



# Gaston County

## Board of Commissioners

COURTHOUSE  
325 Dr. Martin Luther King Jr. Way  
Gastonia, NC

*Chairman Tracy L. Philbeck*

*Vice-Chairman Chad Brown*

*Jack B. Brown*

*Allen R. Fraley*

*Bob Hovis*

*Tom Keigher*

*Ronnie Worley*

Tuesday, January 22, 2019

Meeting Agenda

### REVISED - Regular Meeting

6:00 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

#### MOTION TO OPEN PUBLIC HEARINGS

#### I. ZONING PUBLIC HEARINGS (Held Jointly with Planning Board Members)

- A. Public Hearing - Zoning Map Change: Conditional District (CD18-01), MT Land (Applicant); Property Parcels 222767 (part of), 216850, and 222768, Located at Lake Wylie Rd., Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD)
1. Receive Citizen Comment
  2. Resolution to be addressed under Non-consent (Zoning Matters)

(PLANNING BOARD IS EXCUSED TO FIRST APPEARANCE COURTROOM, ROOM 2029 FOR DELIBERATIONS)

#### II. PUBLIC HEARINGS (Commissioners Only)

- A. Public Hearing - RE: Commissioner Philbeck - County Attorney - To Approve an Installment Financing Agreement to Finance a Portion of the Cost of Various Projects Related to the Gaston County Sheriff's Office and Jail Facility, Acquiring Public Safety Radio Communications Equipment and Infrastructure, and the Apple Creek Corporate Center Business Park..... 6-12
1. Receive Citizen Comment
  2. Accept Motion to Approve Resolution
- B. Public Hearing - RE: Commissioner Worley - County Attorney - To Authorize the Closing of a Certain Unimproved Right-of-Way Between Stowe Lane and Lake Street, South Point Township, Gaston County.....13-20
1. Receive Citizen Comment
  2. Accept Motion to Approve Resolution

- C. Public Hearing - RE: City of Bessemer City - Bessemer City Planning Board ETJ.....21-22**
1. Receive Citizen Comment
  2. Accept Motion for Appointment

*MOTION TO CLOSE PUBLIC HEARINGS*

### **III. BUSINESS AGENDA**

#### **A. AGENDA REVISION/APPROVAL**

1. *ADDED: Section III, Item B, 1. Approval of Minutes - Regular Meeting of October 23, 2018*
2. *REVISED: Section V., Item U.*

#### **B. ADDED/ APPROVAL OF MINUTES**

1. To Approve the Minutes of:
  - Regular Meeting of October 23, 2018

### **IV. CITIZEN RECOGNITION (Sign up Prior to Meeting; Speakers Have Five Minutes to Speak on Issue of Choice.)**

### **V. CONSENT AGENDA**

- A. Commissioner Keigher - BOC - Proclamation - To Proclaim the Week of January 27, 2019 - February 2, 2019 as Catholic School Week in Gaston County.....23-24**
- B. Commissioner Keigher - BOC - Proclamation - To Proclaim the Month of February 2019 as Black History Month in Gaston County.....25-26**
- C. Commissioner Fraley - BOC - To Approve the Removal of the Garden Parkway Delineation from the Gaston County GIS Website and Rescind Resolution 2016-245.....27-28**
- D. Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds from the Governor's Crime Commission for the Therapeutic Services for Children Who Have Witnessed Domestic and/or Family Violence in the Amount of \$25,143 (No County Funds).....29-30**
- E. Commissioner Chad Brown - Budget/Purchasing - To Approve Bid Award of the Purchase of Vehicles per County Bid, a Wagon per NC Sheriffs' Contract, and Ambulances (QRV and Transit Vans) per HGACBuy Contract, Totaling \$2,273,225 Which Includes Equipment, Decals, Tag/Tax and Title Fees.....31-37**
- F. Commissioner Keigher - Cooperative Extension - To Accept and Appropriate \$6,192 in Extension and 4-H Fees (\$5,992 Registration; \$200 Donations).....38-39**
- G. Commissioner Hovis - County Attorney - To Approve a Duke Energy Easement for the Installation of Street Light Fixtures on the SouthRidge Parkway.....40-42**

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- H. Commissioner Chad Brown - County Attorney - To Schedule a Public Hearing for the Request to Close Unimproved Right-of-Ways: Oak Street; Holly Drive (a portion of); and, Pine Street (a portion of), Located in Riverbend Township.....43-47
- I. Commissioner Chad Brown - County Attorney - To Authorize a Lease of County Property to the State of North Carolina for the Mountain Island Lake Educational Forest.....48-59
- J. Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information.....60-62
- K. Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Funds from the Area Health Education Center for the Public Health Clinics (100% Preceptorship Funds - \$337).....63-64
- L. Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Grant Funds from the NC Public Health Association for the Health Department of the Year Award (100% Grant Funds - \$1,000).....65-66
- M. Commissioner Keigher - Finance - To Award Bid for Financing up to \$2,273,225 for Rolling Stock and Equipment to Bank of America and to Approve the Attached Budget Change Request (to appropriate funds) and Resolution Approving Financing Terms.....67-71
- N. Commissioner Philbeck - Finance - To Appropriate \$60,000,000 in G.O. School Bond Proceeds.....72-73
- O. Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should be Recorded in the Board's Minutes.(Real Property Tax Refunds - \$1,805.76; Total HB20 Refunds - \$933.61; Total NCVTS Refunds - \$7,555.61; Total Vehicle Tax Refunds - \$8,489.22).....74-77
- P. Commissioner Chad Brown - Fire Marshall - To Approve a Certificate of Need for Alexis Volunteer Fire Department to Obtain Financing (\$573,257) to Purchase a 2019 Pierce Enforcer Rescue Engine.....78-83
- Q. Commissioner Philbeck - Gaston Community Action - To Accept as Information the FY2019-20 Community Services Block Grant Application (No County Funds).....84
- R. Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate a Gaston County Travel and Tourism Grant for the NC State-wide Athletics (SWAC) Recreation Soccer Tournament in the Amount of \$8,000 (100% Grant Funds).....85-86
- S. Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate Funds in the Amount of \$1,890 from the NC Recreation and Parks Association for the NC State-Wide Athletics Committee (SWAC) Soccer Tournament at George Poston Park (No County Funds).....87-88
- T. Commissioner Keigher - Police Department - To Approve Surplus and Disposition of Eight Year Old German Shepherd K-9 Named Zepher.....89-90
- U. **REVISED/** Commissioner Philbeck - Public Works - To Award a Construction Contract for the Jail Infill Project to Pinnix, Inc. of Gastonia at a Cost Not to Exceed \$10,770,000 and Authorize the County Manager to Execute Any Necessary Contract Documents  
.....**GREEN SHEET PAGES (GSP) 91-91A**
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- V. Commissioner Jack Brown - Public Works - To Finalize and Formally Accept an Offer to Purchase a County Owned Surplus Parcel (PID 103983 Located Off North Oakland Street, Gastonia) (No County Funds).....92
- W. Commissioner Fraley - Public Works - To Approve the Sale of a Surplus County Vehicle #899 to the Tryonota Volunteer Fire Department.....93-94
- X. Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the November Listed Tax Refunds be Made. (Real Estate - \$24,751.74; Vehicles and ETC - \$1,347.69; VTS Refunds - \$3,323.93; Grand Total - \$29,423.36).....95-97
- Y. Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the December Listed Tax Refunds be Made. (Real Estate - \$59,721.63; Vehicles and ETC - \$558.84; VTS Refunds - \$2,621.04; Grand Total - \$62,901.51).....98-100

## VI. 2019 LEGISLATIVE REQUESTS

- A. Board of Commissioners - Legislative Request: Legislative Agenda for the 2019 Session of the North Carolina General Assembly.....101-104
- B. Board of Commissioners - Legislative Request: To Support the Juvenile Crime Prevention Council (JCPC) Allocation Expansion.....105-106

## VII. ZONING MATTERS FROM PUBLIC HEARINGS (NON-CONSENT)

- A. Commissioner Chad Brown - Planning/Development Services - Zoning Map Change: Conditional District CD18-01, MT Land (Applicant); Property Parcels 222767 (part of), 216850, and 222768, Located at Lake Wylie Rd., Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD).....107-110

## VIII. NON-CONSENT AGENDA ITEMS

- A. Commissioner Philbeck - Finance - Appropriation of Fund Balance in the Amount of \$106,625 for the Register of Deeds Supplemental Pension Fund.....111-112
- B. Commissioner Worley - Sheriff's Office - Appropriation of Additional Funds to House Inmates Out of County for November 2018 (\$19,000).....113-116

## IX. ITEMS PULLED FROM CONSENT AGENDA

## X. ITEMS ADDED BY MAJORITY VOTE FOR DISCUSSION ONLY

## XI. APPOINTMENTS

- A. Appointment List - Current Expiring Terms/Vacant Positions.....117-122



**XII. REPORTS**

**A. Commissioners Committee Reports**

**B. County Manager's Report**

**C. County Attorney's Report**

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

**XIII. OTHER MATTERS**

**XIV. ADJOURNMENT**



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## County Attorney

## Board Action

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**File #: 18-496**

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Public Hearing - RE: Commissioner Philbeck - County Attorney - To Approve an Installment Financing Agreement to Finance a Portion of the Cost of Various Projects Related to the Gaston County Sheriff's Office and Jail Facility, Acquiring Public Safety Radio Communications Equipment and Infrastructure, and the Apple Creek Corporate Center Business Park

1. Receive Citizen Comment
2. Accept Motion to Approve Resolution

### **STAFF CONTACT**

Charles L. Moore - County Attorney

### **BUDGET IMPACT**

Increase appropriated fund balance by \$3,024,700 in FY20. The total annual payment for FY21 would be \$2,957,075.

### **BUDGET ORDINANCE IMPACT**

The proposed debt service will increase appropriated fund balance if it is not funded with additional property tax revenue.

### **BACKGROUND**

This new debt service addresses two investment opportunities in Gaston County: public safety and property acquisition and development. Due to the opioid crisis, population growth, and other factors, the County jail has been overcrowded on a regular basis. The designed infill project will provide additional bed spaces without expanding the physical dimensions of the jail. Gaston County also has an antiquated public safety radio system. Developing the new communication infrastructure and purchasing a large number of 800MHz radios are costly but will increase agency operability. Both the jail infill project and the new radio system are necessary investments in public safety.

Acquiring and developing new industrial property is another critical and strategic investment for Gaston County. Not only will it enable the County to maintain momentum in industrial recruitment, it will allow existing businesses to expand. Development of the Apple Creek Corporate Center Business Park will produce an ongoing return on investment for many years to come.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Resolution - DRAFT

A regular meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in the Harley B. Gaston, Jr. Public Forum on the second floor of 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 January 22, 2019.

Present: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Absent: \_\_\_\_\_.

\* \* \* \* \*

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

**RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE AND REFINANCE A PORTION OF THE COST OF VARIOUS PROJECTS AND PROVIDING FOR CERTAIN RELATED MATTERS.**

WHEREAS, the County of Gaston, North Carolina (the “County”) has determined to finance and refinance a portion of the cost of (a) renovating, expanding, equipping and improving an existing Gaston County Sheriff’s Office and jail facility, (b) acquiring certain radio communication equipment and infrastructure and (c) acquiring and improving a planned business park to be known as the Apple Creek Corporate Center (collectively, the “Project”); and

WHEREAS, the County is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$\_\_\_\_\_, with other available funds, for the financing and refinancing of the Project, and it is necessary to provide for certain related matters at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. The Board of Commissioners for the County (the “Board”) hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of financing and refinancing the Project to meet an urgent need for additional and improved public facilities and equipment constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing and refinancing the same purpose because there is not adequate time to hold a bond referendum, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon construction bids received by the County with respect to portions of the Project or the County’s best estimate of the cost of portions of the Project, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive and (f) the County is not in default regarding any of its debt service obligations.

Section 2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all

other actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 4. The Board hereby confirms the selection of the following professionals to be on the financing team for such proposed agreement:

Special Counsel	Robinson Bradshaw & Hinson, P.A.
Financial Advisor	Davenport & Company LLC
Lender	Capital One Public Funding, LLC

Section 5. This resolution shall take effect immediately upon its passage.

Upon consideration of the foregoing resolution and motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

\* \* \* \* \*

The Chairman of the Board of Commissioners for the County of Gaston, North Carolina (the "County") announced that this was the hour, day and place fixed for the public hearing for the purpose of considering whether the Board of Commissioners for the County should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$\_\_\_\_\_, with other available funds, for financing and refinancing the costs of (a) renovating,

expanding, equipping and improving an existing Gaston County Sherriff's Office and jail facility, (b) acquiring certain radio communication equipment and infrastructure and (c) acquiring and improving a planned business park to be known as the Apple Creek Corporate Center (collectively, the "Project"). The County would secure the repayment of the proposed financing by granting a security interest in a portion of the Project and certain related property.

The County Manager and the Finance Director of the County then described the Project as currently proposed and the current plan of the County to finance and refinance a portion of the cost of the Project.

Notice of this public hearing was published in the Gaston Gazette not less than 10 days before the date of this public hearing.

The Chairman of the Board of Commissioners for the County (the "Board") then announced that the Board would immediately hear anyone who might wish to be heard on such matters.

No one appeared, either in person or by attorney, to be heard on such matters and the Clerk to the Board announced that no written statement relating to such matters had been received.

NOTE: One or more of the following clauses may be added after the last sentence on the preceding page:

except \_\_\_\_\_, residing at \_\_\_\_\_, who appeared in person and stated \_\_\_\_\_.

except \_\_\_\_\_, Esq., who stated that he represented \_\_\_\_\_, residing at \_\_\_\_\_, who wishes to state \_\_\_\_\_.

except \_\_\_\_\_, who presented a statement signed by \_\_\_\_\_ persons, which statement was read and ordered spread upon the minutes, and is as follows: [If any written statement is presented it should be inserted in full in the minutes at this point, including names of signers, if such insertion is practicable].

All of the foregoing statements were duly considered by the Board.

[Remove this page from the proceedings prior to their certification.]

Thereupon, the Chairman of the Board announced that the public hearing was closed.

\* \* \* \* \*

I, Donna S. Buff, Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on January 22, 2019 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book \_\_\_\_ of the minutes of said Board, beginning on page \_\_\_\_ and ending on page \_\_\_\_.

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

WITNESS my hand and the corporate seal of said County, this \_\_\_\_ day of January 2019.

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Clerk to the Board of Commissioners





# Gaston County

Gaston County  
Board of Commissioners  
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## County Attorney

## Board Action

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**File #:** 19-004

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Public Hearing - RE: Commissioner Worley - County Attorney - To Authorize the Closing of a Certain Unimproved Right-of-Way Between Stowe Lane and Lake Street, South Point Township, Gaston County

1. Receive Citizen Comment
2. Accept Motion to Approve Resolution

### **STAFF CONTACT**

Charles Moore - County Attorney

### **BUDGET IMPACT**

N/A

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

The Board of Commissioners received a petition to close approximately two hundred and sixty seven feet of an unimproved right-of-way between Stowe Lane and Lake Street, as highlighted on the attached map. The area in question is not passable to vehicular traffic and the topography renders the property impracticable to improve. The area to be closed is bounded on the North by Stowe Lane, bounded on the Northwest by Parcel Number 182731, bounded on the West by Parcel Number 300083, bounded on the South by Lake Street, bounded on the Southeast by Parcel Number 300082, and bounded on the Northeast by Parcel Number 207077. The Petitioner, Charles Dean Morgan, owns the surrounding parcels as described above.

Pursuant to G.S. 153A-241, the Board of Commissioners may close said right-of-way subject to a public hearing. At the December 11, 2018 meeting, the Board of Commissioners authorized the public hearing concerning the road closure to take place at the January 22, 2019 Board of Commissioners meeting. Pursuant to state law, the County advertised the public hearing for three weeks in the Gaston Gazette, placed notices of the public hearing near the property in question, and provided notice by way of first class mail to the surrounding property owners.

### **POLICY IMPACT**

Closing the right-of-way in question will not negatively impact any property owner in the surrounding area as the right-of-way is currently impassable and the topography makes it impractical to improve. If the closure is approved, the Petitioner will obtain the right-of-way area which consists of approximately 0.1775 acres. The right-of-way is not maintained by the North Carolina Department of Transportation.

### **ATTACHMENTS**

Resolution and Petition to Close Road/Map Depicting Proposed Road Closure



**RESOLUTION TITLE: TO CLOSE A PORTION OF AN UNIMPROVED RIGHT-OF-WAY LOCATED BETWEEN STOWE LANE AND LAKE STREET, SOUTH POINT TOWNSHIP, GASTON COUNTY**

WHEREAS, the Gaston County Board of Commissioners has received a request to close a portion of an unimproved right-of-way approximately two hundred and sixty seven feet in length bounded by Stowe Lane on the North, Parcel Number 182731 (924 Stowe Lane) on the Northwest, Parcel Number 300083 (no physical address) on the West, Lake Street on the South, Parcel 300082 (no physical address) on the Southeast and Parcel 207077 (919 Stowe Lane) on the Northeast; and,

WHEREAS, the Petitioner is Charles Dean Morgan; and,

WHEREAS, the right-of-way closed is approximately two hundred and sixty seven feet in length and thirty feet in width; and,

WHEREAS, the Petitioner of the unimproved right-of-way closure owns all the land surrounding the subject area subject to closure; and,

WHEREAS, the subject area to be closed is currently not open to vehicular traffic. Additionally the topography of the subject area makes it not practical to improve the right-of-way; 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,

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**DO NOT TYPE BELOW THIS LINE**

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and accurate copy of action taken by the Board of Commissioners as follows:

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**To Close a Portion of an Unimproved Right-of-Way Located Between Stowe Lane and Lake Street, South Point Township, Gaston County**

Page 2

WHEREAS, on January 22, 2019, 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 described as being bounded on the North by Stowe Lane, bounded on the Northwest by Parcel Number 182731, bounded on the West by Parcel Number 300083, bounded on the South by Lake Street, bounded on the Southeast by Parcel Number 300082 and bounded on the Northeast by Parcel Number 207077 be closed, as reflected on a map and description attached as Exhibit "A". The subject area is described as BEGINNING at an Iron Pin Set at the northeastern most corner of Parcel 182731 then continuing North 84°23'51" East 38.29 feet to an Iron Pin Set, thence South 32°26'43" West 179.57 feet to an Existing Iron Pin, thence South 32°24'22" West 87.68 feet to an Iron Pin Set, thence North 58°29'00" West 30.41 feet to an Existing Iron Pin, thence North 32°27'59" East 62.45 feet to a Utility Pole thence North 32°26'43" East 180.99 feet to the BEGINNING.

BE IT FURTHER RESOLVED that any interest Gaston County may have had in the subject area be extinguished. The subject right-of-way shall revert to the Charles Dean Morgan, the owner of the parcels surrounding the subject area.

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Tracy L. Philbeck, Chairman  
Gaston County Board of Commissioners

STATE OF NORTH CAROLINA     )  
COUNTY OF GASTON            )

PETITION TO CLOSE STREET

**TO: GASTON COUNTY BOARD OF COUNTY COMMISSIONERS**

The undersigned, Charles Dean Morgan, a resident of Gaston County, respectfully shows and requests unto the Gaston County Board of Commissioners, the following:

1. That the Petitioner, Charles Dean Morgan, is the owner of several parcels of land. The relevant parcels are as follows:

**a. PARCEL 182731**

- i. Physical Address: 924 Stowe Lane, Gastonia, NC 28056
- ii. Mailing Address: 924 Stowe Lane, Gastonia NC 28056
- iii. Book 1898, Page 0081
- iv. Map Book 14, Page 32, Parcel B28

**b. PARCEL 207077**

- i. Physical Address: 919 Stowe Lane, Gastonia, NC 28056
- ii. Mailing Address: 924 Stowe Lane, Gastonia, NC 28056
- iii. Book 4510, Page 1965
- iv. Map Book 06, Page 71, Parcel B29

**c. PARCEL 300083**

- i. Physical Address: Not addressed
- ii. Mailing Address: 924 Stowe Lane, Gastonia, NC 28056
- iii. 4992, Page 384 (tract 2)
- iv. No new recorded plat

**d. PARCEL 300082**

- i. Physical Address: Not addressed
- ii. Mailing Address 924 Stowe Lane, Gastonia, NC 28056
- iii. Book 4992, Page 384 (tract 1)
- iv. No new recorded plat

2. An impassable right-of-way, which exists only on paper as such, bisects these four parcels of land. A map depicting such right-of-way is attached.

3. To the two northernmost parcels, 182731 and 207077 are at the southernmost terminus of Stowe Lane. As indicated by NCDOT signage, the right-of-way that exists through these two parcels of land is not a state maintained road, as the state maintained part of Stowe Lane ends immediately north of these parcels.
4. The right-of-way that traverses over parcels 182731 and 207077 does not connect with the right of way that bisects parcels 300082 and 300083. The Petitioner believes in good faith that closing the right-of-way in question will not cause hardship to any adjacent property owner, as it will not detrimentally impact such individuals' ingress or egress.
5. The right-of-way over these four parcels is named Lake Street and Stowe Lane. Lake Street is not maintained by the NCDOT. The right of way bisecting the northern parcels of 182731 and 202077 is Stowe Lane. The portion of Stowe Lane described herein is also not maintained by the NCDOT.
6. Closing the portion of the right-of-way that bisects the four above-mentioned Parcels will not detrimentally impact third parties, as the right of way is currently unpassable. Due to the topography and tree growth in this area, it is unlikely the NCDOT will spend monies to connect Stowe Lane with Lake Road.
7. Due to trespassers, the Petitioner requests to close the right-of-way and for Gaston County to extinguish any interest it might have in such right-of-way.
8. Pursuant to North Carolina General Statute Section 160A-299, the following individuals have a right to receive notice of the right-of-way public hearing, should the Gaston County Board of Commissioners schedule a public hearing to close such right-of-way:  
  
**TREVOR AND KATIE LAWRENCE, 913 STOWE LN, GASTONIA, NC 28056**  
**JUDSON AND BERRY ABERNATHY, 2965 SOUTH POINT PRARIE RD, WENTZVILLE, MO 63385**  
**VERA KING BRANCH, 119 LAKE STREET, GASTONIA, NC 28056**
9. That the Gaston County Board of Commissioners is authorized by North Carolina General Statute Section 153A-241 to close that portion of the right-of-way as herein described.

WHEREFORE, the undersigned Petitioner requests that the Gaston County Board of County Commissioners declare their intent to close that portion of Lake Street and Stowe Lane as described herein, and they give notice in accordance with the provisions of N.C. General Statutes Section 153A-241 by publishing notice of said hearing once a week for three (3) consecutive weeks in the Gaston Gazette, a newspaper of general circulation in Gaston County, North Carolina, and by posting notices of the closing and public hearing prominently along the portion of the general area in at least two locations, and by mailing via registered or certified mail the individuals described herein who have an ownership interest in the property located adjacent to the subject area.

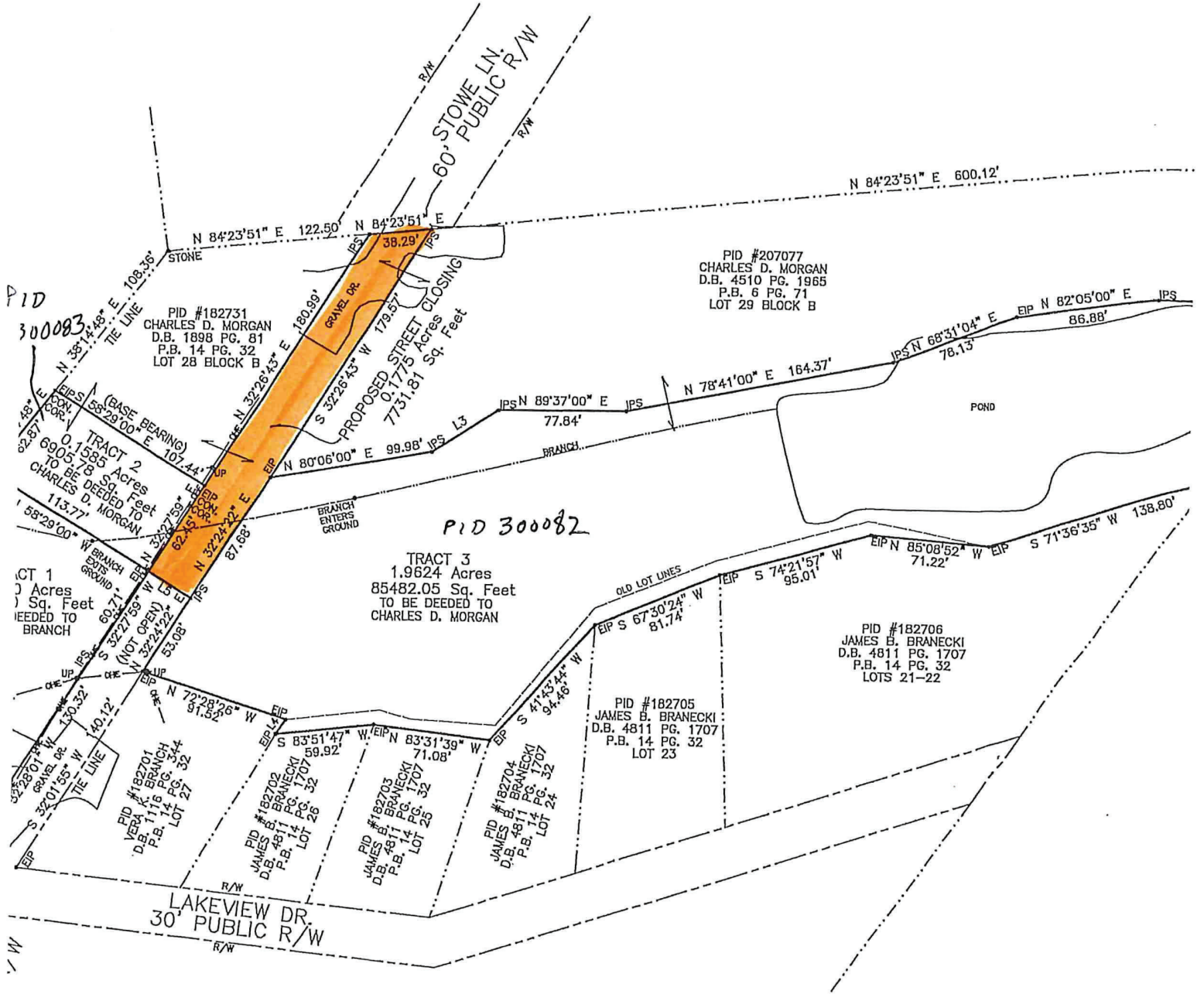
This the 30 day of October, 2018

Charles Dean Morgan  
Charles Dean Morgan, Petitioner





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# Gaston County

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## Board of Commissioners Board Action

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**File #:** 18-497

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Public Hearing - RE: City of Bessemer City - Bessemer City Planning Board ETJ

1. Receive Citizen Comment
2. Accept Motion for Appointment

### **STAFF CONTACT**

Donna S. Buff - Clerk to the Board - 704-866-3196

### **BACKGROUND**

The Bessemer City Council recommends the reappointment of

Ms. Charlene Hill  
146 Davis Plantation Rd.  
Bessemer City, NC 28016

as the ETJ Member to the Bessemer City Planning Board. One position available.

### **ATTACHMENTS**

Letter of Recommendation - Bessemer City ETJ

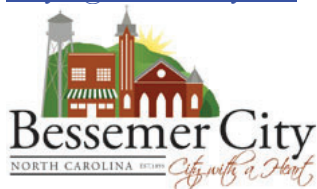
**From:** Hydeia Hayes [<mailto:hhayes@BessemerCity.com>]  
**Sent:** Friday, December 28, 2018 10:49 AM  
**To:** Donna Buff  
**Cc:** Josh Ross; James Inman  
**Subject:** {External} RE: Bessemer City Planning Board – ETJ May 31 Term Ending

Donna,

I apologize for the delayed response. However, Council dissolved and re-established the Planning & ZBA Board in October 2018. The board now has 5 full board members, including 1 from the ETJ. Ms. Charlene Hill was appointed as the ETJ representative until June 2019.

Please let me know if you need anything further.

**Hydeia Y. Hayes, MPA**  
*City Clerk*  
*Public Relations & Communications*  
132 West Virginia Avenue  
Bessemer City, NC 28016  
(704) 729-6509  
[hhayes@bessemerncity.com](mailto:hhayes@bessemerncity.com)



*Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.*

**From:** Donna Buff <[Donna.Buff@gastongov.com](mailto:Donna.Buff@gastongov.com)>  
**Sent:** Tuesday, May 1, 2018 5:45 PM  
**To:** Hydeia Hayes <[hhayes@BessemerCity.com](mailto:hhayes@BessemerCity.com)>  
**Cc:** Josh Ross <[jross@bessemerncity.com](mailto:jross@bessemerncity.com)>  
**Subject:** Bessemer City Planning Board – ETJ May 31 Term Ending

Good afternoon!

Has your council taken any action on these positions? If so, please advise and I will schedule a public hearing. Thanks!

Bessemer City Planning Board – ETJs May 31 Term Ending

Mr. Mack B Jenkins	5	Jun 01, 2015	May 31, 2018	Full Board	ETJ
Ms. Charlene Hill	2	Jun 01, 2015	May 31, 2018	Full Board	ETJ

**Donna S. Buff, NCCCC**  
**Clerk to the Board**  
Gaston County Board of Commissioners  
[donna.buff@gastongov.com](mailto:donna.buff@gastongov.com)  
PO Box 1578  
Gastonia, NC 28053-1578  
704-866-3196  
704-866-3482 (F)  
[Visit the Commission Webpage for Meeting Information](#)



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Board of Commissioners

### Board Action

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**File #:** 18-489

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Commissioner Keigher - BOC - Proclamation - To Proclaim the Week of January 27, 2019 - February 2, 2019 as ***Catholic School Week*** in Gaston County

#### **STAFF CONTACT**

Donna S. Buff - Clerk to the Board - 704-866-3196

#### **BACKGROUND**

#### **ATTACHMENTS**

Proclamation



WHEREAS, Catholic School Week is January 27, 2019 to February 2, 2019, and is sponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and,

WHEREAS, St. Michael's Catholic School in Gastonia, NC and Catholic schools throughout the United States have made valuable contributions to their communities; and,

WHEREAS, more than two million students attend Catholic schools in the United States, and more than 86 percent of them go on to pursue a college degree. These students and their families should be commended for their strong dedication to their faith and for their steadfast commitment to furthering their studies; and,

WHEREAS, Catholic schools educators and administrators deserve thanks for their steadfast commitment not just to educating minds, but to shaping hearts and cultivating the virtues in students that make our county and our local communities stronger.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby recognizes the week of January 27, 2019 to February 2, 2019 as

## **CATHOLIC SCHOOL WEEK**

in Gaston County, North Carolina.

\_\_\_\_\_  
Tracy L. Philbeck, Chairman

\_\_\_\_\_  
Chad Brown, Vice-Chairman

\_\_\_\_\_  
Allen R. Fraley

\_\_\_\_\_  
Jack B. Brown

\_\_\_\_\_  
Tom Keigher

\_\_\_\_\_  
Bob Hovis

\_\_\_\_\_  
Ronald E. Worley

To be Adopted the 22<sup>nd</sup> Day of January 2019



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Board of Commissioners Board Action

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**File #:** 18-488

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Commissioner Keigher - BOC - Proclamation - To Proclaim the Month of February 2019 as ***Black History Month*** in Gaston County

### **STAFF CONTACT**

Donna Buff - Clerk to the Board - 704-866-3196

### **BACKGROUND**

### **ATTACHMENTS**

Proclamation



- WHEREAS, February is *Black History Month* and is recognized throughout the United States as an opportunity to celebrate the historical and present achievements and contributions made by African-Americans to the economic, cultural and political development of our great Country, the State of North Carolina and our local communities; and,
- WHEREAS, Black History Month's early origins began in February 1926, when "Negro History Week" was established by Dr. Carter G. Woodson, a Harvard scholar and a son of former slaves. Dr. Woodson launched an initiative to encourage the study of black history and the African-American experience in the United States. He chose February because it marked the birthdays of President Abraham Lincoln and the American abolitionist Frederick Douglass; and,
- WHEREAS, Dr. Woodson's legacy influenced the eventual shift from "Negro History Week" to a month-long celebration later to be established in the mid 1970's and celebrated thereafter as "Black History Month"; and,
- WHEREAS, the national theme for Black History Month 2019 "*Black Migrations*" equally lends itself to the exploration of the century's later decades from spatial and social perspectives, with attention to "new" African Americans because of the burgeoning African and Caribbean population in the US; Northern African Americans' return to the South; racial suburbanization; inner-city hyperghettoization; health and environment; civil rights and protest activism; electoral politics; mass incarceration; and dynamic cultural production.
- WHEREAS, this year marks the 55<sup>th</sup> anniversary of the Civil Rights Act, which was first proposed by President John F. Kennedy in 1963, and eventually signed into law during the height of the American Civil Rights Movement on July 2, 1964 by President Lyndon B. Johnson. The legislation prohibited discrimination on the basis of race, color, religion, sex or national origin and paved the way for future anti-discrimination legislation.
- NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners, in commemoration of this nationwide celebration, hereby proclaims February 2019 as

## BLACK HISTORY MONTH

in recognition of the many contributions of African-Americans to Gaston County, North Carolina and the Nation at large, and the ongoing pursuit of equality and human rights for all citizens.

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Tracy L. Philbeck, Chairman

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Chad Brown, Vice-Chairman

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Allen R. Fraley

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Jack B. Brown

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Tom Keigher

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Bob Hovis

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Ronald E. Worley



# Gaston County

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## Board of Commissioners

### Board Action

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**File #:** 19-014

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Commissioner Fraley - BOC - To Approve the Removal of the Garden Parkway Delineation from the Gaston County GIS Website and Rescind Resolution 2016-245

#### **STAFF CONTACT**

Earl Mathers - County Manager - 704-866-3101

#### **BUDGET IMPACT**

N/A

#### **BUDGET ORDINANCE IMPACT**

N/A

#### **BACKGROUND**

At its Regular Meeting of September 27, 2016, the Board of Commissioners reinstated the Garden Parkway overlay to the Gaston County GIS website as an optional map layer via Resolution #2016-245 per the formal request of the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) to reinstate the Garden Parkway Centerline GIS Map to Gaston County's online GIS Map.

On January 3, 2019, the GCLMPO submitted a letter requesting the removal of the Garden Parkway Centerline from the County's online GIS Map. Approval of this Board Action hereby rescinds 2016-245 and removes the Garden Parkway delineation from the Gaston County GIS website.

#### **POLICY IMPACT**

N/A

#### **ATTACHMENTS**

Letter



**GASTON-CLEVELAND-LINCOLN  
Metropolitan Planning Organization**

Transportation Planning

Mailing Address:  
PO Box 1748  
Gastonia, North Carolina 28053

Physical Address:  
150 South York Street  
Gastonia, North Carolina 28052

Tel: (704) 866.6837  
Fax: (704) 869.1960

[www.gclmpo.org](http://www.gclmpo.org)

January 3, 2019

Earl Mathers, County Manager  
Gaston County Administration Building  
128 W. Main Avenue  
Gastonia, NC 28053

RE: Removal of the Garden Parkway Centerline from the County's Online GIS Map

Mr. Mathers,

On behalf of the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO), I would like to respectfully request that the various layers associated with the Garden Parkway be removed from the County's Online GIS Map. The request to add it in August 2016 was not in response to a formal action of the MPO Board, so therefore I feel that a request to remove it does not require formal Board action either.

The Garden Parkway is an unfunded project that is shown on the GCLMPO's Comprehensive Transportation Plan (CTP), previously known as the Thoroughfare Plan. The CTP does not include specific transportation projects or improvement schedules, but instead represents the status or completeness of the comprehensive transportation system that may be required to support anticipated growth and development.

By establishing the region's future transportation needs, the CTP offers an organized way to identify, and eventually prioritize, the transportation projects that may be built in the communities within the GCLMPO area.

CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project.

The Garden Parkway Centerline and ROW Area that is currently shown on the County's Online GIS Map is misleading, as it represents what was a funded project. The proposed thoroughfare, if re-established as a funded project in the future, would go back through the Environmental Impact Study process with a new centerline defined.

The Gaston County Online GIS Map does not include any other proposed thoroughfares as part of the GCLMPO's CTP, thus the Garden Parkway should be treated the same.

As the chairman of the GCLMPO, I would like to formally request that the various layers associated with the Garden Parkway be removed from the County's Online GIS Map. Should you have any questions, please contact Randi Gates, MPO Administrator, at (704) 854-6604 or [randig@cityofgastonia.com](mailto:randig@cityofgastonia.com).

Sincerely,



Scott Neisler

Chairman, Gaston-Cleveland-Lincoln Metropolitan Planning Organization

CC: Charles Moore, Gaston County Attorney  
GCLMPO Board





# Gaston County

Gaston County  
Board of Commissioners  
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## Budget and Purchasing Board Action

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**File #: 18-486**

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Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds from the Governor's Crime Commission for the Therapeutic Services for Children Who Have Witnessed Domestic and/or Family Violence in the Amount of \$25,143 (**No County Funds**)

### **STAFF CONTACT**

Pat Laws - Budget/Purchasing - 704-866-3771

### **BUDGET IMPACT**

Appropriate additional federal revenues. No County funds.

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

This project will provide therapeutic services by a licensed Clinician who is certified in play therapy to children who are witnesses to or victims of domestic and/or family violence. Referrals may be made by multiple agencies in the County - The Cathy Mabry Cloninger Center, the CAC, and/or CPS.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4131 Budget

Dept. # Department Name

Matthew Rhoten 12/13/18

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
GCC Therapeutic Svcs for Children	010-01-4131-0000-420000-19564	(\$25,143)
GCC Therapeutic Svcs for Children	010-01-4131-0000-560000-19564	\$25,143

### JUSTIFICATION FOR REQUEST:

Phoenix Counseling Center will provide therapeutic services by a licensed Clinician who is certified in play therapy to children who are witnesses to or victims of domestic and/or family violence. Referrals may be made by multiple agencies in the County-The Cathy Mabry Cloninger Center, the CAC, and/or CPS.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



## Budget and Purchasing Board Action

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**File #:** 19-001

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Commissioner Chad Brown - Budget/Purchasing - To Approve Bid Award of the Purchase of Vehicles per County Bid, a Wagon per NC Sheriffs' Contract, and Ambulances (QRV and Transit Vans) per HGACBuy Contract, Totaling \$2,273,225 Which Includes Equipment, Decals, Tag/Tax and Title Fees

### **STAFF CONTACT**

Matthew Rhoten, Interim Co-Assistant County Manager

### **BUDGET IMPACT**

Funds are included in the current budget for debt payments. 36 months of financing are expected.

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

Vehicles were approved for replacement with the adoption of the FY 18/19 Budget Ordinance. A formal bid process was conducted. A separate bid process was conducted for the Social Services Hybrid since a portion of cost is federal grant reimbursement, and must follow the Uniform Guidance procurement process. Also budgeted are (2) QRV Ambulances and (3) Transit Vans which are proposed for purchase from an HGACBuy contract which is a nationwide group purchasing program.

### **VEHICLES**

**Formal Bid Process** - Legal ad for 2019 Vehicles was published on 10/29/18. Bid documents were sent to the following potential bidders:

- Abernethy Chrysler Jeep Dodge - Lincolnton NC
- Asheville Ford Lincoln - Asheville NC
- Gastonia Nissan - Gastonia NC
- Ilderton Dodge - High Point NC
- Lonnie Cobb Auto Group - Henderson TN
- Modern Chevrolet - Winston Salem NC
- Parks Chevrolet - Kernersville NC
- Performance Chrysler Dodge - Clinton NC
- Performance Ford - Clinton NC
- Piedmont Truck Center - Greensboro NC
- Tindol Ford - Gastonia NC
- Toyota of Gastonia - Gastonia NC

Purchasing contacted four additional Gaston County dealers, but they weren't interested in fleet bidding at this time.

A Pre-Bid Conference was held on 11/1/18 with four bidders attending. Two addenda were issued after the conference. Bids were publicly opened on 11/27/18. Three (3) bidders submitted bids.

**Uniform Guidance Bid Process for the Social Services 2019 Hybrid Sedan** - involving federal grant funds (reimbursement).

Based on the estimated price, the Uniform Guidance Small Purchase procedure was followed. Bid documents were sent to the following bidders (who sell hybrid sedans) on 11/19/18. Additionally, the bid was posted on the HUB site as an affirmative step to solicit quotes from M/WBE dealers. The National Association of Minority Auto Dealers was also consulted for bidders.

- Asheville Ford - Asheville NC
- Champion Ford - Rockingham NC
- Classic Ford - Smithfield NC
- McKenney Salinas Honda - Gastonia NC
- Modern Chevrolet - Winston Salem NC
- Parks Chevrolet - Kernersville NC
- Performance Ford - Clinton NC
- Tindol Ford - Gastonia NC
- Toyota of Gastonia - Gastonia NC

Purchasing contacted three additional hybrid dealers, but they didn't respond with interest. Four (4) bids were received for the Hybrid Sedan.

**VEHICLE BID RESULTS**

- See attached chart titled **"Bid Results - Unit Prices Only."** Purpose of this chart is to show only unit pricing, vendor names and make/model along with recommended awards.
- For total costs, see the **"Chart for Finance Package"** which includes vehicles recommended for award along with equipment, decals and tag/tax/title costs totaling \$2,273,225.

**Specifications #1, 2, 3, 5, 6, 7, 8, 10**

The low bids for these specifications have no exceptions to specs, so award is recommended to the low responsive bidder for each specification. Fleet has reviewed the bids against State and NC Sheriff's contracts and recommends awarding vehicles per our bid process. Refer to charts for details.

**Specification #4 - ¾ Ton Extended Cab & Chassis - Animal Care & Enforcement**

The low bid is non-responsive as it does not include the specified trailer hitch, trailer wiring or ability for mounting the spare tire under animal transport unit. Therefore, award is proposed to the next low bidder (without exceptions).

**Specification #9 - Five Passenger Wagon - Museum**

No bids were received for this wagon. Fleet indicates a wagon matching our specifications is available on NC Sheriffs' contract and is proposed for award.

**Recommendation for Approval - Vehicles**

- **Spec #1**, 4WD SUV Police Package - County Police, Qty 11 - Parks Chevrolet Tahoe \$37,220.91 = \$409,430.01.
- **Spec #2**, Full Size RWD SUV 2WD Police Package - County Police K9, Qty 1 - Parks Chevrolet Tahoe \$33,827.06
- **Spec #3**, 4WD SUV Police Package - Sheriff, Qty 4 - Parks Chevrolet Tahoe \$37,220.91 = \$148,883.64
- **Spec #4**, 3/4 Ton Extended Cab & Chassis - Animal Care & Enforcement, Qty 2 - Piedmont Truck Center Ford F250

\$26,874 = \$53,748

- **Spec #5**, Full Size Van - Animal Care & Enforcement, Qty 1 - Piedmont Truck Center Ford Transit 350 \$32,829
- **Spec #6**, 1 Ton Crew Cab Truck - Fire Marshal, Qty 1 - Piedmont Truck Center Ford F350 \$39,733
- **Spec #7**, Full Size Extended Cab Truck - Building Inspections, Qty 2 - Ilderton Dodge Ram 1500DS Quad Cab Tradesman \$26,758 = \$53,516
- **Spec #8**, Full Size Extended Cab Truck - Environmental Health, Qty 1 - Ilderton Dodge Ram 1500DS Quad Cab Tradesman \$26,758.
- **Spec #9**, Five Passenger Wagon - Museum, Qty 1 - Asheville Ford Transit Connect XL \$24,419.65
- **Spec #10**, Mid-Size Hybrid Sedan - Social Services, Qty 1 - Parks Chevrolet Malibu \$25,941.54

**Vehicles - total of the above Unit Prices = \$849,085.90**

*(Refer to Chart for Finance Package for **total** pricing with equipment, decals and tag/tax/title).*

### **AMBULANCES**

QRV Ambulances (2) and Transit Vans (3) - Local governments are allowed to purchase from Group Purchasing Programs per G.S. 143-129(e)(3). Many North Carolina counties and cities are purchasing emergency vehicles through HGACBuy which is a nationwide group purchasing program established by the Houston-Galveston Area Council. Their contracts are competitively bid, with companies across the nation participating. By purchasing through an HGACBuy contract, Gaston County benefits from their large quantity purchasing power. Gaston County has purchased from HGACBuy the last two years.

#### **Recommendation for approval - Ambulances:**

Staff recommends purchasing from Northwestern Emergency Vehicles, Jefferson, NC, per the HGACBuy contract AM10-18.

- **QRV Ambulance- GEMS, Qty 2 - Northwestern \$323,504 each = \$647,008.**
- **Transit Van - GEMS Qty 1 and Rescue Qty 2 = Qty 3 - Northwestern \$184,538 = \$553,614.**

### **RECOMMENDATION**

**Total Award Recommendation for Vehicles and Ambulances (unit prices) = \$2,049,708**

**Refer to Chart for Finance Package for total pricing with equipment, decals, tag/tax/title = \$2,273,225.**

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Bid Results - Unit Prices Only and Chart for Finance Package

**Bid Results - Unit Prices Only**

**2019 Vehicles**

12/28/2018

*(see separate chart for total costs including equipment, decals, tag/tax/title)*

Recommended awards are in "**bold**" below - Page 1 of 2

Spec #1	Unit Price Bid Amount	Make/Model	Qty	Extended	Recommended Award
<b>AWD 4WD SUV Police Package - County Police</b>					
			11		
Parks Chevrolet	\$ 37,220.91	Chevy Tahoe		\$ 409,430.01	\$ 409,430.01
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				
<b>Spec #2</b>					
<b>Full Size 2WD RWD SUV Police Package - County Police</b>					
			1		
Parks Chevrolet	\$ 33,827.06	Chevy Tahoe		\$ 33,827.06	\$ 33,827.06
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				
<b>Spec #3</b>					
<b>AWD 4WD SUV Police Package - Sheriff's Office</b>					
			4		
Parks Chevrolet	\$ 37,220.91	Chevy Tahoe		\$ 148,883.64	\$ 148,883.64
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				
<b>Spec #4</b>					
<b>3/4 Ton Extended Cab &amp; Chassis - Animal Care &amp; Enforcement</b>					
			2		
Parks Chevrolet - bid non-responsive w/out trailer hitch, trailer wiring or ability for mounting for spare tire under animal body	\$ 25,355.00	Chevy 2500 Double Cab			
Piedmont Truck Center	\$ 26,874.00	Ford F250		\$ 53,748.00	\$ 53,748.00
Ilderton Dodge	No bid				
<b>Spec #5</b>					
<b>Full Size Van - Animal Care &amp; Enforcement</b>					
			1		
Parks Chevrolet	No bid				
Piedmont Truck Center	\$ 32,829.00	Ford Transit 350		\$ 32,829.00	\$ 32,829.00
Ilderton Dodge	No bid				
<b>Spec #6</b>					
<b>1 Ton Crew Cab - Fire Marshal</b>					
			1		
Parks Chevrolet	No bid				
Piedmont Truck Center	\$ 39,733.00	Ford F350		\$ 39,733.00	\$ 39,733.00
Ilderton Dodge	No bid				
<b>Spec #7</b>					
<b>Full Size Extended Cab Truck - Building Inspections</b>					
			2		
Parks Chevrolet	\$ 28,707.90	Chevy 1500 Double Cab			
Piedmont Truck Center	No bid				
		Dodge Ram 1500 DS			
Ilderton Dodge	\$ 26,758.00	Quad Cab Tradesman		\$ 53,516.00	\$ 53,516.00
<b>Spec #8</b>					
<b>Full Size Extended Cab Truck - Environmental Health</b>					
			1		
Parks Chevrolet	\$ 28,707.90	Chevy 1500 Double Cab			
Piedmont Truck Center	No bid				
		Dodge Ram 1500 DS			
Ilderton Dodge	\$ 26,758.00	Quad Cab Tradesman		\$ 26,758.00	\$ 26,758.00

**Bid Results - Unit Prices Only**

**2019 Vehicles**

12/10/2018

*(see separate chart for costs including equipment, decals, tag/tax/title)*

Recommended awards are in "bold" - Page 2 of 2

Spec #9	Unit Price Bid Amount	Make/Model	Qty	Extended	Recommended Award
<b>Five Passenger Wagon - Museum</b>			<b>1</b>		
Parks Chevrolet	No bid				
MATT	No bid				
Ilderton Dodge	No bid				
<i>No bids were received, so award per NC Sheriff's contract is recommended</i>					
<b>Asheville Ford</b>	<b>\$ 24,419.65</b>	<b>Ford Transit Connect LWB XL</b>		<b>\$ 24,419.65</b>	<b>\$ 24,419.65</b>
<b>Spec #10</b>					
<b>Mid-Size Hybrid Sedan - Social Services</b>			<b>1</b>		
<i>Includes grant funds, so bid per the Uniform Guidance process</i>					
<b>Parks Chevrolet</b>	<b>\$ 25,941.54</b>	<b>Chevy Malibu</b>		<b>\$ 25,941.54</b>	<b>\$ 25,941.54</b>
Asheville Ford	\$ 26,286.34	Ford Fusion			
Champion Ford	\$ 28,105.00	Ford Fusion			
Tindol Ford	\$ 26,522.00	Ford Fusion			
<b>TOTAL - Vehicle Unit Costs Recommended for Award</b>			<b>25</b>		<b>\$ 849,085.90</b>

AMBULANCES	Unit Price	Make/Model	Qty	Extended	Recommended Award
<b>QRV - Type 1 with Chevy 5500 Chassis - GEM</b>			<b>2</b>		
<b>AEV/Northwestern per HGAC Contract AM10-18</b>	<b>\$ 323,504.00</b>	<b>QRV</b>		<b>\$ 647,008.00</b>	<b>\$ 647,008.00</b>
<b>Transit Van - Ford Transit High Roof - GEMS (1) and Rescue (2)</b>			<b>3</b>		
<b>AEV/Northwestern per HGAC Contract AM10-18</b>	<b>\$ 184,538.00</b>	<b>Ford Transit</b>		<b>\$ 553,614.00</b>	<b>\$ 553,614.00</b>
<b>TOTAL of VEHICLES and AMBULANCES - Extended Unit Prices for Award</b>			<b>30</b>		<b>\$ 2,049,707.90</b>

*See separate chart showing recommended vehicle costs plus equipment, decals and tag/tax/title for total cost related to vehicles.*

	<u>Unit Cost</u>	<u>Quantity</u>	<u>Extended</u>	<u>Vendor / Model</u>	<u>Rounded</u>
<b>Spec #1</b>					
<b><u>AWD 4WD SUV Police Package - County Police</u></b>	<b>\$ 37,220.91</b>			Parks Chevrolet Tahoe	
Console / computer stand	\$ 700.00				
Emergency Lights & equipment	\$ 4,500.00				
Decals	\$ 500.00				
Tag, tax and title	\$ 1,122.63				
<b>Total</b>	<b>\$ 44,043.54</b>	<b>11</b>	<b>\$ 484,478.91</b>		<b>\$ 484,479.00</b>
<b>Spec #2</b>					
<b><u>Full Size 2WD RWD SUV Police Package - County Police K9</u></b>	<b>\$ 33,827.06</b>			Parks Chevrolet Tahoe	
Console / computer stand	\$ 900.00				
Emergency Lights & equipment and cage	\$ 7,500.00				
Decals	n/a				
Tag, tax and title	\$ 1,020.81				
<b>Total</b>	<b>\$ 43,247.87</b>	<b>1</b>	<b>\$ 43,247.87</b>		<b>\$ 43,248.00</b>
<b>Spec #3</b>					
<b><u>AWD 4WD SUV Police Package - Sheriff's Office</u></b>	<b>\$ 37,220.91</b>			Parks Chevrolet Tahoe	
Console / computer stand	\$ 700.00				
Emergency Lights & equipment and cage	\$ 4,500.00				
Decals	\$ 500.00				
Tag, tax and title	\$ 1,122.63				
<b>Total</b>	<b>\$ 44,043.54</b>	<b>4</b>	<b>\$ 176,174.15</b>		<b>\$ 176,175.00</b>
<b>Spec #4</b>					
<b><u>3/4 Ton Extended Cab &amp; Chassis - Animal Care &amp; Enforcement</u></b>	<b>\$ 26,874.00</b>			Piedmont Truck Ford F250	
SWAB animal box (new)	\$ 18,245.00				
Transport cost from SWAB to dealer	\$ 775.00				
Console / computer stand	\$ 700.00				
Emergency Lights & equipment	\$ 700.00				
Decals	\$ 750.00				
Tag, tax and title	\$ 812.22				
<b>Total</b>	<b>\$ 48,856.22</b>	<b>2</b>	<b>\$ 97,712.44</b>		<b>\$ 97,713.00</b>
<b>Spec #5</b>					
<b><u>Full Size Van - Animal Care &amp; Enforcement</u></b>	<b>\$ 32,829.00</b>			Piedmont Truck Ford Transit 350	
Interior Upfit	\$ 20,000.00				
Decals	\$ 1,000.00				
Tag, tax and title	\$ 990.87				
<b>Total</b>	<b>\$ 54,819.87</b>	<b>1</b>	<b>\$ 54,819.87</b>		<b>\$ 54,820.00</b>
<b>Spec #6</b>					
<b><u>1 Ton Crew Cab Truck - Fire Marshal</u></b>	<b>\$ 39,733.00</b>			Piedmont Truck Ford F350	
Console / Computer Stand	\$ 700.00				
Emergency Lights	\$ 3,000.00				
Decals	\$ 750.00				
Tag, tax and title	\$ 1,197.99				
<b>Total</b>	<b>\$ 45,380.99</b>	<b>1</b>	<b>\$ 45,380.99</b>		<b>\$ 45,381.00</b>
<b>Spec #7</b>					
<b><u>Full Size Extended Cab Truck - Building Inspections</u></b>	<b>\$ 26,758.00</b>			Ilderton Ram 1500DS Tradesman	
Decals	\$ 30.00				
Tag, tax and title	\$ 808.74				
<b>Total</b>	<b>\$ 27,596.74</b>	<b>2</b>	<b>\$ 55,193.48</b>		<b>\$ 55,194.00</b>
<b>Spec #8</b>					
<b><u>Full Size Extended Cab Truck - Environmental Health</u></b>	<b>\$ 26,758.00</b>			Ilderton Ram 1500DS Tradesman	
Decals	\$ 30.00				
Tag, tax and title	\$ 808.74				
<b>Total</b>	<b>\$ 27,596.74</b>	<b>1</b>	<b>\$ 27,596.74</b>		<b>\$ 27,597.00</b>
<b>Spec #9</b>					
<b><u>Five Passenger Van - Museum</u></b>	<b>\$ 24,419.65</b>			Asheville Ford Transit Connect XL	
Decals	\$ 30.00				
Tag, tax and title	\$ 738.59				
<b>Total</b>	<b>\$ 25,188.24</b>	<b>1</b>	<b>\$ 25,188.24</b>		<b>\$ 25,189.00</b>



	<u>Unit Cost</u>	<u>Quantity</u>	<u>Extended</u>	<u>Vendor / Model</u>	<u>Rounded</u>
<b>Spec #10</b>					
<b>Mid-Size Hybrid - Social Services</b>	<b>\$ 25,941.54</b>			Parks Chevrolet Malibu	
Decals	\$ 30.00				
Tag, tax and title	\$ 784.25				
<b>Total</b>	<b>\$ 26,755.79</b>	<b>1</b>	<b>\$ 26,755.79</b>		<b>\$ 26,756.00</b>
<hr/>					
<b>TOTAL - Vehicles, Equipment, Decals, Tag, Tax &amp; Title</b>		<b>25</b>	<b>\$ 1,036,548.48</b>		<b>\$1,036,552.00</b>
<hr/>					
<b>AMBULANCES</b>	<b>Unit Cost</b>	<b>Quantity</b>	<b>Extended</b>	<b>Vendor / Model</b>	<b>Rounded</b>
<hr/>					
<b>QRV</b>	<b>\$ 323,504.00</b>			AEV/Northwestern	
(Decals included in above price)	included				
Tag, Tax & Title	\$ 9,711.12				
<b>TOTAL - QRV - GEMS</b>	<b>\$ 333,215.12</b>	<b>2</b>	<b>\$ 666,430.24</b>		<b>\$ 666,431.00</b>
<hr/>					
<b>Transit Van</b>	<b>\$ 184,538.00</b>			AEV/Northwestern	
(Decals included in above price)	included				
Tag, Tax & Title	\$ 5,542.14				
<b>TOTAL - Transit Van</b>	<b>\$ 190,080.14</b>				
<b>Breakdown</b>					
<b>GEMS</b>		<b>1</b>	<b>\$ 190,080.14</b>		<b>\$ 190,081.00</b>
<b>Rescue</b>		<b>2</b>	<b>\$ 380,160.28</b>		<b>\$ 380,161.00</b>
<hr/>					
<b>TOTAL of VEHICLES and AMBULANCES</b>		<b>30</b>	<b>\$ 2,273,219.14</b>		<b>\$2,273,225.00</b>

Tag/Tax/Title figured as Vehicle cost x .03 (road use tax) plus \$6.00 each



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Cooperative Extension Board Action

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**File #:** 19-006

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Commissioner Keigher - Cooperative Extension - To Accept and Appropriate \$6,192 in Extension and 4-H Fees **(\$5,992 Registration; \$200 Donations)**

### **STAFF CONTACT**

David Fogarty - NC Cooperative Extension - 704-922-2130

### **BUDGET IMPACT**

Appropriate workshop fees. No additional County funds.

### **BUDGET ORDINANCE IMPACT**

Increase revenues by \$6,192 and appropriate \$6,192 into Special Programs accounts.

### **BACKGROUND**

This request is to accept and appropriate on-line payments for 4-H summer camps and Extension workshops.

\$493 in 4-H camp registrations were received in this fiscal year. In addition, \$4,937 in 4-H camp registrations were received in June 2018 and need to be appropriated into the FY18/19 budget from the general fund. The total of \$5,430 should be appropriated into the 4-H Programs Account.

\$562 of online registrations were received for fall horticulture workshops and \$200 was received as a donation for Extension's annual Something Pumpkin cooking contest in October 2018.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4950 NC Cooperative Extension

Dept. # Department Name

David Fogarty 1/3/2019

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
4-H Local Programs	010-07-4950-4952-410009-16276	[493]
Fund Balance Appropriated	010-99-9900-0000-490000	[4937]
4-H Programs	010-07-4950-4952-560000-16276	5430
Fee Based Prog:Food/Supplies	010-07-4950-4950-415013-15226	[562]
Fee Based Prog:Food/Supplies	010-07-4950-4950-560000-15226	562
Something Pumpkin	010-07-4950-4950-415013-17272	[200]
Something Pumpkin	010-07-4950-4950-560000-17272	200

### JUSTIFICATION FOR REQUEST:

This request is to accept and appropriate on-line payments for 4-H summer camps and Extension workshops.

\$493 in 4-H camp registrations were received in this fiscal year. In addition, \$4937 in 4-H camp registrations were received in June 2018 and need to be appropriated into the FY18/19 budget from the general fund. The total of \$5430 should be appropriated into the 4-H Programs Account.

\$562 of online registrations were received for fall horticulture workshops and \$200 was received as a donation for Extension's annual Something Pumpkin cooking contest in October 2018.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
Board of Commissioners  
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## County Attorney

## Board Action

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**File #:** 19-017

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Commissioner Hovis - County Attorney - To Approve a Duke Energy Easement for the Installation of Street Light Fixtures on the SouthRidge Parkway

### **STAFF CONTACT**

Charles Moore - County Attorney

### **BUDGET IMPACT**

N/A

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

The Easement will provide for the installation of street lights on the SouthRidge Parkway in Bessemer City.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Easement

## EASEMENT

NORTH CAROLINA  
GASTON COUNTY

Prepared By: Elliott Wallace  
Return To: Duke Energy Carolinas  
Attn: Elliott Wallace  
Address: 6325 Wilkinson Blvd.  
Charlotte, NC 28214

THIS EASEMENT ("Easement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2019 ("Effective Date"), from GASTON COUNTY, a body politic and corporate and political subdivision of the State of North Carolina, ("GRANTOR," whether one or more), to Duke Energy Carolinas, LLC, a North Carolina limited liability company ("DEC"); its successors, licensees, and assigns.

### WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEC, its successors, licensees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in Crowders Mountain Township, described as follows: PIN # 3526465121 containing 7.47 acres, more or less, and being the land described in a deed from Norma Elizabeth Watterson to Gaston County, a body politic and corporate and political subdivision of the State of North Carolina dated 14 May, 2008, and recorded in Deed Book 4405, Page 1749, also shown on a Plat, dated 27 September, 2018, entitled "RECOMBINATION PLAT OF ADVANCED DRAINAGE SYSTEMS, INC.", and recorded in Plat Book 88, Page 62, all Gaston County Registry (the "Property"), LESS AND EXCEPT any prior out-conveyances, and to construct, reconstruct, operate, patrol, maintain, inspect, repair, replace, relocate, add to, modify and remove electric and/or communication facilities thereon including but not limited to, supporting structures such as poles, cables, wires, underground conduits, enclosures/transformers, vaults and manholes and other appurtenant apparatus and equipment (the "Facilities") within an easement area being twenty (20) feet wide, together with an area ten (10) feet wide on all sides of the foundation of any DEC enclosure/transformer, vault or manhole (the "Easement Area"), for the purpose of transmitting and distributing electrical energy and for communication purposes of DEC and Incumbent Local Exchange Carriers. The centerline of the Facilities shall be the center line of the Easement Area.

The right, privilege and easement shall include the following rights granted to DEC: (a) ingress and egress over the Easement Area and over adjoining portions of the Property (using lanes, driveways and paved areas where practical as determined by DEC); (b) to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening or improvement; (c) to trim and keep clear from the Easement Area, now or at any time in the future, trees, limbs, undergrowth, structures or other obstructions, and to trim or clear dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of DEC, might interfere with or fall upon the Facilities; and (d) all other rights and privileges reasonably necessary or convenient for DEC's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement Area for the purposes described herein.

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEC, its successors, licensees, and assigns, forever, and GRANTOR, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with DEC that GRANTOR is the lawful owner of the Property and the Easement Area in fee and has the right to convey said rights and Easement.

IN WITNESS WHEREOF, this EASEMENT has been executed by GRANTOR and is effective as of the Effective Date herein.

GASTON COUNTY, a body politic and corporate and political subdivision of the State of North Carolina

By: \_\_\_\_\_

TRACY L. PHILBECK, Chairman  
Board of Commissioners

ATTEST:

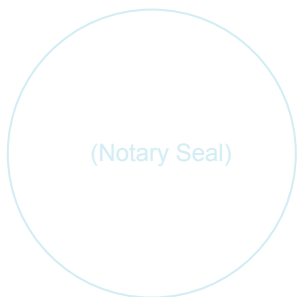
\_\_\_\_\_  
DONNA S. BUFF, Clerk

(Affix Official Seal)

\_\_\_\_\_  
NORTH CAROLINA, \_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, North Carolina, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he(she) is Clerk of GASTON COUNTY, and that by authority duly given and as the act of said COUNTY, the foregoing EASEMENT was signed in its name by its Chairman, sealed with its official seal, and attested by \_\_\_\_\_ self as its Clerk.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.



(Notary Seal)

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## County Attorney

## Board Action

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**File #:** 19-018

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Commissioner Chad Brown - County Attorney - To Schedule a Public Hearing for the Request to Close Unimproved Right-of-Ways: Oak Street; Holly Drive (a portion of); and, Pine Street (a portion of), Located in Riverbend Township

### **STAFF CONTACT**

Charles Moore, County Attorney

### **BUDGET IMPACT**

N/A

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

Jose Vences and Homero Cortes, the owners of Parcel 181163, wish to have Gaston County close several internal unimproved right-of-ways within the parcel. The internal right-of-ways, although platted, are all unimproved and are wooded, making it impassable for any vehicular traffic. The proposed area to be closed includes a portion of Pine Street, marked in red (approximately 440 feet); Oak Street, marked in red (approximately 565 feet); and a portion of Holly Drive, marked in red (approximately 1,170 feet).

### **POLICY IMPACT**

Closing the right-of-ways will not adversely impact any neighbors, as the right-of-ways do not directly or indirectly result in any third party's vehicular access to roads. The right-of-ways are currently wooded and are impassable. They are not maintained by the NCDOT. If approved, the Gaston County Board of Commissioners will hold a public hearing concerning the road closure at the February meeting. Advertisements for the public hearing will be sent out in accordance with state law.

### **ATTACHMENTS**

Petition and Map

STATE OF NORTH CAROLINA     )  
COUNTY OF GASTON            )

PETITION TO CLOSE STREET

**TO: GASTON COUNTY BOARD OF COUNTY COMMISSIONERS**

The undersigned, Homero Cortes and Jose Vences, property owners of Gaston County, respectfully shows and requests unto the Gaston County Board of Commissioners, the following:

1. That the Petitioners, Homero Cortes and Jose Vences, are the owners in Tenancy In Common of Parcel 181163. Said Parcel comprises of approximately 13.52 acres and is found in Gaston County Map Book 19, Page 60 composing of the following Lots: Lots 6-17; Lots 19-22; Lots 58-61; Lots 62-71. A copy of the map is attached.
2. There are several unimproved rights-of-way bisecting this parcel including a portion of Holly Drive; Oak Street in its entirety, and a portion of Pine Street. All such roads appear to have been unimproved, are wooded, and are not passable for vehicular traffic.
3. The right-of-way designated as Holly Drive is bounded on the west and south by Lots 6-17 and on the east and north by Lots 61, 66, 71, 19.
4. The right-of-way designated as Pine Street is bounded on the north by Lots 58-61 and on the south by Lots 62-66.
5. The right-of-way designated as Oak Street is bounded on the north by Lots 62-66 and on the south by lots 19-22.
6. Lots 6-17, 19-22, 58-61, and 62-71 are unimproved.



7. Pursuant to North Carolina General Statute Section 160A-299, the following individuals have a right to receive notice of the public hearing, should the Gaston County Board of Commissioners schedule a public hearing to close the right-of-ways described herein:

**RANCE CLEMONS, DERRY CLEMMONS, PATTY EUBANKS**  
515 HOLLY CIRCLE, MOUNT HOLLY NC 28120

**FRANKLIN WAYNE BLACKWELL**  
505 HOLLY CIRCLE, MOUNT HOLLY NC 28120

**JOSEPH W. AND SHARON B. WOLF**  
500 HOLLY CIRCLE, MOUNT HOLLY, NC 28120

**LARRY G. SR AND SANDRA J. SIMONDS**  
1603 POWER LINE DRIVE, LOWELL NC 28098

8. That the Gaston County Board of Commissioners is authorized by North Carolina General Statute Section 153A-241 to close that portion of the right-of-way as herein described.

WHEREFORE, the undersigned Petitioner requests that the Gaston County Board of County Commissioners declare their intent to close that portion of Holly Drive, Pine Street as described herein, as well as the entire right of way known as Oak Street and they give notice in accordance with the provisions of N.C. General Statutes Section 153A-241 by publishing notice of said hearing once a week for three (3) consecutive weeks in the Gaston Gazette, a newspaper of general circulation in Gaston County, North Carolina, and by posting notices of the closing and public hearing prominently along the portion of the general area in at least two locations, and by mailing via registered or certified mail the individuals described herein who have an ownership interest in the property located adjacent to the subject area. The public hearing for such closure will take place at the Board of Commissioners meeting in February, 2019.

This the 7<sup>th</sup> day of January, 2019

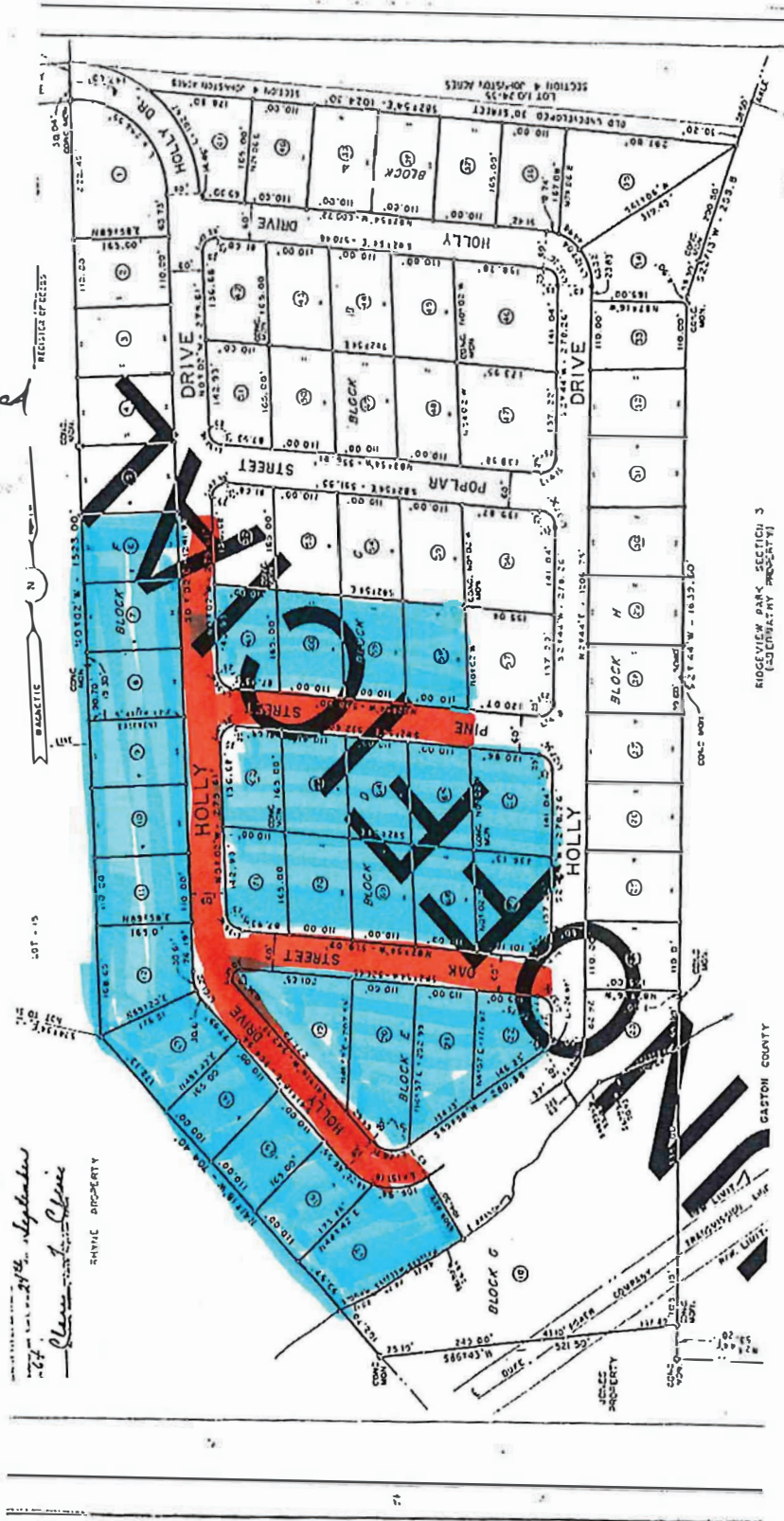
Homero Cortes

Jose Vences

Homero Cortes and Jose Vences, PETITIONERS

Blue: property owned  
by applicant

Red: proposed area  
to be closed



Book: 19 Page: 60 Seq: 1

Blue: property owned by applicant  
Red: proposed area to be closed







# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## County Attorney

## Board Action

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**File #:** 19-026

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Commissioner Chad Brown - County Attorney - To Authorize a Lease of County Property to the State of North Carolina for the Mountain Island Lake Educational Forest

### **STAFF CONTACT**

Charles Moore - County Attorney

### **BUDGET IMPACT**

N/A

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

The County purchased the subject property in 2000 to supplement the purchase of the Mountain Island Lake property by the Trust for Public Land, in order to further improve the protection of the water quality for Mountain Island Lake. This proposal is to add the subject property to the existing State lease for the protection of water quality and for the development of the Mountain Island Educational Forest (Contract 2000-196).

### **POLICY IMPACT**

Development of Educational State Forest

### **ATTACHMENTS**

Lease Agreement and Memorandum of Lease

STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF GASTON

THIS LEASE AGREEMENT (hereinafter "Lease"), made and entered into as of the last date set forth in the notary acknowledgements below (the "Effective Date"), by and between, the COUNTY OF GASTON, a body politic and corporate, hereinafter referred to as "Lessor"; and the STATE OF NORTH CAROLINA, a body politic and corporate, hereinafter referred to as "Lessee." Lessor and Lessee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

W I T N E S S E T H:

THAT WHEREAS, the North Carolina Department of Agriculture and Consumer Services, North Carolina Forest Service ("NCFS") has requested and approved the execution of this instrument for the purposes herein specified; and

WHEREAS, the execution of this Lease for and on behalf of Lessee has been duly approved by the Governor and Council of State at a meeting held in the City of Raleigh, North Carolina, on the 10<sup>th</sup> day of April 2018; and

WHEREAS, the Parties have mutually agreed to the terms of this Lease as hereinafter set out.

NOW THEREFORE, in consideration of the Leased Premises, as described herein, the rental hereinafter agreed to be paid and the promises and covenants contained in the terms and conditions hereinafter set forth, Lessor does hereby rent, lease and demise unto Lessee for and during the term and under the terms and conditions hereinafter set forth, the Leased Premises with all rights, privileges and appurtenances thereto belonging.

1. Leased Premises. The "Leased Premises" means that certain tract or parcel of land lying and being in Riverbend Township, Gaston County, North Carolina, containing 21.459 acres, more or less, and being more particularly described by legal text description attached hereto and incorporated herein as Exhibit A, and also being described and identified as "Tract 1" on a boundary survey prepared James R. Hobbs, RLS, dated May 1, 1999, captioned "Boundary Survey of Property Owned by Ila Lee Helton" recorded in Plat Book 60, Page 42, Gaston County Registry, a copy of which plat is attached hereto and incorporated herein as Exhibit B.

2. Term. The term of this Lease shall be for a period of thirty (30) years, commencing on the Effective Date and terminating at 2400 hours on the thirtieth anniversary of the Effective Date (the "Term").

3. Rent. Lessee shall pay to Lessor as rental for the Leased Premises, the sum of ONE DOLLAR (\$1.00) for the Term.

4. Condition of Leased Premises. Lessee accepts the Leased Premises in its present condition and agrees that the Leased Premises are suitable for the purposes set forth herein.

5. Permitted Use. Lessee, through NCFS, shall protect the wildlife and other natural heritage values of the Leased Premises and shall develop, use and manage the Leased Premises in a manner that is consistent with its use and management of its other Educational State Forests. In furtherance of these purposes, Lessee shall incorporate the Leased Premises into the Mountain Island Educational State Forest. Lessee shall not use the Leased Premises for any purpose other than those described herein without the written consent of Lessor.

6. Prohibitions and Limitations on Use. Lessee shall not use or knowingly permit any part of the Leased Premises to be used for any unlawful purpose, nor for any purpose or in any manner which is in violation of any present or future federal, state or local governmental laws or regulations, or which will constitute a public or private nuisance, nor for any business, use, or purpose deemed disreputable or extra hazardous.

7. Development of Leased Premises. Lessee shall develop the Leased Premises in accordance with the following terms and conditions:

7.1 Forest Management Plan. Lessee shall cause a registered forester(s) to prepare a long-term forest management plan for the Leased Premises, which shall be reviewed and approved by NCFS (as approved, the "Forest Management Plan"). Lessor shall be provided with a copy of the Forest Management Plan and Lessee, through NCFS, shall maintain a complete record of all activities occurring on the Leased Premises under the Forest Management Plan.

7.2 Permitted Removal of Forest Cover. Lessee may remove forest cover from the Leased Premises in accordance with the Forest Management Plan for the development, construction, maintenance, repair and use of access trails, parking areas, restrooms, picnic shelters, forest demonstration areas, and other forest recreational and educational facilities (collectively, the "Premises Improvements" or "Improvements"). The removal of forest cover for any purpose other than those set forth in this subsection shall only be made in compliance with best management practices under the Forest Management Plan and upon the written recommendation of a registered forester.

7.3 Development Period. Lessee shall substantially complete the construction and development of the planned Premises Improvements within five (5) years of the Effective Date. In the event Lessee is unable to substantially complete the Premises Improvements within said period of time, either Party may terminate this Lease upon ninety (90) days' written notice to the other Party. Lessor may request a progress report from NCFS on the development of the Premises Improvements on a semi-annual basis.

8. Operation and Management of Leased Premises. Lessee shall operate and manage the Leased Premises in accordance with the following terms and conditions:

8.1 Local School System Programs. Lessee shall make the Leased Premises available to the Gaston County Board of Education for use as a field laboratory and forest demonstration

area. Any such use shall be in accordance with the Forest Management Plan and shall be coordinated between representatives of the Gaston County school system and Lessee.

8.2 Casualty. Lessee shall take reasonable precautions to protect the Leased Premises from forest fires, forest insects and diseases, trespass and timber theft; provided that in no event shall Lessee be liable to Lessor for any damage to the Leased Premises or for any damage to the Improvements that may result from any casualty, act of God or illegal activity.

8.3 Forest Product Revenue. Any revenue generated from the sale of forest products on the Leased Premises shall be used by Lessee, as may be permitted by applicable law, for the development, operation and maintenance of the Leased Premises.

8.4 Lessor Funds. Lessor may disburse funds from time to time for the development, maintenance or operation of the Leased Premises or for such other purpose related to the Leased Premises as Lessor may direct. In such event, Lessee shall report the expenditure of any funds received from Lessor using standard recognized accounting practices and shall provide Lessor with a copy of its annual reports that detail the use of any Lessor funds.

8.5 Fees. Lessee may establish and collect use fees reasonably approximately those charged by NCFS at its other Educational State Forests for the purpose of defraying the costs of developing, managing and maintaining the Leased Premises and the Improvements.

9. Governmental Approvals and Compliance. During the Term, Lessee shall comply with all applicable laws affecting the Leased Premises and its use and possession thereof. Lessee shall obtain any necessary state or federal licenses or authorizations required for its use of the Leased Premises and shall comply with government regulations applicable to its operations.

10. Access. Lessor hereby grants to Lessee, its employees and agents, for the Term, an easement for ingress and egress, over and upon its property and any private rights of way necessary to access the Leased Premises for the purposes set forth herein. Lessor warrants and represents that it has the right to convey the easement(s) for ingress and egress hereby granted. Lessee shall be responsible, at its sole cost and expense, for the repair of any damage caused by its use of such rights of way.

11. Insurance and Liability.

11.1 Insurance. Lessor agrees that Lessee's decision to self-insure satisfies all insurance requirements of this Lease applicable to Lessee.

11.2 Liability. As between Lessor and Lessee, Lessee, subject to the terms of this Lease, will be primarily liable for the negligent or intentional acts or omissions of its agents or employees. As to third parties, Lessee is an immune sovereign and is not ordinarily subject to suit. However, Lessee has enacted Chapter 143, Article 31, of the North Carolina General Statutes (the "Tort Claims Act"), pursuant to which the Lessee may be liable for the torts of its officers and employees, within the terms of the Tort Claims Act, and accordingly, Lessee will be primarily liable for any claims within the coverage of the Tort Claims Act.

12. Right to Terminate. Lessee may terminate this Lease, at its option, after giving not less than thirty (30) days' notice to Lessor, if funding has not been appropriated, allocated or is otherwise unavailable to the agency of Lessee responsible for payment of expenses associated with this Lease and said agency or that body responsible for the appropriation of funds determines, in its sole discretion, that funds are insufficient to continue Lessee's operations on the Leased Premises.

13. Surrender of Leased Premises. At the expiration of the Term or the earlier termination of this Lease, Lessee shall peaceably surrender the Leased Premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this Lease, excepted.

14. Title and Quiet Possession. Lessor agrees that Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this Lease peaceably and quietly have, hold, and enjoy the Leased Premises free from the adverse claims of any person. Lessor represents and warrants to Lessee that Lessor has the full right to make this Lease and that Lessee shall have quiet and peaceful possession of the Leased Premises throughout the Term.

15. Holdover. Any hold over after the expiration of the Term, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either Party shall give not less than sixty (60) days written notice to terminate the tenancy.

16. Environmental Laws. Lessee represents and agrees that it will conduct its activities on the Leased Premises in compliance with all applicable environmental laws. As between Lessor and Lessee, Lessee, subject to the terms of this Lease and to the extent permitted by the Tort Claims Act, will be primarily liable for the existence or discovery of any hazardous substance on the Leased Premises or for the migration of any hazardous substance to other properties or for the release of any hazardous substance into the environment in violation of applicable environmental laws, arising solely from Lessee's use of the Leased Premises. Lessor represents warrants and agrees that it has in the past and will in the future conduct its activities on the Leased Premises in compliance with all applicable environmental laws and that the Leased Premises is free of hazardous substances as of the date of this Lease. Lessor shall be responsible for, and promptly conduct any investigation and remediation as required by any environmental law or common law, of all spills or other release of hazardous substances, not caused solely by Lessee, that have occurred or which may occur on the Leased Premises. Lessor agrees to hold Lessee harmless from and against any and all liens, demands, defenses, suits, proceedings, disbursements, liabilities, losses, litigation, damages, judgments, obligations, penalties, injuries, costs, expenses (including, without limitation, attorneys' and experts' fees) and claims of any and every kind whatsoever paid, incurred, suffered by, or asserted against Lessee with respect to, or as a direct or indirect result of the violation of any environmental laws applicable to the Leased Premises, caused by or within the control of Lessor, specifically including any cost incurred in connection with the investigation of site conditions or the cleanup, remediation, removal, or restoration work required by any governmental authority.



17. Assignment and Subletting. Lessee shall not assign this Lease nor sublet the Leased Premises in whole or in part without the prior written consent of Lessor, which consent shall not be unreasonably withheld or delayed.

18. Prohibition on Gifts. North Carolina General Statute §133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any employee of Lessee of any gift from anyone with a contract with Lessee, or from any person seeking to do business with Lessee. By execution of this Lease, Lessor attests that Lessor has not offered, accepted, or promised any such gifts and that Lessor is not aware that any such gifts have been offered, accepted, or promised by any of Lessor's employees or agents.

19. Modification. No modification of any provision hereof and no cancellation or surrender hereof shall be valid unless made in writing and signed and agreed to by both Parties.

20. Binding Effect. Subject to the provisions herein, this Lease shall extend to and bind the Parties and their heirs, executors, administrators, successors and assigns.

21. Applicable Law. This Lease shall be governed by, construed under and interpreted and enforced in accordance with the laws of the State of North Carolina, regardless of conflict of law principles.

22. Effect of Waiver. The failure of either Party to insist in any instance upon strict performance of any of the terms and conditions set forth in this Lease shall not be construed as a waiver of the same in any other instance.

23. Complete Agreement. This Lease represents the entire agreement between the Parties covering everything agreed upon or understood in this transaction. There are no oral promises, conditions, representations, understandings, interpretations or terms of any kind as conditions or inducements to the execution hereof or in effect between the Parties.

24. Severability. In case any one or more of the provisions contained in this Lease shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Lease shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

25. Construction. No provision of this Lease shall be construed against or interpreted to the disadvantage of any Party by any court or other governmental or judicial authority by reason of such Party's having or being deemed to have prepared or imposed such provision.

26. Interpretation. The use of headings, captions and numbers in this Lease is solely for the convenience of identifying and indexing the various provisions in this Lease and shall in no event be considered otherwise in construing or interpreting any provision in this Lease. Feminine or neuter pronouns shall be substituted for those of the masculine form, and the plural may be substituted for the singular number in any place or places herein in which the context may require such substitution or substitutions.

27. Terms. Capitalized terms used in this Lease shall have the meanings ascribed to them at the point where first defined, irrespective of where their use occurs, with the same effect as if the definitions of such terms were set forth in full and at length every time such terms are used.

28. Counterparts. This Lease may be executed in two or more counterparts, each of which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

29. Memorandum of Lease for Recording. At the request of either Party, Lessor and Lessee shall execute a memorandum of this Lease for recording in the public records at the requesting Party's sole cost and expense. The memorandum of Lease shall set forth the Parties, provide a description of the Leased Premises, specify the Term and incorporate this Lease by reference.

30. Notices. All notices herein provided to be given, or which may be given by either Party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows:

to Lessee: NC Department of Agriculture and Consumer Services  
Manager, Real Property and Construction  
1001 Mail Service Center  
Raleigh, North Carolina 27699-1001

with copy to: State Property Office  
Attn: Manager, Leasing and Space Planning Section  
1321 Mail Service Center  
Raleigh, North Carolina 27699-1321

to Lessor: County of Gaston  
Attn: County Manager  
P.O. Box 1578  
Gastonia, North Carolina 28053

Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either Party may be changed by written notice.

[signatures begin on following page]

IN TESTIMONY WHEREOF, this Lease has been executed by the Parties, in duplicate originals, as of the dates set forth in the notary acknowledgements below.

**LESSOR:**

COUNTY OF GASTON

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk (Seal)

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the aforesaid County and State do hereby certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is Clerk of the COUNTY OF GASTON and that by authority duly given and as an act of the COUNTY OF GASTON, the foregoing instrument was signed by \_\_\_\_\_, its \_\_\_\_\_ (title), attested by himself/herself as Clerk and sealed with the common seal.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

**LESSEE:**

STATE OF NORTH CAROLINA

By: \_\_\_\_\_  
Governor

ATTEST:

\_\_\_\_\_  
Secretary of State

APPROVED AS TO FORM:  
JOSH STEIN, Attorney General

By: \_\_\_\_\_  
Special Deputy Attorney General

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, \_\_\_\_\_, a Notary Public in and for the County of \_\_\_\_\_ and State of North Carolina, do hereby certify that ELAINE F. MARSHALL, Secretary of State of North Carolina, personally came before me this day and acknowledged that she is Secretary of State of North Carolina, and that by authority duly given and as the act of the State, the foregoing instrument was signed in its name by ROY COOPER, Governor of the State of North Carolina, sealed with the Great Seal of the State of North Carolina, and attested by herself as Secretary of State of North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

Return To: Attorney General's Office / Property Control Section  
Post Office Box 629, Raleigh, NC 27602  
**SPO File No.: 36-BX / DOJ File No.: PC-18-00136**

STATE OF NORTH CAROLINA

MEMORANDUM OF LEASE

COUNTY OF GASTON

THIS MEMORANDUM LEASE, is made as of the last date set forth in the notary acknowledgements below, by and between COUNTY OF GASTON, a body politic and corporate, hereinafter referred to as "Lessor"; and the STATE OF NORTH CAROLINA, a body politic and corporate, hereinafter referred to as "Lessee."

Lessor and Lessee entered into a Lease Agreement dated \_\_\_\_\_, 201\_\_\_\_ (the "Lease"), the terms, covenants and conditions of which are hereby incorporated in this Memorandum of Lease, for a term of thirty (30) years (the "Term"), commencing on the \_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_ and terminating on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

In consideration of the terms, covenants, conditions and rental as set forth in the Lease, Lessor leased to Lessee that certain premises lying and being in Riverbend Township, Gaston County, North Carolina, containing 21.459 acres, more or less, and being more particularly described on Exhibit A, attached hereto and incorporated herein.

[signatures begin on following page]

IN TESTIMONY WHEREOF, this Memorandum of Lease has been executed by the parties hereto as of the dates set forth in the notary acknowledgments below.

**LESSOR:**

COUNTY OF GASTON

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk (Seal)

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the aforesaid County and State do hereby certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is Clerk of the COUNTY OF GASTON and that by authority duly given and as an act of the COUNTY OF GASTON, the foregoing instrument was signed by \_\_\_\_\_, its \_\_\_\_\_ (title), attested by himself/herself as Clerk and sealed with the common seal.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

**LESSEE:**

STATE OF NORTH CAROLINA

By: \_\_\_\_\_  
Governor

ATTEST:

\_\_\_\_\_  
Secretary of State

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, \_\_\_\_\_, a Notary Public in and for the County of \_\_\_\_\_ and State of North Carolina, do hereby certify that ELAINE F. MARSHALL, Secretary of State of North Carolina, personally came before me this day and acknowledged that she is Secretary of State of North Carolina, and that by authority duly given and as the act of the State, the foregoing instrument was signed in its name by ROY COOPER, Governor of the State of North Carolina, sealed with the Great Seal of the State of North Carolina, and attested by herself as Secretary of State of North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## County Manager

## Board Action

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**File #:** 19-015

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Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information

### **STAFF CONTACT**

Matt Rhoten - Interim Assistant County Manager - 704-866-3101

### **BACKGROUND**

The BOC is requested to accept the attached Budget Change Requests as information.

### **ATTACHMENTS**

Departmental Budget Transfers



**COUNTY MANAGER – LISTING OF DEPARTMENTAL BUDGET CHANGE REQUESTS  
TO BE ACCEPTED AS INFORMATION AT THE JANUARY 22, 2019 BOARD MEETING**

<b>EFF DATE</b>	<b>DEPT</b>	<b>ACCOUNT</b>	<b>DR/CR</b>	<b>AMOUNT</b>
11/01/2018	Elections	010-01-4170-0000-530021-	D	\$300
11/01/2018		010-01-4170-0000-530041-	C	\$300
11/02/2018	Planning	010-02-4910-4911-530029-	D	\$6,448
11/02/2018		010-02-4910-4911-520015-	C	\$3,000
11/02/2018		010-02-4910-4911-540001-	C	\$2,000
11/02/2018		010-02-4910-4911-520014-	C	\$1,000
11/02/2018		010-02-4910-4911-520012-	C	\$448
11/05/2018	T&T	022-07-4921-0000-530028-	D	\$895
11/05/2018		022-07-4921-0000-540001-	C	\$895
11/06/2018		022-07-4921-0000-530030-	D	\$130
11/06/2018		022-07-4921-0000-540001-	C	\$130
11/07/2018	Planning	010-02-4910-4911-520006-	D	\$500
11/07/2018		010-02-4910-4911-540001-	C	\$500
11/08/2018	Public Works	010-01-4265-4265-530010-	C	\$100
11/08/2018		010-01-4265-4230-520006-	D	\$100
11/15/2018	DSS	020-05-5450-0000-560008-	C	\$20,000
11/15/2018		020-05-4790-0000-530013-	D	\$20,000
11/15/2018	T&T	010-01-4261-0000-530023-	C	\$600
11/15/2018		010-01-4261-0000-540001-	D	\$600
11/19/2018	Planning	010-02-4910-4910-540001-	D	\$450
11/19/2018		010-02-4910-4910-520014-	C	\$450
11/26/2018	GEMS	010-02-4370-0000-520005-	D	\$2,000
11/26/2018		010-02-4370-0000-520001-	C	\$2,000
11/27/2018	DSS	020-05-5450-0000-560008-	C	\$41,000
11/27/2018		020-05-5581-0000-560008-18064	D	\$41,000
11/28/2018	T&T	022-07-4921-0000-520015-	C	\$22,160
11/28/2018		022-07-4921-0000-560000-17166	D	\$22,160
11/29/2018	Planning	010-02-4910-4910-530010-	D	\$1,200
11/29/2018		010-02-4910-4910-520014-	C	\$1,200
12/03/2018		010-02-4910-4911-520006-	D	\$100
12/03/2018		010-02-4910-4911-520007-	C	\$100
12/04/2018	DSS	020-05-4790-0000-560000-18040	C	\$5,000
12/04/2018		020-05-4790-0000-530010-	D	\$5,000
12/04/2018	IT	010-01-4210-0000-520001-	C	\$100
12/04/2018		010-01-4210-0000-520013-	D	\$100
12/04/2018	Budget	010-01-4131-0000-510001-	C	\$11,093
12/04/2018		010-01-4131-0000-560000-19069	D	\$11,093
12/04/2018	Public Health	011-05-5110-0000-530029-	C	\$1,800
12/04/2018		011-05-5110-0000-530023-	D	\$1,800
12/04/2018		011-05-5115-0000-510003-	D	\$5,717
12/04/2018		011-05-5115-0000-510101-	C	\$5,717
12/04/2018		011-05-5112-5115-510003-	D	\$76
12/04/2018		011-05-5112-5115-510101-	C	\$76
12/04/2018		011-05-5114-5125-510003-	D	\$1,572
12/04/2018		011-05-5114-5125-510101-	C	\$1,572
12/04/2018		011-05-5110-0000-510003-	D	\$162
12/04/2018		011-05-5110-0000-510101-	C	\$162
12/04/2018		011-05-5116-5131-510003-	D	\$243
12/04/2018		011-05-5116-5131-510101-	C	\$243
12/04/2018		011-05-5116-5133-510003-	D	\$121
12/04/2018		011-05-5116-5133-510101-	C	\$121
12/04/2018		011-05-5117-0000-510003-	D	\$265
12/04/2018		011-05-5117-0000-510101-	C	\$265
12/04/2018		011-05-5121-0000-510003-	D	\$166
12/04/2018		011-05-5121-0000-510101-	C	\$166
12/04/2018		011-05-5111-0000-510003-	D	\$69
12/04/2018		011-05-5111-0000-510101-	C	\$69
12/06/2018	Museum	010-04-6141-0000-530021-	D	\$750
12/06/2018		010-04-6141-0000-530023-	C	\$750
12/11/2018	Fire Marshal	010-02-4330-0000-520001-	C	\$344
12/11/2018		010-02-4330-0000-530030-	D	\$344
12/12/2018	DSS	020-05-4841-0000-570006-	C	\$22,000
12/12/2018		020-05-4841-0000-570007-	D	\$22,000

County Manager - Listing of Departmental Budget Change Requests to be Accepted as Information  
Page 2

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
12/13/2018	Public Works	010-01-4265-4260-530020-	D	\$6,000
12/13/2018		010-01-4265-4260-530010-	C	\$6,000
12/13/2018	Landfill	060-08-4720-0000-530021-	C	\$6,500
12/13/2018		060-08-4720-0000-520012-	D	\$1,500
12/13/2018		060-08-4720-0000-530030-	D	\$5,000
12/13/2018	Elections	010-01-4170-0000-530041-	C	\$4,500
12/13/2018		010-01-4170-0000-540001-	D	\$4,500
12/14/2018	Public Health	011-05-5115-0000-530029-	C	\$1,800
12/14/2018		011-05-5115-0000-530023-	D	\$1,800
12/14/2018		011-05-5110-0000-530029-	D	\$1,800
12/14/2018		011-05-5110-0000-530023-	C	\$1,800
12/17/2018	DSS	020-05-5585-0000-540001-	C	\$1,500
12/17/2018		020-05-5585-0000-530010-	D	\$1,500
12/21/2018	Sheriff	010-02-4315-4315-510001-	C	\$50,000
12/21/2018		010-02-4315-4315-510002-	D	\$25,000
12/21/2018		010-02-4315-4323-510002-	D	\$25,000



# Gaston County

Gaston County  
Board of Commissioners  
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## DHHS - Public Health Division Board Action

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**File #:** 18-494

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Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Funds from the Area Health Education Center for the Public Health Clinics **(100% Preceptorship Funds - \$337)**

### **STAFF CONTACT**

Dr. Velma Taormina - Medical Director - DHHS - Public Health Division - 704-853-5290

### **BUDGET IMPACT**

Appropriate 100% Preceptorship Funds Revenue.

### **BUDGET ORDINANCE IMPACT**

Increase Preceptorship Funds revenue by \$337 and appropriate \$337 into Preceptor Program account.

### **BACKGROUND**

The Gaston County Department of Health and Human Services - Public Health Division was awarded preceptor funds from the Area Health Education Center for preceptor work. A preceptor is a clinical provider such as a nurse, midwife, or physician assistant who teaches, supports, coaches, and mentors graduate health science students from various universities concerning their fields of expertise. The Public Health Department provided clinical preceptors for North Carolina graduate health science students. The Preceptor Program provides funds for the time that the student spent with each provider. These funds will be used for the Public Health clinic staff medical training opportunities and educational supplies. These are non-County funds.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 5115 DHHS - Public Health  
Dept. # Department Name

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
Preceptorship Fund	011-05-5115-0000-415024-	(\$337)
CHS Preceptor Program	011-05-5115-0000-560000-16266	\$337

### JUSTIFICATION FOR REQUEST:

The Gaston County Department of Health and Human Services – Public Health Division was awarded preceptor funds from the Area Health Education Center for preceptor work. A preceptor is a clinical provider such as a nurse, midwife, or physician assistant who teaches, supports, coaches, and mentors graduate health science students from various universities concerning their fields of expertise. The Public Health Department provided clinical preceptors for North Carolina graduate health science students. The Preceptor Program provides funds for the time that the student spent with each provider. These funds will be used for the Public Health clinic staff medical training opportunities and educational supplies. These are non-County funds.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
Board of Commissioners  
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## DHHS - Public Health Division Board Action

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**File #:** 18-495

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Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Grant Funds from the NC Public Health Association for the Health Department of the Year Award **(100% Grant Funds - \$1,000)**

### **STAFF CONTACT**

Steve Eaton - DHHS Public Health Director - DHHS - Public Health Division - 704-853-5271

### **BUDGET IMPACT**

Appropriate 100% Other Grant Funds.

### **BUDGET ORDINANCE IMPACT**

Increase Other Grant revenue by \$1,000 and appropriate \$1,000 into the NCPHA Health Department Award Program Account.

### **BACKGROUND**

The Gaston County Department of Health and Human Services - Public Health Division received grant funds from the NC Public Health Association for the 2018 Dr. Sarah Morrow Health Department of the Year Award. The Health Department was recognized for the outstanding work and dedication of the staff in providing services and education for the community. The grant funds will be used for staff enrichment and development. These are non-County funds.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 5110 DHHS - Public Health  
Dept. # Department Name

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
Other Grants - NCPHA HD Award	011-05-5110-0000-430000-19565	(\$1,000)
NCPHA Health Dept Award	011-05-5110-0000-560000-19565	\$1,000

### JUSTIFICATION FOR REQUEST:

The Gaston County Department of Health and Human Services - Public Health Division received grant funds from the NC Public Health Association for the 2018 Dr. Sarah Morrow Health Department of the Year Award. The Health Department was recognized for the outstanding work and dedication of the staff in providing services and education for the community. The grant funds will be used for staff enrichment and development. These are non-County funds.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Finance Board Action

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**File #: 19-009**

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Commissioner Keigher - Finance - To Award Bid for Financing up to \$2,273,225 for Rolling Stock and Equipment to Bank of America and to Approve the Attached Budget Change Request (to appropriate funds) and Resolution Approving Financing Terms

### **STAFF CONTACT**

Linda Grimsley - Interim Finance Director - 704-866-3035

### **BUDGET IMPACT**

The County is obligated to make payments on this debt through February 2021.

### **BUDGET ORDINANCE IMPACT**

Loan proceeds will be received from Bank of America and appropriated in the various departmental accounts as on the attached Budget Change Request.

### **BACKGROUND**

By approval of this action, the Gaston County Board of Commissioners finds that the financing of the acquisition of the vehicles and other items costing up to \$2,273,225 pursuant to the terms of an installment purchase contract with Bank of America is in the best interests of Gaston County and hereby authorizes the execution of such contract. The County staff received five bids for the financing and recommends Bank of America as the lowest responsible bidder at a rate of 2.6230% for the thirty-six month term. The Board designates the obligations of the County to make payment under the proposed installment purchase contract as "non-bank qualified obligations" in accordance with the provisions of Section 265 (b)(3)(ii) of the Tax Reform Act of 1986, as amended. If any of the equipment or other items on the list are received before the financing documents are fully executed, the County staff is authorized, if necessary, to make payment directly to the appropriate vendor and to obtain subsequent reimbursement from the financial institution providing financing.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Resolution and Budget Change Request

## **RESOLUTION OF GOVERNING BODY**

At a duly called meeting of the governing body of County of Gaston, North Carolina, as Purchaser held in accordance with all applicable legal requirements, including open meeting laws, on the 22nd day of January, 2019, the following resolution was introduced and adopted:

### **RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A SCHEDULE TO ITS EXISTING MASTER EQUIPMENT FINANCING AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, the governing body of County of Gaston, North Carolina (“Purchaser”) desires to finance certain equipment (the “Equipment”) described in the Schedule of Property No. 5 to the Master Equipment Financing Agreement dated as of February 14, 2013 (collectively, the “Agreement”) in an amount not to exceed \$2,273,225.00 with Banc of America Public Capital Corp (“Lender”), the form of which has been available for review by the governing body of Purchaser prior to this meeting; and

WHEREAS, the Equipment is essential for the Purchaser to perform its governmental functions; and

WHEREAS, Purchaser has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Purchaser proposes to enter into the Agreement with Lessor substantially in the forms presented to this meeting.

### **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF PURCHASER AS FOLLOWS:**

Section 1. It is hereby found and determined that the terms of the Agreement in the forms presented to this meeting and incorporated in this resolution are in the best interests of Purchaser for the acquisition of the Equipment.

Section 2. The Agreement and the acquisition and financing of the Equipment under the terms and conditions as described in the Agreement are hereby approved. The County Manager of Purchaser and any other officer of Purchaser who shall have power to execute contracts on behalf of Purchaser be, and each of them hereby is, authorized to execute, acknowledge and deliver the Agreement with any changes, insertions and omissions therein as may be approved by the officers who execute the Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The Clerk to the Board of the Purchaser and any other officer of Purchaser who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Purchaser to the Agreement and attest the same.

Section 3. The proper officers of Purchaser be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement.

Section 4. The Purchaser’s obligation under the Agreement will not be designated as a qualified tax exempt obligation under Section 265(b) of the Internal Revenue Code of 1986, as amended (the “Code”), and therefore such obligation is “non-bank qualified” for purposes of Section 265(b)(3)(ii) of the Code.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Agreement executed on behalf of Purchaser is the same as presented at such meeting of the governing body of Purchaser, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.



Date: January 22nd, 2019

**County of Gaston, North Carolina**  
Purchaser

By: \_\_\_\_\_  
(Signature of Secretary, Board Chairman or other member of the Governing Body)

Name: Tracy Philbeck

Title: Chairman of the Board of Commissioners

Attested By: \_\_\_\_\_

(Signature of one additional person who can witness the passage of this Resolution)

Name: Donna Buff

Title: Clerk to the Board

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4130 Finance

Dept. # Department Name

Linda Grimsley 1/4/19

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☒ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
Installment Purchase Agreement	010-01-8300-0000-416002-	(2,273,225)
County Police Motor Vehicles	010-02-4310-4310-540003-19070	527,727
Sheriff Office Motor Vehicles	010-02-4315-4315-540003-19070	176,175
Fire Marshal Motor Vehicles	010-02-4340-0000-540003-19070	45,381
GEMS Motor Vehicles	010-02-4370-0000-540003-19070	856,512
Rescue Squad Motor Vehicles	010-02-4372-0000-540003-19070	380,161
Animal Care Motor Vehicles	010-02-4380-0000-540003-19070	152,533
Museum Motor Vehicles	010-04-6141-0000-540003-19070	25,189
Environmental Health Motor Vehicles	011-05-5114-5125-540003-19070	27,597
Building Inspections Motor Vehicles	012-02-4350-0000-540003-19070	55,194
Social Services Motor Vehicles	020-05-4790-0000-540003-19070	26,756

### JUSTIFICATION FOR REQUEST:

This Budget Change Request appropriates funds in the amount of \$2,273,225 from the lease purchase agreement with Bank of America for rolling stock and equipment. The County staff received five bids for the financing and recommends Bank of America as the lowest responsible bidder at a rate of 2.6230 for the thirty-six month term.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.





# Gaston County

Gaston County  
Board of Commissioners  
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## Finance Board Action

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**File #:** 19-010

---

Commissioner Philbeck - Finance - To Appropriate \$60,000,000 in G.O. School Bond Proceeds

### **STAFF CONTACT**

Linda Grimsley - Interim Finance Director - 704-866-3035

### **BUDGET IMPACT**

There are no debt payments due in FY19 but we did incur issuance costs for the bonds. Those expenses will be paid from the proceeds of the bonds. Debt payments for all future years will be budgeted during the budget process.

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

On November 8, 2018, Gaston County sold \$60,000,000 of General Obligation Bonds. The proceeds will be used to finance school additions and to finance the construction of a new middle school that will replace the current Belmont Middle School. The true interest cost for these bonds is 3.304711%. The issuance closed on November 15, 2018. The attached Budget Change Request is recognizing the proceeds and setting up the budget for the expenditures.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4130 Finance

Dept. # Department Name

Linda Grimsley 1/4/19

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
School Bond Proceeds: 11/15/18	040-03-5911-0000-416004-19040	(60,000,000)
Bond Premium	040-03-5911-0000-416003-19040	(5,600,790)
Bond Interest	040-03-8300-0000-412011	(1206)
Professional Services (Issuance Cost)	040-03-5911-0000-530010-19040	165,000
11/15/18 GO School Bond Issue	040-03-5911-0000-540100-19040	65,436,996

### JUSTIFICATION FOR REQUEST:

To appropriate the school bond proceeds from the November 2018 bond sale.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
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## Finance Board Action

---

**File #:** 19-016

---

Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should be Recorded in the Board's Minutes. (***Real Property Tax Refunds - \$1,805.76; Total HB20 Refunds - \$933.61; Total NCVTS Refunds - \$7,555.61; Total Vehicle Tax Refunds - \$8,489.22***)

### **STAFF CONTACT**

Linda Grimsley - Finance Department - 704-866-3035

### **BUDGET IMPACT**

N/A

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

N.C. General Statute 105-381 (b) authorizes the Board of Commissioners to delegate to the Finance Director the issuance of any property tax refunds less than \$100.

Recommended sources of funds: Offset against gross collection of property taxes.

These refunds are to be reported to the Board for inclusion in the minutes

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Tax Refunds Less than \$100 - Real Property Chart

Tax Refunds Less than \$100 - Vehicle Chart

**Gaston County, North Carolina - Listing of Property Tax Refunds Less than \$100.00 for Real Property  
To be Reported at the January 22, 2019 Board Meeting**

<b>TAXPAYER NAME</b>	<b>AMOUNT</b>	<b>TAXPAYER NAME</b>	<b>AMOUNT</b>
Adams, Donald Reginald	8.00	Harmon, Mary Lisa	17.20
Adcock, Gloria Denise Price	42.66	Harris, Melvin Jody	50.08
Black, Michael	31.33	Hartsell, Robert Earl	96.97
Bledsoe, Joseph A. III	5.02	Huss, Donna W	49.32
Bolinger, Lori K	20.24	Kelley, Carol	15.35
Brown, Rhonda Jane	59.69	King, Debbie F Life Estate	21.84
Brown, Terry	90.01	Lamar, Marjorie D	1.37
Brown, Terry Michael	4.26	Lane, Melody L	41.44
Bumgarner, Sylvia Ramsey	11.07	Lindsay, Keith Allen	4.53
Butler, Donna P	46.21	Littlejohn, Tony or Vania D	90.76
Butler, Donna P	68.09	Marcelin, Harry	1.12
Carson, Steve	45.30	McCall, Bryan H or Sherry A	1.60
Craig, Joyce	30.64	Moore, Rayner	85.23
Curtis, Joyce H	87.90	Neece Law Firm PLLC	32.93
Dills, Trina	52.34	Pratt, Tina R	36.74
E & EC GMBH Company	44.38	Reynolds, Fred W	28.89
Evans, Matthew	2.31	Rhinehardt, Charles Lynn	9.21
Faccio, Carmen S	68.59	Ross, Robert David	5.19
Fleming, Anthony	8.40	Ryan, Robert B Jr	16.25
Fleming, Anthony	22.20	Sake Express Inc	55.33
Fleming, Anthony	44.70	Sloan, Kathleen	52.35
Freeman, John Coleman Jr	6.89	Smith, Frances Ferguson	8.18
Gaddy, Jerry Leuis Jr	2.14	Thomasson, Larry Reeves	52.00
Goldsberry, Joshua Joel J	18.09	Thompson, Emily Stewart S	39.96
Gonzales, Richard D or Dianne D	2.00	Trantham, Patti C	26.48
Guess, Lloyd D or Pauline R	1.24	Ward, Logan Tyler	11.77
Harless, Bradley C of Roberta Jean	35.13	Whitley, Vickie Lathe	94.84
		<b>TOTAL REAL PROPERTY TAX REFUNDS</b>	<b>\$ 1,805.76</b>

**Gaston County, North Carolina - Listing of Property Tax Refunds Less than \$100.00 for Vehicles  
To be Reported at the January 22, 2019 Board Meeting**

<b>TAXPAYER NAME</b>	<b>AMOUNT</b>	<b>TAXPAYER NAME</b>	<b>AMOUNT</b>
Rhyne, Betty Causby	15.12	Rendleman, Jacobean Davail	46.40
Weber, Carla Lynn	15.32	Morrow, Denise Green	46.49
Sigismondi, Yolanda	16.19	Braswell, Barry Todd	60.69
Rendleman, Jacobean Davail	22.48	Crank, Barbara Glenn	68.39
Davis, Tony Eugene	25.24	Carothers, Felicia Monika	79.81
U-Haul Co. of Charlotte Inc * RV Tax	25.35	Warren L. Tadlock, Chapter 13 Trustee	81.95
Reid, Rashica Rachelle	28.24	Barber, Jason Keith	88.12
Weber, Carla Lynn	35.77	Davis, Tony Eugene	95.71
Weber, Carla Lynn	37.80	Gamer, Lena Benton	99.45
McMillan, Tina Katrice	45.09	<b>Total October HB20 Refunds</b>	<b>\$ 933.61</b>

**NC VTS REFUNDS-OCTOBER**

Adair, Maria Pilar	37.44	Kukendall, Mark David	49.71
Anglely, Clyde Robert	37.32	Ledford, Bobby Gene	27.30
Banks, Michael Alan	30.89	Leonard, Richard Kevin	40.94
Barker, Margaret Rose	32.20	Lippard, Lunette Pennington	80.03
Blume, Thomas Frederick	4.58	McCaskill, Quonisha Tiona	82.21
Blume, Thomas Frederick	76.20	Meachum, Derek Boyd	48.78
Branton, Michael Eugene	29.60	Morgan, Janice Faye	35.62
Brenes, Amanda Althea Munson	50.05	Morris, Jack Wilson Jr	47.41
Casey, Michael Oshea	29.43	Mullis, Steven Robert	9.33
Chase, Edwin Leo	40.88	Murphy, Christopher Hewell	49.71
Childers, Jennifer Jo	49.66	Murphy, David Ray Jr.	6.13
Christopher, Randy Nelson	95.82	Nikolaidis, Stamatios	46.69
Costner, Anthony Eugene	34.98	Oneill, Edward Joseph	36.66
Damell, Billy Paul II	92.96	Peddycord, Daniel Clayton	62.18
Davenport, RJ III	36.15	Perkins, Lila Featherstone	20.58
Davis, John William Jr	41.84	Perry, Everett Hammond	72.85
Dean, Scottie Dale	46.79	Porter, John William	51.18
Denholm, David John	15.81	Porter, John William	18.90
Denholm, Marilyn Guerra	50.68	Powell, Michael Dudley	26.10
Downs, Fred Robert Jr	27.44	Pressley, Jo Ann Campbell	8.39
Eaker, Jessie Hugh	36.77	Reese, Kimberly Dale	7.19
Easter, Bobby Joe	66.35	Rhoten, Matthew Kevin	74.07
Edens, Christopher Colu Jr	19.74	Roberts, Robert Gene	49.74
Edy-Mac Plumbing Service	24.01	Rogers, Casey Eric	16.82
Elmore, Robert James	27.86	Rybak, Kelley Ann	92.82
Fisher, Allen Keith	45.66	Salce, jeannette Salas	61.92
Gibson, Donald Bruce	84.00	Sanders, Martha Lee	15.77
Hall, Sandra Rivas	78.24	Sanders, William Douglas	7.58
Hall, William Carleton	88.67	Scoggins, Helen Ramsey	18.38
Hardesty, Robert Edward	6.10	Smith, Radford Dennis	41.70
Harris, Karen Sue	55.80	Somerville, Arlisa Lynette	30.48
Hawkins, Carolyn Lee	7.93	Stewart, Melissa LeVonne	74.37
Heidenreich, Amanda Lee	61.74	Stewart, Melissa LeVonne	35.06
Hemphill, Patricia Patton	14.72	Tallent-Johnson, Madison Ciara	66.74
Horton, Ted Ervin	21.76	Terry, Nicole Renee	24.88
Hovis, Betty Sutton	58.20	Trudnak, William Brown	38.74
Howard, Novel Lee	55.29	Ugarte, Geronimo Solis	8.25
Huneycutt, Zachary Daniel	59.01	Walker, Charles Harold Jr	23.09
Jackson, Alma Allen	55.73	Waters, Lynne Boyd	44.64
Jenkins, Ingrid Elaine	73.67	Willman, Eric Carl	96.77
Jones, Tucker Davis	93.05	Wrighton, Tanya Clarissa	7.76
		<b>TOTAL OCTOBER VTS REFUNDS</b>	<b>\$ 3,552.49</b>

**NC VTS REFUNDS-NOVEMBER**

Addy, Alexander John	76.36	George, Larry Darnell	38.38
Anderson, Floyd Avery	34.58	Grant, Loyd Parton	33.97
Bachor, Danielle Joy	41.56	Greene, Ray Wayne Jr	74.13
Beam, John Adrian	45.49	Greene, Ray Wayne Jr	62.45
Becker, Robert John Jr	21.56	Griffin, Jessica Arnold	84.59
Berryhill, Donald David	49.35	Griffin, Jessica Arnold	33.97
Booth, Hulda Jane	80.45	Hamilton, Bryson Roy	68.33
Bowen, Rebecca Margaret	85.27	Hannah, David Scott II	75.35
Bowers, Irene Joyner	86.24	Hardy, Earl	21.03
Bowman, Christopher Lewis	41.83	Hartzog, Roger Dale	41.76
Brown, Benjamin Tyler	83.89	Hartzog, Roger Dale	39.07
Chambers, Betty Eason	59.03	Hatcher, Franklin Lafon Jr	50.73
Chambers, Kierstin Craft	42.24	Hays, Zachary Grant	27.35
Clark, Robin Elvis	22.73	Heffner, Carol Hartsell	78.54
Cochran, Stephen Wesley	52.15	Henry, Joel William	87.54
Cochran, Stephen Wesley	36.07	Hensley, Arnold Tyrone	42.67
Cochran, Stephen Wesley	45.13	Hill, Tony Adam	41.52
Collins, Gale Floyd	14.25	Hodgkins, Rugby Grant Jr	85.64
Davis, Joseph Blair Jr	56.84	Holcombe, Kimberly Denise	71.54
Eubanks, Willie Faye	91.08	Horn, Shann Thomas	8.40
Feemster, Carl Ray	10.02	Hunsucker, John Elton Jr	54.32
Fields, Eugene	30.29	Joyce, Alba	15.50
Fuell, James Leburn	37.93	Kowalik, Kevin Michael	2.80



**Gaston County, North Carolina - Listing of Property Tax Refunds Less than \$100.00 for Vehicles  
To be Reported at the January 22, 2019 Board Meeting**

<u>TAXPAYER NAME</u>	<u>AMOUNT</u>	<u>TAXPAYER NAME</u>	<u>AMOUNT</u>
<b>NC VTS REFUNDS-NOVEMBER (Continued)</b>			
Laye, Deborah Joanne	48.30	Pressley, Kimberly Hubbard	9.91
Ligon-Reese, Tihisha Camil	18.69	Presswood, Brad Matthew	12.71
Lockman, Martha Milton	55.95	Rice, Eric James	28.24
Lynch, April Weathers	23.56	Risha, Allison Paige	13.89
Mackins, Alvin Karon	35.00	Salois, Nathalie	12.28
Maiers, James Richard Jr	16.23	Springs, Jennifer Crawford	76.91
Mauney, Alice Bennett	18.65	Stilwalt, John Charlie Jr	23.97
McDowell, Jeffery Dennis	71.57	Surratt, Brandi Blackwood	23.38
McIntyre, Kenneth Eugene	73.49	Treadway, Roger Dale	17.92
McKinney, George Jerney	97.92	Turner, Richard Conrad	29.78
McKinney, Randy Jerome	84.32	Waldroup, Alice Stennette	33.55
Messer, Roger Odell	95.99	Wall, Ricky Dean	4.69
Monk, Chasity Tarah Lynn	39.33	Wall, Ricky Dean	62.80
Moore, Andrew Joseph	76.85	Wheeler, Bradley Dean	66.20
Morrison, James Leo	69.87	Williams, Charles Eugene	60.09
Mounts, Sherry Lynn	69.35	Williams, Janet Felicia	33.06
Nance, Heather Marie	25.01	Young, George Lambert	14.35
Okonkwo, Kenneth Okechukwu	70.23	<b>TOTAL NOVEMBER VTS REFUNDS</b>	<b>\$ 4,003.12</b>
Orlando, Robert Frank	55.86		
Pasour, Kathleen Long	83.24	<b>TOTAL VTS REFUNDS</b>	<b>\$ 7,555.61</b>
Phillips, John Pitt	66.06		
		<b>TOTAL VEHICLE TAX REFUNDS</b>	<b>\$ 8,489.22</b>



# Gaston County

Gaston County  
Board of Commissioners  
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## Fire Marshal

## Board Action

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**File #:** 19-022

---

Commissioner Chad Brown - Fire Marshal - To Approve a Certificate of Need for Alexis Volunteer Fire Department to Obtain Financing (\$573,257) to Purchase a 2019 Pierce Enforcer Rescue Engine

### **STAFF CONTACT**

Eric Hendrix - Fire Marshal - 704-866-3231

### **BUDGET IMPACT**

This purchase is in keeping with current policy.

### **BUDGET ORDINANCE IMPACT**

This purchase is in keeping with current policy.

### **BACKGROUND**

Chief Brad Presswood presented a Certificate of Need for Alexis Volunteer Fire Department. They are planning to purchase a 2019 Pierce Enforcer Rescue Engine. This will replace Engine 203. Engine 203 (2008 Smeal Rescue Engine) is causing high maintenance costs. They plan to sell Engine 203 (asking \$200,000-\$250,000) and put the majority of the funds toward the new Rescue Engine. They will also use some of the funds along with their normal budget to purchase equipment for the new Rescue Engine. This purchase will not require a tax increase. Cost of the new apparatus will be \$573,257. They are looking to finance this amount with Local Government Federal Credit Union at a rate of 3.4% interest for 10 years (\$70,594.37 annual payments). The term of the loan is 10 years, but they expect to pay off in 6 years. Discussion followed. Jeff Hovis shared that he thought that Alexis had a solid plan. David Toomey made a motion to recommend to the Commissioners that they extend the Certificate of Need to Alexis Volunteer Fire Department. Jeff Hovis seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Alexis VFD - Certificate of Need

## CERTIFICATE OF NEED APPLICATION

### Fire Department

Name: Alexis Volunteer Fire Department

Address: 4168 Charles Raper Jonas Highway Alexis NC 28006  
*Street City State Zip*

Chief: Brad Presswood Contact Phone #: 704-719-6400

Board President: Ronald Sadler Contact Phone #: 704-363-6836

Fire Department Board Approval / Notification: ☒ Yes ☐ No

### General Description of Purchase:

2019 Pierce Enforcer Rescue Engine

### Time Line of Purchase:

Signature of contract between the Department and Pierce by January 31, 2019 to avoid price increase due to rise in metal pricing. Take delivery by end of year 2019.

### List Specifics of Purchase:

As of now, planning on selling Engine 203 (2008 Smeal Rescue Engine) due to high maintenance cost. At present this apparatus has cost on average of \$10,000/year over the past 6 years to keep it in service. The Department will sell this apparatus and put the majority of the funds on the new Rescue Engine to allow the purchase of a second Rescue Engine within the next 4 years to replace aging apparatus. Some of the funds, along with the normal budget, to purchase equipment for the new Rescue Engine.

Estimated Cost: \$550,000-\$580,000

### Financing Information

Lender: LGFCU

Amount Financed : \$300,000-\$400,000 Rate: TBD

Estimated Amount : TBD # of Payments: TBD

Down Payment Amount: \$200,000-\$250,000 (Market Value of Current Engine 203)

Debt Ratio-Current / Post Purchase: TBD

Any Re-Financing or Bundling ☒ Yes ☐ No (If Yes, Then Describe):

LGFCU has recommended to separate the two building loans instead of the current combined loan for both fire stations. This will be worked on in conjunction with the new Rescue Engine loan, however, this will not have any ties to the apparatus loan. This statement is to inform needed parties what is taking place.

## CERTIFICATE OF NEED APPLICATION

### How Will Purchase Benefit the Department (Safety/ISO/Cost Savings, etc.):

Replace the current Engine 203 with a new Rescue Engine due to high maintenance cost. The current Engine 200, which was slated to be replaced with the new apparatus, has a very low maintenance cost record and continues to

### How Will Purchase be Funded (Long Term - **NOT Just Current Year**):

Within current budget allocations. No tax rate increase will be required to fund this purchase.

### If Purchase is NOT Approved for Funding, Describe Department Alternatives:

No alternatives are available.

### Is this a Replacement?

☒ Yes

☐ No

### If Yes, List Details (make, model, years of service, remaining balance, etc.).

Engine 203 - 2008 Smeal Rescue Engine - 10 years of service - \$0 balance (Department Owned)

### What Will Become of Old Apparatus / Equipment?

Place up for sell - most likely with an apparatus broker once the new Rescue Engine is delivered and in service.

### Has 5 Year Plan Been Submitted?

☐ Yes

☒ No

Received By \_\_\_\_\_

*FMO Staff*

Date: \_\_\_\_\_

Fire Advisory Board Meeting Date: \_\_\_\_\_ Approved / Not Approved

Gaston County BOC Meeting Date: \_\_\_\_\_ Approved / Not Approved

## Patsy Haney

---

**From:** Brad Presswood <bmp4646@yahoo.com>  
**Sent:** Monday, January 07, 2019 1:14 PM  
**To:** Patsy Haney  
**Subject:** {External} Finance Info

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Patsy,

Loan through LGFCU  
Rate is 3.4%  
Term is 10 years but will payoff before 6 years  
Payment is \$ 70,594.37 annually

Thanks,

Brad Presswood  
Alexis Fire Department, Chief  
(704) 719-6400  
[bmp4646@yahoo.com](mailto:bmp4646@yahoo.com)

Disclaimer: Pursuant to the Freedom of Information-Privacy Acts (FOIPA) and North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it may be considered public record and as such subject to request and review by anyone at any time.

Sent from Yahoo Mail for iPhone



## PROPOSAL FOR FURNISHING FIRE APPARATUS

Alexis Volunteer Fire Department  
P.O. Box 157  
Alexis, NC 28006

January 7, 2019

The undersigned is prepared to supply for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., in its home office of Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

**One (1) 2019 Pierce Enforcer Pumper as Specified**

**\$ 590,979.00**

Said apparatus and equipment are to be built and shipped in accordance with specifications hereto attached. Delays due to strikes, war, or intentional conflict, failures to materials or other causes beyond our control not preventing, within about 8.5 months after receipt of this order and the acceptance thereof at Pierce Mfg. in Appleton, Wisconsin and to be delivered to you at the **Alexis Fire Department**.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus confirms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased cost incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customer as an addition to the price set forth above.

Unless accepted within 45 days from date, the right is reserved to withdraw this proposition.

Atlantic Emergency Solutions

By:   
Frank Suggs, Regional Account Manager





**Alexis Fire Department**  
**Prepay Numbers**  
**1-7-19**

Pierce offers a discount if the Fire Department decides to pay for the apparatus at the time of order placement. This is not a requirement for the proposal, but an option extended for saving funds.

Apparatus	Original	Discount	Amount Due at Order
Enforcer Pumper	\$ 590,979.00	<\$ 17,722.00 >	\$ 573,257.00

*FS* 1-7-19

The Amount Due at Order includes the amount for a performance bond to protect your money.





# Gaston County

Gaston County  
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## Gaston Community Action Board Action

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**File #:** 19-020

---

Commissioner Philbeck - Gaston Community Action - To Accept as Information the FY2019-20 Community Services Block Grant Application (**No County Funds**)

### **STAFF CONTACT**

Joseph W. Dixon - Executive Director - Gaston Community Action, Inc. - 704-861-2283

### **BACKGROUND**

The 24-page application packet was presented to the BOC via e-mail on 1/7/2019 and is to be accepted as information at the 1/22/2019 BOC Regular meeting. A copy of the entire document is on file with the Clerk to the BOC.

### **ATTACHMENTS**

N/A





# Gaston County

Gaston County  
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## Parks & Recreation

### Board Action

---

**File #:** 19-007

---

Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate a Gaston County Travel and Tourism Grant for the NC State-wide Athletics (SWAC) Recreation Soccer Tournament in the Amount of \$8,000 (**100% Grant Funds**)

#### **STAFF CONTACT**

Cathy Hart - Parks and Recreation - 704-922-2162

#### **BUDGET IMPACT**

Appropriate a Travel and Tourism Grant. No additional County funds.

#### **BUDGET ORDINANCE IMPACT**

Grant funds in the amount of \$8,000 will offset expenses for SWAC Soccer Tournament.

#### **BACKGROUND**

Gaston County Parks & Recreation hosted the NC State-wide Athletics (SWAC) Recreation Soccer Tournament at Poston Park on November 9-10, 2018. The tournament included forty-two teams from all over the state. Eight local teams participated and the remaining thirty-four teams most likely spent 2 nights in local hotels.

#### **POLICY IMPACT**

N/A

#### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 6120 Parks & Recreation  
Dept. # Department Name

Cathy Hart 1/4/2019  
Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
SWAC Soccer Tournament Grant	010-04-6120-0000-430000-19559	(\$8,000)
SWAC Soccer Tournament Grant	010-04-6120-0000-560000-19559	\$8,000

### JUSTIFICATION FOR REQUEST:

The purpose of this request is to accept and appropriate a Gaston County Travel and Tourism grant in the amount of \$8,000. The grant will be used to offset expenses for the State-Wide Athletics Committee Recreation Soccer Tournament held on November 10-11, 2018 at George Poston Park.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Parks & Recreation

### Board Action

---

**File #:** 19-008

---

Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate Funds in the Amount of \$1,890 from the NC Recreation and Parks Association for the NC State-Wide Athletics Committee (SWAC) Soccer Tournament at George Poston Park **(No County Funds)**

#### **STAFF CONTACT**

Cathy Hart - Parks and Recreation - 704-922-2162

#### **BUDGET IMPACT**

Appropriate revenues from North Carolina Recreation and Parks Association in the amount of \$1,890. No additional County Funds.

#### **BUDGET ORDINANCE IMPACT**

Offset expenses from SWAC Soccer Tournament in the amount of \$1,890.

#### **BACKGROUND POLICY IMPACT**

Gaston County Parks and Recreation has received reimbursement funding in the amount of \$1,890 from the NC Recreation and Park Association. These funds are intended to partially reimburse Gaston County Parks and Recreation for expenses incurred at the NC State-Wide Athletics Committee Recreation Soccer Tournament held on November 10-11, 2018 at George Poston Park.

#### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 6120 Parks & Recreation  
Dept. # Department Name

Cathy Hart 1/4/2019  
Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
Recreation Event Fees	010-04-6120-0000-410028	(\$1,890)
Recreation Programming	010-04-6120-0000-560000-19022	\$1,890

### JUSTIFICATION FOR REQUEST:

The purpose of this request is to accept and appropriate reimbursement funding in the amount of \$1,890 from the NC Recreation and Park Association. These funds are intended to partially reimburse Gaston County Parks and Recreation for expenses incurred at the NC State-Wide Athletics Committee Recreation Soccer Tournament held on November 10-11, 2018 at George Poston Park.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

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## Police Department

### Board Action

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**File #:** 18-485

---

Commissioner Keigher - Police Department - To Approve Surplus and Disposition of Eight (8) Year Old German Shepherd K-9 Named Zepher

#### **STAFF CONTACT**

J. D. Ramey - Gaston County Police Department - 704-866-3321

#### **BACKGROUND**

N/A

#### **ATTACHMENTS**

Resolution



## **RESOLUTION TITLE: SURPLUS AND DISPOSITION OF GERMAN SHEPHERD K-9**

WHEREAS, North Carolina General Statute 160A-266 (C) dictates the procedure for disposal of surplus property; and,

WHEREAS, The Gaston County Police Department has an eight (8) year old male German Shepherd K-9 by the name of Zepher that is failing to perform his duties as a member of the K-9 team in handler protection, building searches, criminal apprehension, narcotics detection, and tracking due to age; and,

WHEREAS, K-9 Zepher has been examined and treated by a veterinarian licensed by the state of North Carolina. K-9 Zepher is unable to perform the duties required such as tracking, handler protection/apprehension, building searches, etc. due to the age and loss of stamina. Captain J. A. Leatherwood, K-9 Unit Commander, advises that he feels the safety of the K-9 and its handler is becoming an issue. Captain Leatherwood recommends K-9 Zepher be retired at this point.

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

1. This eight (8) year old German Shepherd K-9 be declared as surplus and removed from Gaston County's inventory.
2. The Gaston County Manager be authorized to dispose of this K-9 according to North Carolina General Statute 160A-266 (C), and make this K-9 available for private sale to K-9 handler B. K. Hoyle, who will be responsible for all further medical and housing expenses once Zepher is retired.

---

**DO NOT TYPE BELOW THIS LINE**

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and accurate copy of action taken by the Board of Commissioners as follows:

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS



# Gaston County

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## Public Works

## Board Action

---

**File #:** 19-002

---

**REVISED/** Commissioner Philbeck - Public Works - To Award a Construction Contract for the Jail Infill Project to ***Pinnix, Inc. of Gastonia*** at a Cost Not to Exceed **\$10,770,000** and Authorize the County Manager to Execute Any Necessary Contract Documents

### **STAFF CONTACT**

Ray Maxwell, PE - Public Works - 704-862-7504

### **BUDGET IMPACT**

Construction - **\$10,770,000**

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

The Gaston County Board of Commissioners approved the design of the Jail Infill Project to include interior upfits and improvements via Board Action 17-434. Design of the Jail Infill project has been completed and documents were released for public bidding purposes on November 20, 2018. The project was publicly advertised on November 20, 2018 and a bid opening was scheduled for December 20, 2018. Due to an insufficient number of bids, the bids were not opened on the bid date of December 20, 2018. The project was re-advertised publicly on December 27, 2018. Bids were received and publicly opened on January 17, 2019 with the following results:

<b><i>Pinnix, Inc.</i></b>	<b><i>Gastonia, NC</i></b>	<b><i>\$10,770,000</i></b>
<b><i>Leitner Construction Company</i></b>	<b><i>Rock Hill, SC</i></b>	<b><i>\$11,800,000</i></b>

Based on the bids received, this Board Action deems ***Pinnix, Inc.*** as the General Contractor submitting the lowest, responsive, responsible bid. Approval of this Board Action formally selects ***Pinnix, Inc.*** to perform construction work associated with the project, directs the County Attorney to draft all necessary contract documents, and authorizes the County Manager or his designee to execute said documents in an amount not to exceed **\$10,770,000**.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

**ADDED/ Bid Award Recommendation Letter**



# Stewart · Cooper · Newell Architects

January 18, 2019

Mr. Ray Maxwell, PE  
Gaston County Public Works Director  
Gaston County Courthouse  
325 Dr. Martin Luther King Jr. Way  
Gastonia, NC 28052

Re: Gaston County Jail & Sheriff's Department Alteration Project - #1570

Dear Mr. Maxwell,

Bids were received for the Gaston County Jail & Sheriff's Department Alteration Project on Thursday, January 17, 2019. Two contractors submitted bids and the bids were publically opened and read aloud. Of the two bids received they appeared to be responsive bids.

The apparent low bid received was submitted by Pinnix, Inc., North Carolina General Contractors License #19540 with a total low bid of \$10,770,000.00. Having reviewed the submitted bid, along with the required bid bond and MWBE information included with the bid, it appears that the bid is in order and meets the requirements as a responsive bid.

Pinnix, Inc. has verified to us that their bid figures are correct.

We recommend award of the construction contract for the Gaston County Jail & Sheriff's Department Alteration Project for the total bid amount of \$10,770,000.00 (which includes the owner's general contingency amount for \$500,000.00) to Pinnix, Inc. of Gastonia, N.C.

Please let us know if you have any questions or concerns or need any further information.

Sincerely,

James C. Stewart, AIA  
JCS:r  
1570 new specs Recommend Award.doc

attachment certified bid tab





# Gaston County

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## Public Works

## Board Action

---

**File #:** 19-003

---

Commissioner Jack Brown - Public Works - To Finalize and Formally Accept an Offer to Purchase a County Owned Surplus Parcel (PID 103983 Located Off North Oakland Street, Gastonia) **(No County Funds)**

### **STAFF CONTACT**

Ray Maxwell, PE, Director - Public Works - 704-862-7551

### **BUDGET IMPACT**

No County Funds

### **BUDGET ORDINANCE IMPACT**

N/A

### **BACKGROUND**

Per Board Action 2018-310, adopted December 11, 2018, the Gaston County Board of Commissioners accepted an offer submitted by Coast 2 Coast, LLC. in the amount of \$300.00 to purchase a county-owned surplus property (PID 103983) located off North Oakland Street, Gastonia with a current tax value of \$1,687.00. This offer was subject to the upset bid procedures as established by NCGS 160A-269. The Public Works Office did not receive any upset bids and presents the offer submitted by Coast 2 Coast, LLC., in the amount of \$300.00, as the highest and best offer received.

Having received all bids, per NCGS 160A-269 the Board of Commissioners must accept or reject the offer submitted. Accepting the sale of this parcel for the highest offer received will enable staff to finalize the transaction and draft the necessary deed and title transfer documents. Approval of this Board Action formally accepts the best and highest offer for PID 103983 and directs staff to prepare the necessary documents for signature by the Chairman.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

N/A



# Gaston County

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## Public Works

## Board Action

---

**File #:** 19-013

---

Commissioner Fraley - Public Works - To Approve the Sale of a Surplus County Vehicle #899 to the Tryonota Volunteer Fire Department

### **STAFF CONTACT**

Ray Maxwell, P.E. - Director - Public Works - 704-862-7504

### **BUDGET IMPACT**

No additional County funds.

### **BUDGET ORDINANCE IMPACT**

Transfers vehicle ownership to the Tryonota Volunteer Fire Department of vehicle #899

### **BACKGROUND**

Gaston County has designated Vehicle #899 (VIN# 2FACP71W41X178651) to be in poor condition, uneconomical for continued use and as having met the established surplus criteria. This vehicle was previously declared surplus and authorized for sale via Resolution 2017-042 adopted February 14, 2017. Vehicle #899, previously assigned to GEMS, is a 2001 Ford Crown Victoria with approximately 162,728 miles. Tryonota Volunteer Fire Department has requested this surplus vehicle. Pursuant to N.C.G.S. 160A-274, this Board Action authorizes the County Manager to transfer Vehicle #899 to the Tryonota Volunteer Fire Department for \$1, in the event the vehicle is not in acceptable condition at the time of transfer, to substitute another, similar surplus vehicle. Further, this transfer is conditioned upon the understanding that all expenses including, but not limited to, repairs, motor fuels and lubricants, tag, inspections and any other costs associated with purchase and ownership will be the sole responsibility of the Tryonota Volunteer Fire Department. Tryonota Volunteer Fire Department agrees to use the vehicle only for official agency use, the vehicle may not be sold or title transferred to another person or entity for a minimum of two years after purchase from Gaston County and, the vehicle is purchased in as "as is, where is" condition. Gaston County does not warrant in any way the condition or future operation/reliability of said vehicle. Approval of the Board Action authorizes the County Attorney to prepare a written agreement establishing the terms and conditions of the vehicle sale and authorizes the County Manager or his designee to execute said agreement and other documents as may be necessary for vehicle sale and title transfer to Tryonota Volunteer Fire Department.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Letter of Request from Tryonota Volunteer Fire Department

*Fire Chief  
Mark L. Wright*



***Tryonota Volunteer Fire Department Inc.***

***2577 Tryon Courthouse Road***

***Bessemer City, NC 28016***

***Phone: (704) 629-2100***

To whom it may concern,

Tryonota VFD would like to purchase a Gaston County vehicle for \$1.00. We would like to purchase GEMS chief old vehicle (E-899) if possible? We would use the car for our chief's vehicle. We would maintain the upkeep of the vehicle. Thank you for considering us for the purchase.

Capt. B.L.Dunivan



# Gaston County

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## Tax Board Action

---

**File #:** 18-492

---

Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the November Listed Tax Refunds be Made. (***Real Estate - \$24,751.74; Vehicles and ETC - \$1,347.69; VTS Refunds - \$3,323.93; Grand Total - \$29,423.36***)

### **STAFF CONTACT**

Luke Sisk - Tax Collections Administrator - 704-866-3034

### **BACKGROUND**

The Gaston County Tax Collector has examined the requests for refunds and has determined that the requests are properly authorized by statute and should be granted and the persons and/or firms listed below have requested the refund of taxes paid pursuant to GS 105-381(b).

The Board of Commissioners authorized payment of refunds to said persons and/or firms in the amounts stated with such funds coming from Account 010-00-0000-0000-230101.

### **ATTACHMENTS**

Tax Refunds Listing for November 2018

TAXPAYER NAME	OWNER NAME	AMOUNT
<b>NOVEMBER 2018 REAL ESTATE</b>		
Alsop, Thomas A		\$160.97
Andrew M Adams PA		\$100.00
Bargain Hunters INC		\$100.28
Beam, Helen A		\$135.07
Bryant, Bryan T		\$125.00
Clemons, Jennifer		\$100.00
Cloninger, John R		\$300.00
Cold River Land LLC		\$1,058.47
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$1,058.37
Cold River Land LLC		\$448.00
Corelogic		\$160.97
Corelogic		\$100.80
Corelogic		\$1,749.37
Corelogic		\$2,164.53
Corelogic		\$1,222.57
Cunningham, Foy B		\$337.00
Gray, Layton, Kersh		\$335.70
Kern, Doris Jo		\$940.90
Lereta		\$997.06
Lereta		\$845.45
Lereta		\$148.54
Lereta		\$222.61
Marrero, Elena		\$222.78
McManus, Donald		\$100.00
Moore, Faye Helms		\$222.30
Robertson, Wayne K		\$854.39
robinson, Matthew T		\$537.05
Simmons, Bryan A		\$878.57
Sloan, Kathleen		\$289.09
Sorenson, Deborah W		\$203.09
Teaster, Jerry Lee		\$222.79
Teaster, Jerry Lee		\$222.79
Thompson, Kevin C		\$1,999.61
Torres, Noe Antonio		\$126.07
V P Limited LLC		\$490.00
Wilkinson, Frances J		\$705.29
Wright Laine Properties		\$305.47
Wu, Xiaochuan		\$1,872.79
<b>TOTAL</b>		<b>\$24,751.74</b>
<b>NOVEMBER 2018 VEHICLES &amp; ETC</b>		
Gomez, Elmer Alfonso		\$110.20
Green, Kenneth Michael		\$524.38
Greene, Richard E		\$255.22
Irby, Todd Lee		\$136.48
Reid, Rashica Rachel		\$103.67
Rush, Timothy David		\$106.90
Williams, Joshua T		\$110.84
<b>TOTAL</b>		<b>\$1,347.69</b>

**NOVEMBER VTS REFUNDS**

Bush, Nicholas Shane	\$177.11
Cannon, Michael William	\$110.83
Cornelison, Jason Everett	\$264.27
Costner, Mary Kelly	\$108.20
Cozart, Jerome Dean	\$183.41
Drumm, Derek Ryan	\$108.77
Fuell, James Leburn	\$107.24
Gaslin, Michael thomas	\$146.25
Helig, Charles Sidney III	\$264.56
Horne, Charles Armstrong	\$195.30
Huskins, Jonathan Chad	\$248.74
Izaba, Reyna	\$153.68
Jones, Terry Leonard	\$101.95
Lineberger, David Lee	\$104.93
Orlando, Robert Frank	\$173.57
Rhoades, Aaron Peter	\$147.11
Sadowsky, Alan Paul	\$119.59
Scoggins, Anbgela Brooke	\$105.39
Walker, Deborah Howe	\$130.53
Wall, Ricky Dean	\$243.28
Welch, Ernest Ray	\$129.22
<b>TOTAL</b>	<b>\$3,323.93</b>

**GRAND TOTAL****\$29,423.36**



# Gaston County

Gaston County  
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## Tax Board Action

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**File #:** 19-023

---

Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the December Listed Tax Refunds be Made. (***Real Estate - \$59,721.63; Vehicles and ETC - \$558.84; VTS Refunds - \$2,621.04; Grand Total - \$62,901.51***)

### **STAFF CONTACT**

Luke Sisk - Tax Collections Administrator - 704-866-3034

### **BACKGROUND**

The Gaston County Tax Collector has examined the requests for refunds and has determined that the requests are properly authorized by statute and should be granted and the persons and/or firms listed below have requested the refund of taxes paid pursuant to GS 105-381(b).

The Board of Commissioners authorized payment of refunds to said persons and/or firms in the amounts stated with such funds coming from Account 010-00-0000-0000-230101.

### **ATTACHMENTS**

Tax Refunds Listing for December 2018

TAXPAYER NAME	OWNER NAME	AMOUNT
<b>DECEMBER 2018 REAL ESTATE</b>		
Nexsen Pruet PLLC		\$297.95
Jackson, Mils		\$163.59
Rhodes, James Phillip		\$281.96
Rhodes, James Phillip		\$281.96
Alsop, Thomas A		\$160.97
Teaster, Jerry Lee		\$222.79
Jones, Latta E		\$517.31
Cunningham, Foy B		\$3,033.00
Servisolutions		\$1,872.91
Sexton, Imogene C		\$353.19
Payne, Linda H		\$549.33
Bigham, Ted H		\$132.00
Gaston County Tax		\$5,797.21
Gwinn, John F		\$141.73
Corelogic		\$540.00
Corelogic		\$623.25
Johnson, James Walter		\$200.00
R L Price		\$223.76
Webb, Kendra		\$143.46
Minges, G M Jr		\$969.86
Mayberry, Marshall A		\$560.36
Butler, Thomas Harold		\$950.23
Marrero, Elena		\$135.27
Shana X Crawford DDS		\$166.62
Southwood Realty Com		\$5,397.26
Triangle Real Estate		\$528.20
Wells Fargo RE Tax		\$630.00
Wells Fargo RE Tax		\$782.65
Lereta		\$2,442.87
Beaty, Amanda Brown		\$361.82
Webb Custom Kitchen		\$1,543.23
Smith, Ralph Edmond		\$1,834.21
Hunter, Daniel Lewis		\$735.18
Corelogic		\$369.22
Corelogic		\$427.50
Kiser, Barbara		\$584.49
Cold River Land LLC		\$675.65
Linden, Corey J		\$200.00
Egret Ridge Properties		\$809.85
Herndon, Kahtryn P		\$1,986.87
First Financial Corp		\$127.88
Blackwelder, Gwynneth		\$590.20
Blackwelder, Gwynneth		\$369.94
Blackwelder, Gwynneth		\$474.46
Clements, Faye K		\$150.00
Corelogic		\$630.00
Rogers, Robert J		\$630.00
HK Paradise Point LLC		\$129.80
Bryant, Bryan T		\$125.00
Arp, Daphine H		\$162.88
Arp, Daphine H		\$1,151.78
Gaston county Family		\$550.04
Springwood Freewill		\$384.66
State Employees Credit Union		\$426.34
Alliance Real Estate		\$5,270.64
Wacstaff, Shery H		\$200.96
Kelly, R William JR		\$10,496.55
Teaster, Jerry Lee		\$222.79
<b>TOTAL</b>		<b>\$59,721.63</b>



**DECEMBER 2018 VEHICLES & ETC**

McClain, Shante	\$165.40
Greene, Richard E	\$227.14
Connor, Shante	\$166.30
<b>TOTAL</b>	<b>\$558.84</b>

**DECEMBER VTS REFUNDS**

Archibald, Ian Drummond	\$122.85
Blalock, Christopher Ray	\$102.91
Call, William Jerry	\$135.98
Darby, Gwendolyn McCree	\$195.14
Gidron, Darlene Bailey	\$123.20
Hall, Shanetta Marie	\$132.12
Hendrix, Kaitlyn Amanda	\$113.24
Jackson, Larry Demetrise	\$133.91
Loudermilk, Thomas Ray	\$246.14
Reed, Leo Francis	\$220.40
Sherman, Lisa Marie	\$121.70
Sherman, Lisa Marie	\$121.70
Swanger, Jimmy Wayne	\$167.12
Tallent, Lillian Ellen-Robidart	\$213.26
Vasquez, Marianne	\$134.05
Wallace, Ronald Neal	\$234.01
Wilson, Roger David	\$103.31
<b>TOTAL</b>	<b>\$2,621.04</b>

<b>GRAND TOTAL</b>	<b>\$62,901.51</b>
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# Gaston County

Gaston County  
Board of Commissioners  
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## Board of Commissioners

### Board Action

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**File #:** 18-478

---

Board of Commissioners - Legislative Request: Legislative Agenda for the 2019 Session of the North Carolina General Assembly

#### **STAFF CONTACT**

Donna S. Buff - Clerk to the Board - 704-866-3196

#### **BACKGROUND**

The Legislative Delegation and the Board of Commissioners met on December 17, 2018 to discuss the Commission's 2019 legislative goals.

#### **ATTACHMENTS**

Resolution



**RESOLUTION TITLE: GASTON COUNTY BOARD OF COMMISSIONERS  
LEGISLATIVE AGENDA FOR THE 2019-2020 SESSION OF THE NORTH  
CAROLINA GENERAL ASSEMBLY**

WHEREAS, the Gaston County Board of Commissioners mission is to strengthen and diversify Gaston County's economy and to encourage the growth of safe and healthy communities; and,

WHEREAS, job creation, economic development, education, healthy communities, public safety and quality of life are adopted priorities of the Commission and are important guiding principles for future policy decisions; and,

WHEREAS, the Gaston County Board of Commissioners recognizes that State policies, programs and investments have a significant influence on local governance; and,

WHEREAS, the Gaston County Board of Commissioners has identified numerous goals for consideration and support during the 2019-2020 Session of the General Assembly.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners respectfully requests the Gaston County Delegation to the North Carolina General Assembly to:

1. Support the North Carolina Association of County Commissioners' legislative priorities; most importantly, oppose unfunded mandates and any shifts of State responsibilities to Counties.
2. Focus on Economic Development:
  - A. Support tax policy to promote advancement of a business climate in Gaston County that fosters competitiveness, encourages new investment and provides for the expansion of current industry to support the local workforce and quality of life:
    - Support the continued efforts toward lowering and eventual elimination of the NC Corporate Tax
    - Oppose targeted taxes, policies, codes and rules that would impede business development

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**DO NOT TYPE BELOW THIS LINE**

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

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- Continue to support reductions of the Franchise Tax, which will be reduced from 3% to 2.5% in 2019
  - Continue to support Local Option Sales Tax and maintaining revenue for economic development
  - In response to recently enacted federal tax reform, support the removal of state and local economic grants as taxable gross income from the North Carolina State Tax Code, which typically mirrors the Federal Tax Code.
- B. Support job creation and retention efforts; fully fund job recruitment efforts and support various economic development performance based incentives:
- Maintain economic development programs of Golden Leaf Foundation
  - Maintain the Governor's One NC Fund's competitiveness and effectiveness by continuation of Commissioners goals that modified the local match
  - Support the creation of a Site and Building Development Fund. The subsidized loan fund would create access to capital for land acquisition, building construction, or building renovation in order to market property ready for lease or sale for industry job expansion
  - Continue support for workforce development through the Community College system and to strengthen the educational offerings in partnerships with industry and K-12 education with programs like Career Promise and Early College.
  - Support environmental regulatory policy that is balanced to protect natural resources and be friendly to the manufacturing base
  - Support State investment in rural infrastructure of water and sewer
  - Reinstate funding for the NC Select site and buildings database.
- C. Support funding for travel and tourism, historic preservation, land conservation, state parks and the arts in North Carolina as it spurs economic development:
- Support Crowder's Mountain State Park
  - Support Mountain Island Educational State Forest
  - Support the P&N Rail Line
3. Support Transportation Funding:
- Continue efforts to fund transportation infrastructure in North Carolina based on statistical need criteria
  - Support the funding of transportation improvements required for new business and industry
  - Support the development of innovative and sustainable methods of funding transportation and infrastructure projects to meet the needs of our growing population, including a mix of funding methods such as bonds, public-private partnerships, local option revenue, and new revenue sources

- Support highway interchange improvements that increase the visibility and vitality of area businesses while meeting all safety and commuter standards
  - Support LOCAL Funding Priorities which include:
    - Widening of Interstate 85
    - Bridge over Catawba River (South Fork Crossing/Catawba Crossing)
    - Highway 321 Interchange
    - Funding to improve highways and intersections determined to be most dangerous intersections
4. Support appointments of Gaston County residents, who are interested, to statewide boards and commissions. Specific commissions of interest include, but are not limited to: Parks and Recreation Trust Fund, Board of Transportation, Property Tax Commission, Partnership for Children, Local Government Retirement System, Local Government Commission and Housing Finance Agency.
  5. Support the reinvestment of lottery ticket sale proceeds for education spending as originally intended and restore the statutory requirement that 40% of net lottery proceeds be allocated to counties for school capital needs.
  6. Support a comprehensive solution to address disparities in education funding between Counties and no unfunded mandates on education, such as class size reduction.
  7. Support local education policy; allowing school leaders and teachers to adapt state policy to local needs. Flexibility and innovation is needed to address local concerns for K-12 education, balancing accountability with empowerment.
  8. Support safe schools by continued assistance to fund and train Safety Resource Officers for K-12. Support flexibility to allow retired officers working as SROs to be compensated without compromise to their retirement.
  9. Support Partners Behavioral Health as the managed care organization for the delivery of whole health services and continued Medicaid Managed Care for the region.
  10. Support the restoration of State Aid funding to the Public Libraries Fund.
  11. Continue support of Gaston County's Court Services Program (Pre-Trial Service).
  12. Oppose any changes, repeal or reduction, in the fire tax for property in land use value. The result of a repeal would be a \$589,000 loss to 36 fire departments in Gaston County. Legislation to study the repeal of the fire tax for properties in land use value, passed in SB 711 in the summer session, 2018. The committee reviewing the repeal is the Agriculture & Forestry Awareness Study Commission.
  13. To Support Legislation to Study Security Features for the Food and Nutrition Services (FNS) Electronic Benefit Transfer (EBT) Card.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Gaston County Legislative Delegation to the NC General Assembly and the North Carolina Association of County Commissioners.



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Police Department

### Board Action

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**File #:** 18-487

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Board of Commissioners - Legislative Request: To Support the Juvenile Crime Prevention Council (JCPC) Allocation Expansion

#### **STAFF CONTACT**

J. D. Ramey - Juvenile Crime Prevention Council - 704-866-3321

#### **BUDGET IMPACT**

N/A

#### **BUDGET ORDINANCE IMPACT**

N/A

#### **BACKGROUND**

The Juvenile Justice Reinvestment Act, passed in 2017, also referenced as North Carolina's ***Raise the Age*** legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019.

***Raise the Age*** legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency and JCPC funding has seen no increase in more than nine years. The Gaston County Board of Commissioners fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the ***Juvenile Justice Reinvestment Act - Raise the Age*** Legislation.

#### **POLICY IMPACT**

N/A

#### **ATTACHMENTS**

Resolution



**RESOLUTION TITLE: GASTON COUNTY BOARD OF COMMISSIONERS  
LEGISLATIVE REQUEST: TO SUPPORT THE JUVENILE CRIME  
PREVENTION COUNCIL ALLOCATION EXPANSION**

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS143B-851, and within the scope of its powers and duties, "Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs;" and,

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and,

WHEREAS, Raise the Age Legislation also encourages the formulation of School Justice Partnerships to address the reduction of school-based juvenile complaints; and,

WHEREAS, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

WHEREAS, JCPC funding has seen no increase in more than nine years; and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the local Legislative Delegation to the North Carolina General Assembly and to the North Carolina Association of County Commissioners.

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**DO NOT TYPE BELOW THIS LINE**

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and accurate copy of action taken by the Board of Commissioners as follows:

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# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Planning Board Action

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**File #: 19-005**

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Commissioner Chad Brown - Planning/Development Services - Zoning Map Change: Conditional District CD18-01, MT Land (Applicant); Property Parcels 222767 (part of), 216850, and 222768, Located at Lake Wylie Rd., Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD)

### **STAFF CONTACT**

David L. Williams - Planning/Development Services Director - 704-866-3473

### **BACKGROUND**

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Planning Board and Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. MT Land (applicant), applied for a zoning map change from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD). Said property consists of approximately 420.06 acres, with 288.5 acres to be rezoned with this request, located at Lake Wylie Rd., Belmont, NC in the South Point Township. A joint public hearing was advertised for and held on January 22, 2019 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on the same date, and the Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information; then (approve), (disapprove) or (modify) the map change.

### **ATTACHMENTS**

Resolution - CD18-01; Maps - CD18-01





**RESOLUTION TITLE: ZONING MAP CHANGE: CONDITIONAL DISTRICT CD18-01, MT LAND (APPLICANT); PROPERTY PARCELS: 222767 (PART OF), 216850, AND 222768, LOCATED AT LAKE WYLIE RD., BELMONT, NC, REZONE FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT WITH (CH) CORRIDOR HIGHWAY, (US) URBAN STANDARDS, AND (SV) SCENIC VIEW OVERLAYS TO THE (CD/C-2) CONDITIONAL DISTRICT / HIGHWAY COMMERCIAL ZONING DISTRICT WITH (CH) CORRIDOR HIGHWAY, (US) URBAN STANDARDS, AND (SV) SCENIC VIEW OVERLAYS, IN ORDER TO ALLOW A PLANNED UNIT DEVELOPMENT (PUD)**

WHEREAS, a County Zoning ordinance was adopted on April 24, 2008 and a joint public hearing held on January 22, 2019 by the County Commission and the Planning Board, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 222767 (part of), 216850, and 222768  
Applicant: MT Land  
Owner(s): Carolina Centers LLC  
Property Location: Lake Wylie Rd.  
Request: Rezone Parcels 222767 (part of), 216850, and 222768, from the (R-1) Single Family Limited with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD)

public hearing comments are on file in the Commission Clerk's Office as part of the minutes of the meeting; and,

WHEREAS, the Planning Board recommended **(approval as conditioned)** or **(not approval)** of the map change for parcels: 222767 (part of), 216850, and 222768, located at Lake Wylie Rd., Belmont, NC, from the (R-1) Single Family Limited with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards,

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DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and accurate copy of action taken by the Board of Commissioners as follows:

---

**Zoning Map Change: Conditional District CD18-01 MT Land (Applicant); Property Parcels: 222767 (part of), 216850, and 222768, Located at Lake Wylie Rd., Belmont, NC, Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in Order to Allow a Planned Unit Development (PUD)**  
**Page 2**

and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD) on January 22, 2019, based on: the public hearing comment, staff recommendation, and the request is in **(accordance with)** or **(not in accordance with)** the County's Comprehensive Plan.

Motion:  
Aye:  
Nay:  
Absent:  
Abstain:

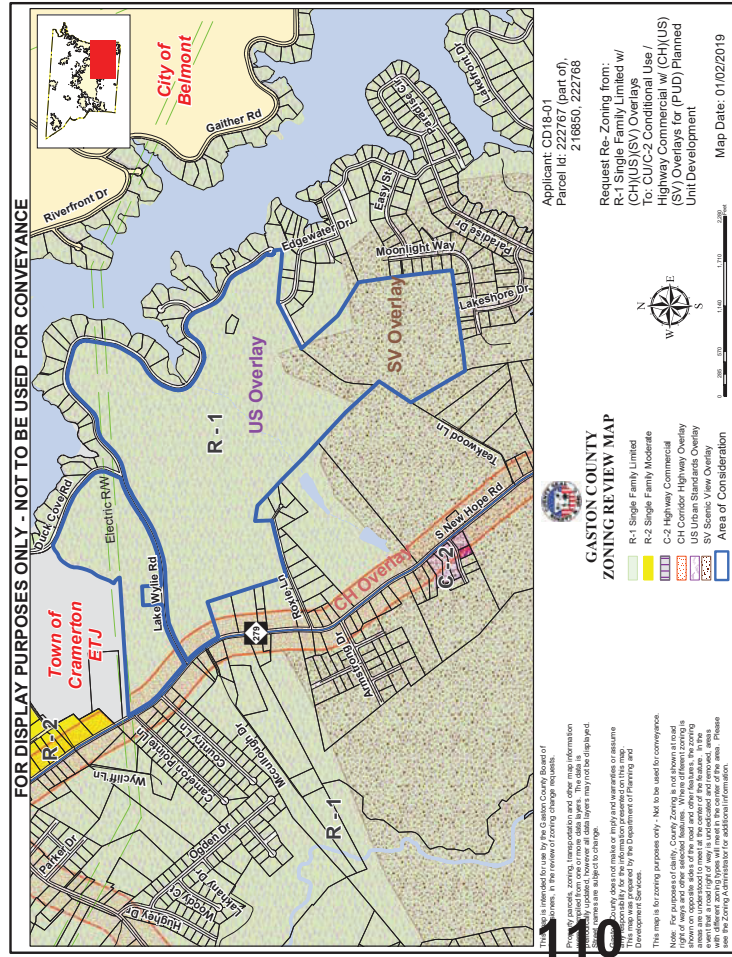
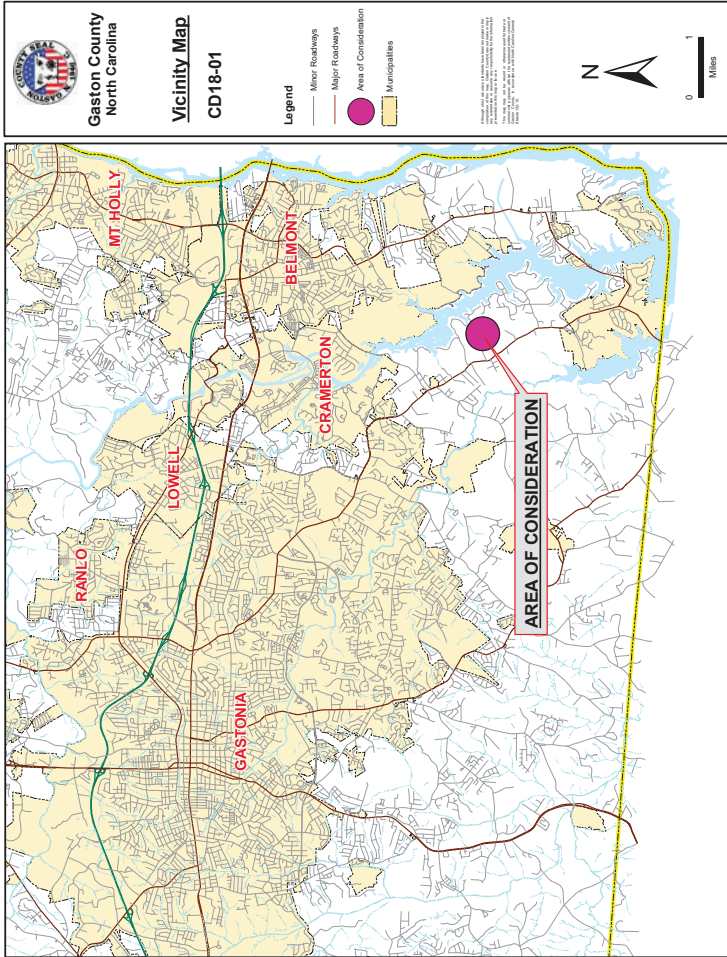
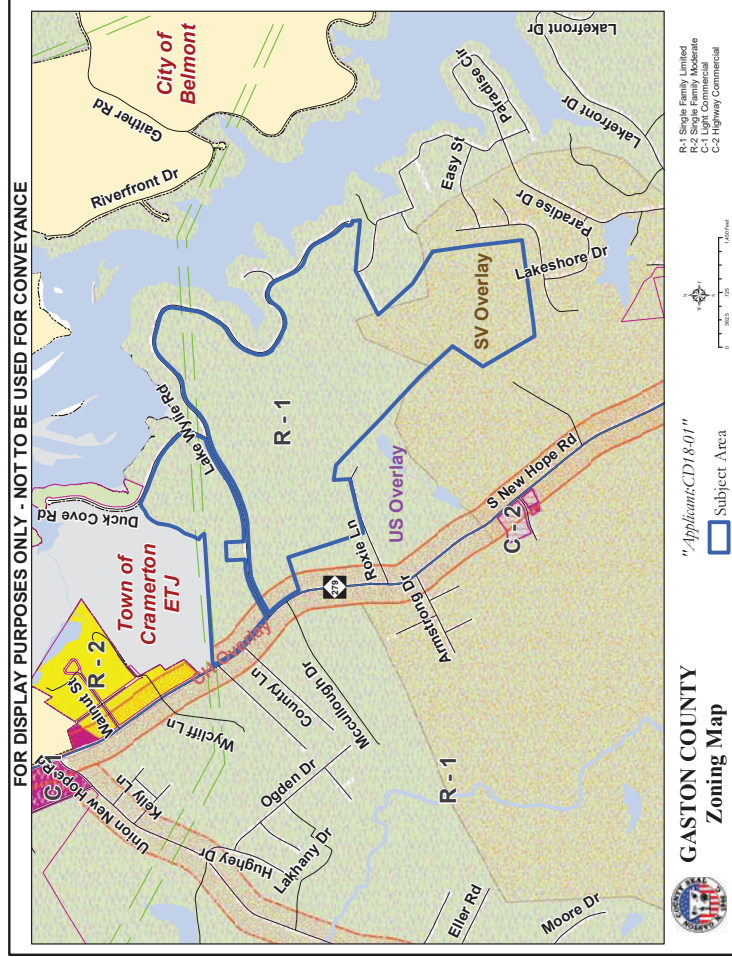
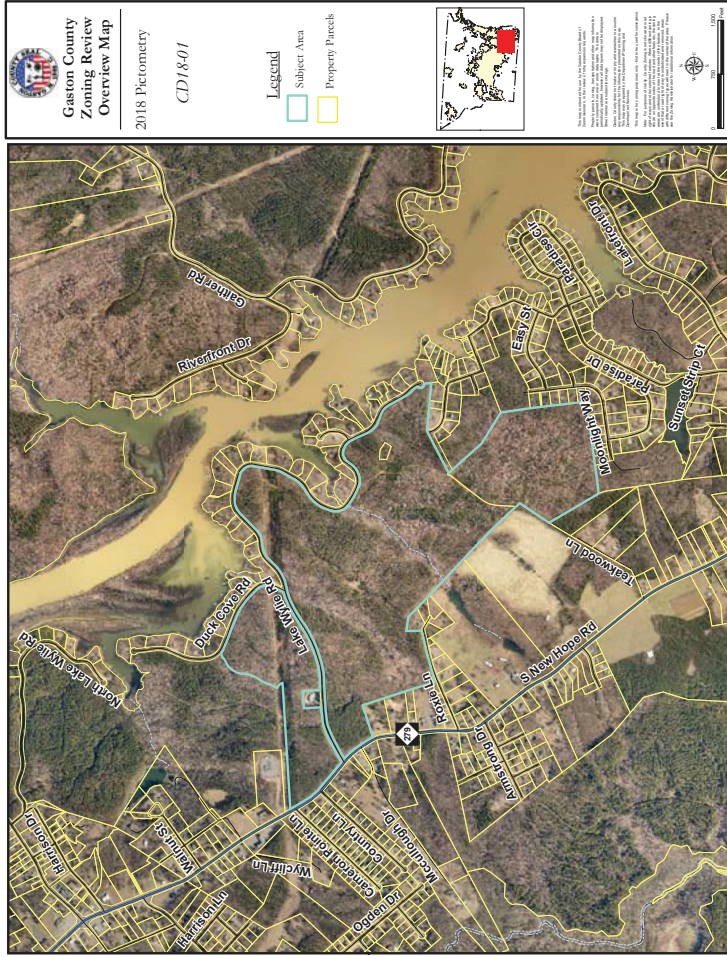
Second:

Vote:

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request **(is consistent)** or **(is not consistent)** with the County's approved Comprehensive Plan and the Commission considers this action to be **(reasonable)** or **(not reasonable)** and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcels: 222767 (part of), 216850, and 222768, be **(approved as conditioned)** or **(disapproved)**, effective with the passage of this Resolution.
- 2) The County Manager is authorized to make necessary notifications in this matter appropriate parties.









# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Finance Board Action

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**File #:** 19-011

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Commissioner Philbeck - Finance - Appropriation of Fund Balance in the Amount of \$106,625 for the Register of Deeds Supplemental Pension Fund

### **STAFF CONTACT**

Linda Grimsley - Interim Finance Director - 704-866-3035 and Susan Lockridge - Register of Deeds - 704-862-7680

### **BUDGET IMPACT**

Appropriate \$106,625 out of fund balance

### **BUDGET ORDINANCE IMPACT**

The appropriation will increase the Register of Deeds retirement expense account by \$106,625.

### **BACKGROUND**

Article 3 of the NC General Statutes Chapter 161 authorized the Register of Deeds Supplemental Pension Fund Act of 1987. The Article provides supplemental pension benefits for all county registers of deeds that are retired from Local Government Employees' Retirement System or an equivalent locally sponsored plan. Beginning October 1, 1987 each county was required to remit monthly to the Department of State Treasurer a percentage of the monthly receipts collected pursuant to Article 1 of Chapter 161 of the General Statutes to be deposited into the Register of Deeds' Supplemental Pension Fund. It has been determined that payments submitted by Gaston County have not been calculated correctly. The Department of State Treasurer is requiring the county to correct all payments from October 1987 to October 2018. No penalties or interest are being assessed due to the error. In addition, the correction also requires an increase in the amount of funds needed for FY 2019 payments. The estimated increase is \$20,000. The total amount of fund balance needed is \$106,625.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4130 Finance

Dept. # Department Name

Linda Grimsley 1/4/19

Department Director's Name Date

### TYPE OF REQUEST:

☐ Line Item Transfer Within Department & Fund

☐ Line Item Transfer Between Funds \*

☐ Project Transfer Within Department & Fund

☒ Additional Appropriation of Funds \*

☐ Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER	AMOUNT
	Fund - Function - Dept - Division - Object - Project	Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	(See Note Below)
Fund Balance Appropriated	010-99-9900-0000-490000	(106,625)
Retirement	010-01-4180-0000-510101	106,625

### JUSTIFICATION FOR REQUEST:

This budget change request appropriates \$106,625 from fund balance for the Register of Deeds' Supplemental Pension Fund. \$86,625 of the appropriation is for the correction of calculation errors made from October 1987 to October 2018 and the remaining \$20,000 will cover the increase in payments needed for FY 2019. Payments for the fund are remitted to the Department of State Treasurer.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



# Gaston County

Gaston County  
Board of Commissioners  
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## Sheriff's Office

## Board Action

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**File #:** 18-493

---

Commissioner Worley - Sheriff's Office - Appropriation of Additional Funds to House Inmates Out of County for November 2018 **(\$19,000)**

### **STAFF CONTACT**

Alan Cloninger - Sheriff - 704-869-6860

### **BUDGET IMPACT**

Appropriate from Fund Balance

### **BUDGET ORDINANCE IMPACT**

Appropriate from Fund Balance \$19,000

### **BACKGROUND**

The jail population for November exceeded operational capacity (526) daily. As a result, inmates were shipped to the following counties: Mecklenburg & Polk. Inmates were housed between 1-28 days. Total cost for November 2018 is \$19,000. The Sheriff's Office does not have funds allocated for this expense. It is our expectation that additional inmates will have to be shipped until the population subsides or the jail expansion is fulfilled.

### **POLICY IMPACT**

N/A

### **ATTACHMENTS**

Budget Change Request and Housing Invoices

## GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM:	4315	SHERIFF'S OFFICE
	Dept. #	Department Name

Department Director's Name	Date
----------------------------	------

## TYPE OF REQUEST:

Line Item Transfer Within Department & Fund

Line Item Transfer Between Funds \*

	Project Transfer Within Department & Fund
--	---

X	Additional Appropriation of Funds *
---	-------------------------------------

### Line Item Transfer Between Departments\*

\* Requires resolution by the Board of Commissioners

ACCOUNT DESCRIPTION  (As it appears in the budget)	ACCOUNT NUMBER  Fund - Function - Dept - Division - Object - Project  xxx - xx - xxxx - xxxx - xxxxx - xxxxxx	AMOUNT  Whole Dollars Only  (See Note Below)
FUND BALANCE APPROPRIATED INMATES HOUSED OUT OF COUNTY	010-99-9900-0000-490000 010-02-4315-4323-530015-18126	{19,000} 19,000

JUSTIFICATION FOR REQUEST:

The jail population for November exceeded operational capacity (526) daily. As a result, inmates were shipped to the following counties: Mecklenburg & Polk. Inmates were housed between 1-28 days. Total cost for November 2018 is \$19,000. The Sheriff's Office does not have funds allocated for this expense. It is our expectation that additional inmates will have to be shipped until the population subsides or the jail expansion is fulfilled.

Note: Decreases in expenditures & increases in revenue accounts require brackets. Increases in expenditures & decreases in revenue do not require brackets. Please note that transfers between funds require interfund transfer accounts.



**MECKLENBURG COUNTY Sheriff's Office**  
*Sheriff Irwin Carmichael*

RECEIVED  
DEC 05 2018  
Initial: \_\_\_\_\_

Bill To Gaston County Sheriff's Office  
ATTN: Accounts Payable  
425 Dr. Martin Luther King Jr.  
Gastonia, NC 28052

Invoice Date: 12/4/2018  
Invoice Number: SHF5568  
Agreement Number:  
Tax Identification #:  
Payment Terms: Due Upon Receipt

Remit To Mecklenburg County Jail - North  
5235 Spector Drive  
Charlotte, NC 28269  
704-336-8100

AMOUNT DUE: **\$11,880.00**

*Amy Montgomery*  
For Billing Questions, please contact Amy Montgomery at  
Amy.Montgomery@mecklenburgcountync.gov or 980-314-5505

Services	Quantity	UOM	Unit Amount	Net Amount
Gaston County Billing	297.00	Days	\$40.00	\$11,880.00
November 2018				
TOTAL AMOUNT DUE:				\$11,880.00



**Polk County Sheriff's Office**880 Hwy 108 East  
Columbus, NC 28722**Agency Billing Report**

From: 11/01/2018 to 11/30/2018

**RECEIVED**

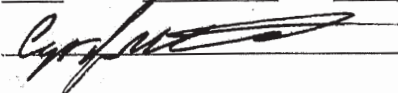
DEC 07 2018

Initial: \_\_\_\_\_

**Bill To:** Gaston**Daily Rate:** \$40.00

Name	Booking ID	Admitted	Released	Billed Days	Amount
		10/31/2018	11/17/2018	17	\$680.00
		10/31/2018	11/16/2018	16	\$640.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		10/31/2018	11/16/2018	16	\$640.00
		11/30/2018		1	\$40.00
		10/31/2018	11/17/2018	17	\$680.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		11/11/2018	11/17/2018	7	\$280.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		10/31/2018	11/17/2018	17	\$680.00
		11/02/2018	11/17/2018	16	\$640.00
		11/16/2018	11/17/2018	2	\$80.00
		11/30/2018		1	\$40.00
		11/15/2018	11/17/2018	3	\$120.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		10/31/2018	11/17/2018	17	\$680.00
		11/30/2018		1	\$40.00
		11/16/2018	11/17/2018	2	\$80.00
		11/30/2018		1	\$40.00
		11/30/2018		1	\$40.00
		10/31/2018	11/17/2018	17	\$680.00
		10/31/2018	11/16/2018	16	\$640.00
		<b>Totals:</b>		178	\$7,120.00

Examined and certified correct this the

3<sup>rd</sup> Day of December, 20 18



# Gaston County

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)

## Board of Commissioners

### Board Action

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**File #:** 18-283

---

Appointment List - Current Expiring Terms/Vacant Positions

#### **STAFF CONTACT**

Donna S. Buff, Clerk to the Board (704) 866-3196

# Appointment List

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<b><u>Full Board</u></b>					
Full Board	Family Advisory Board	Commissioner/Ex-Officio (Voting)	Vacant	Vacancy/Don Grant	04/30/2021
Full Board	Quality of Natural Resources Committee (QNRC)	Land Conservation	Vacant	Vacancy/Robert Cloninger, III	10/31/2019
Full Board	Quality of Natural Resources Committee (QNRC)	Health	Vacant	Vacancy/Steve Tracy	10/31/2019
Full Board	Quality of Natural Resources Committee (QNRC)	Agriculture	Term Expiring	Mr. Richard "Rick" Rhyme	10/31/2018
Full Board	Quality of Natural Resources Committee (QNRC)	Education	Vacant	Vacancy	10/31/2017
<b><u>Chad Brown</u></b>					
#7-CB	Child Fatality Prevention Team (CFPT)	At Large or County Agency Rep.	Term Expiring	Ms. Belinda Bogle	01/31/2019
#7-CB	Community Child Protection Team (CCPT)	At Large or County Agency Rep.	Term Expiring	Ms. Belinda Bogle	01/31/2019
RB Twp.	Industrial Facilities and Pollution Control Financing Authority	RB Twp.	Vacant	Vacancy/James Bailey	10/31/2018
#7-CB	Nursing Home Community Advisory Committee	NHA Appt.	Vacant	Vacancy/Shirley Ferguson	11/30/2011
#7-CB	Transportation Advisory Board (TAB)	Civic Organization	Vacant	Vacancy/Mr. Randy Watson	10/31/2016

**Legend:** Vacant = Person does not wish to be reappointed or has resigned; Term Expiring = Commissioner may reappoint if appointee desires to continue serving; Appointment or Reappoint Recommended = Agency has requested action, if Commissioner desires to do so.  
Full Board = Appointment is made with motion/second/vote from the Board.

# Appointment List

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<b><u>Jack Brown</u></b>					
#1-JB	Adult Care Home Community Advisory Committee	Commission	Vacant	Vacancy/Carl Baber	08/31/2018
#1-JB	Animal Care and Enforcement Advisory Board	Citizen At Large	Vacant	Vacancy/James Bailey	02/28/2021
#1-JB	Environmental Review Advisory Board	Chamber of Commerce Member	Vacant	Vacancy/Steve Rutledge	05/31/2018
#1-JB	Gaston County Board of Adjustments	At Large/ALT	Term Expiring	Mr. George M. Mason	01/31/2019
#1-JB	Nursing Home Community Advisory Committee	NHA Appt.	Vacant	Vacancy/Mr. Jonathan Fletcher	06/30/2018
G Twp./JB	Planning Board	G Twp./JB	Term Expiring	Mr. Scott Attaway	01/31/2019
#1-JB	SARA Local Planning Committee (LEPC)	Media	Vacant	Vacancy/Megan Ward	12/31/2010
#1-JB	Travel & Tourism Advisory Board	Non-Profit Attraction	Term Expiring	Ms. Elysabeth Utick	01/31/2019
<b><u>Allen Fraley</u></b>					
#4-AF	Adult Care Home Community Advisory Committee	Domiciliary Home Appt.	Vacant	Vacancy/Ms. Jane Patrick	01/31/2018
#4-AF	Child Fatality Prevention Team (CFPT)	EMS or Firefighter	Term Expiring	Mr. Jamie McConnell	01/31/2019
#4-AF	Gaston Community Action Board of Trustees (GCA)	Gaston County Public Sector	Vacant	Vacancy/Rev. Tereitha Moore Young	10/31/2018
CH Twp.	Parks and Recreation Advisory Board	CH Twp.	Vacant	Vacancy/Mr. Jim Ware	05/31/2019
#4-AF	SARA Local Planning Committee (LEPC)	Emergency Mgt/Ex- Officio (Non-Voting)	Vacant	Vacancy/Tommy Almond	
#4-AF	SARA Local Planning Committee (LEPC)	American Red Cross	Vacant	Vacancy/Margaret Royster	12/31/2018

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Full Board = Appointment is made with motion/second/vote from the Board.

# Appointment List

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<b><u>Bob Hovis</u></b>					
#5-BH	Adult Care Home Community Advisory Committee	NHA Appt	Vacant	Vacancy/Mary Alice Brown	04/30/2019
#5-BH	Family Advisory Board	Citizen At Large	Vacant	Vacancy/Ms. Lee Ann MacMillan	04/30/2018
#5-BH	Family Advisory Board	Ministerial	Vacant	Vacancy/Pastor Rick Ivey	04/30/2018
CM Twp.	Industrial Facilities and Pollution Control Financing Authority	CM Twp.	Vacant	Vacancy/Neil Styers	10/31/2018
#5-BH	Nursing Home Community Advisory Committee	At Large	Vacant	Vacancy/Mary Alice Brown	01/31/2015
#5-BH	Personnel Advisory Board	At Large (Personnel Field)	Vacant	Vacancy/Rachel Whitaker	03/31/2019
#5-BH	Transportation Advisory Board (TAB)	United Way of Gastonia	Vacant	Vacancy/Ms. Deborah Ally	10/31/2019
#5-BH	Transportation Advisory Board (TAB)	Local Elected Officials/Staff	Vacant	Vacancy/Commissioner Donnie Loftis	10/31/2012
<b><u>Tom Keigher</u></b>					
#6-TK	Adult Care Home Community Advisory Committee	NHA Appt	Vacant	Vacancy/Patricia (Patti) Lineberger	02/01/2017
G Twp./TK	Economic Development Commission	G Twp./TK	Term Expiring	Mr. John S. Lowery	12/31/2018
#6-TK	Family Advisory Board	School System	Vacant	Vacancy/Ms. Linda McConnell	04/30/2021
#6-TK	Nursing Home Community Advisory Committee	NHA Appt.	Vacant	Vacancy/Ms. Velda Robinson	06/30/2018
#6-TK	Nursing Home Community Advisory Committee	At Large	Vacant	Vacancy/Thomas Gillespie	03/31/2016
#6-TK	Transportation Advisory Board (TAB)	Local Elected Officials/Staff	Vacant	Vacancy/Don Grant	10/31/2020
#6-TK	Transportation Advisory Board (TAB)	Vocational Rehabilitation	Vacant	Vacancy/Mr. Eric F. Davis	10/31/2020
#6-TK	Transportation Advisory Board (TAB)	Chamber of Commerce/Economic Development	Vacant	Vacancy/Commissioner Tom Keigher	05/31/2021

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# Appointment List

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<a href="#">Tracy Philbeck</a>					
#2-TP	Council on Aging	Region F AAC Delegate	Vacant	Vacancy/Ms. Eleanor Beasley	05/31/2019
#2-TP	Family Advisory Board	Citizen At Large	Vacant	Vacancy/Mr. Michael Macon	12/31/2019
D Twp.	Gaston County Board of Adjustments	At Large/Unincorporated Area Resident	Vacant	Vacancy/Lyman Summerlin	01/31/2019
#2-TP	Gaston County Board of Adjustments	At Large/ALT	Term Expiring	Mr. Monte Monteleone	01/31/2019
#2-TP	Juvenile Crime Prevention Council (JCPC)	United Way Rep./ Nonprofit Agency	Vacant	Vacancy/Cody Carpenter	06/30/2019
D Twp.	Parks and Recreation Advisory Board	D Twp.	Vacant	Vacancy/ Adam Wilson	05/31/2019
D Twp.	Planning Board	D Twp.	Term Expiring	Mr. William H Sain	01/31/2019
#2-TP	Region F Aging Advisory Committee	At Large	Vacant	Vacancy/Ms. Eleanor C Beasley	05/31/2019
#2-TP	Transportation Advisory Board (TAB)	Private Citizen (Handicapped)	Vacant	Vacancy/Mr. Bill Dellinger, Jr.	10/31/2020

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 Full Board = Appointment is made with motion/second/vote from the Board.

# Appointment List

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<b><u>Ronnie Worley</u></b>					
#3-RW	Adult Care Home Community Advisory Committee	Domiciliary Home Appt.	Vacant	Vacancy/Keith Hart	11/01/2016
#3-RW	Family Advisory Board	Dream Center	Vacant	Vacancy	12/31/2019
#3-RW	Family Advisory Board	Citizen At Large	Vacant	Vacancy/Ms. Arin W. Farmer	04/30/2021
SP Twp.	Gaston County Board of Adjustments	At Large/Unincorporated Area Resident	Term Expiring	Mr. Chuck Ballard	01/31/2019
#3-RW	Health and Human Services Board	Psychologist (PhD)	Vacant	Vacancy/Dr. Ann Navarro	06/30/2017
SP Twp.	Industrial Facilities and Pollution Control Financing Authority	SP Twp.	Term Expiring	Mr. Robert L. Pope	10/31/2018
#3-RW	Juvenile Crime Prevention Council (JCPC)	Youth Rep.	Vacant	Vacancy/Mr. Dickson Reid Jentsch	06/30/2019
#3-RW	Nursing Home Community Advisory Committee	NHA Appt.	Vacant	Vacancy/Effie Locklear	06/30/2019
#3-RW	SARA Local Planning Committee (LEPC)	Law Enforcement	Vacant	Vacancy/Mr. Randy Graham	12/31/2018

**\*NOTE:** Quality Natural Resources Committee- Positions Assigned to Full Board.  
 Council on Aging - Appointee will automatically serve on the Home & Community Block Grant Advisory Committee  
 Nursing Home Community Advisory Committee - Membership Prerequisites for new appointees should be cleared through  
 Ruth Murphy (704) 862-7667

**Legend:** Vacant = Person does not wish to be reappointed or has resigned; Term Expiring = Commissioner may reappoint if appointee desires to continue serving;  
 Appointment or Reappoint Recommended = Agency has requested action, if Commissioner desires to do so.  
 Full Board = Appointment is made with motion/second/vote from the Board.