carpenter.

Noes: None.

* * * * *

I, Donna S. Buff, Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of said Board at a regular meeting held on April 26, 2016, the record having been made in Minute Book 32 of the minutes of said Board, beginning at page _____ and ending at page _____, and is a true copy of so much of said minutes as relates in any way to the matters described therein.

I HEREBY FURTHER CERTIFY that notice of said meeting was duly given in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 27th day of April 2016.

Donna S. Buff
Clerk to the Board of Commissioners

2016-128 Commissioner Keigher – County Attorney – Resolution Relating to the Issuance of General Obligation School Bonds, Series 2016, a Resolution Providing for the Issuance of General Obligation School Bonds, Series 2016

Responding to Commissioner Philbeck, the County Manager noted that although it is impossible to precisely predict the savings as a result of the upgraded bond rating, the estimate is .25 (quarter) of a point, which will be substantial over the life of the 20-year Bond issue.

Chairman Keigher called for a motion and action was taken as set forth herewith and therein as follows:

A regular meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in The Harley B. Gaston Public Forum in the Gaston County Courthouse located at 325 Dr. Martin Luther King Jr. Way, in Gastonia, North Carolina, the regular place of meeting, at 6:00 P.M., on April 26, 2016.

Present: Chairman Tom Keigher, presiding, and Commissioners Jason Williams, Allen R. Fraley, Tracy L. Philbeck, Joe D. Carpenter.

Absent: Commissioners Chad Brown and Mickey Price.

* * * * *

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

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RESOLUTION PROVIDING FOR THE ISSUANCE OF
GENERAL OBLIGATION SCHOOL BONDS, SERIES 2016

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

Section 14. Said Board of Commissioners (the "Board of Commissioners") has determined and does hereby find and declare:

(a) That an order authorizing not exceeding \$175,000,000 School Bonds was adopted by the Board of Commissioners on August 7, 2007, which order was approved by the vote of a majority of the qualified voters of said County who voted thereon at a referendum duly called and held on November 6, 2007.

(b) That \$80,000,000 of said School Bonds have been issued; that no notes have been issued in anticipation of the receipt of the proceeds of the sale of the balance of said School Bonds; and that it is necessary to issue at this time a portion of the balance of said School Bonds in accordance with the provisions of Section 2 of this resolution.

(c) That the maximum period of usefulness of the additional school facilities to be financed with the proceeds of said School Bonds to be issued is estimated as a period of 40 years and that the date of expiration of said period computed from May 24, 2016, the expected date of said School Bonds to be issued as provided in Section 2 of this resolution, is May 24, 2056.

Section 15. Pursuant to said order, there shall be issued bonds of the County of Gaston, North Carolina (the "Issuer"), designated "General Obligation School Bonds, Series 2016" and dated the date of delivery thereof (the "Bonds"). The Bonds shall be in such aggregate principal sum not exceeding \$58,000,000, shall be stated to mature in such principal amounts on February 1 of such years not exceeding February 1, 2036 and shall be subject to the right of prior redemption as shall be determined by the County Manager or the Finance Director of the Issuer, subject to the limitations contained in this resolution. The County Manager or the Finance Director of the Issuer shall execute one or more certificates to evidence the making of such determinations, and each such certificate shall be conclusive evidence of the determinations of the County Manager or the Finance Director of the Issuer, as applicable, as to the matters stated therein.

The Bonds shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "Local Government Commission") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on February 1, 2017 and semiannually thereafter on February 1 and August 1 of each year until payment of such principal sum.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of The Depository Trust Company, New York, New York ("DTC"), will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at such office of the Bond Registrar mentioned hereinafter or such other place as the Issuer may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the Issuer determines not to continue to use the book-entry system of evidence and transfer of ownership of the Bonds through DTC in accordance with DTC's rules, the Issuer will discontinue the book-entry system with DTC. If the Issuer identifies another qualified securities depository to replace DTC, the Issuer will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will deliver replacement Bonds in the form of fully registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as

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required by DTC and others. The Issuer may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC in accordance with DTC's rules.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 16. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to said Board and the corporate seal or a facsimile of the corporate seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of the Local Government Commission and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the Local Government Commission whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following forms:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-

\$.....

United States of America
State of North Carolina

COUNTY OF GASTON

GENERAL OBLIGATION SCHOOL BOND, SERIES 2016

<u>Date</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Cusip</u>
.....

The County of Gaston, in the State of North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said County (the "Bond Registrar"), the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a February 1 or August 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on February 1, 2017 and semiannually thereafter on February 1 and August 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said County. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said County of Gaston are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation School Bonds, Series 2016" (the "Bonds") and issued by said County for the purpose of providing funds, with any other available funds, for constructing and improving school facilities in said County as provided in a resolution duly passed by the Board of Commissioners for said County on April 26, 2016 (the "Resolution"), and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the

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General Statutes of North Carolina, an order adopted by said Board of Commissioners, which order was approved by the vote of a majority of the qualified voters of said County who voted thereon at a referendum duly called and held, and the Resolution.

[If any Bonds are subject to the right of prior redemption, then the following five paragraphs shall be applicable.

The Bonds maturing prior to February 1, 2027 are not subject to redemption prior to maturity. The Bonds maturing on February 1, 2027 and thereafter may be redeemed, at the option of said County, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than February 1, 2026, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as said County in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000 and, further, that The Depository Trust Company, New York, New York ("DTC") will determine by lot the amount of interest of each direct participant of DTC in such Bonds to be redeemed so long as a book-entry system with DTC is continued.

If less than all of the Bonds stated to mature on different dates shall be called for redemption, said County shall direct which maturities of the Bonds are to be redeemed.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said County shall cause a notice of such redemption to be filed with the Bond Registrar and given by certified or registered mail to Cede & Co. at its address appearing upon the registration books of said County or by such other means as DTC shall require. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date plus accrued interest to such date and, if moneys for payment of such redemption price and the accrued interest have been deposited by said County as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Bond Registrar on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed and that if such moneys are not so received such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay such principal of and premium, if any, and interest are not received by the Bond Registrar on or prior to the redemption date, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.]

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One fully-registered Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said County will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said County will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said County for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

[If any Bonds are subject to the right of prior redemption, then the following paragraph shall be applicable.

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The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.]

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said County sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said County, including this bond, does not exceed any constitutional or statutory limitation thereon.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said County of Gaston, by resolution duly passed by its Board of Commissioners, has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of said Board and the Clerk to said Board and [a facsimile of] its corporate seal to be [printed] [impressed] hereon, all as of the date of this bond set forth above.

Tom Keigher, Chairman
Gaston County Board of Commissioners

[SEAL]

Donna S. Buff, Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Finance Director of the County of Gaston, North Carolina, as Bond Registrar
By: _____

Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 17. The Bonds maturing prior to February 1, 2027 will not be subject to redemption prior to maturity. The Bonds maturing on February 1, 2027 and thereafter will be redeemable, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than February 1, 2026, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption.

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If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000, and, further, that DTC will determine by lot the amount of interest of each direct participant of DTC in such Bonds to be redeemed so long as a book-entry system with DTC is continued. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the Issuer shall direct which maturities of the Bonds are to be redeemed.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the Issuer, provided that such notice to Cede & Co. shall be given by certified or registered mail or by such other means as DTC shall require. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, have been deposited by the Issuer to be held in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Bond Registrar on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed and that if such moneys are not so received such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay such principal of and premium, if any, and interest are not received by the Bond Registrar on or prior to the redemption date, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

If the County Manager or the Finance Director of the Issuer determines that none of the Bonds shall be subject to the right of prior redemption, then the preceding provisions of this Section shall not be applicable.

Section 18. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may

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make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Issuer or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to Section 4 of this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond and the interest thereon, to the extent of the sum or sums so paid.

If the County Manager or the Finance Director of the Issuer determines that none of the Bonds shall be subject to the right of prior redemption, then the following three paragraphs shall be applicable in lieu of the preceding three paragraphs.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Issuer or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositories or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Bonds. The Finance Director of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his or her office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 19. The Issuer covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended, as are applicable to the Bonds to the extent necessary so that interest on the Bonds will not be includable in the gross income of the owners of the Bonds for purposes of federal income taxation.

Section 20. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, beginning with the fiscal year ending June 30, 2016, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Issuer, beginning with the fiscal year ending June 30, 2016, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings "Debt Information" and "Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults; if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;

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- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds; if material;
- (8) Bond calls, if material, and tender offers;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of property securing repayment of the Bonds; if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the United States Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(e) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(f) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(g) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds then outstanding pursuant to the terms of this resolution, as it may be amended from time to time, at the time of the amendment.

The Issuer agrees that the annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 21. The actions of the County Manager, the Finance Director and the County Attorney of the Issuer in applying to the Local Government Commission to advertise and sell the Bonds are hereby approved and ratified. The Local Government Commission is hereby requested to ask for sealed and electronic bids for the Bonds by distributing a Notice of Sale and Bid Form and printing and distributing a Preliminary Official Statement relating to the sale of the Bonds. The Local Government Commission is also hereby requested to print and distribute an Official Statement relating to the sale of the Bonds. Such Notice of Sale and Bid Form, substantially in the form thereof presented to the Board of Commissioners, and such Preliminary Official Statement, dated April 22, 2016 and substantially in the form thereof presented to the Board of Commissioners, are hereby approved, and the Chairman of the Board of Commissioners and the County Manager and the Finance Director of the Issuer are each hereby authorized to approve changes in such Preliminary Official Statement and to approve and execute such Official Statement for and on behalf of the Issuer.

Section 22. In connection with the issuance of the Bonds, the law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as bond counsel to the County and Davenport & Company LLC is hereby confirmed as financial advisor to the County.

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Section 23. The County Manager, the Finance Director and the County Attorney of the Issuer and their designees are hereby authorized and directed to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as may be necessary or appropriate to effectuate the issuance of the Bonds.

Section 24. This resolution shall take effect upon its passage.

Upon motion of Commissioner Philbeck, seconded by Commissioner Carpenter, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2016" was passed by the following vote:

Ayes: Commissioners Keigher, Williams, Fraley, Philbeck, Carpenter.

Noes: None

* * * * *

I, Donna S. Buff, Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of said Board at a regular meeting held on April 26, 2016, the record having been made in Minute Book 32 of the minutes of said Board, beginning at page _____ and ending at page _____, and is a true copy of so much of said minutes as relates in any way to the matters described therein.

I HEREBY FURTHER CERTIFY that notice of said meeting was duly given in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 27th day of April 2016.

Donna S. Buff
Clerk to the Board of Commissioners

DELETED Commissioner Keigher – Resolution Relating to the Authorization of Refunding Bonds of the Gaston County Industrial Facilities and Pollution Control Financing Authority Exempt Facilities Revenue Bonds (NATIONAL GYPSUM COMPANY PROJECT), SERIES 2005

In response to Chairman Keigher, the County Attorney stated that the County was contacted by National Gypsum in Mount Holly, regarding the refunding of their revenue bonds sold in 2005. The Industrial Facilities and Pollution Control Financing Authority met and approved a resolution. However, National Gypsum was advised in a later conference call with the LGC that the documentation presented by their bond attorney was not acceptable; the refunding was rejected and the company has taken it to Wisconsin. He noted that it is an indication the LGC is very conservative when it comes to debt issuances, which keeps North Carolina in a AAA-Rating.

TABLED Commissioner Keigher – To Adopt a Fee Schedule Effective July 1, 2016 through June 30, 2017

Chairman Keigher recognized Commissioner Philbeck for comments.

Having requested the item be pulled from the Consent Agenda, Commissioner Philbeck noted various increases or changes in the fee schedule, and requested clarification.

The County Manager responded:

- *Landfill – increases - track loader/dozer/dump truck - would bring Gaston County even with the current FEMA reimbursement rates in the event the equipment is deployed as a result of a natural disaster; does not affect tipping fees; confined to the use of equipment and operator*

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GASTON COUNTY, NORTH CAROLINA

- *Fire Marshall – foster home inspection fee – although common, the County has never imposed this fee; proposed fees are in fact lower than most surrounding jurisdictions*
- *GEMS – Household Subscription – similar to insurance; subscriber would pay a fee on an annualized basis which protects them from the need to pay the fees if they require ambulance transport; subscriber would not have additional liability outside of their insurance or Medicare coverage.*

Commissioner Fraley inquired if this a step toward developing an enterprise fund for EMS services.

The County Manager responded that the County isn't currently in a position to fully privatize ambulance services. The cost burden could be excessive and would be transferred completely to the public. However, the County could move more towards an enterprise fund, which would be phased in over several years.

Commissioner Philbeck requested a work session presentation from the GEMS Chief, Mark Lamphiear. He added he would then like it brought forward for a vote.

Commissioner Williams noted his opposition to approving the fee schedule without receiving additional information from the GEMS Chief on the subscription fee as well as the other proposed fee increases. He suggested tabling the item.

With discussion coming to an end, Chairman Keigher directed the Manager to have Mr. Lamphiear provide a presentation at the next meeting; he also asked that staff be prepared to respond to questions on the fee schedule.

Commissioner Philbeck introduced a motion to table. Commissioner Williams provided the second.

Chairman Keigher called for the vote and the motion carried unanimously.

Appointments

On motions introduced and seconded, the following individuals were unanimously reappointed to the ***Nursing Home Community Advisory Committee***:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Williams	Commissioner Fraley	Mr. Richard Trado	May 2019
Commissioner Philbeck	Commissioner Carpenter	Ms. Gayle Hopkins	August 2018
Commissioner Keigher	Commissioner Carpenter	Ms. Barbara Foy	September 2017

On behalf of Commissioner Brown and on motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously appointed Ms. Paula Black to the ***Health and Human Services Board*** to an unexpired term ending July 2018.

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On behalf of Commissioner Brown and on motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Mark Hollar to the **Planning Board** to an unexpired term ending February 2017.

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Transportation Advisory Board (TAB)**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Keigher on behalf of Commissioner Brown	Commissioner Carpenter	Bishop Leon McClain	November 2018
Commissioner Keigher on behalf of Commissioner Brown	Commissioner Carpenter	Ms. Ruth Murphy	November 2018
Commissioner Keigher	Commissioner Carpenter	Ms. Barbara Foy	September 2017

Commissioners Committee Reports

Chairman Keigher reported attendance to the **Gaston County Republican Women's Monthly Meeting along with the County Manager**; number of attendees inquired about how information is distributed to the public and wanted to know how it could be improved; **Chair-to-Chair Information Sharing Session** – attended *along with Commissioner Carpenter*, the appreciation dinner recognizing chairpersons of appointed boards, commissions and committees; **NCACC 12th District Meeting** – provided handout containing the financials for the State Association to the Clerk for distribution to the BOC; Provided the Welcoming at the **Annual Senior Games** at Sims Park; Chaired a **Campus Affairs Committee** meeting of the College Board – working on by-laws affecting Community College campus affairs for an upcoming certification.

Commissioner Philbeck referenced the Chairman's comments regarding the dissemination of information to the public. After a discussion of potential solutions, Commissioner Philbeck advised that he would arrange a meeting with the I.T. Department and County Manager to discuss options.

County Manager's Report

- Bond Rating was upgraded by Standard and Poor's
- The Budget process is ongoing
- Wellness Program is gaining traction
- New Museum Director, Kristen Watts has begun her employment with the County.

County Attorney's Report

No Report.

Closed Session Pursuant to N.C.G.S.143-318.11(a)(4) – Economic Development

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously entered into Closed Session at 6:51 pm.

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On motion introduced by Commissioner Philbeck and seconded by Commissioner Carpenter, the BOC unanimously re-entered Open Session at 7:00 pm.

Chairman Keigher reported that no action was necessary as a result of the Closed Session.

Adjournment

Chairman Keigher called for a motion to adjourn the Regular Meeting of April 26, 2016.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Fraley, the BOC unanimously adjourned the Regular Meeting of April 26, 2016 at 7:05 pm.

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

Tom Keigher, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL