



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, April 23, 2019

Meeting Agenda

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 - Parallel Conditional Use Permit (PCUP): (PCUP19-03) John & Jennifer Ratchford (Applicants); Property Parcel: 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in Order to Allow Animal Grooming Service/Animal Kennel
 - 1. Receive Citizen Comment
 - 2. Resolution to be addressed under Non-Consent (Zoning Matters)
- B.** Public Hearing - Parallel Conditional Use Permit (PCUP): (PCUP19-04) Ecoplexus Inc. (Applicant); Property Parcel: 164778, Located at 601 High Shoals Rd., Lincolnton, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in Order to Allow Essential Services Class 3 (Solar Generation Facility/Solar Farm)
 - 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)

MOTION TO CLOSE PUBLIC HEARINGS

II. BUSINESS AGENDA

A. AGENDA REVISION/APPROVAL

B. APPROVAL OF MINUTES

- 1. To Approve the Minutes of:
 - Regular Meeting of February 26, 2019

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

IV. CONSENT AGENDA

- A.** Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds to Assist in the Medical Care of Shelter Pets (100% Donation Funds - \$2,576).....6-7
- B.** Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds to Assist in the Medical Care of Shelter Pets (100% Donation Funds - \$4,467).....8-9
- C.** Commissioner Keigher - BOC - Commendation - To Recognize Mr. Thomas P. Hauer for His Thirty Years of Dedicated Service to the Citizens of Gaston County.....10-11
- D.** Commissioner Philbeck - BOC - Proclamation - To Proclaim the Week of April 7-13, 2019 as Volunteer Week in Gaston County.....12-14
- E.** Commissioner Chad Brown - BOC - Proclamation - To Proclaim Thursday, May 2, 2019 as A Day of Prayer in Gaston County.....15-16
- F.** Commissioner Worley - BOC - To Approve the Requested Change of Scope for the Cramerton Township Grant Funding.....17-19
- G.** Commissioner Philbeck - Budget/Purchasing - To Approve the Carry Forward of \$5,929,080 (\$5,232,063 in Outside Funding and \$697,017 in County Funds) from FY2018-19 Funds into FY2019-20.....20-25
- H.** Commissioner Philbeck - Budget/Purchasing - To Adopt a Fee Schedule Effective July 1, 2019 through June 30, 2020.....26-43
- I.** Commissioner Chad Brown - Building Inspections - To Approve Plat Review Officer Changes.....44-45
- J.** Commissioner Fraley - County Attorney - Approve Option to Purchase Property from Beam Trust and M'Shel Bowen.....46-59
- K.** Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information.....60-62
- L.** Commissioner Philbeck - County Manager - Commendation - To Commend the 2018 Gaston County Employees of the Year.....63-64
- M.** Commissioner Fraley - County Manager - Commendation - To Commend Outstanding Departments and Recognize Their Coordinators and Advocates from the 2018 United Way Campaign to Support the United Way of Gaston County.....65-66
- N.** Commissioner Chad Brown - DHHS (Health Division) - To Approve the Gaston County Public Health Department Patient Fee Schedule.....67

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- O.** Commissioner Chad Brown - DHHS (Health Division) - To Appropriate Excess Fee Revenue Earned During Fiscal Year 2018 from Health Fund Balance for the Public Health Clinics and Environmental Health Program (100% Fee Revenue - \$49,233).....68-69
- P.** Commissioner Chad Brown - DHHS (Health Division) - To Adopt an Ordinance Approving a Gaston County Health and Human Services Board of Health Rule Prohibiting the Use of Tobacco Products in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places.....70-77
- Q.** Commissioner Chad Brown - DHHS (Health Division) - Proclamation - To Proclaim April 2019 as Public Health Month in Gaston County.....78-79
- R.** Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Second Quarter Donations for Various Programs within Social Services in the Amount of \$29,874 (100% Donations).....80-82
- S.** Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate the Human Trafficking Grant in the Amount of \$103,552 to Enhance the Awareness and Services for Child At-Risk of Human Trafficking (100% State Grant Funds).....83-84
- T.** Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of April 2019 as Child Abuse Prevention Month in Gaston County.....85-86
- U.** Commissioner Chad Brown - Emergency Management - To Accept and Appropriate Emergency Management Performance Grant and Approve Carry Forward of Remaining Funds to FY20 (Grant Funds - \$62,500).....87-88
- V.** Commissioner Philbeck - Finance - To Appropriate Proceeds from Sale of \$30,168,328 Limited Obligation Bonds.....89-91
- W.** Commissioner Keigher - Finance - To Accept as Information the Attached Property Tax Refunds Less Than \$100. These Tax Refunds Should Be Recorded in the Board's Minutes. (Total Real Property Tax Refunds - \$2,043.46; Total HB20 Refunds - \$1,260.66; Total NCVTS Refunds - \$3,068.17; Total Vehicle Tax Refunds - \$4,328.83).....92-94
- X.** Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Community Volunteer Fire Department (\$46,000).....95-98
- Y.** Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to New Hope Fire Department (\$14,035).....99-105
- Z.** Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to North Gaston Volunteer Fire and Rescue (\$15,000).....106-108
- AA.** Commissioner Chad Brown - Fire Marshal - To Approve an Interlocal Agreement to Provide Fire Inspection/Enforcement Services for City of Bessemer City, Town of Cramerton, Town of Dallas, City of High Shoals, City of Lowell, Town of McAdenville, Town of Ranlo and Town of Stanley.....109-112
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- AB.** Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate \$9,784 in Sponsorships and Event Fees for the 2019 Senior Games.....113-114
- AC.** Commissioner Worley - Planning & Development Services - To Adopt an Interlocal Agreement with the City of Belmont for County Administration of Belmont Flood Damage Prevention Ordinance of 2015.....115-149
- AD.** Commissioner Philbeck - Planning & Development Services - To Approve the 2020 Census Proclamation and Establishment of 2020 Census Complete Count Committee....150-152
- AE.** Commissioner Chad Brown - Police Department - Interlocal Agreement Providing for Communications Shared Facilities.....153-157
- AF.** Commissioner Worley - Police Department - Proclamation - To Proclaim April 14-20, 2019 as Public Safety Telecommunicators Week in Gaston County.....158-159
- AG.** Commissioner Chad Brown - Public Works - To Award a Construction Contract and Authorize the County Manager to Execute Said Contract with Patterson Electric, Inc. of Blacksburg, South Carolina for the Replacement of the Emergency Backup Generator at the Gaston County Public Health Building (Hudson Boulevard), and Approve Funding at a Cost Not to Exceed \$402,583.00.....160-161
- AH.** Commissioner Chad Brown - Public Works - To Award a Construction Contract for Pavement Repairs at the Courthouse/Jail, Social Services, GEMS and ACCESS Facilities to Blythe Brothers Asphalt Company, LLC at a Cost Not to Exceed \$1,937,095.60, and Authorize the County Manager to Execute Any Necessary Contract Documents (FY19 Budgeted Funds).....162-164
- AI.** Commissioner Worley - Sheriff's Office - To Appropriate \$23,455 for the Gaston County Sheriff's Office from the State Criminal Alien Assistance Program (SCAAP) Funds for FY 2018-2019 (100% Federal Funds).....165-166
- AJ.** Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the March Tax Refunds be Made. (Real Estate - \$16,778.75; Vehicles and ETC - \$2,396.35; VTS Refunds - \$7,907.91; Grand Total - \$27,083.01).....167-170
- AK.** Commissioner Jack Brown - Travel & Tourism - To Amend the By-Laws of the Gaston County Travel & Tourism Advisory Board.....171-175

V. ZONING MATTERS FROM PUBLIC HEARINGS (NON-CONSENT)

- A.** Commissioner Worley - Planning & Development Services - Parallel Conditional Use Permit (PCUP): PCUP19-03, John & Jennifer Ratchford (Applicants); Property Parcel: 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in Order to Allow Animal Grooming Service/ Animal Kennel.....176-182

- B.** Commissioner Chad Brown - Planning & Development Services - Parallel Conditional Use Permit (PCUP): PCUP19-04, Ecoplexus Inc. (Applicant); Property Parcel: 164778, Located at 601 High Shoals Rd., Lincolnton, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in Order to Allow Essential Services Class 3 (Solar Generation Facility/Solar Farm).....183-189

VI. NON-CONSENT AGENDA ITEMS

- A.** Commissioner Philbeck - Parks and Recreation - To Amend Chapter 12 - Parks and Recreation, Article I., Subsection 12-4(2) of the Gaston County Code of Ordinances to Allow Alcoholic Beverages by Permit in Gaston County Parks (Second Reading).....190-192
- B.** Commissioner Keigher - Public Works - To Accept a Federal Congestion Mitigation and Air Quality (CMAQ) Grant for Sidewalk Infrastructure along Neal Hawkins Road and Appropriate the Required Local Match Necessary to Complete the Project (Federal - \$1,488,462; Local - \$372,116).....193-195

VII. ITEMS PULLED FROM CONSENT AGENDA

VIII. ITEMS ADDED BY MAJORITY VOTE FOR DISCUSSION ONLY

IX. APPOINTMENTS

- A.** Appointment List - Current Expiring Terms/Vacant Positions.....196-199

X. REPORTS

- A.** Commissioners Committee Reports
- B.** County Manager's Report
- C.** County Attorney's Report

XI. OTHER MATTERS

XII. ADJOURNMENT



Animal Care and Enforcement Board Action

File #: 19-126

Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds to Assist in the Medical Care of Shelter Pets **(100% Donation Funds - \$2,576)**

STAFF CONTACT

Kristine Blankenship, DVM - Animal Care Administrator

BUDGET IMPACT

Appropriate \$2,576 in donations for Medical Care of Shelter Pets.

BUDGET ORDINANCE IMPACT

NA

BACKGROUND

Money received in donations earmarked by donor for the shelter animals are required to be accepted and transferred from the revenue fund to the expenditure fund. GCACE would like the donations, a total of \$2,576 (100%) from the Donations account, to be appropriated to the current fiscal year 18-19 into the Medical Care expenditure account to provide medical care for the animals in the care of Gaston County Animal Care and Enforcement-Animal Shelter.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4380 GC Animal Care and Enforcement
Dept. # Department Name

Chief Joe Ramey 3/12/2019
Department Director's Signature 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

Resolution #

Date

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER Fund - Dept - Subdept - Div - Acct - Subacct xx - xxxx - xxxx - xxxx - xxx - xxx	PROJECT SUBPROJECT xxxxx - xxxx	AMOUNT Whole Dollars Only (See Note Below)
Donations (revenue)	010-02-4380-0000-415001		[2,576.00]
Medical Care (expenditure)	010-02-4380-0000-530015-Medcl		2,576.00

JUSTIFICATION FOR REQUEST:

Money received in donations earmarked by donor for the medical care of shelter animals are required to be transferred from the revenue fund to the expenditure fund. GCACE would like the donations a total of \$2,576.00 (100%) to be appropriated to the current fiscal year 18-19 into the Medical Care account to provide medical care for the animals in the care of Gaston County Animal Care and Enforcement-Animal Shelter.

APPROVAL SIGNATURES:

County Manager/Assistant County Manager Date

Interim Financial Services Director Date

Assistant Finance Director Date

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.



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Animal Care and Enforcement Board Action

File #: 19-127

Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds to Assist in the Medical Care of Shelter Pets **(100% Donation Funds - \$4,467)**

STAFF CONTACT

Kristine Blankenship, DVM - Animal Care Administrator

BUDGET IMPACT

Appropriate \$4,467 in donations for Medical Care of Shelter Pets.

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Money received in donations earmarked by donor for the medical care of shelter animals are required to be accepted and transferred from the revenue fund to the expenditure fund. GCACE would like the donations, a total of \$4,467 (100%) in the Donations-medical care expenditure account, to be appropriated to the current fiscal year 18-19 into the expenditure Medical Care account to provide medical care for the animals in the care of Gaston County Animal Care and Enforcement -Animal Shelter.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4380 GC Animal Care and Enforcement
Dept. # Department Name

Chief Joseph Ramey 3/12/2019
Department Director's Signature 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

Resolution #

Date

ACCOUNT DESCRIPTION (As it appears in the budget)	ACCOUNT NUMBER Fund - Dept - Subdept - Div - Acct - Subacct xx - xxxx - xxxx - xxxx - xxx - xxx	PROJECT SUBPROJECT xxxxx - xxxx	AMOUNT Whole Dollars Only (See Note Below)
Donations-medical care (revenue)	010-02-4380-0000-415001-medcl		[4,467.00]
Medical Care (expenditure)	010-02-4380-0000-530015-Medcl		4,467.00

JUSTIFICATION FOR REQUEST:

Money received in donations earmarked by donor for the medical care of shelter animals are required to be transferred from the revenue fund to the expenditure fund. GCACE would like the donations a total of \$4,467.00 (100%) to be appropriated to the current FY18-19 into the Medical Care account to provide medical care for the animals in the care of Gaston County Animal Care and Enforcement-Animal Shelter.

APPROVAL SIGNATURES:

County Manager/Assistant County Manager Date

Interim Financial Services Director Date

Assistant Finance Director Date

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.



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Board Action

File #: 19-062

Commissioner Keigher - BOC - Commendation - To Recognize Mr. Thomas P. Hauer for His Thirty Years of Dedicated Service to the Citizens of Gaston County

STAFF CONTACT

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

BACKGROUND

ATTACHMENTS

Commendation



WHEREAS, Mr. Thomas P. Hauer (Tom) has worked passionately on behalf of elder citizens in Gaston County for more than thirty years serving as a member, officer and Chairman of the Council on Aging since March 1989. He also served on the Council of Government's Area Agency on Aging Advisory Committee which oversees \$1.2M in funding from the Older Americans Act for Meals on Wheels, Nutrition, In-home Aide Services, Senior Transportation, Information and Referral, Adult Protection, Adult Day Care and other services to 1,100 Gaston County Seniors to help them remain independent in their own homes; and,

WHEREAS, Mr. Hauer served as the Executive Director for Covenant Village for thirty-three years until his recent retirement in 2018. Covenant Village is a charitable and non-profit continuing care retirement community that was started by nine churches in Gaston and Lincoln counties to offer independent living and health care. It is governed by a volunteer Board of Directors; and,

WHEREAS, during his time with Covenant Village, Mr. Hauer was responsible for undertaking a \$21M construction project to improve the quality of independent living and to grow the number of residents and employees. The renovations completed in 1996 received national recognition and their excellence in employee relations and low employee turnover received international recognition in 2009 in London; and,

WHEREAS, Mr. Hauer has served on Leading Age North Carolina as its past president and on its governing body representing nonprofit retirement communities, the National Association of Retirement Communities, the American Institute of Architects Design for Aging Committee and Post Occupancy Evaluation Project and other various committees; and,

WHEREAS, during his volunteerism, Mr. Hauer has also given his time and service to Guardian Ad Litem, Rotary, Boy Scouts, Red Cross, Salvation Army Boys and Girls Club, Historic District Commission, York Chester Neighborhood Association, Ministers of Hope, Gaston College Advisory Committee for the Certified Nursing Assistant Program, Meals on Wheels, Backpack Weekend Food Program, American Canoe Association Certified National Kayak Slalom Judge and State Ambassador for Paddle Florida.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby commends

MR. THOMAS P. HAUER

for his exemplary leadership and genuine compassion and for his many years of service to the elderly of Gaston County.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley



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Board Action

File #: 19-114

Commissioner Philbeck - BOC - Proclamation - To Proclaim the Week of April 7-13, 2019 as **Volunteer Week** in Gaston County

STAFF CONTACT

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

BACKGROUND

ATTACHMENTS

Proclamation



- WHEREAS, the entire community can effect positive change with any volunteer action no matter how big or small; and,
- WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations; and,
- WHEREAS, millions of volunteers working in their communities utilize their time and talent daily to make a real difference in the lives of children, adults and the senior population; and,
- WHEREAS, during this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and,
- WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and,
- WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and,
- WHEREAS, volunteers are vital to our future as a caring and productive county and nation.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby proclaims **April 7 - 13, 2019 as Volunteer Week** and recognizes this year's theme "Celebrate Service" as an opportunity to encourage all citizens to volunteer on appointed boards and in their respective communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

BE IT FURTHER RESOLVED that the Gaston County Board of Commissioners joins the Nation and State of North Carolina in Celebrate Service by recognizing all volunteers in the community and especially the members of the

- Adult Care Home Community Advisory Committee
- Animal Care and Enforcement Advisory Board
- CaroMont Health/Gaston Memorial Hospital Board of Directors
- Child Fatality Prevention Team
- Community Child Protection Team
- Council on Aging
- Economic Development Commission
- Emergency Medical Services Committee
- Environmental Review Advisory Board
- Equalization and Review Board
- Family Advisory Board
- Farmers Market Advisory Board
- Fire Advisory Board
- Fireman's Relief Fund Trustees
- Gaston College Board of Trustees

- Gaston Community Action Board of Trustees
- Gaston County Board of Adjustments
- Gaston Family Health Services
- Health and Human Services Board
- Historic Preservation Commission
- Home and Community Care Block Grant Advisory Committee
- Housing Appeal Advisory Board
- Industrial Facilities & Pollution Control Financing Authority
- Jury Commission
- Juvenile Crime Prevention Council
- Library Board of Trustees
- Museum of Art & History Board
- Nursing Home Community Advisory Committee
- Parks and Recreation Advisory Board
- Partners Behavioral Health Management
- Partnership for Children of Lincoln/Gaston Counties
- Personnel Advisory Board
- Planning Board
- Quality of Natural Resources Committee
- Region F Aging Advisory Committee
- SARA Local Planning Committee
- Transportation Advisory Board
- Travel & Tourism Advisory Board
- Workforce Development Board

for the many services they provide to the County Commission and the citizens of Gaston County.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley

To be Adopted the 23rd Day of April 2019



Gaston County

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Board Action

File #: 19-159

Commissioner Chad Brown - BOC - Proclamation - To Proclaim Thursday, May 2, 2019 as ***A Day of Prayer*** in Gaston County

STAFF CONTACT

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

BACKGROUND

ATTACHMENTS

Proclamation



WHEREAS, the National Day of Prayer dates back to February 19, 1795 when President George Washington issued a Proclamation setting aside a day of public thanksgiving; and an annual day of prayer was established by Congress in 1952 and specifically designated in 1988 as the first Thursday in May; and,

WHEREAS, May 2, 2019 has been officially designated as America's 68th Annual National Day of Prayer, to pray for our nation, its people, and its leaders; and,

WHEREAS, the National Day of Prayer has great significance for us as a nation and enables us to recall the way in which our founding fathers sought the wisdom of God when faced with critical decisions; and,

WHEREAS, the National Day of Prayer has become a national annual observance which belongs to all Americans as a day that transcends different cultures and brings together all citizens from all backgrounds; and,

WHEREAS, the theme for the 2019 National Day of Prayer is **Love One Another**. The theme comes from the words of Jesus in John 13:34, *"Love one another. Just as I have loved you."*

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners does hereby proclaim Thursday, May 2, 2019 as

A Day of Prayer

in Gaston County and urges all citizens to observe this day by joining members of all faiths and creeds all over our community and nation in seeking divine guidance for ourselves, our leaders, and our country.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley

To be Adopted the 23rd Day of April 2019



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County Manager

Board Action

File #: 19-182

Commissioner Worley - BOC - To Approve the Requested Change of Scope for the Cramerton Township Grant Funding

STAFF CONTACT

Earl Mathers - County Manager - 704-866-3101

BUDGET IMPACT

Funds appropriated per Resolution 2015-292. No additional County funds.

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Town of Cramerton is requesting to repurpose Township Grant funding that was awarded on 1/26/2016 for the Cramer Mountain Road Sidewalk project which was originally approved via resolution 2016-037 - Gastonia and Southpoint Township Grants (\$76k/ea) for a total of \$152k. Cramerton has advised that since the time of the original award, the proposed project for a sidewalk has been cancelled due to significant budget increases that were required by NCDOT.

Cramerton is requesting the grant funding be repurposed to the current Goat Island Greenway Extension Project. This project includes many of the same recreation elements including new connectivity between residential areas, Cramerton's Downtown Centennial Center and the Carolina Thread Trail spur to Stuart W. Cramer High School. This mile of new asphalt trail also further accomplishes Cramerton's goal of opening up pristine views the South Fork River to the public.

POLICY IMPACT

N/A

ATTACHMENTS

Letter from Town Manager & Map Displaying Project Location & Trail Route

TOWN OF CRAMERTON

est. 1915

OFFICE OF THE TOWN MANAGER OF CRAMERTON

March 28, 2019

Ronnie Worley
Gaston County Commissioner
128 W Main Avenue
Gastonia, NC 28052

Dear Commissioner Worley,

On behalf of the Cramerton Board of Commissioners, I would like to respectfully request the Gaston County Township Grant that the Town of Cramerton was awarded in the amount of \$87,500 please be re-appropriated from the original Cramer Mountain Road Sidewalk Project to the current Goat Island Greenway Extension Project.

Unfortunately, the Cramer Mountain Road Sidewalk Project has (at this time) been cancelled due to significant budget increases that were required by NCDOT. We believe the Goat Island Greenway Extension Project is an excellent opportunity for the Township Grant Program (and the \$87,500), as it includes many of the same recreation elements including new connectivity between residential areas, Cramerton's Downtown Centennial Center, and even the Carolina Thread Trail spur to Stuart W. Cramer High School. This mile of new asphalt trail also further accomplishes Cramerton's goal of opening up pristine views the South Fork River to the public. I have included a map displaying the project location and trail route.

At the next Gaston County Commissioners meeting that is most convenient, I would ask if you could please add this item to the agenda for the full Board to consider for approval.

Please feel free to contact me if you have any questions or need more information.

Sincerely,



David Pugh, ICMA-CM
Town Manager
Town of Cramerton, NC



Goat Island Greenway Extension

1:4,800





Gaston County

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Budget and Purchasing Board Action

File #: 19-176

Commissioner Philbeck - Budget/Purchasing - To Approve the Carry Forward of \$5,929,080 (\$5,232,063 in Outside Funding and \$697,017 in County Funds) from FY 2018-19 Funds into FY 2019-20

STAFF CONTACT

Matthew Rhoten - Budget Division Director - 704-866-3048

BUDGET IMPACT

No additional County Funds. This will continue to fund programs and/or projects previously approved by the Board of Commissioners

BUDGET ORDINANCE IMPACT

Request \$5,929,080 to be carried forward - \$5,232,063 in outside funds and \$697,017 in County funds.

BACKGROUND

County departments have requested the carry forward of funds necessary for the completion of specific projects and/or grants. Specific funds to be carried forward are projected on the attached document. County dollars being requested for carry forwards are: Vehicle Finance Packages and EDC Funds for Preliminary Diligence - Site Fit Study, Charlotte Business Journal Advertising Contract, Accrisoft Website Contract, and Applecreek Contract.

POLICY IMPACT

This will continue to fund programs/projects previously approved by the Board of Commissioners.

ATTACHMENTS

Carry Forward List

Gaston County

Carry Forward to FY 2020

Department Name	Account	Project	Description/Project Name	County Funds	Outside Funds	Source of Funds
Sheriff's Office	010-02-4315-4315-560000	15088	DV Deputies	\$	368,957	Civil Process Revenues
Sheriff's Office	010-02-4315-4315-560000	15286	Half Court Advocate	\$	21,264	Civil Process Revenues
Sheriff's Office	010-02-4315-4315-560000	15285	Court Advocate	\$	48,191	Civil Process Revenues
Sheriff's Office	010-02-4315-4315-560000	17192	DV Deputies	\$	118,539	Civil Process Revenues
Sheriff's Office	010-02-4315-4315-560000	14229	2013 SCAAP Grant	\$	498	2013 SCAAP Grant
Sheriff's Office	010-02-4315-4315-510001	18599	2017 GCC DV LE Unit Grant: Salaries	\$	14,049	GCC Grant
Sheriff's Office	010-02-4315-4315-510100	18599	2017 GCC DV LE Unit Grant: FICA	\$	1,337	GCC Grant
Sheriff's Office	010-02-4315-4315-510101	18599	2017 GCC DV LE Unit Grant: Retirement	\$	-	GCC Grant
Sheriff's Office	010-02-4315-4315-510102	18599	2017 GCC DV LE Unit Grant: 401-K	\$	954	GCC Grant
Sheriff's Office	010-02-4315-4315-510103	18599	2017 GCC DV LE Unit Grant: Grp Insur	\$	149	GCC Grant
Sheriff's Office	010-02-4315-4315-510001	18606	GCC Safe Exchange Grant: Salaries	\$	17,934	GCC Grant
Sheriff's Office	010-02-4315-4315-510100	18606	GCC Safe Exchange Grant: FICA	\$	2,148	GCC Grant
Sheriff's Office	010-02-4315-4315-520013	18606	GCC Safe Exchange Grant: Printing	\$	2,172	GCC Grant
Sheriff's Office	010-02-4315-4315-520007	18606	GCC Safe Exchange Grant: Misc	\$	500	GCC Grant
Sheriff's Office	010-02-4315-4315-540001	18606	GCC Safe Exchange Grant: Equip \$250-\$4999	\$	3,778	GCC Grant
Sheriff's Office	010-02-4315-4315-540002	18606	GCC Safe Exchange Grant: Equip >\$5,000	\$	3,394	GCC Grant
Sheriff's Office	010-02-4315-4315-560000	19545	2017 JAG Grant	\$	905	2017 JAG Grant
Sheriff's Office	010-02-4315-4315-560000	19550	2018 JAG Grant	\$	5,609	2018 JAG Grant
Sheriff's Office	010-02-4315-4315-560000	19571	FY 2017 SCAAP Grant	\$	23,455	2017 SCAAP Grant
Sheriff's Office	010-02-4315-4315-510001	19556	2018 GCC DV LE Unit Grant: Salaries	\$	90,125	GCC Grant
Sheriff's Office	010-02-4315-4315-510002	19556	2018 GCC DV LE Unit Grant: Overtime	\$	6,400	GCC Grant
Sheriff's Office	010-02-4315-4315-510100	19556	2018 GCC DV LE Unit Grant: FICA	\$	7,363	GCC Grant
Sheriff's Office	010-02-4315-4315-510101	19556	2018 GCC DV LE Unit Grant: Retirement	\$	7,722	GCC Grant
Sheriff's Office	010-02-4315-4315-510102	19556	2018 GCC DV LE Unit Grant: 401-K	\$	4,826	GCC Grant
Sheriff's Office	010-02-4315-4315-510103	19556	2018 GCC DV LE Unit Grant: Grp Insur	\$	20,400	GCC Grant
Sheriff's Office	010-02-4315-4315-510001	19557	2018 GCC Safe Exchange Grant: Salaries	\$	62,244	GCC Grant
Sheriff's Office	010-02-4315-4315-510100	19557	2018 GCC Safe Exchange Grant: FICA	\$	4,764	GCC Grant
Sheriff's Office	010-02-4315-4315-520013	19557	2018 GCC Safe Exchange Grant: Printing	\$	2,400	GCC Grant
Sheriff's Office	010-02-4315-4315-560000	19554	GCC Enhanced ID System	\$	270	GCC Grant
County Police	010-02-4310-4310-560000	13272	Marine Unit	\$	963	Duke Energy
County Police	010-02-4310-4310-560000	14206	Purchase K9	\$	37	Gaston County Humane Society
County Police	010-02-4310-4310-560000	15221	JAG 2014: County Police	\$	6	U.S. Justice Department
County Police	010-02-4310-4310-560000	17225	JAG 2016: County Police	\$	97	U.S. Justice Department
County Police	010-02-4310-4310-560000	19548	JAG 2018: County Police	\$	491	U.S. Justice Department
County Police	010-02-4310-4310-560000	17214	Body Armor Systems-Vests	\$	5,150	A.D. Warlick/Parkdale Mills Family
County Police	010-02-4310-4310-560000	18597	DDATT Program	\$	672,800	Grant/Local Funds
County Police	025-02-4310-4310-530044	50113	Drug Forfeiture-Justice	\$	4,091	Federal Drug Forfeitures
County Police	025-02-4310-4310-530043	10002	Drug Forfeiture-Treasury	\$	65,350	Federal Drug Forfeitures
County Police	026-02-4310-4310-530045	50112	Control Substance Abuse Tax	\$	3,020	State of North Carolina
County Police	010-02-4310-4310-560000	12282	OB/Smart Talk	\$	2,500	State of North Carolina

Gaston County

Carry Forward to FY 2020

Department Name	Account	Project	Description/Project Name	County Funds	Outside Funds	Source of Funds
County Police	010-02-4310-4310-560000	13253	Prescription Drug Abuse Enf.	\$	908	Grant/National Assoc. of Drug Diversion
Animal Care & Enforcement	010-02-4380-0000-410098-		Microchipping Fees	\$	1,340	payment from rescue groups
Animal Care & Enforcement	010-02-4380-0000-415001-		Donations	\$	3,000	donations to shelter
Animal Care & Enforcement	010-02-4380-0000-415001-	Medcl	Donations: Medical Care	\$	5,000	donations to shelter animals
Animal Care & Enforcement	010-02-4380-0000-415001-	SpyNu	Donations: spay/neuter voucher	\$	100	donations for s/n
Animal Care & Enforcement	010-02-4380-0000-530015-	Medcl	Medical Care	\$	5,000	donated medical care funds expense
Animal Care & Enforcement	010-02-4380-0000-560000-	19569	Petco Grant: full Hearts Prog	\$	10,000	petco grant 2019 cycle
Animal Care & Enforcement	010-02-4380-0000-560000-	SpyNu	Spay/Neuter Voucher	\$	9,400	Spay/neuter voucher expense
Emergency Management	010-02-4330-0000-560000	17217	FY17 Duke Power Funds	\$	408	Duke Energy
Emergency Management	010-02-4330-0000-560000	18124	FY18 Duke Energy Funds	\$	24,361	Duke Energy
Emergency Management	010-02-4330-0000-560000	19059	FY19 Duke Energy Funds	\$	60,000	Duke Energy
Emergency Management	010-02-4330-0000-560000	18EMP	Emerg. Mgmt Performance Grant	\$	59,637	State of NC
Social Services	020-05-4790-0000-520011-	19562	Emp Training:GCC Translation Grant	\$	5,000	GCC Grant
Social Services	020-05-4790-0000-530010-	19562	Professional Services:GCC Translation Grant	\$	22,500	GCC Grant
Social Services	020-05-4790-0000-560000-	18142	Employee Activity Donations	\$	2,500	Donations
Social Services	020-05-5582-0000-560000-	08162	Shelter Donations	\$	220,000	Donations
Social Services	020-05-5582-0000-540005-	08321	Shelter Building Fund	\$	517	Donations
Social Services	020-05-5582-0000-560000-	09253	Child Care Program	\$	25,000	Donations
Social Services	020-05-5582-0000-560000-	10321	Unmet Client Needs/Community Foundation	\$	200	Donations
Social Services	020-05-5582-0000-530013-		Shelter Temporary Services	\$	2,718	Donations
Social Services	020-05-5585-0000-560000-	16282	CAC Donations	\$	5,000	Donations
Social Services	020-05-5600-0000-560000-	08159	Adult and Aging Donations	\$	95,000	Donations
Social Services	020-05-5600-0000-560000-	14234	Home Community Care Block Grant Funds	\$	82,375	Donations
Social Services	020-05-5600-0000-560000-	15259	Adult Nutrition Donations	\$	20,000	Donations
Social Services	020-05-5600-0000-560000-	15260	EGADC Donations	\$	1,550	Donations
Social Services	020-05-5600-0000-560000-	15261	GADC Donations	\$	172	Donations
Social Services	020-05-5471-0000-560000-	19072	Adoption Donations	\$	200	Donations
Social Services	020-05-5867-0000-560000-	16194	Foster Care Donations	\$	5,725	Donations
Social Services	020-05-5867-0000-560000-	16210	General Purpose Fund	\$	271	Donations
Social Services	020-05-5867-0000-560000-	16211	Emergency Asst Fund	\$	600	Donations
Social Services	020-05-5867-0000-560000-	16212	Resource Closet	\$	50	Donations
Social Services	020-05-5867-0000-560000-	16213	Education	\$	1,200	Donations
Social Services	020-05-5867-0000-560000-	17228	Glenn Foundation	\$	4,640	Foundation Grant
Social Services	020-05-5868-0000-560000-	13263	LINKS Program Donations	\$	4,915	Donations
Social Services	020-05-5471-0000-560000-	00324	Special Adoption Program	\$	57,136	Federal/State
Social Services	020-05-5491-0000-540001-		Visitation Center Furniture/Equipment	\$	32,410	OJP Grant
Social Services	020-05-5867-0000-510001-	19572	Salaries: Human Trafficking Grant	\$	55,783	State HT Grant
Social Services	020-05-5867-0000-510100-	19572	FICA: Human Trafficking Grant	\$	4,267	State HT Grant

Gaston County

Carry Forward to FY 2020

Department Name	Account	Project	Description/Project Name	County Funds	Outside Funds	Source of Funds
Social Services	020-05-5867-0000-510101-	19572	Retire: Human Trafficking Grant	\$	4,712	State HT Grant
Social Services	020-05-5867-0000-510103-	19572	Grp Ins: Human Trafficking Grant	\$	11,500	State HT Grant
Social Services	020-05-5867-0000-560000-	19572	Human Trafficking Grant	\$	27,290	State HT Grant
Health - Administration	011-05-5110-0000-560000-	12293	EMR Incentives - Year 1	\$	2,987	Medicaid
Health - Administration	011-05-5110-0000-560000-	14221	Medicaid Incentives	\$	4,164	Medicaid
Health - Administration	011-05-5110-0000-560000-	14247	SPP - Incubator Project	\$	22,941	Cabarrus Health Alliance
Health - Administration	011-05-5110-0000-560000-	15202	EHR Incentives - #3	\$	63,856	Medicaid
Health - Administration	011-05-5110-0000-560000-	15228	CHA - United Way	\$	352	United Way
Health - Administration	011-05-5110-0000-560000-	15229	CHA - CaroMont	\$	589	CaroMont
Health - Administration	011-05-5110-0000-560000-	15252	FY14 Excess Fee-CA Fee Rev.	\$	2,593	Fees
Health - Administration	011-05-5110-0000-560000-	15277	EHR Incentives - #4	\$	136,000	Medicaid
Health - Administration	011-05-5110-0000-560000-	16216	EHR Incentives - #5	\$	63,750	Medicaid
Health - Administration	011-05-5110-0000-560000-	18130	FY18 CaroMont CHA	\$	7,928	CaroMont
Health - Administration	011-05-5110-0000-560000-	19565	NCPHA Health Dept. Award	\$	1,000	Grant
Health - MCS	011-05-5111-0000-560000-	08320	HHC Contingency Fund	\$	71,125	Medicaid Cost Settlement
Health - MCS	011-05-5111-0000-560000-	17269	MCS - #3 Appropriated	\$	64,526	Medicaid Cost Settlement
Health - MCS	011-05-5111-0000-560000-	18034	MCS # 4 Appropriated	\$	31,458	Medicaid Cost Settlement
Health - MCS	011-05-5111-0000-560000-	19008	MCS # 5 Appropriated	\$	1,303,686	Medicaid Cost Settlement
Health - CHE	011-05-5112-5115-560000-	13283	CDC - YRB Survey	\$	3,493	APPCNC - CDC Grant
Health - CHE	011-05-5112-5115-560000-	16242	LMR FY16 CF Garrison Fund	\$	5,000	Community Foundation
Health - CHE	011-05-5112-5115-560000-	16253	Healthy Corner Store Initiative	\$	33	UNC Chapel Hill
Health - CHE	011-05-5112-5115-560000-	16265	FY16 NFP - RISE	\$	172	SRI International - RISE Eval.
Health - CHE	011-05-5112-5115-560000-	17010	FY17 LMR Participant Fees	\$	3,680	Participant Fees
Health - CHE	011-05-5112-5115-560000-	17208	CF Run for the Money - LMR	\$	704	Community Foundation
Health - CHE	011-05-5112-5115-560000-	17262	LMR - FY17 CF Sims Fund	\$	3,815	Community Foundation
Health - CHE	011-05-5112-5115-560000-	17265	NFP Donations	\$	275	Donations
Health - CHE	011-05-5112-5115-560000-	17268	YES Grant - TAC	\$	1,301	Youth Empowered Solutions
Health - CHE	011-05-5112-5115-560000-	19012	FY19 LMR Participation Fees	\$	8,000	Participant Fees
Health - CHE	011-05-5112-5116-560000-	15010	FY 15 Top Teens - GYC Grant	\$	180	APPCNC - CDC Grant
Health - CHE	011-05-5112-5116-560000-	16241	SHIFT NC Funds	\$	2,694	SHIFT Grant
Health - CHE	011-05-5112-5118-560000-	15253	FY14 Excess Nutr. Fee Revenue	\$	2,519	Fees
Health - CHE	011-05-5112-5118-560000-	16271	FY15 Excess Nutr. Fee Revenue	\$	4,060	Fees
Health - CHE	011-05-5112-5118-560000-	17252	FY16 Excess Nutr. Fee Revenue	\$	191	Fees
Health - CHE	011-05-5112-5118-560000-	18144	FY17 Excess Nutr. Fee Revenue	\$	142	Fees
Health - CHE	011-05-5112-5118-560000-	19074	FY18 Excess Nutr. Fee Revenue	\$	1,509	Fees
Health - CHE	011-05-5112-5118-560000-	18147	FY17 Env. Hlth Excess Fees	\$	23,217	Fees
Health - Environmental Hth	011-05-5114-5125-560000-	18520	FY18 Healthy Wells Grant	\$	5,445	CDC Grant
Health - Environmental Hth	011-05-5114-5125-560000-	19075	FY18 Env. Hlth Excess Fees	\$	41,815	Fees
Health - Environmental Hth	011-05-5114-5125-560000-	19511	FY19 Healthy Wells Grant Yr. 4	\$	79,129	CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	11241	Quality Improvement Course	\$	4,172	Quality Improvement Grant

Gaston County

Carry Forward to FY 2020

Department Name	Account	Project	Description/Project Name	County Funds	Outside Funds	Source of Funds
Health - Personal Health Svcs.	011-05-5115-0000-560000-	11273	APPCNC Initiative	\$	1,125	APPCNC - CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	12255	Guttmacher - Training	\$	97	Guttmacher Company
Health - Personal Health Svcs.	011-05-5115-0000-560000-	12292	Teen Wellness Clinic Services	\$	42	APPCNC - CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	13065	Teen Wellness Clinic - Year 3	\$	5,049	APPCNC - CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	14016	APPCNC Grant - Year 4	\$	55,439	APPCNC - CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	15017	APPCNC Grant - Year 5	\$	59,199	APPCNC - CDC Grant
Health - Personal Health Svcs.	011-05-5115-0000-560000-	15203	HPV Project	\$	129	University of Kentucky
Health - Personal Health Svcs.	011-05-5115-0000-560000-	15214	Duke Preceptor	\$	959	Duke University
Health - Personal Health Svcs.	011-05-5115-0000-560000-	15233	GlaxoSmithKline Recognition	\$	224	Glaxo Smith Kline
Health - Personal Health Svcs.	011-05-5115-0000-560000-	15239	CHS Preceptor Program	\$	1,537	Carolinas Healthcare System
Health - Personal Health Svcs.	011-05-5115-0000-560000-	16202	Duke Nursing Preceptor Project	\$	11,227	Duke University
Health - Personal Health Svcs.	011-05-5115-0000-560000-	16266	FY16 CHS Preceptor Program	\$	5,530	Carolinas Healthcare System
Health - Personal Health Svcs.	011-05-5115-0000-560000-	18129	GSK Star Project	\$	5,000	Glaxo Smith Kline
Health - STD	011-05-5116-5131-560000-	14236	FY13 Excess Fees - STD/TB/CD	\$	217	Fees
Health - STD	011-05-5116-5131-560000-	16272	FY15 Excess ICS Fee Revenue	\$	14,760	Fees
Health - STD	011-05-5116-5131-560000-	17253	FY 16 Excess ICS Fee Revenue	\$	17,737	Fees
Health - STD	011-05-5116-5131-560000-	18145	FY17 Excess ICS Fee Revenue	\$	29,427	Fees
Health - STD	011-05-5116-5131-560000-	19076	FY18 Excess ICS Fee Revenue	\$	5,909	Fees
Health - TB	011-05-5116-5132-560000-	15254	FY14 Excess Fees - TB	\$	7,725	Fees
Health - Family Planning	011-05-5117-0000-560000-	15256	FY14 Excess Fee Revenue	\$	269	Fees
Health - Family Planning	011-05-5117-0000-560000-	16274	FY15 Excess FP Revenue	\$	12,632	Fees
Health - Family Planning	011-05-5117-0000-560000-	17255	FY16 Excess GY/FP Fee Rev.	\$	1,852	Fees
Health - Maternity	011-05-5119-0000-560000-	14237	FY13 WCH Program Excess Fees	\$	38,630	Fees
Health - Maternity	011-05-5119-0000-560000-	15257	FY14 Excess Maternity Fees	\$	102,022	Fees
Health - Maternity	011-05-5119-0000-560000-	16275	FY 15 Excess Mat. Fee Revenue	\$	5,922	Fees
Health - Maternity	011-05-5119-0000-560000-	18146	FY 17 Excess Maternity Fees	\$	17,480	Fees
Health - Child Health	011-05-5120-0000-560000-	14227	Reach Out and Read	\$	750	Wal-Mart Foundation
Health - Highland	011-05-5121-0000-560000-	15255	FY14 Excess Fees - Highland	\$	2,582	Fees
Health - Highland	011-05-5121-0000-560000-	16273	FY15 Excess Highland Fee Rev.	\$	81,209	Fees
Health - Highland	011-05-5121-0000-560000-	17254	FY16 Excess Highland Fee Rev.	\$	13,592	Fees
Human Resources	010-01-4122-0000-560000-	ERecg	Employee Recognition	\$	12,000	Vending Commish
Library	010-04-6110-6110-560000	09255	James Ferguson Memorial Fund	\$	290	
Library	010-04-6110-6110-560000	12234	Pearl Dixon Balthis Foundation	\$	1,212	
Library	010-04-6110-6110-560000	18554	State Aid to Public Libraries	\$	40,117	
Library	010-04-6110-6110-560000	18609	Charlton Torrence Grant	\$	2,500	
Library	010-04-6110-6110-560000	50339	David Rhynes Trust Donation	\$	3,471	
Library	010-04-6110-6110-560000	20502	State Aid to Public Libraries	\$	215,000	
Planning	010-04-6140-0000-56000	19552	HPC Dallas	\$	4,000	Match from Dallas

Gaston County

Carry Forward to FY 2020

Department Name	Account	Project	Description/Project Name	County Funds	Outside Funds	Source of Funds
Planning	010-04-6140-0000-560001	19553	HPC Cherryville	\$	8,000	Match from Cherryville
Veterans Services	010-05-5820-0000-560000	16280	Veterans State Matching Funds	\$	5,463	NC Dept of Military & Veterans Affairs
Senior Center	010-04-6130-0000-560000		Senior Games	\$	6,000	Event Fees/Sponsorships
EDC	010-07-4920-4920-530010		Preliminary Diligence-Site Fit Study	\$	5,000	
EDC	010-07-4920-4920-520013		Advertising Contract w/Charlotte Business Journal	\$	24,000	
EDC	010-07-4920-4920-530015		Accrisoft Website Contract	\$	12,875	
EDC	040-07-4920-4920-540004	18120	Amendment to Contract# 2018-57 AppleCreek	\$	524,716	
Vehicles - County Police	010-02-4310-4310-540003-	19070	Vehicle decals and TTT	\$	17,370	Finance Package for All
Vehicles - Sheriff	010-02-4315-4315-540003-	19070	Vehicle decals and TTT	\$	6,491	Finance Package for All
Vehicles - ACE	010-02-4380-0000-540003-	19070	Vehicle decals, TTT and Equip	\$	63,775	Finance Package for All
Vehicles - Building Inspections	012-02-4350-0000-540003-	19070	Vehicle decals and TTT	\$	1,678	Finance Package for All
Vehicles - Fire Marshal	010-02-4340-0000-540003-	19070	Vehicle decals, TTT and Equip	\$	2,638	Finance Package for All
Vehicles - Museum	010-04-6141-0000-540003-	19070	Vehicle decals and TTT	\$	769	Finance Package for All
Vehicles - Health-Environ	011-05-5114-5125-540003-	19070	Vehicle decals and TTT	\$	839	Finance Package for All
Vehicles - DSS	020-05-4790-0000-540003-	19070	Vehicle decals and TTT	\$	814	Finance Package for All
Vehicles - GEMS	010-02-4370-0000-540003-	19070	TTT	\$	24,966	Finance Package for All
Vehicles - Rescue Squads	010-02-4372-0000-540003-	19070	TTT	\$	11,085	Finance Package for All
				Total County Funds	Total Outside Funds	Grand Total
				\$697,017	\$5,232,063	\$5,929,080



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Budget and Purchasing Board Action

File #: 19-177

Commissioner Philbeck - Budget/Purchasing - To Adopt a Fee Schedule Effective July 1, 2019 through June 30, 2020

STAFF CONTACT

Matthew Rhoten - Budget Division Director - 704-866-3048

BUDGET IMPACT

Sets Fee Schedule for FY 2020. No additional appropriation of funds.

BUDGET ORDINANCE IMPACT

BACKGROUND

The County has a set fee structure in place for certain services that are rendered to the public. Most fee adjustments relate to these types of services as well as public record/information. State statutes require that public records be available at the costs associated with their reproduction, not origination. Because of the state requirement, fees are reviewed annually to ensure that these services remain cost neutral. Attached for your review is a listing of current and proposed changes. Staff is recommending that the Board of Commissioners adopt the new fees and associated changes, effective July 1, 2019. These changes to the fee schedule do not have a substantial impact on the County Budget.

POLICY IMPACT

N/A

ATTACHMENTS

FY 2020 Fee Schedule

Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

Gaston County Police Department

Nuisance Car Administrative Fee		\$ 100	\$ 100	
Environmental Nuisance Abatement		\$ 100	\$ 100	
Fingerprinting Services		\$ 10	\$ 10	

Gaston Emergency Medical Service (GEMS)

BLS Care NE Care and Transportation	A0428	\$ 600	\$ 600	
BLS Care Emergency Care and Transportation	A0429	\$ 600	\$ 750	↑\$150
ALS Care and Transportation	A0426 and A0427	\$ 900	\$ 900	
ALS Specialty Care and Transportation	A0433	\$ 1,200	\$ 1,200	
Critical Care Transport	A0434	\$ 1,200	\$ 1,500	↑\$300
Loaded Patient Mileage	A0425 and A0888	\$ 15	\$ 15	
Response/Scene Treatment / No Transport	A0429 and A0998	\$ 180	\$ 375	↑\$195
Standby Time	Per Hour	\$ 180	\$ 180	
Body Transport (Morgue or Mortuary)	A0429	\$ 180	\$ 180	
ALS Disp Supplies	A0398	\$ 50	\$ 50	
BLS Disp Supplies	A0382	\$ 30	\$ 30	
Defibrillation	A0384	\$ 50	\$ 50	
IV Supplies	A0394	\$ 35	\$ 35	
Intubation	A0396	\$ 45	\$ 45	
Oxygen	A0422	\$ 35	\$ 35	
Annual Subscription - Individual	Emergency Only	\$ 50	\$ 55	↑\$5
Annual Subscription - Individual	Emergency & Medically Necessary Non-Emergency to Hospital	\$ 100	\$ 105	↑\$5
Annual Subscription - Household	Emergency Only	\$ 100	\$ 100	
Annual Subscription - Household	Emergency & Medically Necessary Non-Emergency to Hospital	\$ 150	\$ 150	

Central Transportation (ACCESS)

Effective 2003: ACCESS Driven by 3rd Party Reimbursement

NEMT (Medicaid)	Per Mile	\$ 2	\$ 2	
Agency Requests	Per Mile	\$ 2	\$ 2	
EDTAP	Clients with Non-Medical Destinations	\$ 2	\$ 2	
RGP - In County Only	Rural to City	\$ 2	\$ 2	
RGP - In County Only	Rural to Rural	\$ 3	\$ 3	
Deviated Fixed Route	Gaston College	\$ 1	\$ 1	

Cooperative Extension

Lucile Tatum

Rent Fee		\$ 280	\$ 280	
	Refundable	\$ 50	\$ 50	

Citizens Resource Center

One Conference Area	4 Hour Block	\$ 150	\$ 150	
Two Conference Areas	4 Hour Block	\$ 250	\$ 250	
Three Conference Areas	4 Hour Block	\$ 350	\$ 350	
Entire Conference Center	4 Hour Block	\$ 450	\$ 450	
Use of Catering Kitchen		\$ 25	\$ 25	
Refundable Deposit		\$ 100	\$ 100	
Refundable Equipment Deposit		\$ 100	\$ 100	

4-H

One-Time Summer Membership Fee	Per Person	\$ 12	\$ 12	
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Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

Program Fees - Varies According to Number of Children and Event	Based on Supply Cost, Transportation, Insurance, Instructors, Lodging, Food, etc.			
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Animal Care & Enforcement

Adoption Fees

Adoption Dog/Puppies	Adoption Contract	\$ 90	\$ 90	
Adoption Cat/Kittens	Adoption Contract	\$ 75	\$ 75	
Large Farm Animals	Auction to Highest Bidder			
Military/Senior Citizen: Dog/Puppy	Adoption Contract	\$ 70	\$ 70	
Military/Senior Citizen: Cat/Kitten	Adoption Contract	\$ 55	\$ 55	

Reclaim Fees

1st Impoundment		\$ 25	\$ 25	
2nd Impoundment		\$ 100	\$ 100	
3rd Impoundment		\$ 200	\$ 200	

Board Fees (Per Day)

Bite Animals (Dogs/Cats)		\$ 20	\$ 20	
Isolated Animals in Kennels		\$ 20	\$ 20	
Dogs/Puppies Regular Kennels		\$ 10	\$ 10	
Cats/Kittens Regular Kennels		\$ 10	\$ 10	

Miscellaneous Fees

Rabies Vaccination by Veterinarian Only

Microchip Fee		\$ 10	\$ 10	
County License (Unaltered Dog / Cats)	1 Year	\$ 35	\$ 35	
	3 Year	\$ 105	\$ 105	
County License (Altered Dog / Cats)	1 Year	\$ 10	\$ 10	
	3 Year	\$ 25	\$ 25	
Ferret (Only 1 Year Vaccinations Recognized for Ferrets)	1 Year	\$ 10	\$ 10	
Special Licensing Permit	1 Year	\$ -	\$ 100	↑\$100
	3 Year	\$ 100	\$ -	↓-\$100
Duplicate License		\$ 5	\$ 5	
Late Purchase Fee		\$ 15	\$ 15	
Animals Declared Dangerous or Potentially Dangerous by Animal Care Enforcement	1 Year	\$ 100	\$ 100	
	3 Year	n/a	n/a	
Breeders: Dogs/Cats Registered to Reputable Association (AKC, CKC, etc.) Proof Owners Sell Animals on Yearly Basis	1 Year	\$ 10	\$ 10	
	3 Year	\$ 25	\$ 25	
Show Dogs: Dogs Regularly Competing in Recognized "Dog Shows"	1 Year	\$ 10	\$ 10	
	3 Year	\$ 25	\$ 25	
Medical Dogs/Cats: Animals Trained to Medically Assist a Special Needs Person, Seeing Eye, Hearing Impaired, etc.	1 Year	\$ 10	\$ 10	
	3 Year	\$ 25	\$ 25	
Health Risk: Statement From a Veterinarian that Spaying or Neutering is a Health Risk to that Animal	1 Year	\$ 10	\$ 10	
	3 Year	\$ 25	\$ 25	
Service Dogs: Specially Trained to Assist Soldiers, Police, or Public Organization (Police Dogs, Cadaver Dogs, etc...)	1 Year	\$ -	\$ -	
	3 Year	\$ -	\$ -	
Hunters: Persons with Valid Hunting License and Valid Special Licensing Permit	1 Year	\$ 2	\$ 2	
	3 Year	\$ 6	\$ 6	
Multiple animals - Owners of 10+ Animals and Valid Special Licensing Permit - Each Animal Must be Spayed or Neutered	1 Year	\$ 2	\$ 2	
	3 Year	\$ 6	\$ 6	
Photocopies of Reports		\$ -	\$ -	

Fees

1. Interference with Any Duly Appointed Agent	1st Violation	\$ 500	\$ 500	
	2nd Violation	\$ 1,000	\$ 1,000	
	3rd Violation	\$ 1,500	\$ 1,500	
2. Harboring Stray Dogs and Cats				
(a) Keep Animals Not Belonging to His/her	1st Violation	\$ 100	\$ 100	
	2nd Violation	\$ 200	\$ 200	
	3rd Violation	\$ 250	\$ 250	

Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
(b) Keep Animals For Fighting Purposes	1st Violation	\$ 1,000	\$ 1,000	
	2nd Violation	\$ 2,500	\$ 2,500	
	3rd Violation	\$ 5,000	\$ 5,000	
(c) Not Keep Dangerous Animals Confined	1st Violation	\$ 500	\$ 500	
	2nd Violation	\$ 1,000	\$ 1,000	
	3rd Violation	\$ 1,500	\$ 1,500	
3. Not Wearing a Current County Privilege Tag	1st Violation	\$ 30	\$ 30	
	2nd Violation	\$ 100	\$ 100	
	3rd Violation	\$ 250	\$ 250	
4. Not Wearing a Current Rabies Tag		\$ 25	\$ 25	
5. Interference with Traps (Dog/Cats)	1st Violation	\$ 250	\$ 250	
	2nd Violation	\$ 500	\$ 500	
	3rd Violation	\$ 1,000	\$ 1,000	
6. Damage to Dog/Cat Traps	1st Violation	\$ 250	\$ 250	
	2nd Violation	\$ 500	\$ 500	
	3rd Violation	\$ 1,000	\$ 1,000	
7. Board Bill Dog/Cat Per Day		\$ 10	\$ 10	
8. Board Bill Separate Cage Dog/Cat Per Day		\$ 20	\$ 20	
9. Board Bill Livestock Per Day		\$ 22	\$ 22	
10. Board Bill Other than Dog/Cat/Livestock		\$ 25	\$ 25	
11. Processing Fee for Returned Check		\$ 25	\$ 25	
12. Replace County License	For any License Replacement	\$ 5	\$ 5	
13. Violation of Adoption Contract		\$ 60	\$ 60	
14. Bite Animal Running Loose	1st Violation	\$ 1,250	\$ 1,250	
	2nd Violation	\$ 2,500	\$ 2,500	
	3rd Violation	\$ 5,000	\$ 5,000	
15. Dogs Running at Large, Leash Law	1st Violation	\$ 25	\$ 25	
	2nd Violation	\$ 100	\$ 100	
	3rd Violation	\$ 200	\$ 200	
16. Female Dogs/Cats in Season	1st Violation	\$ 60	\$ 60	
	2nd Violation	\$ 200	\$ 200	
	3rd Violation	\$ 250	\$ 250	
17. Cruelty	1st Violation	\$ 250	\$ 250	
	2nd Violation	\$ 1,000	\$ 1,000	
	3rd Violation	\$ 2,500	\$ 2,500	
18. County License - Not Currently Listed with Gaston County		\$ 25	\$ 25	
19. Rabies Not Current on Rabies Inoculation	1st Violation	\$ 60	\$ 60	
	2nd Violation	\$ 500	\$ 500	
	3rd Violation	\$ 1,000	\$ 1,000	
20. Registration of Exotic Pets	1st Violation	\$ 500	\$ 500	
	2nd Violation	\$ 750	\$ 750	
	3rd Violation	\$ 1,000	\$ 1,000	
21. Animal Nuisance	1st Violation	\$ 100	\$ 100	
	2nd Violation	\$ 250	\$ 250	
	3rd Violation	\$ 500	\$ 500	
22. Owner/Keeper Allows One or More Dangerous Animal Attacks, Assaults, Wounds, Bites or Otherwise Injure a Human	1st Violation	\$ 1,000	\$ 1,000	
	Subsequent Violation	\$ 2,500	\$ 2,500	
23. Owner/Keeper Not Following the Penning Restrictions for Dangerous Animal or Farm Animal	1st Violation	\$ 500	\$ 500	
	2nd Violation	\$ 1,000	\$ 1,000	
	Subsequent Violation	\$ 1,500	\$ 1,500	
24. Owner/Keeper Allows a Dangerous Dog to Kill a Domestic Animal or Farm Animal	1st Violation	\$ 500	\$ 500	
	2nd Violation	\$ 1,000	\$ 1,000	
	Subsequent Violation	\$ 1,500	\$ 1,500	

Courthouse/Sheriff's Office Parking Lot

1st Hour		\$ 1	\$ 1	
2nd Hour		\$ 1	\$ 1	
3rd & Fourth Hours		\$ 1	\$ 1	
Fifty & Sixth Hours		\$ 1	\$ 1	

Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
Seventh & Eighth Hours		\$ 1	\$ 1	
Maximum Daily Rate		\$ 5	\$ 5	
Citation for Time Expired		\$ 5	\$ 5	
Citation for Failure to Pay		\$ 10	\$ 10	

Register of Deeds

The Balance of Fees are State Mandated

Photocopies	Per Copy	\$ 0	\$ 0	
Local Fax	Per Page	\$ 1	\$ 1	
Long Distance Fax	Per Page	\$ 2	\$ 2	
CDs	Per Copy	\$ 10	\$ 10	
Passport Photos	Per Passport	\$ -	\$ 15	↑\$15
Passport Acceptance Fee	Per Passport	\$ -	\$ 35	↑\$35

Clerk to the Board

Full Agenda Packet	Per Year	\$ 35	\$ 35	
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Public Information

DVD		\$ 3	\$ 3	
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Landfill

Municipal Solid Waste (Fee Increase Effective July 1, 2018)	Per Ton	\$ 27	\$ 27	
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Note: Resolution 2018-049 Adopted 2/27/2018. Modified the Rate to \$27 / Ton for FY 2019 & FY 2020 (July 1, 2018-June 30, 2020) with a Subsequent Increase to \$28 / Ton for FY 2021 to FY 2023 (July 1, 2020-June 30, 2023)

Commercial Solid Waste	Per Ton	\$ 38	\$ 38	
Yard Waste	Per Ton	\$ 20	\$ 20	
Wood Pallets	Per Ton	\$ 45	\$ 45	
Homogeneous Wood Pallets	Per Ton (Must Only Clean Wood - Non-Painted, No Trash)	\$ 12	\$ 12	
Special Waste/Sludge - Regular Category	Per Ton (1 Ton Min. for Special Handling)	\$ 53	\$ 53	
Sludge/Industrial Waste/By-product with Special Handling/Liability	Per Ton	\$ 75	\$ 75	
Low density category	21 Yard Container <1 Ton, \$1/Cubic Yard, >1 Ton, \$30/ Ton	\$1 or \$30/ Cubic Yard	\$1 or \$30/ Cubic Yard	
Loads Contaminated with 30% or More Banned Materials	Surcharge Plus Disposal Fees	\$ 100	\$ 100	
Construction/Demolition Debris	Per Ton	\$ 28	\$ 30	↑\$2
Bulk MSW (100-150 tpd)++	Per Ton (Case By Case as Required)	\$ 22	\$ 22	
Bulk MSW (150-200 tpd)++	Per Ton (Case By Case as Required)	\$ 20	\$ 20	
Shingles	Per Ton	\$ 28	\$ 30	↑\$2
Homogeneous C/D Debris**	Per Ton (Only Clean Wood - Non-Painted, No Trash)	\$ 12	\$ 12	
Single-Wide Mobile Home	Each	\$ 310	\$ 310	
Homogenous Cardboard***	Per Ton (Must be Free of Contamination)	\$ -	\$ -	
Tire removal from Rims	Each	\$ 3	\$ 3	
Illegal Tires	Per Ton Per Contracted Amount for Disposal	\$ 89	\$ 89	
Track Loader w/Operator	Per Hour	\$ 87	\$ 87	
Dozer w/ Operator	Per Hour	\$ 165	\$ 165	
Dump Truck w/ Operator	Per Hour	\$ 75	\$ 75	
Backhoe w/ Operator	Per Hour	\$ 70	\$ 70	
Computer Monitor Processing	Each	\$ 4	\$ 4	
Uncovered / Unsecured Load Fee	Per Occurrence	\$ 200	\$ 200	
Fluorescent Bulbs	Each	\$ 1	\$ 1	

Recycling Center Fees

Bagged Garbage	Up to 10 bags	\$ 4	\$ 4	
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Gaston County FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
Bagged Garbage	Over 10 bags	\$ 8	\$ 8	
Loose Garbage	Small Load	\$ 4	\$ 4	
Yard Waste	Small Load			
Mattress	Each	\$ 4	\$ 4	
Mulch Sales	Per Scoop	\$ 2	\$ 2	
Copy Fee		\$ -	\$ -	

Fire Marshal:

Fire Inspections & Code Violations

ABC Permit Inspection		\$ 50	\$ 50	
AST / UST Install / Removal Inspection	Per Tank	\$ 50	\$ 50	
Fast Track Inspections, Inspection No-Shows, and Inspections Conducted After Business Hours at Contractor/Property Owner Request		\$ 50	\$ 50	
Foster Home Inspections		\$ 25	\$ 25	
Fire Code Violation Re-Inspection	3rd Site Inspection Visit	\$ 50	\$ 50	
Fire Code Violation Re-Inspection	Each Day After 3rd Site Visit	\$ 100	\$ 100	
Minor Fire Hazards		\$ 25	\$ 25	
Moderate Fire Hazards		\$ 50	\$ 50	
Severe Fire Hazards		\$ 150	\$ 150	
Life Safety Hazards (Requires Correction w/l 24 hours)		\$ 300	\$ 300	

Mandatory Operational Permits:

105.6.2 Amusement Buildings		\$ 100	\$ 100	
105.6.4 Carnivals & Fairs		\$ 50	\$ 50	
105.6.6 Combustible Dust-Producing Operations		\$ 100	\$ 100	
105.6.9 Covered Mall		\$ 100	\$ 100	
105.6.13 Exhibits & Trade Shows		\$ 50	\$ 50	
105.6.14 Explosives		\$ 100	\$ 100	
105.6.16 Flammable & Combustible Liquids		\$ 25	\$ 25	
105.6.19 Fumigation and Thermal Insecticidal Fogging		\$ 100	\$ 100	
105.6.26 Liquid or Gas Fueled Vehicles in Assembly		\$ 25	\$ 25	
105.6.30 Open Burning		No Charge	No Charge	
105.6.35 Private Fire Hydrants		\$ 100	\$ 100	
105.6.36 Pyrotechnic Special Effects Material		\$ 100	\$ 100	
105.6.41 Spraying or Dipping		\$ 100	\$ 100	
105.6.43 Temporary Membrane Structures & Tents		\$ 25	\$ 25	

Required Construction Permits:

105.7.1 Automatic Fire-Extinguishing Systems		\$ 100	\$ 100	
105.7.2 Battery Systems		\$ 50	\$ 50	
105.7.3 Compressed Gases		\$ 50	\$ 50	
105.7.4 Cryogenic Fluids		\$ 50	\$ 50	
105.7.5 Fire Alarm & Detection Systems & Related Equip.		\$ 100	\$ 100	
105.7.6 Fire Pumps & Related Equipment		\$ 50	\$ 50	
105.7.7 Flammable & Combustible Liquids		\$ 50	\$ 50	
105.7.8 Hazardous Materials		\$ 50	\$ 50	
105.7.9 Industrial Ovens		\$ 100	\$ 100	
105.7.11 Private Fire Hydrants		\$ 50	\$ 50	
105.7.12 Spraying or Dipping		\$ 50	\$ 50	
105.7.13 Standpipe Systems		\$ 50	\$ 50	
105.7.14 Temporary Membrane Structures & Tents		\$ 25	\$ 25	

Information Technology

For GIS Fee Schedule - See the Consolidated GIS Schedule				
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Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

Tax Department

For GIS Fee Schedule - See the Consolidated GIS Schedule				
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Department of Natural Resources

Soil Erosion and Sedimentation Review	Per Acre sites (1 Acre or Greater)	\$ 300	\$ 300	
Review Necessary for Sites 1 Acre or Greater				
Review Necessary for Sites Less than One Acre	Per Site	\$ 30	\$ 30	
Storm Water Plan Review	Per Acre	\$ 350	\$ 350	
Storm Water Workshop Usually 6 PDH/CEU*	Per PDH/CEU	\$ 10	\$ 10	
*PDH = Professional Development Hour				
*CEU = Continuing Education Credit				
Annual Storm Water Inspection		\$ 60	\$ 60	
1st Inspection (Compliance/Discovery-Noncompliance)				
1st Re-Inspection & Still out of Compliance				
2nd Re-Inspection & Still out of Compliance		\$ 60	\$ 60	
3rd Re-Inspection & Still out of Compliance		\$ 120	\$ 120	
4th Re-Inspection & Still out of Compliance		\$ 240	\$ 240	
5th Re-Inspection & Still out of Compliance		\$ 480	\$ 480	
6th & Subsequent Re-Inspections	Continue Until Compliance is Achieved	\$ 500	\$ 500	
For GIS Fee Schedule - See the Consolidated GIS Schedule				

Public Library:

Loan Periods:				
Books & Audios - 21 days				
Bestsellers & Reserves - 7 days				
DVDs - 7 days				
Overdue Fines:				
Books & Audios	Per Item	\$ 1	\$ 1	
Bestsellers & Reserves	Per Item	\$ 2	\$ 2	
DVDs	Per Item	\$ 2	\$ 2	
Return Check Fee		\$ 25	\$ 25	
Lost Books		Price of Book	Price of Book	
Process Fee		\$ 5	\$ 5	
Library Meeting Rooms - Rental Fee				
Departments of Gaston County Govt.		No Charge	No Charge	
All State, Federal, City Government Agencies		No Charge	No Charge	
Nonprofit Gaston County Groups or Individuals	Per Hour	\$ 10	\$ 10	
For Profit Gaston County Groups or Individuals	Per Hour	\$ 25	\$ 25	
Out-of-County, For-Profit or Nonprofit Groups/Individuals	Per Hour	\$ 50	\$ 50	
Refundable Deposit for Meetings with Refreshments			\$ 100	↑ \$100

Photocopies & (Computer) Print Copies

Black & White	Per Page	\$ 0	\$ 0	
Color	Per Page	\$ 0	\$ 0	

Fax Service

Local (No Charge to Receive Fax)	Per Page (Excluding Cover Sheet)	\$ 1	\$ 1	
Long Distance (No Charge to Receive Fax)	Per Page (Excluding Cover Sheet)	\$ 2	\$ 2	
International (No Charge to Receive Fax)	Per Page (Excluding Cover Sheet)	\$ 2	\$ 2	

Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

Gaston County Board of Elections

Flash Drives		\$ 25	\$ 25	
Labels (Per Label)		\$ -	\$ -	
Printouts (Per Page)		\$ -	\$ -	
Copies (Per Page)		\$ -	\$ -	
Postage		Cost	Cost	

Parks & Recreation

Athletic Fields

Tournament Field Use

In-County	SB/BB Per Field Per Day	\$ 70	\$ 70	
	Rectangular Field Per Day	\$ 100	\$ 100	
Out of County	SB/BB Per Field Per Day	\$ 125	\$ 125	
	Rectangular Field Per Day	\$ 125	\$ 125	

Youth in County

Youth in County Open Tournaments	SB/BB Per Field Per Day	\$ 70	\$ 70	
	Rectangular Field Per Day	\$ 100	\$ 100	
Youth Out of County	SB/BB Per Field Per Day	\$ 125	\$ 125	
	Rectangular Field Per Day	\$ 125	\$ 125	

All Soccer Tournaments Except Youth Recreation League

Field Use - Games - League Fee

In County	Rectangular Field Per Day up to 4 hrs.	\$ 50	\$ 50	
	Rectangular Field Per Day 4+ hrs.	\$ 100	\$ 100	
	SB/BB Per Field Per Day	\$ 25	\$ 25	
Out of County	Rectangular Field Per Day	\$ 100	\$ 100	
	SB/BB Per Field Per Day	\$ 50	\$ 50	
Youth in County	Rectangular Field Per Day up to 4 hrs.	\$ 50	\$ 50	
	Rectangular Field Per Day 4+ hrs.	\$ 100	\$ 100	
	SB/BB Per Field Per Day	\$ 25	\$ 25	
Youth Out of County	Rectangular Field Per Day	\$ 100	\$ 100	
	SB/BB Per Field Per Day	\$ 50	\$ 50	

Weekday Field Preparation: Per Location

In-County	Initial Weekday Field Prep Fees Included in Above League/Tournament Fee / Per Field Per Day without Marking	\$ 15	\$ 15	
Out of County	Fee Without Marking (Adults)	\$ 25	\$ 25	
Youth in County	Initial Field Prep Fees Included with League Fees / No Fee for Use without Marking			
Youth Out of County	Rectangular Field Per Day	\$ 100	\$ 100	
	SB/BB Per Field Per Day	\$ 50	\$ 50	
Practice fees - Adult in County/ Ball field with Picnic Shelter	Per Hour	\$ 10	\$ 10	
Practice fees - Youth	Practice Fee Per Hour- In County	\$ 5	\$ 5	
	Practice Fee Per Hour- Out of County	\$ 10	\$ 10	

Municipalities are exempt from practice fees.

Weekend Field Preparation: Per Location

In County	1st Site / Each Add'l Field: 2 Hrs. Staff Time Max for 4 Field Prep No Rectangular Field Prep on Weekend	\$100 / \$25	\$100 / \$25	
Out of County	1st Site (to 4 Fields) / Each Add'l Field No Rectangular Field Prep on Weekend	\$100 / \$25	\$100 / \$25	

Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
Youth in County	1st Site (to 4 Fields) / Each Add 'l Field No Rectangular Field Prep on Weekend	\$100 / \$25	\$100 / \$25	
Youth Out of County	1st Site (to 4 Fields) / Each Add 'l Field	\$100 / \$25	\$100 / \$25	

Ball Field Lights

In County - Adult	Per Hour	\$ 15	\$ 15	
In County - Youth	Per Hour	\$ 5	\$ 5	
Out of County - Adult	Per Hour	\$ 30	\$ 30	
Out of County - Youth	Per Hour	\$ 10	\$ 10	

One Hour Minimum Charge When Using Lights. After 1st Hour, Additional Time Can be Paid in One-Half Hour Increments

Youth Instructional Camps	Fee Same for Camps with Charges for Participants, Free Camps - Applicable Facility Fees Only			
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Youth In-County

Youth Open Tournaments	SB/BB Per Field Per Day Soccer/FB/Rugby/Lacrosse Per Marked Field Per Day	\$ 70 \$ 100	\$ 70 \$ 100	
Youth Out of County	SB/BB Per Field Per Day Soccer/FB/Rugby/Lacrosse Per Marked Field Per Day	\$ 125 \$ 125	\$ 125 \$ 125	
Gate Charges	Saturday & Sunday / Monday-Friday Multiple Fields Saturday & Sunday / Monday-Friday Multiple Fields	\$100 / \$50 \$50 / \$25	\$100 / \$50 \$50 / \$25	
Concession Rights Contracted	Varies by location			
Concession Rights - Youth Season (i.e.: Optimist Clubs) Where County Provides Concession Facilities	Per Season	\$ 200	\$ 200	
Concession Rights: Where Applicable (No Contract)	Per Day	\$ 50	\$ 50	
In-County	Per Day	\$ 50	\$ 50	
Out of County	Per Day	\$ 50	\$ 50	
Youth In-County	Per Day	\$ 50	\$ 50	
Youth In-County Open Tournaments	Per Day	\$ 50	\$ 50	
Youth Out of County	Per Day	\$ 50	\$ 50	
Registered Charitable / Civic Org.	Per Day	\$ 50	\$ 50	

Special Events:

Alcohol Permits - Gaston County (State Permit Also Required)	Per Day		\$ 50	↑\$50
In-County	Per Day	\$ 200	\$ 200	
Out of County	Per Day	\$ 300	\$ 300	
Special Event Fees also Include Applicable Facility Fees	Per Fee (Lights, Prep, etc.)	n/a	n/a	

No Charge for Gaston County School or Gaston County Events with Exception of Field Marking and Tournament Fees

Equipment: (All in-County)

Field Liner Machine	No Charge			
Field Chalk	Per Bag	\$ 5	\$ 5	
Turfce	Per Bag	\$ 10	\$ 10	
Bases	Deposit	\$ 95	\$ 95	
Score Board	Deposit Per Control + Fee Per Control/Event	\$25 / \$25	\$25 / \$25	
Score Board League	Per Night Per Field	\$ 10	\$ 10	
Portable Fence	Per Field Per Installation - Moving Fences During Events Requires Additional Fee	\$ 50	\$ 50	
Change bases and/or pitching rubber in tournaments	Per Change	\$ 20	\$ 20	

Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
Re-line infield during tournaments	Per Line	\$ 20	\$ 20	
Field Paint	Per Can	\$ 5	\$ 5	

Equestrian Facilities

Use of Arena

In County	Per Day	\$ 150	\$ 150	
Out of County	Per Day	\$ 200	\$ 200	
Youth In County	Per Day	\$ 150	\$ 150	
Youth Out of County	Per Day	\$ 200	\$ 200	
Arena Only / Barn and Flat Only	Per Day Out of County / Per Day in County (Fee Includes 1 Initial Prep and 1 Add'l Prep During Show)	\$125 / \$75	\$125 / \$75	

Arena Lights

In County	Per Night	\$ 100	\$ 100	
Out of County	Per Night	\$ 100	\$ 100	
For Profit Commercial	Per Night	\$ 100	\$ 100	
Youth In County	Per Night	\$ 100	\$ 100	
Youth Out of County	Per Night	\$ 100	\$ 100	

Use of Barn Stalls

In County	Per Day	\$ 10	\$ 10	
Out of County	Per Day	\$ 10	\$ 10	
For Profit Commercial	Per Day	\$ 10	\$ 10	
Youth In County	Per Day	\$ 10	\$ 10	
Youth Out of County	Per Day	\$ 10	\$ 10	

R V Hookups

In County	Per Day	\$ 15	\$ 15	
Out of County	Per Day	\$ 15	\$ 15	
For Profit Commercial	Per Day	\$ 15	\$ 15	
Youth In County	Per Day	\$ 15	\$ 15	
Youth Out of County	Per Day	\$ 15	\$ 15	

Concession Rights

In County	Per Day	\$ 75	\$ 75	
Out of County	Per Day	\$ 75	\$ 75	
For Profit Commercial	Per Day	\$ 75	\$ 75	
Youth In County	Per Day	\$ 75	\$ 75	
Youth Out of County	Per Day	\$ 75	\$ 75	

Clean Up Fee

In County		\$ 200	\$ 200	
Out of County		\$ 200	\$ 200	
For Profit Commercial		\$ 200	\$ 200	
Youth In County		\$ 200	\$ 200	
Youth Out of County		\$ 200	\$ 200	

Temporary Stall Set-Up

In County	Per Stall Per Show	\$ 2	\$ 2	
Out of County	Per Stall Per Show	\$ 2	\$ 2	
For Profit Commercial	Per Stall Per Show	\$ 2	\$ 2	
Youth In County	Per Stall Per Show	\$ 2	\$ 2	
Youth Out of County	Per Stall Per Show	\$ 2	\$ 2	

Arena Tent

	Per Event	\$ 150	\$ 150	
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Picnic Shelters:

Covered - Large (40' x 40')

In County	Half Day / Holiday	\$30 / \$50	\$30 / \$50	
	Full Day / Holiday	\$60 / \$75	\$60 / \$75	
Out of County	Half Day / Holiday	\$60 / \$100	\$60 / \$100	
	Full Day / Holiday	\$120 / \$150	\$120 / \$150	

Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details		Adopted FY 2018-19	Requested FY 2019-20	Change
Military - In County	Half Day / Holiday	\$15 / \$25	\$15 / \$25	
	Full Day / Holiday	\$30 / \$37.50	\$30 / \$37.50	
Military- Out of County	Half Day / Holiday	\$30 / \$50	\$30 / \$50	
	Full Day / Holiday	\$50 / \$75	\$50 / \$75	
Covered - Small (20' x 20')				
In County	Half Day / Full Day	\$15 / \$30	\$15 / \$30	
Out of County	Half Day / Full Day	\$30 / \$60	\$30 / \$60	
Ball Field with Shelter				
In or Out of County	Per Hour (Adults)	\$ 10	\$ 10	
Amphitheater				
In County	Per Day	\$ 100	\$ 100	
Out of County	Per Day	\$ 200	\$ 200	
Chapel				
In County		\$ 100	\$ 100	
Out of County		\$ 200	\$ 200	
Clean Up Deposit				
In County		\$ 95	\$ 95	
Out of County		\$ 200	\$ 200	
Horseshoe Courts:				
In County / Rental of Complex	Per Day	\$ 100	\$ 100	
Out of County Rental of Complex	Per Day	\$ 200	\$ 200	
Free Play				
Sand Volleyball Court	Per Hour	\$ 5	\$ 5	
Tennis Courts	Per 2 Hour Block	\$ 10	\$ 10	
Open Space Fee (Varies per Requested Space)	Per Hour	\$25 - \$100	\$25 - \$100	
Camp Sertoma				
Use of facilities				
In-County	Per Day	\$ 100	\$ 100	
Out of County	Per Day	\$ 200	\$ 200	
Youth In-County	Per Day	\$ 100	\$ 100	
Youth Out of County	Per Day	\$ 200	\$ 200	
Use of Kitchen for Cooking:				
In-County	Included in Facility Rental			
Out of County	Included in Facility Rental			
Youth In-County	Included in Facility Rental			
Youth Out of County	Included in Facility Rental			
Registered Charitable Organizations				
Cabins:				
In-County	Per Day	\$ 30	\$ 30	
Out of County	Per Day	\$ 60	\$ 60	
Youth In-County	Per Day	\$ 30	\$ 30	
Youth Out of County	Per Day	\$ 60	\$ 60	
Refundable Key Deposit:				
In-County		\$ 25	\$ 25	
Out of County		\$ 25	\$ 25	
Youth In-County		\$ 25	\$ 25	
Youth Out of County		\$ 25	\$ 25	
Registered Charitable Organizations		\$ 25	\$ 25	
Refundable Clean Up Deposit				
In-County	Per Day	\$ 95	\$ 95	
Out of County	Per Day	\$ 200	\$ 200	
Youth In-County	Per Day	\$ 95	\$ 95	
Youth Out of County	Per Day	\$ 200	\$ 200	
Online Reservation Fees - Pay Pal (Optional)	Pay Pal Fees Estimate Per Transaction	\$ -	\$ -	

Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details		Adopted FY 2018-19	Requested FY 2019-20	Change
Sports Entry Fees: Softball, Baseball, Soccer, etc.	Entry Fees Charged According to Number of Games to be Played - Fees Cover Cost of Officials, Trophies, and Referee Assignment			
Special Events/Sports Vendor Fees				
Food and Craft vendors In-County Out of County	Varies according to Event	\$30 - \$200	\$30 - \$200	
Festival Amusement Fees In-County Out of County	Varies according to Activity			
Senior Citizens' Programs				
Live Band Dances				
In-County	Per Person	\$ 5	\$ 5	
Out of County	Per Person	\$ 5	\$ 5	
Senior Classes with Instructors	Per Person Per Weekly Classes	\$ 2	\$ 2	
Senior Center Rental				
Private Group	During Operating Hours (Per Hr.)	\$ 20	\$ 20	
	After Operating Hours (Per Hr.)	\$ 40	\$ 40	
	Out-of- County (Per Hr.)	\$ 60	\$ 60	
Planning & Development Fees				
Rezoning Fees				
Zoning Text Amendments		\$ 100	\$ 100	
Parallel Conditional Use Permits/Conditional Zoning (CD)		\$ 500	\$ 500	
	Additional Per Acre	\$ 40	\$ 40	
All General Rezoning (Map Amendments)	0-250 Acres	\$ 500	\$ 500	
	251-500 Acres	\$ 1,000	\$ 1,000	
	501 Acres & Over	\$ 2,000	\$ 2,000	
Planned Unit Development/Planned Residential Development/ Mixed Use				
Residential		\$ 400	\$ 400	
Additional Per Acre		\$ 15	\$ 15	
Non-residential		\$ 550	\$ 550	
Additional Per Acre		\$ 30	\$ 30	
Conditional Use when Filed with Rezoning				
Subdivision Review				
Subdivision Preliminary Plat		\$ 500	\$ 500	
Additional Per Lot		\$ 30	\$ 30	
Subdivision Final Plats				
Recording Fees (see Register of Deeds)		\$ -	\$ -	
Final Plat Improvements		\$ 75	\$ 75	
Water Shed Review Fees				
Residential Subdivision		\$ 150	\$ 200	↑\$50
Additional Per Acre	Additional Per Acre	\$ 5	\$ 5	
Non-residential		\$ 150	\$ 250	↑\$100
Additional Per Acre	Additional Per Acre	\$ 7	\$ 7	
Flood Development Permit				
Residential	Per Acre	\$ 100	\$ 150	↑\$50

Gaston County FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
Non-residential	Per Acre	\$ 150	\$ 200	↑\$50
Site Evaluation Forms		\$ 25	\$ 25	
Returned Check Fees		\$ 25	\$ 25	
Copies of Ordinances (Pre-UDO Ordinances)				
*Zoning Ordinance		\$ 15	\$ 15	
*Subdivision Ordinance		\$ 5	\$ 5	
*Manufactured Home Park Ordinance		\$ 5	\$ 5	
*Watershed Ordinance		\$ 5	\$ 5	
Comprehensive Plan	Color / Black & White / CD	\$20 / \$15 / \$5	\$20 / \$15 / \$5	
Unified Development Ordinance (UDO)	Color / Black & White / CD	\$60 / \$55 / \$5	\$60 / \$55 / \$5	
Road Naming & Addressing Ordinance	Color / Black & White	\$20 / \$20	\$20 / \$20	
Petition for Road Naming/Change		\$ 21	\$ 21	
Address Verification Letter			\$ 25	↑\$25
Gaston County Hazard Mitigation Plan	Hard-Copy / CD	\$60 / \$25	\$60 / \$25	
Historic Preservation Photos		\$ 25	\$ 25	
Certificate of Appropriateness Fee (COA)			\$ 100	↑\$100
Diazo Reproductions 24" x 36"		\$ 3	\$ 3	
8.5" x 11.0"		\$ 1	\$ 1	
11.0" x 17.0"		\$ 3	\$ 3	
Street and Roadway Signs		\$ 135	\$ 135	
For GIS Fee Schedule - See the Consolidated GIS Schedule				

When Applicable, the Cost of Recording Documents, Plans, and/or Plats, etc. at the Register of Deeds Office Shall be the Responsibility of an Outside Party (Applicant, Developer, etc.) and Not the County

Consolidated GIS Fee Schedule

All Departments

Custom Mapping & Analysis

1 Hr. Minimum Charge for Creation of New Data or >45 Minutes	Per Hour	\$ 40	\$ 40	
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Standard Printing and Digital GIS Data Prices Apply to Existing Layers

GIS Printing Prices

All GIS Prints Not Listed or Over 36" x 65" will be Rounded to the Closest SqFt & Priced Per SqFt

Photocopies

8 1/2" x 11"	Per Sheet	\$ -	\$ -	
11" x 17"	Per Sheet	\$ -	\$ -	

Text Documents

8 1/2" x 11"	Per Sheet	\$ -	\$ -	
11" x 17"	Per Sheet	\$ -	\$ -	

Map from GIS Website

8 1/2" x 11" (ANSI A)	Per Sheet	\$ 1	\$ 1	
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Map from GIS Website w/ Orthophoto

8 1/2" x 11" (ANSI A)	Per Sheet	\$ 1	\$ 1	
Scanned tax Maps	Per CD or Per Set	\$10 or \$30	\$10 or \$30	

GIS Map

11" x 17" (ANSI B)	Per Sheet	\$ 2	\$ 2	
13" x 19" (ANSI Supper B)	Per Sheet	\$ 2	\$ 2	

GIS Map w/ Orthophoto (Aerials)

8 1/2" x 11" (ANSI A)	Per Sheet	\$ 2	\$ 2	
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Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
11" x 17" (ANSI B)	Per Sheet	\$ 3	\$ 3	
13" x 19" (ANSI Supper B)	Per Sheet	\$ 3	\$ 3	

Plotter Prints

Bond Paper		\$ 3	\$ 3	
17" x 22" (ANSI C)	Per SqFt	\$ 9	\$ 9	
22" x 34" (ANSI D)	Per SqFt	\$ 15	\$ 15	
34" x 44" (ANSI E)	Per SqFt	\$ 30	\$ 30	
28" x 40" (ANSI F)	Per SqFt	\$ 24	\$ 24	
18" x 36"	Per SqFt	\$ 15	\$ 15	
24" x 36"	Per SqFt	\$ 18	\$ 18	
36" x 45"	Per SqFt	\$ 33	\$ 33	
36" x 65"	Per SqFt	\$ 48	\$ 48	
Matte Photo Paper		\$ 5	\$ 5	
17" x 22" (ANSI C)	Per SqFt	\$ 15	\$ 15	
22" x 34" (ANSI D)	Per SqFt	\$ 25	\$ 25	
34" x 44" (ANSI E)	Per SqFt	\$ 50	\$ 50	
28" x 40" (ANSI F)	Per SqFt	\$ 40	\$ 40	
18" x 36"	Per SqFt	\$ 25	\$ 25	
24" x 36"	Per SqFt	\$ 30	\$ 30	
36" x 45"	Per SqFt	\$ 55	\$ 55	
36" x 65"	Per SqFt	\$ 80	\$ 80	

*Calculations for pricing Per SqFt - Convert Height and Width from Inches to Decimals, Multiply Height and Width as Decimals, Round Down if <.50, Round up if >.50
or = .50, Multiply by Price Per SqFt

Digital GIS Data Image

Aerials Express Images (All Years) are Not Available for Purchase from Gaston County				
Pictometry Images (All Years) are Not Available for Purchase from Gaston County				
2010 Color Orthophotography Are Not Available for Purchase from Gaston County				

Whole County

2009 Color Orthophoto 6 CD Set / DVD		\$ 250	\$ 250	
2005 Color Orthophoto 6 CD Set / DVD		\$ 250	\$ 250	
2000 Color Orthophoto 5 CD Set / DVD		\$ 250	\$ 250	
1997 B&W Orthophoto CD Set / DVD		\$ 250	\$ 250	

Individual 5K Tile

2005 Color Orthophoto CD / DVD		\$ 25	\$ 25	
2005 Color Orthophoto Download from FTP or Web				
2000 Color Orthophoto CD / DVD		\$ 25	\$ 25	
2000 Color Orthophoto Download from FTP or Web				
1997 B&W Orthophoto CD / DVD		\$ 25	\$ 25	
1997 B&W Orthophoto Download from FTP or web				

Includes Media, Metadata, and NC Grid Index Shape files

Vector Parcels

Includes the Tax Parcel Polygons with Associated Appraisal Data (Known as the ParcelCAMA View) Shape Files, Parcel Dimension Annotation Polyline Shape files, and Metadata				
Combined with Regular Vector Data - Since Gaston County no Longer charges \$50 for the 'Tax Roll', That Amount has Been Deducted from Price				

Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

GIS Shape files

Any Polygon, Polyline & Point Layers Approved by the Respective Departments, Price Includes Media & Metadata (When Available)

Post all Vector GIS Data Free for Download via FTP Site.				
GIS Shape files on Disk (CD/DVD)*	Per Disk	\$ 40	\$ 40	

*This Covers Media, Shipping, and Staff Time to Create GIS Data Disks

Planning GIS Data*

E-911 Roadway Atlas of Gaston County				
CD/DVD		\$ 25	\$ 25	
Atlas of Web Maps				
CD/DVD		\$ 25	\$ 25	
*Available for Free Download from www.GastonGov.com				
Historic GIS Data	Per File	\$ 10	\$ 10	

Historical Aerials

8 1/2" x 11" Print		\$ 2	\$ 2	
MrSID Image	Per Set	\$ 10	\$ 10	
Set for Any Given Year	Number of Images will Vary for Given Year			

Shipping

Standard Shipping	Included in Purchase Price of Digital GIS Data			
Shipping of Hardcopy Data/Maps	via Customer Accounts Only			
Fed Ex, DHL, UPS, Overnight	via Customer Accounts Only			

Building Inspections:

Zoning Permits

Single Family Residence		\$ 75	\$ 150	↑\$75
Multifamily Residence		\$ 100	\$ 150	↑\$50
Non Residential		\$ 100	\$ 150	↑\$50
Change In Use		\$ 50	\$ 150	↑\$100
Residential Accessory Structures		\$ 30	\$ 150	↑\$120
Sign(s)		\$ 40	\$ 150	↑\$110
Manufactured Home Park Space		\$ 50	\$ 150	↑\$100
Remodeling	No Longer Needed	\$ 15	\$ -	↓-\$15
Temporary Use Permits		\$ 50	\$ 150	↑\$100
Class "D" Manufactured Home Inspections	No Longer Needed	\$ 75	\$ -	↓-\$75
Zoning Verification Letter		\$ 25	\$ 25	

Conditional Use Permits

Residential	Addition to Cover Legal Ad	\$ 400	\$ 565	↑\$165
Additional Per Unit		\$ 50	\$ 50	
Non-residential	Addition to Cover Legal Ad	\$ 400	\$ 565	↑\$165
Additional Per Acre		\$ 40	\$ 40	

Manufactured Home Permits

Single Wide HUD Labeled Manufactured Home		\$ 360	\$ 360	
Double Wide/ Triple Wide HUD Labeled Manufactured Home		\$ 480	\$ 480	
Additions and Remodels - Permit Fee Based on a Per Trip Fee and the Scope of Work	Per Inspection	\$ 60	\$ 60	

Demolition Permits

Residential Demolition Permit		\$ 60	\$ 60	
Commercial Demolition Permit		\$ 60	\$ 60	

Building Permits

Gaston County will Calculate Construction Valuation for the Following: One and Two Family Dwellings, All Commercial Buildings, and North Carolina Labeled Modular Homes Using the Current Year ICC Valuations Tables Published in February of Each Year

Valuation of Work

\$1 to \$5,000	Minimum Fee	\$ 60	\$ 60	
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Gaston County

FY 2019-20 Fee Schedule

	Fee Descriptions/Details	Adopted FY 2018-19	Requested FY 2019-20	Change
\$5,001 to \$50,000	Plus \$6 Per \$1,000 Valuation or Any Part Thereof Over \$5,000	\$ 60	\$ 60	
\$50,001 to \$100,000	Plus \$5 Per \$1,000 Valuation or Any Part Thereof Over \$50,000	\$ 320	\$ 320	
\$100,000 to \$250,000	Plus \$4.50 Per \$1,000 or Any Part Thereof Over \$100,000	\$ 570	\$ 570	
\$250,001 to \$500,000	Plus \$4 Per \$1,000 or Any Part Thereof Over \$250,000	\$ 1,245	\$ 1,245	
\$500,001 to \$1,000,000	Plus \$3.50 Per \$1,000 or Any Part Thereof Over \$500,000	\$ 2,245	\$ 2,245	
\$1,000,001 to \$10,000,000	Plus \$2.50 Per \$1,000 or Any Part Thereof Over \$1,000,000	\$ 3,995	\$ 3,995	
\$10,000,001 and Above	Plus \$1.50 Per \$1,000 or Any Part Thereof Over \$10,000,000	\$ 26,495	\$ 26,495	

Valuation of Work Determined by the Valuation Tables Per Square Foot Cost Set Forth in the Current Year (February) Edition Published by the International Code Council (ICC) or the Stated Contract price, Whichever is Greater

For Residential Construction, the Following Items will use the Per Square Foot Cost Listed in under the "Utility/Miscellaneous" Column to Calculate the Constructions Value Associated with Those Areas: Unheated Space, Garages, Porches, and Decks

Permit Fee for New Residential Homes \$660 Regardless of Valuation

Single Trade Permits

Residential Electrical Permit		\$ 60	\$ 60	
Residential Mechanical Permit		\$ 60	\$ 60	
Residential Plumbing Permit		\$ 60	\$ 60	
Commercial Plumbing, Electrical, Mechanical, Fire Alarm and Sprinkler Permits That Are Not Part of a Building Permit	Permit Fee Based on Project Cost When Applied to Gaston County's Valuation Table			
Water Heater/ HVAC Change Out		\$ 60	\$ 60	
Returned Check Fee		\$ 25	\$ 25	

Commercial Site Plan Review

Projects Less Than \$100,000		\$ 300	\$ 450	↑\$150
Projects Greater Than \$100,000	\$550 Plus \$75 Per Acre	\$ 400	\$ 550	↑\$150
Re-Inspection 1		\$ 50	\$ 50	
Re-Inspection 2		\$ 75	\$ 100	↑\$25
Re-Inspection 3+		\$ 125	\$ 150	↑\$25

Commercial/Residential & Fire Plan Review

Commercial Plan Review Fee	Increase to Cover Addition of Fire Review	15% of Permit Fee for 1st Review	20% of Permit Fee for 1st Review	↑5%
Commercial Plan Re-review for Bldgs 2500 SqFt or Smaller		\$ 75	\$ 75	
Commercial Plan Re-review for Bldgs 2501 to 7500 SqFt		\$ 150	\$ 150	
Commercial Plan 1st Re-review for Bldgs 7501 to 20,000 SqFt	New Fee		\$ 300	↑\$300
Commercial Plan 1st Re-review for Bldgs 20,001 to 60,000 SqFt	New Fee		\$ 450	↑\$450
Commercial Plan 1st Re-review for Bldgs 60,001 SqFt or Larger	New Fee		\$ 600	↑\$600
Commercial Plan 2nd Re-review for Bldgs All SqFt	New Fee		1st Review Fee x2	↑200%
Commercial Plan 3rd+ Re-review for Bldgs All SqFt	New Fee		1st Review Fee x3	↑300%
Residential Re-review Fee/ Re-stamp of Lost Plans	New Fee		\$ 25	↑\$25
Electronic Plan Review Fee (Blue Beam)		\$ 100	\$ 100	

Signs

Sign Permits Based on Project Cost				
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Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

Moved Houses

Includes New Foundation and Basic Utility Reconnections	9 Inspection Trips Included	\$ 540	\$ 540	
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Any Remodeling or Additions will Need to be Permitted Separately

Day Care License Inspection

Includes Day Care Licensing Inspections Only- Any Remodeling Would be Extra	Addition for Fire Inspector	\$ 120	\$ 180	↑\$60
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Certificate of Occupancy

For Existing Buildings with no Active Building Permit - One (1) Inspection Trip by Electrical/Mechanical Inspector and one (1) Inspection Trip by Building/Plumbing Inspector Included in Fee, Additional Trips Charged as Re-Inspection Fee Per Fee Schedule	Addition for Fire Inspector	\$ 120	\$ 180	↑\$60
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Certificate of Occupancy Included with Building Permit

ABC Permit

For Existing Buildings with no Active Building Permit - One (1) Inspection Trip by Electrical/Mechanical Inspector and one (1) Inspection Trip by Building/Plumbing Inspector Included in Fee, Additional Trips Charged as Re-Inspection Fee Per Fee Schedule	Addition for Fire Inspector	\$ 120	\$ 180	↑\$60
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Re-Inspection Fee

For Residential and Commercial Building Permits Fee Will be Charged Per Inspection After Previous Failures on the Same Inspection Type - Permits with Listed Inspections Trips, Fee will be Charged Once Trip Total Exceeds Listed Amounts		\$ 60	\$ 60	
Not Ready for Inspection Fee		\$ 100	\$ 200	↑\$100
Re-Inspection #2			\$ 120	↑\$120
Re-Inspection #3			\$ 180	↑\$180

Starting Work Without Permit

Whenever Work is Started Without a Permit		Double Fee	Double Fee	
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On-Time Inspections

Before or After Normal Work Hours, Must be Scheduled and Approved Ahead of Time.		\$ 180	\$ 180	
Guaranteed Inspection Times - During Normal Business Hours 8am to 5pm Monday Through Friday		\$ 120	\$ 120	

Weekend Inspections (Saturday and Sunday)

Based on Availability and Must be Approved Ahead of Time		\$ 360	\$ 360	
Holiday Inspection - Inspection Scheduled on Holiday Observed by Gaston County		\$ 480	\$ 480	

*Scheduled On-Time Inspections Must be Pre-approved by Supervisor and Only When Staffing Levels Allow

Refunds

If Work Has Not Begun and No Inspections Have Been Performed Then Customers May Obtain a 100% Refund				
If Work Has Began and Inspections Have Been Performed or if the Permit Has Expired No Refund Will be Granted				

Swimming Pools

Above Ground Swimming Pool - Includes 1 Trip for Building/Plumbing and 1 Trip for Electrical Inspector		\$ 120	\$ 120	
In Ground Swimming Pool - Includes 3 Trips for Building/Plumbing and 3 Inspections for Electrical		\$ 360	\$ 360	

Nuisance Abatement Program

*Nuisance Abatement Charge	or Bid as Necessary +\$100 Fee	\$ 250	\$ 350	\$100
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Gaston County

FY 2019-20 Fee Schedule

Fee Descriptions/Details

Adopted
FY 2018-19

Requested
FY 2019-20

Change

* Break-out of \$350 Fee is as Follows: \$150 Per Grass Cut Plus \$200 for Administrative Fee

Board Of Adjustment Fees

Variances/Special Exceptions	Addition to Cover Legal Ad	\$ 400	\$ 565	↑\$165
Appeals		\$ 150	\$ 150	

Manufactured Home Park

Annual Park Inspection Fee	No Longer Needed	\$ 50	\$ -	↓-\$50
Additional Per Unit	No Longer Needed	\$ 5	\$ -	↓-\$5
Manufactured Home Hardships Initial Fee	No Charge Due to Circumstance	\$ 100	\$ -	↓-\$100
Annual Renewal	No Longer Needed	\$ 25	\$ -	↓-\$25

Health Department: (Environmental Health)

Well/Water Fees

Well Permit		\$ 360	\$ 360	
State Required Water Test for New Wells		\$ 120	\$ 120	
Monitor Well (Per parcel)		\$ 85	\$ 85	
Well Repair Permit		\$ 80	\$ 80	
Bacteriological Water Analysis		\$ 80	\$ 80	
Inorganic Water Analysis		\$ 80	\$ 80	
Bacteriological/Inorganic Water Analysis		\$ 120	\$ 120	
Swimming Pool Seasonal		\$ 110	\$ 110	
Swimming Pool Annual		\$ 200	\$ 200	
Pool Plan Review		\$ 165	\$ 250	↑\$85

Septic Fees

Improvement Permit (Site Evaluation)		\$ 140	\$ 140	
Construction Authorization		\$ 190	\$ 190	
Improvement Permit And Authorization To Construct		\$ 330	\$ 330	
Engineer Option Permit Review		\$ 99	\$ 99	
Septic Repair Permit/Septic Expansion		\$ 55	\$ 55	
Septic Inspection (Existing System) Loan Letter		Remove	Remove	
Septic/Well Inspection (Bacteriological Water Test)		Remove	Remove	
Septic Inspection / Community Water Letter		Remove	Remove	
OSWW Verification		\$ 55	\$ 55	
Improvement Permit Checklist /		\$ 55	\$ 55	
Non-Compliance Trip Fee				

Restaurant Fees

Plan Review		\$ 250	\$ 250	
Limited/Temporary Food Establishment Permit*	State Controlled, Collected by Health Dept.	\$ 75	\$ 75	

Tattoo Fees

Tattoo Permit (Per Artist)		\$ 100	\$ 100	
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Copy Fees

Daycare List	Lists available online	\$ -	Remove	
Pool List	Lists available online	\$ -	Remove	



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building Inspections Board Action

File #: 19-181

Commissioner Chad Brown - Building Inspections - To Approve Plat Review Officer Changes

STAFF CONTACT

Brian Sciba - Director of Inspections & Zoning Administrator - 704-866-3970

BUDGET IMPACT

N/A

BACKGROUND

N/A

POLICY IMPACT

N/A

ATTACHMENTS

Resolution



RESOLUTION TITLE: COUNTY PLAT REVIEW OFFICER CHANGES

WHEREAS, the North Carolina General Assembly in 1997 session, approved Legislation that requires all County Commissions to designate a County Plat Review Officer, to review each map and plat and approve same prior to recording at the County Register of Deeds (cite: NCGS 47-30.2); and,

WHEREAS, this person(s) shall be experienced in mapping or land records management, and it is suggested that the designee hold a Certified Mapping Certification as approved by the State of North Carolina; and,

WHEREAS, the County approved the Planning and Development Services and the Tax GIS Mapping to be designated as the offices for the plat review with the County Plat Review officer(s), and in Board of Commission Board Action 2015-209, dated August 25, 2015, designated Plat Review Officers, Laura Hamilton, Sarah Penley, Jena Goodman, Juan G Garcia, Dan Ashworth, and Karen Hurst; and,

WHEREAS, the Board is requested to authorize the addition of two Plat Review Officer and to deactivate two officers no longer operating in that capacity. Madeline Lee and Brian Sciba will be added, Dan Ashworth and Karen Hurst will be deactivated. Laura Hamilton, Sarah Penley, Jena Goodman, Juan G. Garcia, will also continue to be designated Review Officers, to review each map and plat and approve same prior to recording at The County Register of Deeds (NCGS 47-30.2).

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

- 1) Madeline Lee and Brian Sciba are to be designated as new Plat Review Officers in accordance with NC General Statute 47-30.2
- 2) Dan Ashworth and Karen Hurst will be deactivated as Plat Review Officers in accordance with NC General Statute 47-30.2
- 3) Laura Hamilton, Sarah Penley, Jena Goodman, and Juan G. Garcia, will continue to be designated as Plat Review Officers in accordance with NC General Statute 47-30.2
- 4) The County Manager is authorized to make necessary notifications, with the names of the Plat Review Officer(s) being recorded in the Office of the Register of Deeds and indexed on the grantor's index in the name of the Plat Review Officer(s).

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:



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Attorney

Board Action

File #: 19-185

Commissioner Fraley - County Attorney - Approve Option to Purchase Property from Beam Trust and M'Shel Bowen

STAFF CONTACT

Charles Moore - County Attorney

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

This tract in Cherryville has potential for development of manufacturing facilities. It includes approximately 100 acres and is adjacent to existing manufacturing plants.

POLICY IMPACT

N/A

ATTACHMENTS

Option to Purchase Real Estate Agreement

STATE OF NORTH CAROLINA

COUNTY OF GASTON

**OPTION TO PURCHASE REAL
ESTATE**

THIS OPTION TO PURCHASE REAL ESTATE ("Agreement") is made and entered into this ____ day of April, 2019, by and between WELLS FARGO BANK, N.A., as Trustee of the Michael N. Beam Trust under Item IV, Paragraph B of the Will of Linda B. Beam dated February 1, 2012, which was admitted probate in the Superior Court of Gaston County, File No. 14-E-421 and M'SHEL B. BOWEN (collectively referred to herein as, "Seller") and GASTON COUNTY, NORTH CAROLINA, a body politic of the State of North Carolina (referred to herein as, "Purchaser").

STATEMENT OF PURPOSE

The Seller desires to grant to the Purchaser an Option to purchase the Property (as defined below) and the purpose of this Agreement is to state the terms and conditions of such Option.

NOW, THEREFORE, for and in consideration of the sum of One Thousand Dollars (\$1,000.00) ("Earnest Money") paid to Seller, the receipt of which is hereby acknowledged, Seller hereby gives, grants and conveys unto the Purchaser, its successors and assigns, the exclusive right and Option to purchase from Seller upon the terms and conditions hereafter set forth ("Option") all those tracts of land containing approximately 93 acres, in Gaston County, North Carolina, being a portion of the following tax parcels: 159046; 159098; 159044; 159103; 210299; 226913, together with any buildings and improvements thereon and all other appurtenances thereunto belonging or appertaining, and all right, title and interest which the Seller may have in all creeks, streams, lakes, rights-of-way, roads, streets and ways bounding said tracts of land. The tracts of land herein optioned are hereinafter referred to as the "Property", and are shown on EXHIBIT A which is attached hereto and made a part hereof.

The terms and conditions of this Agreement are as follows:

1. CONSIDERATION. The Earnest Money paid to Seller for this Agreement is to be part of the Purchase Price and is to be credited toward the payment of the Property, if the Purchaser should elect to exercise the Option as set forth in this Agreement. However, should the Purchaser fail to exercise the Option granted hereunder, then the consideration mentioned above shall become the property of Seller and this Agreement shall become null and void and of no further legal effect, except under those circumstances where failure to exercise the Option is due to noncompliance by the Seller with one or more of the conditions set forth in Paragraph 15 hereof.

2. DURATION. The Option herein shall exist and continue to December 31, 2019 ("Option Period"). In the event that the Army Corps of Engineers has not

accepted the stream and wetlands delineation proposed by the Purchaser and issued the appropriate permits, the Purchaser may choose to extend the Option Period for an additional period of six (6) months ending June 30, 2020.

3. SURVEY. The parties recognize that the acreage recited in the “Statement of Purpose” was derived from the Gaston County tax records and not from a survey. Prior to Closing Purchaser shall cause any existing survey to be updated and recertified, or if there is no existing survey, the Purchaser shall cause the Property to be surveyed by a registered land surveyor or a registered engineer. Such survey shall locate the boundaries of the Property, identify all corners and shall certify to the nearest one one/hundredth of an acre the number of acres included in the Property. The expense of such survey work shall be borne by the Purchaser, and said survey shall be used to draft the description required for the documents called for in Paragraph 18 hereof.

4. EXERCISE OF OPTION TO PURCHASE. Purchaser may exercise the Option by giving Seller written notice of such exercise at any time within the Option Period, as may be extended pursuant to the terms hereof. Said notice of the exercise of the Option, or extension of the Option Period, shall be effective if given to Purchaser at the address set forth in Paragraph 23 hereof. In addition, the Option may be exercised, or the Option Period extended, by delivery of said written notice within the time specified by email to the email address of Seller in Paragraph 23 hereof. Upon exercise by the Purchaser of the Option, this Agreement shall become a contract to purchase the Property, and the Purchaser shall have sixty (60) days from the date of notification of exercise of the Option in which to close the purchase of the Property (“Closing”), the details of said Closing being set forth in Paragraph 7 hereof.

5. PURCHASE PRICE. The purchase price for the Property shall be Six Thousand Dollars (\$6000.00) per acre based on the survey to be prepared pursuant to Paragraph 3 hereof (“Purchase Price”) and one hundred percent (100%) of the total Purchase Price shall be paid in cash at the time of Closing, it being understood that the Earnest Money shall be credited towards the Purchase Price.

6. CLOSING. Closing shall be held within the period of time set forth in Paragraph 4 hereof on a date selected by Purchaser at the offices of Stott, Hollowell, Palmer & Windham, 401 East Franklin Boulevard, Gastonia, North Carolina, 28052 or at such other place as may be mutually agreed upon by the parties. At Closing, Seller shall deliver to Purchaser a special warranty deed, prepared at Seller’s expense, subject only to permitted exceptions referred to below (“Permitted Exceptions”) and with documentary stamps affixed at Seller’s expense, conveying to Purchaser or its assignee an indefeasible fee simple title, marketable and insurable at regular rates by Chicago Title Insurance Company without exception, except for the Permitted Exceptions. The Property shall be conveyed to Purchaser free and clear of all liens and encumbrances, claims, easements, leases, restrictions or restrictive covenants, except that the Property may be conveyed subject to the following Permitted Exceptions:

(a) All easements, covenants, restrictions, reservations, rights-of-way and other similar matters of record affecting the Property;

(b) Utility easements in customary form;

(c) Such matters as would be disclosed by a current and accurate survey and inspection of the Property.

(d) The state of compliance or non-compliance of the Property with any laws, codes, ordinances, rules, or regulations applicable to or affecting the Property

(e) Gaston County ad valorem taxes for the year in which the Closing occurs, and

(f) Zoning ordinances for Property.

On or before thirty (30) business days of written notice of the exercise of the Option (the “Review Period”), Purchaser shall provide written notice to Seller (the “Title Notice”) of any exceptions or conditions related to title contained in Purchaser’s title commitment or survey ordered pursuant to Paragraph 3 hereof (the “Title Matters”) which are unacceptable to Purchaser (the “Title Objections”). If Purchaser fails to timely provide the Title Notice, then Purchaser shall be deemed to have waived its right to object hereunder and to have accepted all matters related to title contained in Purchaser’s title commitment or survey. Although Seller may elect in its sole and absolute discretion to cure or attempt to cure any one or more of Purchaser’s Title Objections, Purchaser acknowledges and agrees that Seller has no obligation to cure any Title Objections. Seller shall, within ten (10) business days following receipt of the Title Notice, provide written notice (the “Seller’s Title Notice”) to Purchaser stating whether Seller elects to cure any of the Title Objections; provided that if Seller fails to provide Seller’s Title Notice, then Seller shall be deemed to have elected not to cure any of the Title Objections. If Seller is unable to cure certain Title Objections and such Title Objections have a material and adverse effect on the marketability of title or the value or the intended use of the Property by Purchaser (a “Material Title Defect”), then Purchaser shall, as its sole remedy under this Agreement, have the right (i) to terminate this Agreement by written notice to Seller given within five (5) business days following Purchaser’s receipt of Seller’s Title Notice (the “Response Period”), in which event this Agreement shall terminate and the parties shall have no further obligations to each other hereunder, except as expressly provided herein, and the Earnest Money shall be returned to Purchaser, or (ii) proceed to close and accept a conveyance of the Property, subject to the Permitted Exceptions and any Material Title Defect that Seller has not elected to cure, and without (A) a reduction of the Purchase Price or (B) any claim against Seller, in which case any such Title Objections or Material Title Defect that Seller has elected not to cure shall be waived by Purchaser (i.e., shall become Permitted Exceptions). Purchaser’s failure to respond within the Response Period shall be deemed to be Purchaser’s election to accept the conveyance under clause (ii) above. All Title Objections that Seller elects to cure shall be cured by Seller prior to the Closing; provided that Seller shall have the right to extend the Closing Date one or more times for up to thirty (30) days in the aggregate to the

extent reasonably necessary for Seller to cure any Title Objections that Seller elected to cure.

7. POSSESSION. Subject to the rights of any tenants of the Property (if any) as tenants only, Seller shall deliver possession of the Property to Purchaser as of Closing. Purchaser shall be entitled to receive directly from any tenants all rents coming due on or after Closing.

8. TAXES. It is agreed that all real property taxes levied against the Property shall be prorated to the date of Closing on a calendar year basis.

9. RIGHT OF ENTRY. Purchaser, its agents, employees or other representatives, shall have the right during the term of this Agreement and at any time upon at least twenty-four (24) hours' notice, to the notice party in Paragraph 23 hereof, from and after the exercise of the Option to go upon the Property for the purposes of making such surveys, engineering, topographical, geological and other tests and measurements including, but not limited to, soil tests, percolation tests and subsoil tests, as Purchaser deems necessary or advisable without cost to the Seller. Purchaser shall pay for any damages to the Property caused while such surveys or tests are being made, and shall indemnify Seller against any claims or losses occasioned by the exercise of the right of entry granted under the provisions hereof.

10. CONSTRUCTION OF AGREEMENT.

(a) The parties hereto agree that this Agreement constitutes the entire agreement between the parties; that no representations, stipulations, agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in the provisions of this Agreement; this Agreement may not be added to or modified except by written agreement signed by each of the parties.

(b) No waiver of any term or condition of this Agreement shall be deemed a waiver of such term or condition in the future unless such waiver shall be in writing and signed by each of the parties.

(c) If the Option is exercised so that this Agreement becomes a contract to purchase, as set forth in Paragraph 4 hereof, nevertheless, Purchaser's obligation to purchase is subject to the terms of Paragraph 16 hereof.

(d) It is understood and recognized that this Agreement is the joint undertaking of the parties hereto and results from their common negotiations.

11. ZONING. Seller represents and warrants that, during the period of Seller's ownership, Seller has received no written notice of any of the following which remain uncured: (i) any violation of any applicable deed restrictions, zoning or subdivision regulations to the Property, as modified by any duly issued variances; or (ii) any action or proceeding relating to the foregoing with respect to the Property.

12. ASSIGNMENT. Purchaser shall have the right to assign this Agreement to a third party in which Purchaser is a majority owner. Any other assignment shall require Seller's prior written consent, which consent shall not be unreasonably withheld.

13. REPRESENTATIONS AND WARRANTIES.

(a) Seller hereby makes the following representations and warranties to Purchaser:

(1) [Intentionally Omitted].

(2) Seller has the right, power and authority to enter into this contract and to sell and convey the Property in accordance with the terms and conditions herein contained.

(3) Seller has received no notice of any condemnation proceedings, or proposed proceedings, against the whole or any part of the Property and no such proceedings or proposed proceedings have commenced.

(4) To the best of Seller's knowledge, the Property is free from any special taxes or assessments, except those generally applicable to other real property in the tax district in which the Property is located.

(5) There are no parties in possession of any portion of the Property as lessees, tenants at sufferance, licensees, or trespassers except as expressly set forth in writing by Seller to Purchaser. Seller has not entered into any agreement with any third party, except this Agreement, creating any option, right of first refusal or other right to purchase the Property or regarding any development rights or restrictions relating to the Property which will affect future ownership, development or operation of the Property after the Closing.

(6) [Intentionally Omitted].

(7) All ad valorem taxes through 2018 have been paid or will have been paid at Closing.

The representations and warranties of Seller in this Paragraph 13 are a material inducement for Purchaser to enter into this Agreement. Such representations and warranties shall survive the Closing for six (6) months after the date of Closing, at which time such representations and warranties shall terminate. This means that if any action is to be brought based upon said representations and warranties, said claim must be commenced within six (6) months after the date of Closing or forever be barred.

(b) Purchaser hereby makes the representations and warranties set forth below in this Paragraph 13(b) in favor of Seller, each of which are true and correct on the date of this Agreement and shall be true and correct on the date of Closing.

(1) Good Standing. Purchaser is body politic of the State of North Carolina duly organized, validly existing and in good standing and has taken all action necessary to enable Purchaser to consummate the transactions contemplated by this Agreement, and has duly authorized the execution and performance of this Agreement.

(2) Authority of Purchaser. This Agreement is a valid and binding obligation of Purchaser. No authorizations or approvals, whether of governmental bodies or otherwise will be necessary in order for Purchaser to enter into this Agreement. Neither the execution and delivery of this Agreement nor the consummation of the transactions contemplated hereunder will, to Purchaser's knowledge, conflict with or result in the breach of any law, regulation, writ, injunction or decree of any court or governmental instrumentality applicable to Purchaser.

(3) Bankruptcy. No petition in bankruptcy (voluntary or otherwise), assignment for the benefit of creditors or petition seeking reorganization or arrangement or other action under federal or state bankruptcy or insolvency laws is pending against or contemplated by Purchaser.

The representations and warranties of Purchaser in this Paragraph 13(b) are a material inducement for Seller to enter into this Agreement. Such representations and warranties shall survive the Closing for six (6) months after the date of Closing, at which time such representations and warranties shall terminate. This means that if any action is to be brought based upon said representations and warranties, said claim must be commenced within six (6) months from the date of Closing or forever be barred.

14. SURVIVAL. It is understood and agreed that whether or not it is specifically so provided herein, any provision of this Agreement, which by its nature is required to be kept, observed and performed after the exercise of the Option granted hereunder or Closing of the purchase of the Property, shall survive the exercise and Closing of title and the delivery of the deed hereunder, and shall not be merged therein, but shall be and remain binding upon and for the benefit of the parties hereto until fully observed, kept and performed.

15. CONDITIONS TO CLOSING.

(a) Purchaser's Conditions. Purchaser's obligation to close this transaction is subject to the satisfaction of all of the following conditions in all material respects:

(1) Purchaser's Review. Purchaser's satisfaction or waiver of all conditions contained in Purchaser's Review Period under Paragraph 6;

(2) Seller's Compliance. Seller's fulfillment of each of its obligations under this Agreement in all material respects or Purchaser's waiver thereof;

(3) Seller's Representations. The continuing accuracy of all of Seller's representations in this Agreement in all material respects;

(4) Status of Title. The absence of any monetary lien or other defect in title to the Property which was not permitted by this Agreement or approved by Purchaser;

(5) Title Insurance. Purchaser's title company having issued at Closing, or unconditionally committed at Closing to issue, to Purchaser, an owner's policy of title insurance insuring good and marketable fee simple title to the Property in the amount of the Purchase Price with only the Permitted Exceptions; and

(6) No Litigation. On the dated of Closing, there shall be no litigation pending or threatened, seeking (A) to enjoin the consummation of the sale and purchase hereunder, (B) to recover title to the Property, or any part thereof or any interest therein, or (C) to enjoin the violation of any law, rule, regulation, restrictive covenant or zoning ordinance that may be applicable to the Property.

To the extent that any condition precedent set out above has not been satisfied on the date of Closing, and unless otherwise provided above, Purchaser may terminate this Agreement in which event Purchaser shall be entitled to a refund of the Earnest Money and neither party shall have any further rights or obligations hereunder other than those obligations which survive termination of this Agreement.

(b) Seller's Conditions. Seller's obligation to close this transaction is subject to the satisfaction of all of the following conditions in all material respects:

(1) Purchaser shall have performed and observed in all material respects all covenants and agreements to be performed by Purchaser under this Agreement; and

(2) All of the representations and warranties of Purchaser contained in this Agreement shall be true and correct in all material respects as of the Closing Date.

To the extent that any condition precedent set out above has not been satisfied on the date of Closing, and unless otherwise provided above, Seller may terminate this Agreement in which event Seller shall be entitled to receipt of the Earnest Money and neither party shall have any further rights or obligations hereunder other than those obligations which survive termination of this Agreement.

16. RISK OF LOSS. Prior to Closing, all risk of loss or damage by every casualty shall be borne by the Seller. If, prior to Closing, any of the improvements to the Property, shall be destroyed or materially damaged by fire or other casualty, the repair of which shall cost more than \$10,000, the Purchaser may declare this

Agreement to be null and void and of no force and effect, whereupon Seller shall return to Purchaser all monies paid pursuant to the requirements of this Agreement. If this Agreement is not so declared null and void by the Purchaser within 30 days after purchaser's receipt of notice of such casualty, Seller shall, at Closing, pay to Purchaser all sums collected under policies of insurance because of such casualty; or assign to Purchaser all rights to such sums then uncollected.

17. AS IS/WHERE IS CONDITION. Except as provided otherwise in this Agreement or in the documents to be executed and delivered by Seller at Closing, the Property shall be delivered to Purchaser on the date of Closing in an “**AS IS/WHERE IS**” **CONDITION WITH ANY AND ALL FAULTS AND SELLER MAKES NO REPRESENTATIONS, WARRANTIES OR AGREEMENTS OF ANY KIND OR NATURE REGARDING THE PROPERTY, EXPRESS OR IMPLIED AND SELLER EXPRESSLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS, WHETHER EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE INCLUDING, WITHOUT LIMITATION, THE: STABILITY OR SUITABILITY OF THE SOIL; PRESENCE OR ABSENCE OF ANY HAZARDOUS SUBSTANCES; BUILDING, ZONING, SENSITIVE AREA, OR OTHER RESTRICTIONS UNDER ANY LAW, RULE, ORDINANCE, OR REGULATION AFFECTING THE USE, IMPROVEMENT, OR OCCUPANCY OF THE PROPERTY; ANY DEFECTIVE CONDITION OF THE PROPERTY; AND BUYER'S ABILITY TO UTILIZE ANY PART OF THE PROPERTY.**

18. DOCUMENTS AT CLOSING. At Closing, the Seller shall:

(a) Convey the Property to Purchaser by special warranty deed, subject only to the Permitted Exceptions.

(b) Execute any and all affidavits or the like reasonably required by the Purchaser's title company to enable Seller to deliver marketable title to Purchaser on the date of Closing, including an applicable standard form North Carolina Land Title Association Owner Affidavit and Indemnity Agreement, subject to the Permitted Exceptions.

(c) Deliver to Purchaser all surveys (boundary and topographical) in the possession of Seller having to do with the Property.

(d) Execute and deliver any and all documents and papers (including those documents specified above) that may be necessary in connection with the consummation of the transaction contemplated by this Agreement including the transfer of Seller's interest in the Property, the assignment of various other interests relating to the Property and the improvements thereon, if any, and the certification of compliance with the terms and conditions hereof.

19. NO WASTE. During the existence of this Agreement Seller shall commit no waste upon the Property, including, but not limited to, no cutting of trees and no removal of any improvements without the consent of Purchaser, and Seller shall

maintain the Property in as good condition as it is now, usual wear and tear excepted.

20. LIQUIDATED DAMAGES. The Earnest Money paid to Seller for the Option shall be and represent liquidated damages for any default on the part of the Purchaser or its assignee, which liquidated damages shall be the extent of the liability of the Purchaser with respect to any default hereunder, regardless of whether such default shall arise before or after exercise of the Option, and Seller shall have no other right, claim or cause of action against Purchaser or its assignee. Should the Seller default under any of the provisions of this Agreement, Purchaser may either demand specific performance of this Agreement, but only to the extent of conveyance of the Property free and clear of all liens and encumbrances except those permitted in Paragraphs 6 and 11 above, or Purchaser may consider the Agreement terminated, in which event the extent of the responsibility of the Seller shall be to refund to Purchaser any monies paid to Seller hereunder. Purchaser shall be deemed to have elected to terminate this Agreement and receive back the Earnest Money if Purchaser fails to file suit for specific performance against Seller in a court of competent jurisdiction, on or before the date which is sixty (60) days following the date upon which Closing was to have occurred.

21. BROKERAGE. It is agreed that if any claims for brokerage commissions or fees are ever made against Seller or Purchaser in connection with this transaction, all such claims shall be handled and paid by the party whose actions or alleged commitments form the basis of such claim. The party against whom the claim for such fees is made shall indemnify and defend and hold the other party harmless from any and all such claims or demands with respect to any brokerage fees or agent's commissions or other compensation asserted by any person, firm, or corporation in connection with this Agreement or the transactions contemplated herein.

22. MEMORANDUM OF OPTION. The parties agree that this instrument shall not be recorded; provided, however, that Seller agrees, at the request of Purchaser to execute a Memorandum of Option in recordable form, stating that the Property is subject to the Option and the duration of such Option.

23. NOTICES. Notices under this Agreement shall be in writing and if personally delivered, telefaxed or emailed shall be effective when received. If sent by a commercially recognized overnight courier, a notice shall be deemed effective on the business day after it is deposited with the overnight courier for next business day delivery, directed to the other party. Notices shall be delivered, air couriered, emailed or telefaxed to the following address and telephone numbers:

SELLER: Michael N. Beam Trust
M'Shel Beam Bowen
c/o Wells Fargo Bank, N.A.
Attn: Caroline Thompson
868 Church Street North, 2nd Floor
Concord, NC 28025
Phone: (704) 262-2348
Email: caroline.thompson@wellsfargo.com

Copy to: Poyner Spruill LLP
Attn: Paul M. Fogleman
301 Fayetteville Street, Suite 1900
Raleigh, NC 27601
Phone: (919) 783-1073
Email: pfogleman@poynerspruill.com

PURCHASER: Gaston County
Attn: County Manager
P.O. Box 1578
Gastonia, NC 28053
Phone: (704) 866-3101

24. WAIVER. Failure of either party at any time to require performance of any provision of this Agreement shall not limit the party's right to enforce the provision. Waiver of any breach of any provision shall not be a waiver of any succeeding breach of the provision or a waiver of the provision itself or any other provision.

25. ATTORNEYS' FEES. In the event suit or action is instituted to interpret or enforce the terms of this Agreement, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorneys' fees in the preparation of its case at trial, on any appeal, and on any petition for review, in addition to all other sums provided by law.

26. APPLICABLE LAW. This Agreement shall be construed, applied and enforced in accordance with the laws of the State of North Carolina.

27. INVALIDITY OF PROVISIONS. If any provision of this Agreement, or any instrument to be delivered to Purchase at Closing pursuant to this Agreement, is declared invalid or is unenforceable for any reason, such provision shall be deleted from such document and shall not invalidate any other provision contained in the document.

28. FURTHER ASSURANCES. In addition to the acts and deeds recited herein and contemplated to be performed at the Closing, Seller and Purchaser agree to perform such other acts, and to execute and/or deliver such other instruments and documents as either Seller or Purchaser, or their respective counsel, may reasonably require in order to effect the intents and purposes of this Agreement. Further, Seller and Purchaser each agree to deliver to the Purchaser's title company affidavits and such other assurances as may reasonably be necessary or required to enable such title company to issue the policies of title insurance as contemplated in this Agreement.

29. COUNTERPARTS; FACSIMILE SIGNATURES. This Agreement may be executed in any number of original counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and

the same instrument. Each party (i) has agreed to permit the use of telecopied signatures in order to expedite execution of this transaction, (ii) intends to be bound by its respective telecopied signature, (iii) is aware that the other parties will rely on the telecopied signature, and (iv) acknowledges such reliance and waives any defenses to the enforcement of any documents based on the fact that a signature was sent by telecopy. As used herein, the term “telecopied signature” shall include any signature sent via email in portable document format (“pdf”). At the request of either party the parties shall confirm telecopy transmitted signatures by signing an original document.

30. BINDING EFFECT. The provisions hereof shall insure to the benefit of and be binding upon the parties hereto and their heirs, legal representative, successors and assigns.

[SIGNATURES ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed under seal as of the day and year first above written.

SELLER:

WELLS FARGO BANK, N.A., as Trustee of the Michael N. Beam Trust under Item IV, Paragraph B of the Will of Linda B. Beam dated February 1, 2012, which was admitted probate in the Superior Court of Gaston County, File No. 14-E-421

By: _____ (SEAL)

Print Name: _____

Title: Vice President

M'SHEL BEAM BOWEN

PURCHASER:

GASTON COUNTY, NORTH CAROLINA,
a body politic of the State of North Carolina

By: _____ (SEAL)

Print Name: Tracy L. Philbeck

Title: Chairman of the Board of Commissioners

ATTEST:

APPROVED AS TO FORM:

Donna S. Buff, Clerk to the Board

Charles L. Moore, County Attorney

This instrument has been pre-audited in the manner required by the Local
Government Budget and Fiscal Control Act.

Finance Division Director



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Manager

Board Action

File #: 19-175

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 APRIL 23, 2019 BOARD MEETING**

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
03/01/2019	GEMS	010-02-4370-0000-520001-	C	\$500
03/01/2019		010-02-4370-0000-520005-	D	\$500
03/04/2019	Budget	010-02-4360-0000-530010-	C	\$3,619
03/04/2019		010-02-4360-0000-520004-	D	\$3,619
03/05/2019	T&T	022-07-4921-0000-530020-	D	\$300
03/05/2019		022-07-4921-0000-520015-	C	\$300
03/06/2019	Public Works	027-01-4265-4260-540002-18086	C	\$5,000
03/06/2019		027-01-4265-4260-530012-	D	\$5,000
03/06/2019	Tax	023-01-4142-0000-560000-18114	C	\$17,374
03/06/2019		023-01-4142-0000-560000-17169	C	\$45,396
03/06/2019		023-01-4142-0000-560000-Reval	D	\$62,770
03/06/2019		010-01-4140-0000-530010-	C	\$5,000
03/06/2019		010-01-4140-0000-530013-	D	\$5,000
03/07/2019	ACE	010-02-4380-0000-510001-	C	\$10,000
03/07/2019		010-02-4380-0000-510002-	D	\$10,000
03/13/2019	Health	011-05-5113-5120-510001-	C	\$17,284
03/13/2019		011-05-5113-5120-510100-	C	\$1,322
03/13/2019		011-05-5113-5120-510101-	C	\$1,394
03/13/2019		011-05-5113-5121-560000-19510	D	\$20,000
03/12/2019	Sheriff	010-02-4315-4315-530002-	D	\$6,500
03/12/2019		010-02-4315-4315-530010-	C	\$6,500
03/12/2019		010-02-4315-4315-510002-	D	\$25,000
03/12/2019		010-02-4315-4315-510001-	C	\$25,000
03/12/2019		010-02-4315-4323-510002-	D	\$25,000
03/12/2019		010-02-4315-4315-510001-	C	\$25,000
03/12/2019		010-02-4315-4315-540001-	D	\$9,500
03/12/2019		010-02-4315-4315-540002-	C	\$7,500
03/12/2019		010-02-4315-4315-520007-	C	\$2,000
03/12/2019		010-02-4315-4315-520005-	D	\$1,600
03/12/2019		010-02-4315-4315-530010-	C	\$1,600
03/12/2019		010-02-4315-4315-530015-	D	\$600
03/12/2019		010-02-4315-4315-520007-	C	\$600
03/12/2019		010-02-4315-4315-530020-	D	\$5,000
03/12/2019		010-02-4315-4315-530030-	C	\$5,000
03/13/2019	Planning	010-02-4910-4911-540001-	D	\$1,477
03/13/2019		010-02-4910-4911-520011-	C	\$1,477
03/14/2019	GEMS	010-02-4370-0000-520010-	C	\$125
03/14/2019		010-02-4370-0000-520012-	D	\$125
03/15/2019	Library	010-04-6110-6112-520005-	C	\$68
03/15/2019		010-04-6110-6112-520017-	D	\$40
03/15/2019		010-04-6110-6112-530015-	D	\$28
03/15/2019		010-04-6110-6112-520001-	C	\$3,153
03/15/2019		010-04-6110-6112-540001-	D	\$154
03/15/2019		010-04-6110-6113-540001-	D	\$2,999
03/15/2019	GEMS	010-02-4370-0000-530015-	C	\$11,103
03/15/2019		010-02-4370-0000-520011-	D	\$11,103
03/19/2019	Bldg Insp	012-02-4350-0000-520013-	C	\$816
03/19/2019		012-02-4350-0000-530029-	D	\$816
03/20/2019	Finance	010-01-4130-0000-510001-	C	\$12,000
03/20/2019		010-01-4130-0000-510002-	D	\$12,000
03/21/2019	DSS	020-05-4790-0000-510002-	C	\$35,000
03/21/2019		020-05-4790-0000-530013-	D	\$35,000
03/22/2019	Communications	010-02-4311-0000-510002-	D	\$100,000
03/22/2019		010-02-4311-0000-510001-	C	\$100,000

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

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
03/22/2019	Emerg Mgmt	010-02-4330-0000-520002-	C	\$700
03/22/2019		010-02-4330-0000-510104-	D	\$700
03/22/2019	Health	011-05-5117-0000-520002-	C	\$3,000
03/22/2019		011-05-5117-0000-520013-	D	\$3,000
03/22/2019	County PD	010-02-4310-4310-510001-	C	\$100,000
03/22/2019		010-02-4310-4310-510002-	D	\$100,000
03/22/2019		010-02-4310-4310-510001-	C	\$11,737
03/22/2019		010-02-4310-4310-510003-	D	\$11,737
03/22/2019	Library	010-04-6110-6112-530029-	D	\$25,106
03/22/2019		010-04-6110-6112-520002-	C	\$5,106
03/22/2019		010-04-6110-6112-520007-	C	\$10,000
03/22/2019		010-04-6110-6113-520007-	C	\$10,000
03/22/2019	Sheriff	010-02-4315-4315-510102-	C	\$55,000
03/22/2019		010-02-4315-4323-510102-	D	\$55,000
03/22/2019		010-02-4315-4315-510001-	C	\$40,000
03/22/2019		010-02-4315-4323-510002-	D	\$40,000
03/25/2019	HR	010-01-4122-0000-560000-FmFun	C	\$2,000
03/25/2019		010-01-4122-0000-530015-	D	\$2,000
03/26/2019	DSS	020-05-4790-0000-510001-	C	\$18,000
03/26/2019		020-05-5585-0000-510001-	D	\$18,000
03/26/2019		020-05-4790-0000-510100-	C	\$825
03/26/2019		020-05-5585-0000-510100-	D	\$825
03/26/2019		020-05-4790-0000-510101-	C	\$975
03/26/2019		020-05-5585-0000-510101-	D	\$975
03/26/2019	ACE	010-02-4380-0000-530023-	C	\$10,000
03/26/2019		010-02-4380-0000-520004-	D	\$10,000
03/26/2019	T&T	022-07-4921-0000-520013-	C	\$13,500
03/26/2019		022-07-4921-0000-530010-	D	\$13,500
03/27/2019	County PD	010-02-4310-4310-520001-	C	\$5,000
03/27/2019		010-02-4310-4310-520011-	D	\$5,000
03/27/2019		010-02-4310-4310-520007-	C	\$10,000
03/27/2019		010-02-4310-4310-530015-	D	\$10,000
03/28/2019	Health	011-05-5110-0000-510101-	C	\$81
03/28/2019		011-05-5110-0000-510002-	D	\$81
03/28/2019		011-05-5112-5116-510001-	C	\$8,640
03/28/2019		011-05-5112-5116-510100-	C	\$661
03/28/2019		011-05-5112-5116-510101-	C	\$697
03/28/2019		011-05-5112-5116-560000-19506	D	\$9,998
03/28/2019	Museum	010-04-6141-0000-530021-	C	\$250
03/28/2019		010-04-6141-0000-520012-	D	\$250
03/28/2019	Health	011-05-5111-0000-560000-08319	C	\$621
03/28/2019		011-05-5111-0000-560000-08320	D	\$621
03/28/2019		011-05-5111-0000-560000-10363	C	\$1,387
03/28/2019		011-05-5111-0000-560000-11280	C	\$9
03/28/2019		011-05-5111-0000-560000-14203	C	\$2,675
03/28/2019		011-05-5111-0000-560000-15218	C	\$22,063
03/28/2019		011-05-5111-0000-560000-15219	C	\$34,273
03/28/2019		011-05-5111-0000-560000-16163	C	\$54
03/28/2019		011-05-5111-0000-560000-16279	C	\$2,601
03/28/2019		011-05-5111-0000-560000-19008	D	\$63,063
03/29/2019	Communications	010-02-4311-0000-530023-	C	\$400
03/29/2019		010-02-4311-0000-530015-	D	\$400



Gaston County

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County Manager

Board Action

File #: 19-140

Commissioner Philbeck - County Manager - Commendation - To Commend the 2018 Gaston County Employees of the Year

STAFF CONTACT

Eric Johnson - County Manager's Office - 704-866-3101

BACKGROUND

Each year Gaston County's Employee Recognition Committee accepts nomination for Employee of the Year. The committee selects the top nominees to receive an Employee of the Year Award. Employees of the Year are employees who have gone above and beyond in their job performance or are just plain incredible at what they do. Other special awards are also announced.

ATTACHMENTS

Commendation



WHEREAS, Gaston County employs approximately sixteen hundred dedicated employees; and,

WHEREAS, each year, these employees nominate and select from among themselves the most Outstanding Gaston County Employees; and,

WHEREAS, an Outstanding Gaston County Employee is one who has rendered excellent service, performed in a manner that has won the respect and admiration of his/her peers, and exhibited an attitude and professionalism to be emulated by others.

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

Joy Armstrong, Rachel Beaudin, Sandra Love Corum, Brittany Froning, Deputy Mike McGinnis, Chrissie McGovern, Gary Nickens, Officer Rodney Smith, Chelsea Tarbush, Jocelyn Williams, Bettina Bissell, Rene Crump, and Andrea Wyant

and expresses its appreciation for the exceptional and dedicated work of all the Gaston County Outstanding Employees of the Year and other award winners for 2018.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley

To be Adopted the 23rd Day of April 2019



Gaston County

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County Manager

Board Action

File #: 19-141

Commissioner Fraley - County Manager - Commendation - To Commend Outstanding Departments and Recognize Their Coordinators and Advocates from the 2018 United Way Campaign to Support the United Way of Gaston County

STAFF CONTACT

Eric Johnson - County Manager's Office - 704- 866-3101

BACKGROUND

Gaston County Employees pledged over \$61,000 for the United Way of Gaston County in their 2018 United Way Campaign. GEMS, Sheriff's Office, and DHHS are to be commended for their achievement and generosity. Additionally, United Way coordinators Captain Robert Sneed in GEMS, Captain Shea Wilkinson in the Sheriff's Office, Christie Williams in Public Health, and Dottie Myers in DSS; and, United Way advocates GEMS Chief Mark Lamphiear, Sheriff Alan Cloninger, and DHHS Director Chris Dobbins are to be recognized for their work and fund-raising efforts in the 2018 Gaston County Employees United Way Campaign on behalf of the United Way of Gaston County.

ATTACHMENTS

Commendation



WHEREAS, last fall, Gaston County employees led a successful campaign for the United Way of Gaston County; and,

WHEREAS, GEMS and coordinator Captain Robert Sneed led all departments in giving for the eighth year in a row with a total gift of over \$22,000; and,

WHEREAS, the Gaston County Sheriff's Office and coordinator Captain Shea Wilkinson had over \$9,000 in giving; and,

WHEREAS, Gaston County DHHS and coordinators Christie Williams and Dottie Myers had over \$10,000 in giving; and,

WHEREAS, these efforts resulted in a contribution from the Gaston County Employees United Way Campaign of over \$61,000.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners recognizes and commends all Gaston County Employees who gave - especially the coordinators and departments of

DHHS, GEMS, SHERIFF'S OFFICE

for their fund-raising efforts as leaders in the 2018 Gaston County Employees United Way Campaign on behalf of the United Way of Gaston County.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley



Gaston County

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DHHS - Public Health Division Board Action

File #: 19-157

Commissioner Chad Brown - DHHS (Health Division) - To Approve the Gaston County Public Health Department Patient Fee Schedule

STAFF CONTACT

Chris Dobbins - Director of Health and Human Services - DHHS (Health Division) - 704-853-5262

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

North Carolina Statute 130A-39(g) grants authority to health departments to charge patient fees for clinical services provided. Fees shall be based upon a plan recommended by the local health director and must be approved annually by the local HHS Board and the appropriate county board or Boards of Commissioners. The Health Department must establish one charge per clinical/support service for all payors, including Medicaid, based on their related costs.

The Gaston County Public Health Department Patient Fee Schedule (which is hereby incorporated by reference), was approved by the Gaston County Health and Human Services (HHS) Board in February, 2019 and thereby recommended for approval by the Gaston County Board of Commissioners.

Periodic adjustments of the Fee Schedule are authorized by the State in order to comply with the NC Public Health State Consolidated Agreement, subject to the approval of the Gaston County HHS Board.

POLICY IMPACT

N/A

ATTACHMENTS

Patient Fee Schedule (Viewable Online Only or By Request)



Gaston County

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DHHS - Public Health Division Board Action

File #: 19-158

Commissioner Chad Brown - DHHS (Health Division) - To Appropriate Excess Fee Revenue Earned During Fiscal Year 2018 from Health Fund Balance for the Public Health Clinics and Environmental Health Program (**100% Fee Revenue - \$49,233**)

STAFF CONTACT

Cathy Cheek - Business Services Administrator - DHHS - Public Health Division - 704-853-5266

BUDGET IMPACT

Appropriate 100% Fee Revenue.

BUDGET ORDINANCE IMPACT

Appropriate \$49,233 into Special Project accounts from revenue received during FY18 in Health Fund Balance.

BACKGROUND

During Fiscal Year 2018, Excess Fee Revenue was generated by the Public Health clinics and Environmental Health Program through Medicaid, Medicare, Insurance, Patient, and Permit Fees. Excess Fee Revenue is recognized when the amount of fees received exceed the fiscal year budgeted amount. In Accordance with the Consolidated Agreement between the Public Health Department and the State of North Carolina, all excess fee revenue earned must be budgeted and spent in the program that earned the revenue and locally appropriated funds may not be supplanted by earned revenues from persons, public, or private third party payors. The funds will be used for patient clinical and Environmental Health operating expenses. **These are Non-County funds.**

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 5112 DHHS - Public Health
Dept. # Department Name

Chris Dobbins 4/8/2019
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)
Fund Balance Appropriated	011-99-9900-0000-490000-	(\$49,233)
FY18 Excess Nutr. Fee Revenue	011-05-5112-5118-560000-19074	\$1,509
FY18 Env. Health Excess Fees	011-05-5114-5125-560000-19075	\$41,815
FY18 Excess ICS Fee Revenue	011-05-5116-5131-560000-19076	\$5,909

JUSTIFICATION FOR REQUEST:

During Fiscal Year 2018, Excess Fee Revenue was generated by the Public Health clinics and Environmental Health Program through Medicaid, Medicare, Insurance, Patient, and Permit Fees. Excess Fee Revenue is recognized when the amount of fees received exceed the fiscal year budgeted amount. In Accordance with the Consolidated Agreement between the Public Health Department and the State of North Carolina, all excess fee revenue earned must be budgeted and spent in the program that earned the revenue and locally appropriated funds may not be supplanted by earned revenues from persons, public, or private third party payors. The funds will be used for patient clinical and Environmental Health operating expenses. 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

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DHHS - Public Health Division Board Action

File #: 19-169

Commissioner Chad Brown - DHHS (Health Division) - To Adopt an Ordinance Approving a Gaston County Health and Human Services Board of Health Rule Prohibiting the Use of Tobacco Products in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places

STAFF CONTACT

Chris Dobbins - Director - Department of Health and Human Services - 704-853-5262

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Gaston County Department of Health and Human Services (DHHS) Board adopted the Gaston County Board of Health Rule prohibiting the use of tobacco products in local government buildings, local government grounds, local government vehicles, local government parks, and indoor public places on Thursday, April 4, 2019. Pursuant to the provisions of G.S. 153A-77 and G.S. 130A-43, the consolidated Gaston County Health and Human Services Board has the authority to adopt local health regulations; and pursuant to G.S. 130A-43, a consolidated human service board shall have all the powers and duties of a local board of health as provided in G.S. 130A-39. Gaston County DHHS is committed to protecting the health and environment of individuals, children, and employees by eliminating exposure to secondhand smoke, e-cigarette aerosol, and eliminating the amount of litter caused by discarded cigarette butts. G.S. 130A-498 authorizes local governments to adopt and enforce ordinances "that are more restrictive than State law and that apply in local government buildings, on local government grounds, in local vehicles, or in public places."

Upon adoption the Board of Health Rule will be set forth in Chapter 8, Article III, Section 8-101 et. seq. of the Gaston County Code of Ordinances.

POLICY IMPACT

N/A

ATTACHMENTS

Resolution and Exhibit A - Board of Health Rule



RESOLUTION TITLE: AN ORDINANCE APPROVING A GASTON COUNTY HEALTH AND HUMAN SERVICES BOARD OF HEALTH RULE PROHIBITING THE USE OF TOBACCO PRODUCTS IN LOCAL GOVERNMENT BUILDINGS, LOCAL GOVERNMENT GROUNDS, LOCAL GOVERNMENT VEHICLES, LOCAL GOVERNMENT PARKS, AND INDOOR PUBLIC PLACES

WHEREAS, in 2009 the North Carolina General Assembly enacted Session Law 2009-27, which authorized local governments and local boards of health to prohibit smoking and tobacco in certain areas; and,

WHEREAS, rules adopted by the local boards of health are generally applicable throughout the county of adoption including within town jurisdictions; and,

WHEREAS, on April 4, 2019, the Gaston County Health and Human Services Board adopted a Board of Health rule (Attached hereto as Exhibit A) prohibiting the use of tobacco in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places; and,

WHEREAS, the Commissioners of Gaston County, believing it to be in the best interest of the citizens and residents of Gaston County, have determined that the Board of Health rule as adopted by the Gaston County Health and Human Services Board prohibiting tobacco use throughout Gaston County should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners that the Gaston County Board of Health rule, adopted by the Gaston County Health and Human Services Board prohibiting tobacco use as described herein and in the Exhibit is hereby approved and to be set forth in Chapter 8, Article III, Section 8-101 et. seq. of the Gaston County Code of Ordinances.

By:

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

DO NOT TYPE BELOW THIS LINE

An Ordinance Approving a Gaston County Health and Human Services Board of Health Rule Prohibiting the Use of Tobacco Products in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places

Page 2

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above, as filed with the Clerk to the Board, is a true and accurate copy of the ordinance entitled **An Ordinance Approving a Gaston County Health and Human Services Board of Health Rule Prohibiting the Use of Tobacco Products in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places** as adopted by the Board of Commissioners on April 23, 2019.

Donna S. Buff, Clerk to the Board

SEAL

Gaston County Board of Health Rule

**Prohibiting the Use of Tobacco Products in
Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local
Government Parks, and Indoor Public Places**

WHEREAS, pursuant to the provisions of G.S. 153A-77 and G.S. 130A-43, the consolidated Gaston County Health and Human Services Board has the authority to adopt local health regulations; and

WHEREAS, pursuant to G.S. 130A-43, a consolidated human service board shall have all the powers and duties of a local board of health as provided in G.S. 130A-39; and

WHEREAS, Gaston County Department of Health and Human Services "DHHS" is committed to protecting the health and environment of individuals, children, and employees in Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks, and Indoor Public Places by eliminating exposure to secondhand smoke, and e-cigarette aerosol, and eliminating the amount of litter caused by discarded cigarette butts; and

WHEREAS, Gaston County DHHS wishes to minimize the harmful effects of tobacco use among employees and eliminate secondhand smoke and e-cigarette aerosol exposure for employees and the public in and on those buildings, vehicles and grounds controlled by units of local government and in indoor public places within Gaston County; and

WHEREAS, G.S. 130A-498 authorizes local governments to adopt and enforce ordinances "that are more restrictive than State law and that apply in local government buildings, on local government grounds, in local vehicles, or in public places"; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), tobacco use is the leading preventable causes of illness and premature death in North Carolina and the nation; and

WHEREAS, research indicates that, during active smoking, outdoor levels of secondhand smoke may be as high as indoor levels and may pose a health risk for people in close proximity, and some hazard exists beyond 30 feet; and

WHEREAS, in 2006, the Surgeon General concluded that there is no risk-free level of exposure to secondhand tobacco smoke. Establishing smoke-free environments is the only proven way to prevent exposure, and tobacco free rules and ordinances are an evidence-based method of creating smoke-free environments; and

WHEREAS, in 2016, the U.S. Surgeon General issued a report on e-cigarettes and young people stating that emitted e-cigarette aerosol is not just water vapor, but contains nicotine and can contain additional toxins, making it less safe than clean air and e-cigarette use has the potential to involuntarily expose children and adolescents, pregnant women, and non-users to aerosolized nicotine and, if the products are altered, to other psychoactive substances. Therefore, clean air, being free of both smoke and e-cigarette aerosol, remains the standard to protect health; and

WHEREAS, the use of e-cigarettes in places where smoking traditional tobacco products is prohibited could lead to difficulties in enforcing smoke-free policies and renormalize tobacco use, especially among youth; and

WHEREAS, the CDC reports that nearly 90 percent of smoking and smokeless tobacco use are frequently initiated and established before age 18, that most people who begin smoking during adolescence are addicted by the age of 20, and that adolescent smokeless tobacco users are more likely than nonusers to become adult cigarette smokers; and

WHEREAS, children model adult behavior and benefit from positive models of non-tobacco use behavior and positive reinforcement of healthy lifestyle messages through exposure to tobacco-free public areas; and

WHEREAS, experimentation with and use of e-cigarettes have risen sharply among young people according to the 2017 N.C. Youth Tobacco Survey: current use of electronic cigarettes among North Carolina high school students jumped by 894 percent from 1.7 percent in 2011 to 16.9 percent in 2017. A total of 28.3 percent of high school students said they are considering using electronic cigarettes in the next year. Overall tobacco use among NC high school students increased from 25.8 percent to 28.8 percent from 2011 to 2017; and

WHEREAS, in 2018, the U.S. Surgeon General issued an Advisory on the U.S. e-cigarette epidemic among youth, expressing concern that e-cigarettes are addicting youth and that exposure to nicotine can damage the developing brains of young people up to age 25; and

WHEREAS, in 2018 the U.S. Surgeon General issued an Advisory on the U.S. youth e-cigarette epidemic recommending including e-cigarettes in smoke-free indoor air policies as an evidence-based method to reduce e-cigarette use among young people; and

WHEREAS, Gaston County provides support to employees and residents who want to quit the use of tobacco products. Employees and residents are also encouraged to talk to their health care provider about quitting, ask about appropriate pharmacotherapy available through their health insurance plan or employee's insurer, and use the free quitting support services of the North Carolina Tobacco Use Quitline at 1-800-QUIT-NOW (1-800-784-869); and

NOW, THEREFORE the Gaston County Health and Human Services Board, having the authority cited herein, hereby adopts following Board of Health Rule:

Section 1. Definitions.

"County" means Gaston County government, including all agencies and departments of Gaston County government.

"Electronic Cigarette" or "E-cigarette" means an electronic oral device that employs a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution or any other substance, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

“Indoor Public Places” means any enclosed area to which the public is invited or which the public is permitted. A private residence is not a public place.

“Local Government Buildings” means a building owned, leased as lessor, or the area leased as lessee and occupied by a Unit of Local Government within Gaston County.

“Local Government Grounds” means an unenclosed area owned, leased, or occupied by a Unit of Local Government within Gaston County.

“Local Government Parks” shall mean any parcel of land or body of water comprising part of any Unit of Local Government’s parks, playgrounds, recreational areas, greenways, or trails.

“Local Government Vehicle” means a passenger-carrying vehicle owned, leased, or otherwise controlled by a Unit of Local Government within Gaston County, being either county owned or municipality owned, and assigned permanently or temporarily by local government to local government employees, agencies, institutions, or facilities for official business.

“Smoking” means the use of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product as well as Electronic Cigarettes.

“Tobacco” or “Tobacco Product” means any product containing or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, or ingested by any other means, including but not limited to cigarettes; e-cigarettes; cigars; little cigars; snuff; and chewing tobacco. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Electronic Cigarettes are also considered to be a Tobacco Product.

“Unit of Local Government” shall mean Gaston County as well as any municipalities within Gaston County.

Section 2. Prohibition on Use of Tobacco Products.

Use of Tobacco Products is prohibited in all of the following areas:

- (a) Local Government Buildings, including the Gaston County Courthouse and its premises;
- (b) Local Government Grounds, including in private vehicles when those vehicles are located on the grounds of Units of Local Governments;
- (c) Local Government Vehicles;
- (d) Local Government Parks; and
- (e) Indoor Public Places

This prohibition is applicable in the entire geographic bounds of Gaston County, including the municipalities within Gaston County, but excluding property owned, leased, or maintained by the State of North Carolina. This Rule does not apply to the public streets and sidewalks within Gaston County or to public places that are not indoors.

Section 3. Signage and Removal of Ashtrays, Etc.

- (a) Signs giving notice of the prohibition of tobacco use shall be posted in, on or about all Local Government Buildings, Local Government Grounds, Local Government Vehicles, Local Government Parks and Indoor Public Places subject to this Rule.
- (b) As to buildings and grounds identified herein, signs shall be placed at all entrances giving notice of the prohibition of tobacco use under this Rule. Signs must be posted in other areas of buildings and grounds as reasonably calculated to inform employees and the public of the prohibition.
- (c) The signs shall be of sufficient size to be clearly legible to a person of normal vision, and be conspicuously posted.
- (d) The signs shall state the applicable prohibition (e.g. Use of Tobacco Products is Prohibited) and include the applicable universal symbol (e.g. the "No Smoking and Use of Tobacco Products Prohibited" symbol).
- (e) Persons in charge of vehicles identified herein shall post signs in Local Government Vehicles to give notice of the prohibition. The signs must be placed in a manner by which passengers will also be able to see the notice, but shall not interfere with the safe operation of the vehicle.
- (f) Persons in charge of buildings and grounds where tobacco use is prohibited by this Rule shall remove all publicly available ashtrays and other smoking receptacles from places where smoking and tobacco use is prohibited as defined herein.
- (g) The County Manager, or designee, shall determine whether signs should be posted in languages other than English and make the appropriate personnel aware of such need.

Section 4. Compliance and Enforcement.

- (a) **Penalty for Violation.** After verbal or written notice by the person in charge of an area described herein, or his or her designee, failure to cease smoking or using tobacco products may constitute an infraction punishable by a fine of not more than fifty dollars (\$50.00). A citation may be issued by a sworn law enforcement officer. Conviction of an infraction under this section has no consequence other than payment of a penalty, and no court costs may be assessed.
- (b) **Violations by persons who manage, operate, or control a public place.** The local Health Director may take the following actions and may impose the following administrative penalty on a person who manages, operates, or controls a public place and fails to comply with the provisions of this Rule.
 - i. First violation – Written notice of the person's first violation and notification of action to be taken in the event of subsequent violations.
 - ii. Second violation – Written notice of the person's second violation and notification of administrative penalties to be imposed for subsequent violations.
 - iii. Third and subsequent violations – Impose an administrative penalty of not more than two hundred dollars (\$200.00). Each day on which a violation occurs may be considered a separate and distinct violation.

Section 5. Public Education.

The County shall engage in an ongoing program to explain and clarify the purposes and requirements of this Rule to residents and businesses affected by it, and guide operators and managers in their compliance with it. In doing so, the County may rely on materials and information provided by the Gaston County Department of Health and Human Services. The County shall:

- (a) Educate the public about the Rule, and reasons for the Rule, prior to its implementation date through the news media, website and educational media. The education shall include information on resources for quitting tobacco use, including information about the free quitting support services of the North Carolina Tobacco use Quitline, 1-800 QUIT NOW (1-800-784-8669);
- (b) Educate the County's employees about how they can assist with compliance with this Rule as well as providing information about the free quitting support services of the North Carolina Tobacco Use Quitline, 1-800 QUIT NOW (1-800-784-8669);

Section 6. Abrogation.

This Rule supersedes any previous County, City, or Town ordinance regulating tobacco that is less restrictive than the rule as established herein. This Rule is not intended to repeal any greater restriction imposed by any other State law or local government ordinance. Whether the provisions of any other law, ordinance, regulation, or restriction impose higher standards than are required by the provisions of this Rule, this Rule does not prohibit the enforcement of any such law, ordinance, regulation, or restriction.

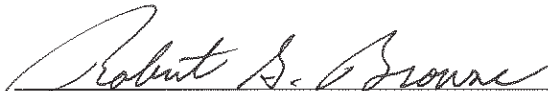
Section 7. Severability

Should any section of this Rule be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Rule as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 8. Effective Date.

This Rule shall become effective July 1, 2020 following adoption by the Gaston County Health and Human Services Board and approval of this Rule by an Ordinance adopted by the Gaston County Commissioners pursuant to North Carolina General Statute 153A-121(a).

ADOPTED this 4th day of April, 20 19.


Chair of the Board
Gaston County Health and Human Services Board

ATTEST:


Secretary to the Board
Gaston County Health and Human Services Board



Gaston County

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

File #: 19-145

Commissioner Chad Brown - DHHS (Health Division) - Proclamation - To Proclaim April 2019 as **Public Health Month** in Gaston County

STAFF CONTACT

Brittain Kenney - Public Information Officer - 704-853-5139

BACKGROUND

N/A

ATTACHMENTS

Proclamation



WHEREAS, Gaston County cannot thrive if the public's health is not sound; and,

WHEREAS, the Department of Health and Human Services works to prevent the spread of disease and understand the root causes of poor health and health disparities to remove barriers to good health for all Gaston County residents; and,

WHEREAS, Department of Health and Human Services staff were recognized as North Carolina's 2018 Health Department of the Year as they lead the state through their innovative public health programs and practices; and,

WHEREAS, the Department of Health and Human Services works alongside elected officials, community leaders, planners, and boards and commissions to develop influential policies that will protect the public's health; and,

WHEREAS, the vision of the Gaston County Department of Health and Human Services is that by promoting economic and educational wellbeing, Gaston County is building a foundation for a safe, healthy, and prosperous community.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby proclaims April 2019 to be

PUBLIC HEALTH MONTH

in Gaston County, and urges our citizens to renew their efforts to make healthy choices while recognizing the work that the Gaston County Department of Health and Human Services does to prevent, protect and provide for a healthier community.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley



Gaston County

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DHHS - Social Services Division Board Action

File #: 19-150

Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Second Quarter Donations for Various Programs within Social Services in the Amount of \$29,874 **(100% Donations)**

STAFF CONTACT

Angela Karchmer - DHHS (Social Services Division) - 704-862-7930

BUDGET IMPACT

Appropriate Donated revenues. No additional County funds.

BUDGET ORDINANCE IMPACT

Increase revenues by \$29,874 and appropriate \$29,874 into Special Programs accounts.

BACKGROUND

During the second quarter of FY2018-2019, Gaston County citizens and organizations donated a total of \$29,874 to the Department of Health and Human Services - Social Services Division for various programs such as the DV Shelter, Nutrition, Adult Services, Child Services, Employee Activities and Child Advocacy Center. The funding must be appropriated into the FY2018-2019 Social Services Budget in order to be used as intended by donors.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 5585/5600 DHHS- Social Services

Dept. # Department Name

Chris Dobbins 3/26/2019

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	PROJECT xxxxxx	AMOUNT
	Fund - Function - Dept - Division - Object		Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx		(See Note Below)
CAC: Donations	020-05-5585-0000-415001-		(635)
Employee Activity Donations	020-05-4790-0000-415001-	18142	(1,899)
Adult Services: Donations	020-05-5600-0000-415001-		(1,374)
Nutrition: Donations	020-05-5622-0000-415003-		(1,072)
Residential Child Care: Donations	020-05-5867-0000-415001-		(1,400)
Special Programs:Donations CAC	020-05-5585-0000-560000-	16282	635
Employee Activity Donations	020-05-4790-0000-560000-	18142	1,899
Special Programs:Donations- Adult Serv	020-05-5600-0000-560000-	08159	1,374
Special Programs:Donations- Nutrition	020-05-5600-0000-560000-	15259	1,072
Special Programs:Residential Child Care	020-05-5867-0000-560000-	16194	1,400

JUSTIFICATION FOR REQUEST:

During the second quarter of FY2018-2019, Gaston County citizens and organizations donated a total of \$29,874 to the Department of Health and Human Services - Social Services Division for various programs. The funding must be appropriated into the FY2018-2019 Social Services Budget in order to be used as intended by donors.

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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DHHS - Social Services Division Board Action

File #: 19-162

Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate the Human Trafficking Grant in the Amount of \$103,552 to Enhance the Awareness and Services for Child At-Risk of Human Trafficking **(100% State Grant Funds)**

STAFF CONTACT

Melanie Lowrance - DHHS Social Services -704-862-7641

BUDGET IMPACT

Appropriate State revenues. No additional County funds.

BUDGET ORDINANCE IMPACT

Increase State revenues by \$103,522 and appropriate \$103,522 into appropriate accounts.

BACKGROUND

Gaston County Social Services Division has been awarded \$103,552 in grant funds. This program will strengthen foster care resources by providing a Case Manager dedicated to oversight and service referral for the child welfare runaway population and to youth ages 18-21. The program will also include a training component that enables social workers and related professionals to assess more accurately any indications of sex trafficking during the in-take process. This program is designed to enhance the quality and quantity of services available to improve outcomes for children and youth who are victims of human sex and/or labor trafficking or who are at-risk of becoming victims. No matching funds required.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 5867 DHHS- Social Services

Dept. # Department Name

Chirs Dobbins 4/5/2019

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	PROJECT	AMOUNT
	Fund - Function - Dept - Division - Object		Whole Dollars Only
	xxx - xx - xxxx - xxxx - xxxxx		(See Note Below)
Human Trafficking Grant	020-05-5867-0000-420001-	19572	(103,552)
Salaries: Human Trafficking Grant	020-05-5867-0000-510001-	19572	55,783
FICA: Human Trafficking Grant	020-05-5867-0000-510100-	19572	4,267
Retire: Human Trafficking Grant	020-05-5867-0000-510101-	19572	4,712
Grp Ins: Human Trafficking Grant	020-05-5867-0000-510103-	19572	11,500
Human Trafficking Grant	020-05-5867-0000-560000-	19572	27,290

JUSTIFICATION FOR REQUEST:

Gaston County Social Services Division has been awarded \$103,552 in grant funds. This program will strengthen foster care resources by providing a Case Manager dedicated to oversight and service referral for the child welfare runaway population and to youth ages 18-21. The program will also include a training component that enables social workers and related professionals to assess more accurately any indications of sex trafficking during the in-take process. This program is designed to enhance the quality and quantity of services available to improve outcomes for children and youth who are victims of human sex and/or labor trafficking or who are at-risk of becoming victims. No matching funds required.

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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DHHS - Social Services Division Board Action

File #: 19-146

Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of April 2019 as ***Child Abuse Prevention Month*** in Gaston County

STAFF CONTACT

Melanie Lowrance - DHHS (Social Services Division) - 704-862-7641

BACKGROUND

To proclaim the month of April 2019 as Child Abuse Prevention Month.

ATTACHMENTS

Proclamation



WHEREAS, all children have the right to grow up in a safe, stable and nurturing environment free from abuse and neglect; and,

WHEREAS, children are the key to our communities future success, prosperity and quality of life and, while children are our most valuable resource, they are also our most vulnerable; and,

WHEREAS, abuse of children occurs in all segments of our society, in rural, suburban, and urban areas and among all racial, ethnic, and income groups; and,

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on the involvement among all people; and,

WHEREAS, effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and the business community; and,

WHEREAS, the majority of child abuse cases arise from situations and conditions that are preventable in an engaged and supportive community; and,

WHEREAS, child abuse not only directly harms children, but also increases the likelihood of criminal behavior, substance abuse and health problems such as heart disease and obesity; and,

WHEREAS, we acknowledge we must work together as a community to increase awareness about child abuse and promote the social and emotional well-being of children and families in a safe, stable, nurturing environment.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners proclaims the month of April 2019 as

CHILD ABUSE AND NEGLECT PREVENTION MONTH

and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in efforts to support families, thereby strengthening the community in which we live.

Tracy L. Philbeck, Chairman

Chad Brown, Vice-Chairman

Bob Hovis

Jack B. Brown

Tom Keigher

Allen R. Fraley

Ronald E. Worley



Gaston County

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Emergency Management Board Action

File #: 19-186

Commissioner Chad Brown - Emergency Management - To Accept and Appropriate Emergency Management Performance Grant and Approve Carry Forward of Remaining Funds to FY20 (**Grant Funds - \$62,500**)

STAFF CONTACT

Keith A. Rapp - Emergency Management - 704-862-6240

BUDGET IMPACT

Appropriate Federal grant revenues. No additional County funds.

BUDGET ORDINANCE IMPACT

Increase revenue by \$62,500 and appropriate \$62,500 into various expense accounts.

BACKGROUND

Emergency Management has been awarded \$62,500 in Emergency Management Performance Grant funds received in FY19. These funds are provided by the State of North Carolina to provide support for Emergency Management Program objectives and initiatives in Gaston County. The grant award requires \$62,500 in County matching funds which were included in the FY19 adopted budget. No additional appropriation of County funds is required. Grant period ends 9/30/2019 and therefore requires any remaining funds at 6/30/2019 be carried forward to FY20.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4330 Emergency Management
Dept. # Department Name

Keith A. Rapp 04/16/2019
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)
Emergency Mgmt. Performance Grant	010-02-4330-0000-425077	(62,500)
Salaries	010-02-4330-0000-510001	19,302
FICA	010-02-4330-0000-510100	1,278
Clothing Allowance	010-02-4330-0000-510105	1,000
2018 Emergency Mgmt Performance Grant	010-02-4330-0000-560000-18 EMP	40,920

JUSTIFICATION FOR REQUEST:

Emergency Management has been awarded \$62,500 in Emergency Management Performance Grant funds received in FY19. These funds are provided by the State of North Carolina to provide support for Emergency Management Program objectives and initiatives in Gaston County. The grant award requires \$62,500 in County matching funds which were included in the FY19 adopted budget. No additional appropriation of County funds is required. Grant period ends 9/30/2019 and therefore requires any remaining funds at 6/30/2019 be carried forward to FY20.

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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Finance Board Action

File #: 19-187

Commissioner Philbeck - Finance - To Appropriate Proceeds from Sale of \$30,168,328 Limited Obligation Bonds

STAFF CONTACT

Tiffany Murray - Finance Division Director - 704-866-3032

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

There is minimal impact to the current budget ordinance.

BACKGROUND

On April 24, 2019 Gaston County sold Limited Obligation Bonds totaling \$30,168,328. The proceeds will be used to finance the jail infill/expansion project, upgrade of the public safety radio system equipment and infrastructure and reimburse the County for the Apple Creek Corporate Center land purchases. The \$30,168,328 consists of two series - \$21,613,328 (Series A) which was sold as traditional tax-exempt Limited Obligation Bonds, and the remaining \$8,555,000 (Series B) was sold as a taxable Limited Obligation Bonds which are taxable to the bondholder. The total interest cost for the Series A bonds was 2.93% and the total interest cost for the Series B bonds was 3.27%. The issuance closed on April 24, 2019. The attached Budget Change Request is recognizing the proceeds and setting up the budget for the expenditures. The Apple Creek funds are being appropriated into a project for the purpose of preparing the park for development.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4130 Finance
 Dept. # Department Name

Tiffany Murray 4/16/19
 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)
LOB Proceeds: Public Safety Radio Sys/ Equipment	040-02-4311-0000-416006-19041	(3,959,220)
LOB Proceeds: Public Safety Radio Sys/ Infrastructure	040-02-4311-0000-416006-19073	(6,884,108)
LOB Proceeds: Jail Infill/Expansion	040-02-4315-4323-416006-19038	(10,770,0000)
Bond Premium	040-02-4311-0000-416003-19041	(2,905,968)
Bond Interest	040-02-8300-0000-412017-	(436,755)
Professional Services (Issuance Cost)	040-02-4311-0000-530010-19041	170,152
Public Safety Radio Sys.: Equipment	040-02-4311-0000-540002-19041	5,131,791
Public Safety Radio Sys.: Infrastructure	040-02-4311-0000-540006-19073	8,884,108
Jail Infill/Expansion	040-02-4315-4323-540005-19038	10,770,000

JUSTIFICATION FOR REQUEST:

To appropriate the Limited Obligation Bond Series A and Series B proceeds from the April 2019 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

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Finance Board Action

File #: 19-178

Commissioner Keigher - Finance - To Accept as Information the Attached Property Tax Refunds Less Than \$100. These Tax Refunds Should Be Recorded in the Board's Minutes. ***(Total Real Property Tax Refunds - \$2,043.46; Total HB20 Refunds - \$1,260.66; Total NCVTS Refunds - \$3,068.17; Total Vehicle Tax Refunds - \$4,328.83)***

STAFF CONTACT

Tiffany Murray - Finance Division Director - 704-866-3032

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 April 23, 2019 Board Meeting**

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
Abernathy, Danny	6.05	Melton, Billie W	30.00
Adams, Harold Lane	74.73	Merritt Law, PLLC	34.93
Adams, Harold Lane	99.70	Messer, Delbery	32.93
Adams, Robert Lee III	99.60	Morrow, William G	46.23
Adkins, Cynthia C	25.68	Paine, Charles N II	1.18
Adventure in Faith Church	61.30	Polymer Processinc Machine Sales	2.00
B & M Refrigeration LLC	3.11	Priest, Edward C Jr	29.86
Bartlett, Matthew Lyle	11.21	Rankin, Arthur W	7.19
Blattau, Patricia J	63.27	Ratchford Tire Service	3.50
Brinson, Jennifer Lynn	52.91	Reaves, Susan A	4.24
Burgess, Mae Marlene Life Estate	2.77	Rise & Shine Enterprises Inc.	2.02
Crisp, William F	15.42	Schronce, Betty Jane	68.24
Crouse, Kevin	42.68	Sherrill, Robert & Jessica	47.76
Crouse, Kevin	43.71	Sherrin, Linda J	52.01
Crouse, Kevin	44.31	Shuford, Donald Ray	7.99
Crumbly, Patricia	62.22	Siaris, Bonnie H	27.90
Cunningham, Cora	2.67	Sigmon, Mary Kathleen	7.12
D D Fusion Machinery LLC	16.01	Simmons, Larry W	11.83
Dabbs, Larry Eugene	9.21	Southern Law Group	20.77
Dial, Melvina	13.44	Spargo, Donna Kitchen	1.08
Felder Properties, LLC	54.79	Specialty Machine Co	7.91
Floyd, Michelle	67.83	Stone, John Fitzgerald	1.32
Gaddis, Johnnie L	20.00	Stott, Mays Beal	96.39
Gelason, Carolyn A	23.72	Unnasch, Matthew N	9.27
Grant, Jenny S	14.96	Valerie Pressley Interiors LLC	18.12
Hamilton, Cheryl D	47.31	Warren L. Tadlock Chapter 13 Trustee	1.35
Harry Marsh Law	32.59	Warren L. Tadlock Chapter 13 Trustee	44.40
Hawkins, Edwina	1.90	Watson, Toni	5.31
Hibberts, Mary	21.16	Weighert, Marla J	9.90
Holt, Tony Roger	1.29	Williams, Dianna B	4.41
Hood, Marlin Wilson	4.10	Wilson Family Rentals	55.19
Jay Ambey LLC	29.23	Wilson, Lillie Mae	1.95
King, Caleb Britt	35.02	Wilson, Teresa	8.33
Lacount, James Daniel	51.34	Wilson, Teresa	8.93
Lamberth, Curtis Jr	5.74	Wilson, Teresa	9.67
Lee, Jodie Winn	19.43	Wilson, Teresa	13.24
Lutz, Eric C	1.40	Wright, Tonya	39.70
McSwain, Roy Delbert Jr	87.48	TOTAL (FEB 2019) REAL PROPERTY REFUNDS	\$ 2,043.46

**Gaston County, North Carolina - Listing of Property Tax Refunds Less Than \$100.00 for Vehicles
To Be Reported at the April 23, 2019 Board Meeting**

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
HB20 Refunds			
Bardsdale, William Andrew Jr	30.22	Logan, Kahtandra Monique	42.69
Camp, Billy Joe Jr	94.64	Pasour, Tyler Clinton	81.00
Camp, Billy Joe Jr	98.80	Pasour, Tyler Clinton	95.72
Gaston County Tax Department	47.70	Pitts, Tamika Michelle	36.55
Hoke, Shameka Franta Nicole	61.96	Pitts, Tamika Michelle	41.01
Hoyle, Stacey Dean	4.80	Pitts, Tamika Michelle	42.04
Hoyle, Stacey Dean	67.07	Pitts, Tamika Michelle	46.21
Hudson, Stephanie Michelle	35.88	Roberts, Kendall Ricardo	65.83
Jackson, Natash Davon	39.93	Robinson, Amanda Elizabeth	1.41
Jackson, Natash Davon	44.77	Robledo, Daniel Arauz	24.15
Jackson, Natash Davon	50.66	Simms, Jennifer Marie	34.37
Jeffries, Donna Marie	1.07	Simms, Jennifer Marie	65.36
Jeffries, Donna Marie	4.69	Sutton, Sandra Wilson	66.13
Logan, Kahtandra Monique	36.00	TOTAL (JAN 2019) HB20 REFUNDS	\$ 1,260.66
NC VTS Refunds			
Abernathy, Larry Dean	14.22	McCraney, Roger Keith	7.02
Altman, Roberta Neely	9.84	McFee, Elizabeth Mitchum	75.22
Alran, Derek Lee	2.60	McHugh, Erin Grace	42.68
Armstrong, Mary Staley	21.21	McIlwain, Sharon Janelle	61.84
Atchison, Keven Edward	55.29	McIlwain, Sharon Janelle	97.34
Baker, Debra McCandless	53.69	McLeymore, Wendy Morris	59.94
Balko, Dalma	23.80	Milner, Chadwick Wright	24.03
Barker, Barry Gregg	76.88	Morrow, John Benjamin	12.48
Black, Frances Wiggins	11.34	Owenby, Donald Ray	11.70
Bradley, Cathleen Sue	13.72	Perez, Santiago Alvarado	65.59
Brenes, Carlos Alberto	37.94	Polhemus, Josephine Lovelace	60.13
Burr, Mary Ann	79.93	Ramos, Rolando	48.98
Bush, Nicholas Shane	44.63	Ramsey, Grady Clarence	3.21
Butler, Fank Graham	4.49	Ramsey, Grady Clarence	24.96
Cape, Kayla Neal	81.06	Roof, Carl Al	33.82
Cogdill, Brenda Sessoms	8.05	Scarboro, Georgia Mae	39.04
Craig, Tony Andrew	11.31	Self, Laura Nichole	72.58
D L Brown Company Inc	68.52	Sica, Vincent Peter	61.28
Dellinger, John Lloyd David	98.79	Smith, Kelleigh Tucker	5.02
Diamond Construction Inc	39.91	Smith, Kelleigh Tucker	4.85
Eaves, Erica Nicole	51.81	Smith, Michael Ray	41.99
Gandhi, Milton Rajesh	70.19	Smith, Michael Ray	85.49
Green, Steven Jason	40.52	Smith, Michael Ray	85.13
Griffin, Amanda Renee	26.80	Smith, Rodney Wilson	31.40
Griggs, Walter Harold	31.04	Smith, Timothy Morrison	58.38
Hawkins-Fuller, Rikki T	10.49	Stroupe, Chad Larrington	5.45
Hovis, Thomas Edward	59.82	Sullivan, Lauren Ashley	39.51
Howard, Angela Bell	17.43	Tarte, Felicia Lee	26.90
Hunt, Jeffrey Glenn	51.37	Taylor, Ronnie Carroll	14.17
Hurst, Roger Dale	22.21	Turner, Margaret Thompson	8.48
Hutchison, Randolph Buren	14.48	Varnier, Regina Greene	8.53
Hutson, Charles Lee	72.67	Visage, William Paul	60.58
Inman, Michael David	7.84	Whitaker, John Wesley	12.67
Jamigan, Daniel Lamar	9.41	White, Hannah Louise	15.35
Jarrett, Joshua Brian	25.38	White, Russell Ray	45.03
Johnson, Phillip Todd	72.34	Wilox, Sam Il	93.11
Jordan, Marilyn Rebecca Devon	95.62	Wilson, Keith Alan	48.42
Judge, James Lovell	13.37	Winchester, Deandrea Leteshia	6.77
Lincolnton County Tax Dept	70.18	TOTAL (JAN 2019) NCVTS REFUNDS	\$ 3,068.17
Lowery, Dedric Weszlee	40.44	TOTAL VEHICLE TAX REFUNDS	\$ 4,328.83
Lunsford, Patsy Hamrick	8.47		



Gaston County

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Fire Marshal Board Action

File #: 19-136

Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Community Volunteer Fire Department **(\$46,000)**

STAFF CONTACT

Eric Hendrix - Fire Marshal - 704-866-3231

BUDGET IMPACT

These transfers are keeping within current policy to transfer accumulated funds

BUDGET ORDINANCE IMPACT

Transferring accumulated funds from Fund Balance Appropriated Account to Community Volunteer Fire Department

BACKGROUND

On occasion funds accumulate in fire district taxing accounts through the realization of past taxes being collected, property revaluation between budgets and account interest earned. This action will transfer such accumulated funds to Community Volunteer Fire Department. Mark Sigmon was in attendance at the Gaston County Fire Advisory Board Meeting on 3/20/19 to answer questions regarding Community's request for approval to ask the Commissioners to release \$46,000 of their reserve funds to them. Chief Robert Jackson had previously submitted a spending plan (attached) that identified needs as apparatus bay floor repair and resurface: \$28,306 and replacement of turnout gear that is either damaged or exceeds NFPA 1851 inspection criteria: \$19,000. Discussion followed. Ted Hendrix made a motion to recommend to the Commissioners that they release \$46,000 reserve funds to Community. Brian Weyeneth seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request and Request for Reserve Funds - Community VFD

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4340 Fire Marshal

Dept. # Department Name

Eric H. Hendrix 3/21/2019

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)
Fund Balance Appropriated	028-99-9900-0000-490000	(46,000)
*Additional Subsidies (A/S)		
Community Volunteer Fire Dept.	028-02-4405-0000-570007	46,000

JUSTIFICATION FOR REQUEST:

Mark Sigmon was in attendance at the Gaston County Fire Advisory Board Meeting on 3/20/19 to answer questions regarding Community's request for approval to ask the Commissioners to release \$46,000 of their reserve funds to them. Chief Robert Jackson had previously submitted a spending plan (attached) that identified needs as apparatus bay floor repair and resurface: \$28,306 and replacement of turnout gear that is either damaged or exceeds NFPA 1851 inspection criteria: \$19,000. Discussion followed. Ted Hendrix made a motion to recommend to the Commissioners that they release \$46,000 reserve funds to Community. Brian Weyeneth seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

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.



**Community Volunteer Fire Department
Station 32**

To: Gaston County Fire Advisory Board
From: Community Volunteer Fire Department
Subject: Request for Holdback Monies

Community Volunteer Fire Department Board of Directors has approved this request for \$46,000 in Holdback Monies for the following purchases and Fire Station Apparatus Floor repair and resurfacing.

Apparatus Bay Floor repair and resurface: \$28,306.00

Replacement of Turnout Gear. Gear is either damaged or exceeds NFPA 1851 Inspection criteria. Total \$19,000.

Respectfully,

Robert G Jackson
Fire Chief, Community Volunteer Fire Department

1873 Perfection Rd
Belmont NC 28012
Phone: 704-827-8249
Fax: 704-827-8592
www.communityfire32.com

Jackson, Robert G

From: Jackson, Robert G
Sent: Thursday, February 14, 2019 2:47 PM
To: 'cfdst32@gmail.com'
Subject: FW: Community's Reserve Funds

Sandy,
Numbers for next meeting

From: Haney, Patsy [mailto:phaney@gcps.org]
Sent: Wednesday, February 13, 2019 3:18 PM
To: Jackson, Robert G <Robert.Jackson@duke-energy.com>
Cc: 'Byron Hooker' <bhooker32@carolina.rr.com>
Subject: Community's Reserve Funds

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Good Afternoon All:

As of 6/30/18, the reserve fund balance for Community Fire Dept. is \$46,736.33 .

Thanks,
Patsy



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Fire Marshal Board Action

File #: 19-137

Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to New Hope Fire Department **(\$14,035)**

STAFF CONTACT

Eric Hendrix - Fire Marshal - 704-866-3231

BUDGET IMPACT

These transfers are keeping within current policy to transfer accumulated funds

BUDGET ORDINANCE IMPACT

Transferring accumulated funds from Fund Balance Appropriated Account to New Hope Fire Department

BACKGROUND

On occasion funds accumulate in fire district taxing accounts through the realization of past taxes being collected, property revaluation between budgets and account interest earned. This action will transfer such accumulated funds to New Hope Fire Department. David Brumbaugh was in attendance at the Gaston County Fire Advisory Board on 3/20/19 to answer questions regarding New Hope's request for approval to ask the Commissioners to release \$14,035 of their reserve funds to them. Chief Matt Young had previously submitted a spending plan (attached) that detailed needs as forcible entry prop door and equipment for their newly purchased rescue engine that will be delivered in May, 2019. Discussion followed. Barry Wilson made a motion to recommend to the Commissioners that they release \$14,035 reserve funds to New Hope. Barry Joye seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request and Request for Reserve Funds - New Hope Fire Department

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4340 Fire Marshal

Dept. # Department Name

Eric H. Hendrix 03/21/2019

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)
Fund Balance Appropriated	028-99-9900-0000-490000	(14,035)
*Additional Subsidies (A/S)		
New Hope Fire Department	028-02-4411-0000-570007	14,035

JUSTIFICATION FOR REQUEST:

David Brumbaugh was in attendance at the Gaston County Fire Advisory Board on 3/20/19 to answer questions regarding New Hope's request for approval to ask the Commissioners to release \$14,035 of their reserve funds to them. Chief Matt Young had previously submitted a spending plan (attached) that detailed needs as forcible entry prop door and equipment for their newly purchased rescue engine that will be delivered in May, 2019. Discussion followed. Barry Wilson made a motion to recommend to the Commissioners that they release \$14,035 reserve funds to New Hope. Barry Joye seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

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.



New Hope Fire Department

P.O. Box 835 Belmont, NC 28012 (704) 825.7019

March 7, 2019

Gaston County Fire Advisory Board

Board Members,

Enclosed you will find the proposed spending plan for reserve funds collected in the New Hope Fire Tax District. The reserve fund balance is \$16,973.83. We are requesting to spend \$14,035.00 to purchase a forcible entry prop door as well as equipment for our newly purchased rescue engine that will be delivered in May 2019. All documentation is attached.

Respectfully,

Matthew Young

Matthew Young, Chief

Lowe's DeWalt Tool List

- (2) Reciprocating Saw – low profile (836496) \$129.00 each
- 4.5" Angle Grinder (836492) \$139.00
- 7 ¼" Circular Saw (689962) \$129.00
- 4 ¾" Band Saw (866489) \$579.00
- ½" Hammerdrill (786685) \$319.00
- ½" Impact Wrench (740350) \$199.00
- 4 Battery Charger (1100335) \$199.00
- (3) 6 amp Battery (816019) \$199.00

Total \$2,419.00 +tax (169.33)

Proactive-Accountable-Resilient

Training and Props LLC.

P.A.R. Training LLC

10110 Stella Acres Ln.

Oklahoma City, OK 73165

Phone (405) 637-4718

woodsfeedoorkit@gmail.com

Receiver: New Hope Fire Department

4804 S. New Hope Rd.

Belmont, NC 28012

Matt Young

704-913-2510 (c)

myoung@newhopevfd.com

Date:	2/25/2019
Invoice #:	2019- Quote

	JOB	Payment Terms	Due Date
2019-Quote	New Hope Fire Department	Credit Card/ PO	valid for 90 days

Quantity	Description	Unit Price	Line Total
1	Wood's Forcible Entry Door Kit	\$ 2,750.00	\$ 2,750.00
1	Freight OKC to Belmont, NC	\$ 400.00	\$ 400.00
Subtotal			\$ 3,150.00
Tax/Discount			
Total			\$ 3,150.00

Make all checks payable to: P.A.R. Training and Props LLC

(Credit card payment may be subject to 3% transaction fee)

Thank You for Your Business!

Liability and responsibility for class proceedings will be assumed by the host agency upon agreement to estimate and class content.

Build List with Custom Doors:

- Uprights
 - 2- 6x6's treated (\$47.14 Lowe's)
- Base (typically cut 5'x4')
 - Stall mat (typically from tractor supply/lumber 2) (\$47.99 Tractor Supply)
 - $\frac{3}{4}$ " sheet plywood (\$35.98 Lowe's)
- Custom Doors (one door - double if making two doors)
 - 2- $\frac{3}{4}$ " sheets plywood (\$71.96 Lowe's)
 - 1- $\frac{1}{4}$ " sheet plywood (\$20.72 Lowe's)
 - 1 $\frac{1}{4}$ " exterior wood screws (\$18.94 Lowe's)
 - Wood glue if desired (\$6.98 Lowe's)

Uprights can be cut down to approximately 82" and the lock (force wood slots) will still be in the typical 42" from the ground lock area. Width of doors is typically 36" which gives a pretty tight fit and height will depend on how short you cut the uprights. Paint or stain to seal custom doors and base for longevity.



Spartan Fire and Emergency Apparatus

319 Southport Road - Roebuck, S.C. 29376

Office: 864-582-2376 - Fax: 864-582-2377 - rjoyner@spartanfire.com

Customer: New Hope Fire Department
4804 S. New Hope Road
Belmont, NC 28012

Date of Proposal: March 7, 2019
 FOB: Belmont, NC
 Estimated Delivery: 12 to 14 weeks
 Payment Terms: 15 Net
 Salesman: **Robert Joyner**

Qty.	Description	List	Price	Amount
1	350.321.021 - HLB 2 LIFTING BAG-2 TON 12BAR	\$653.00	\$620.35	\$620.35
2	350.321.025 - HLB11 LIFTING BAG-11 TON 12BAR	\$955.00	\$907.25	\$1,814.50
2	350.321.027 - HLB21 LIFTING BAG-21 TON 12BAR	\$1,317.00	\$1,251.15	\$2,502.30
1	159.000.037 - HLB ACC PKG 12-BAR HPRV	\$1,289.00	\$1,224.55	\$1,224.55
1	350.182.095 - HDC 12 CONTROL PANEL	\$1,295.00	\$1,230.25	\$1,230.25
	FREIGHT			\$100.00
TOTAL				\$7,491.95

THIS ESTIMATE EXPIRES AFTER THIRTY DAYS



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Fire Marshal Board Action

File #: 19-138

Commissioner Chad Brown - Fire Marshal - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to North Gaston Volunteer Fire and Rescue **(\$15,000)**

STAFF CONTACT

Eric Hendrix - Fire Marshal - 704-866-3231

BUDGET IMPACT

These transfers are keeping within current policy to transfer accumulated funds.

BUDGET ORDINANCE IMPACT

Transferring accumulated funds from Fund Balance Appropriated Account to North Gaston Volunteer Fire and Rescue.

BACKGROUND

On occasion funds accumulate in fire district taxing accounts through the realization of past taxes being collected, property revaluation between budgets and account interest earned. This action will transfer such accumulated funds to North Gaston Volunteer Fire and Rescue. Chief Dennis Cash presented a spending plan (attached) at the Gaston County Fire Advisory Board meeting on 3/20/19. North Gaston is requesting approval to ask the Commissioners to release \$15,000 of their reserve funds to them. North Gaston will use the reserve funds, along with a FEMA grant they received, to purchase needed air packs. Discussion followed. Matt Kanupp made a motion to recommend to the Commissioners that they release \$15,000 reserve funds to North Gaston. Barry Wilson seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request and Request for Reserve Funds - North Gaston Volunteer Fire and Rescue

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4340 Fire Marshal

Dept. # Department Name

Eric H. Hendrix 03/21/2019

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)
Fund Balance Appropriated	028-99-9900-0000-490000	(15,000)
*Additional Subsidies (A/S)		
North Gaston (High Shoals Volunteer Fire & Rescue)	028-02-4408-0000-570007	15,000

JUSTIFICATION FOR REQUEST:

Chief Dennis Cash presented a spending plan (attached) at the Gaston County Fire Advisory Board meeting on 3/20/19. North Gaston is requesting approval to ask the Commissioners to release \$15,000 of their reserve funds to them. North Gaston will use the reserve funds, along with a FEMA grant they received, to purchase needed air packs. Discussion followed. Matt Kanupp made a motion to recommend to the Commissioners that they release \$15,000 reserve funds to North Gaston. Barry Wilson seconded the motion. There was no further discussion or opposition. The vote was unanimous. The motion carried.

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.



North Gaston Volunteer Fire and Rescue

110 Tompkins Street Post Office Box 30

High Shoals, NC 28077

Telephone: (704)732-0818

Fax: (704)732-0317

To whom it may concern,

North Gaston Volunteer Fire and Rescue would like to ask for your assistance. We are requesting to access \$15,000 out of our overage account to use along with funding from our department for the FEMA grant that we were awarded for air packs. Any and all help in this matter would be greatly appreciated.

Thank you for your assistance in this matter,

Chief William Cash
North Gaston Volunteer Fire and Rescue
(704) 736-4723



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Fire Marshal Board Action

File #: 19-173

Commissioner Chad Brown - Fire Marshal - To Approve an Interlocal Agreement to Provide Fire Inspection/Enforcement Services for City of Bessemer City, Town of Cramerton, Town of Dallas, City of High Shoals, City of Lowell, Town of McAdenville, Town of Ranlo and Town of Stanley

STAFF CONTACT

Eric Hendrix, Fire Marshal - 704-866-3231

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

To provide renewal of the NC State Fire Code fire inspection/enforcement services agreement for FY2019-2020 between the Gaston County Fire Marshal's Office and the following municipalities: City of Bessemer City, Town of Cramerton, Town of Dallas, City of High Shoals, City of Lowell, Town of McAdenville and Town of Ranlo. Also, to initiate the same such agreement with the Town of Stanley. Unless terminated as provided in the interlocal agreement, this contract will automatically renew each fiscal year.

POLICY IMPACT

N/A

ATTACHMENTS

Sample Interlocal Agreement - Bessemer City

INTERLOCAL AGREEMENT

FOR ENFORCEMENT OF STATE FIRE CODE

This Agreement made on the last date set out below, by and between the City of Bessemer City, a municipal corporation having a charter granted by the State of North Carolina, hereafter referred to as "Municipality", and Gaston County, a corporate and political body and a subdivision of the State of North Carolina, hereafter referred to as "County"

WITNESSETH:

WHEREAS, Article 20 of Chapter 160A of the General Statutes of the State of North Carolina authorizes among other things the contractual exercise by one unit of local government for one or more other units of any administrative or governmental power, function, public enterprise, right, privilege, or immunity of local government; and,

WHEREAS, the Municipality has adopted ordinances providing for the administration and enforcement of regulatory codes and county ordinances; and,

WHEREAS, such codes are commensurate with the regulatory codes and ordinances now in effect for Gaston County as enforced by the County; and,

WHEREAS, pursuant to N.C. Gen Stat. Chapter 160A, Article 20 upon official request of the governing body of any municipality within the County, the Gaston County Board of Commissioners may by agreement exercise enforcement powers within said municipality and upon such direction may do so until such time as the Municipal governing body withdraws its request; and,

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements of the parties, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide for the transfer of jurisdiction to the County for inspection and enforcement responsibility for the codes and county ordinances listed in the attached Exhibit A, which is incorporated herein by reference.
2. **Term.** The term of this Agreement begins on the last date set out below and continues through June 30, 2019 and shall automatically renew each fiscal year thereafter, unless terminated as provided herein.
3. **Responsibilities.**
 - A. Municipality. The Municipality agrees to:
 - (1) Provide any pre-permit or pre-inspection reviews of any applicable Municipal ordinances or regulations;
 - (2) Provide written certification (where necessary) that any necessary plans are in accordance with Municipal regulations;
 - (3) Allow the County to retain any fees collected pursuant to enforcement of the N.C. Fire Prevention Code (Permit fees, review fees, etc.)
 - (4) Not hold County responsible for enforcement of any of Municipality's other ordinances or regulations, unless specifically contracted.
 - B. County. The County agrees to:
 - (1) Provide plan review necessary for issuance or permits under the Code;
 - (2) Issue required permits;

- (3) Conduct site inspections based on the NC Fire Prevention Code Inspection Schedule or other agreed upon frequency;
- (4) Seek judicial or equitable enforcement of said codes or ordinances when necessary in the County's discretion.
4. **Geographic Jurisdiction.** The County shall have the authority to enforce the Code in the geographical jurisdiction stated in Exhibit A, which is attached hereto and incorporated by reference.
5. **Personnel.** The County shall, in the County's discretion, employ and provide personnel sufficient to perform inspection duties for the Municipality.
6. **Indemnity.** The Municipality, during the term of this Agreement, shall indemnify and save harmless the County from and against any and all claims, demands, and or causes arising out of enforcement by the County of Codes under the Agreement, with the exception of grossly negligent, willful or wanton conduct by the County.
7. **Cost.** The cost of services provided by the County shall be as set forth in Exhibit A, which is attached hereto and incorporated by reference.
8. **Termination.** The Municipality or County may terminate this Agreement upon a thirty (30) day written notice to the Manager or Mayor of the governing unit.
9. **Amendment.** This Agreement may only be amended in writing upon the signature of both parties. No oral agreements shall have any effect.
10. **Entire Agreement.** This Agreement is the only agreement between the parties and contains all the terms agreed upon, and replaces any previous agreements. This Agreement has no effect upon enforcement of codes or ordinances not specifically mentioned. If any part of this Agreement is held invalid such decision shall not render the document invalid.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by themselves for their duly authorized offices of the day and year last set out below.

GASTON COUNTY

BY: _____

(Assistant) County Manager

Date

ATTEST:

Donna S. Buff, Clerk To The Board

BESSEMER CITY

BY: _____

Signature

Date

Title: _____

ATTEST:

Clerk

EXHIBIT A

City of Bessemer City

Codes: Level I, II, & III fire prevention inspections, plan review, consultation, and other similar undertakings as established under the NC State Fire Prevention Code.

Jurisdiction: Incorporated area and extraterritorial jurisdiction (if applicable).

Cost: Ten Thousand Four Hundred Twenty Five Dollars (\$10,425.00) annually in addition to any fees or fines collected.



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Parks & Recreation

Board Action

File #: 19-164

Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate \$9,784 in Sponsorships and Event Fees for the 2019 Senior Games

STAFF CONTACT

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

BUDGET IMPACT

With the \$9,784 in sponsorships and participant event fees we are able to cover all event fees, as well as facility rentals, medals, shirts, supplies and sporting equipment.

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Gaston County Senior Games is a sanctioned program of the North Carolina Senior Games. Senior Games offers persons 50 years of age and older the opportunity to participate in individual and team sports on a local level, state level and national. Silver Arts is another component of senior games providing a stage for the creative talents of visual, heritage, literary and performing arts. Gaston County has received \$9,784 in sponsorship money and event fees for the 2019 Senior Games. The department requests the Board of Commissioners to accept and appropriate the funds to offset the expenses of Senior Games.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 6130 Parks & Rec/Senior Ctr.

Dept. # Department Name

Cathy Hart 4/3/2019

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)
Donations - Senior Center	010-04-6130-0000-415001	(\$3,506)
Senior Center Event Fees	010-04-6130-0000-410050	(\$6,278)
Senior Games	010-04-6130-0000-560000 - SRGMS	\$9,784

JUSTIFICATION FOR REQUEST:

To accept and appropriate \$9,784 in Sponsorships and Donations for the 2019 Senior Games. This will help cover the cost for facility rentals, medals, shirts, golf fees, bowling fees, and game supplies for the upcoming program.

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

Planning Board Action

File #: 19-172

Commissioner Worley - Planning & Development Services - To Adopt an Interlocal Agreement with the City of Belmont for County Administration of Belmont Flood Damage Prevention Ordinance of 2015

STAFF CONTACT

David L. Williams - Planning Director - 704-866-3473
Adrian Miller - Belmont City Manager - 704-825-5586

BACKGROUND

To continue participation in the National Flood Insurance Program (NFIP), local governments must adopt and enforce a Flood Damage Prevention Ordinance in its community. Thus, in accordance with the attached Interlocal Agreement, the City of Belmont seeks assistance from Gaston County to administer/enforce the City's Flood Damage Prevention Ordinance (adopted September 2, 2015) within the corporate limits and extraterritorial jurisdiction of the City. The specific provisions within the agreement are hereby attached. Presently, Gaston County administers Flood Damage Prevention Ordinances for the municipalities of Dallas, Spencer Mountain, McAdenville and Cherryville at no cost to the municipalities. This request by the City of Belmont is projected to have little or no cost nor impact on current county staff levels. The current flood ordinance adopted by Belmont is based on the County's ordinance and has been approved by NC Emergency Management and FEMA in accordance with the National Flood Insurance Program.

The Commission is requested to consider the attached Interlocal Agreement and upon approval, the Chairman of the Board of Commissioners shall sign the agreement.

ATTACHMENTS

Request for Assistance Letter; Belmont Flood Damage Prevention Ordinance; Interlocal Agreement; Map of Special Flood Hazard Areas



City of Belmont

115 N. MAIN STREET
POST OFFICE BOX 431
BELMONT, N.C. 28012
PHONE (704) 825-5586

February 5, 2019

Mr. Earl Mathers, County Manager
Gaston County
PO Box 1578
Gastonia, NC 28053-1578

Re: Administration of Flood Damage Prevention Ordinance

Dear Mr. Mathers,

The Belmont City Council hereby requests that Gaston County enforce the city's Flood Damage Prevention Ordinance within the corporate limits and extraterritorial jurisdiction (ETJ) of the City of Belmont. The city council adopted its current flood insurance maps, and updated its Flood Damage Prevention Ordinance, in 2015. The City Manager or his designee as approved by city council, is the floodplain administrator and is responsible for the administration and implementation of the provision of the ordinance.

We would appreciate the county's assistance with this process. Please let us know if you need additional information.

Regards,

Adrian Miller
City Manager

CC: David Williams, Planning Director
Sam Shames, Assistant Attorney

Enclosure

Resolution to adopt the Flood Damage Prevention Ordinance of 2015

WHEREAS, the City of Belmont participates in the National Flood Insurance Program (NFIP), administered by the Federal Emergency Management Agency (FEMA), and;

WHEREAS, as a condition of its continued participation in the NFIP, the City of Belmont is required to periodically update its Flood Damage Prevention Ordinance and adopt new Flood Insurance Rate Maps (FIRMSs) that have been developed by FEMA, and;

WHEREAS, FEMA released the preliminary copies of the new FIRMS on 2 March 2015, and;

WHEREAS, after a designated review and appeal period, FEMA has now issued the final FIRMS that become effective 2 September 2015, and;

WHEREAS, prior to 2 September 2015, the City of Belmont is required to adopt a new Flood Damage Prevention Ordinance which meets or exceeds the requirements of FEMA and the N. C. Division of Emergency Management (NCEM), and;

WHEREAS, in consultation with the NCEM, the City of Belmont Flood Damage Prevention Ordinance of 2015 has been prepared to comply with the requirements of FEMA and NCEM in regard to floodplain management.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belmont hereby adopts the Flood Damage Prevention Ordinance of 2015, the new Flood Insurance Rate Maps (and any map revisions), and authorizes enforcement of this ordinance within the city limits of Belmont.

This ordinance shall be effective on the 2nd day of September, 2015.



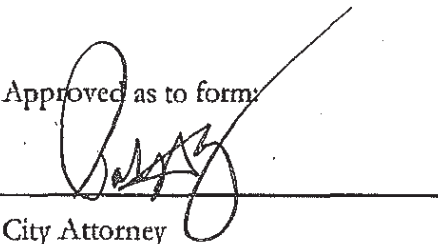
Charles R. Martin, Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

Flood Damage Prevention Ordinance of 2015

City of Belmont, North Carolina

Article 1. Statutory authorization, findings of fact, purpose and objectives.

Section A. Statutory authorization.

The Legislature of the of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the City Council of the City of Belmont, North Carolina, does ordain as follows:

Section B. Findings of fact.

1. The flood prone areas within the jurisdiction of the City of Belmont are subject to periodic inundation which results in loss of life, property, creates health and safety hazards, disrupts commerce and governmental services, requires extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

Section C. Statement of purpose.

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

1. restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
2. require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
4. control filling, grading, dredging, and all other development that may increase erosion or flood damage; and

5. prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives.

The objectives of this ordinance are to:

1. protect human life, safety, and health;
2. minimize expenditure of public money for costly flood control projects;
3. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. minimize prolonged business losses and interruptions;
5. minimize damage to public facilities and utilities (i.e., water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
6. help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
7. ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

Article 2. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Accessory Structure (Appurtenant Structure)" means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

"Addition (to an existing building)" means an extension or increase in the floor area or height of a building or structure.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"Area of Shallow Flooding" means a designated Zone AO on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

“Area of Special Flood Hazard” see “Special Flood Hazard Area (SFHA)”.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Base Flood” means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a “Special Flood Hazard Area,” it may be obtained from engineering studies available from a federal, state, or other source using FEMA approved engineering methodologies. This elevation, when combined with the “Freeboard,” establishes the “Regulatory Flood Protection Elevation.”

“Building.” See “Structure.”

“Chemical Storage Facility” means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

“Development” means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

“Disposal” means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

“Elevated Building” means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Encroachment” means the advance or infringement of uses, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

“Existing Manufactured Home Park or Manufactured Home Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before the initial effective date of the floodplain management regulations adopted by the community.

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland or tidal waters; and/or
2. the unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the Federal Emergency Management Agency, on which the Special Flood Hazard Areas and the

floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

"Flood Insurance" means the insurance coverage provided under the National Flood Insurance Program.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Emergency Management Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

"Flood Insurance Study (FIS)" means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the Federal Emergency Management Agency. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

"Flood Prone Area" see "Floodplain"

"Floodplain" means any land area susceptible to being inundated by water from any source.

"Floodplain Administrator" is the individual appointed to administer and enforce the floodplain management regulations.

"Floodplain Development Permit" means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain Management Regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state, or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

"Flood-proofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

“Freeboard” means the height added to the Base Flood Elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge openings, and the hydrological effect of urbanization of the watershed. The Base Flood Elevation plus the freeboard establishes the “Regulatory Flood Protection Elevation”.

“Functionally Dependent Facility” means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

“Hazardous Waste Management Facility” means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

“Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

“Historic Structure” means any structure that is:

1. listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
2. certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. individually listed on a local inventory of historic landmarks in communities with a “Certified Local Government (CLG) Program”; or
4. certified as contributing to the historical significance of a historic district designated by a community with a “Certified Local Government (CLG) Program”.

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

“Lowest Adjacent Grade (LAG)” means the elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

“Lowest Floor” means lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Market Value" means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (actual cash value); or adjusted tax assessed values.

"Mean Sea Level" means, for purposes of this ordinance, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.

"New Construction" means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

"Non-Encroachment Area" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

"Post-FIRM" means construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map.

"Pre-FIRM" means construction or other development for which the "start of construction" occurred before the effective date of the initial Flood Insurance Rate Map.

"Primarily Above Ground" means that at least 51% of the actual cash value of the structure is above ground.

"Public Safety" and/or "Nuisance" means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

"Recreational Vehicle (RV)" means a vehicle, which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light to heavy-duty truck;
and
4. designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Reference Level" is the top of the lowest floor for structures within Special Flood Hazard Areas designated as Zone A1-A30, AE, A, A99 or AO.

"Regulatory Flood Protection Elevation" means the "Base Flood Elevation" plus the "Freeboard." In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus three (3) feet of freeboard. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3), feet above the highest adjacent grade.

"Remedy a Violation" means to bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Salvage Yard" means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

"Solid Waste Disposal Facility" means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

"Solid Waste Disposal Site" means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

"Special Flood Hazard Area (SFHA)" means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the

installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

"Substantial Damage" means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of "substantial improvement". Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

"Variance" is a grant of relief from the requirements of this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation (WSE)" means the height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Article 3. General provisions.

Section A. Lands to which this ordinance applies.

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of the City of Belmont, excluding Extra-Territorial Jurisdictions (ETJs).

Section B. Basis for establishing the special flood hazard areas.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for Gaston County dated 2 September 2015, which are adopted by reference and declared to be a part of this ordinance. The initial Flood Insurance Rate Maps for Belmont have an initial date of 1 November 1979. The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated 2 September 2015 for Gaston County and associated DFIRM panels, including any digital data developed as part of the Flood Insurance Study, which are adopted by reference and declared a part of this ordinance. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of the City of Belmont are also adopted by reference and declared a part of this ordinance.

In addition, upon annexation to the City of Belmont the Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) and/or produced under the Cooperating Technical State agreement between North Carolina and FEMA as stated above, for the unincorporated areas of Gaston County, with accompanying maps and other supporting data are adopted by reference and declared to be part of this ordinance.

Section C. Establishment of floodplain development permit.

A floodplain development permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

Section D. Compliance.

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

Section E. Abrogation and greater restrictions.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation.

In the interpretation and application of this ordinance, all provisions shall be:

1. considered as minimum requirements;
2. liberally construed in favor of the governing body; and
3. deemed neither to limit nor repeal any other powers granted under state statutes.

Section G. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Gaston County, City of Belmont or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

Section H. Penalties for violation.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Belmont from taking such other lawful action as is necessary to prevent or remedy any violation.

Article 4. Administration.

Section A. Designation of floodplain administrator.

The city manager or his or her designee as approved by city council, hereinafter referred to as the floodplain administrator, is hereby appointed to administer and implement the provisions of this ordinance.

Section B. Floodplain development application, permit, and certification requirements.

1. Application requirements. Application for a floodplain development permit shall be made to the floodplain administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the floodplain administrator to apply for a floodplain development permit:
 - a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

- (i) the nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - (ii) the boundary of the Special Flood Hazard Area as delineated on the FIRM as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
 - (iii) flood zone(s) designation of the proposed development area as determined on the FIRM as determined in Article 3, Section B;
 - (iv) the boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
 - (v) the Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
 - (vi) the old and new location of any watercourse that will be altered or relocated as a result of proposed development;
 - (vii) the certification of the plot plan by a registered land surveyor or professional engineer.
- (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
- (i) Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
 - (ii) elevation in relation to mean sea level to which any non-residential structure in Zone AE, A or AO will be flood-proofed; and
 - (iii) elevation in relation to mean sea level to which any proposed utility systems will be elevated or flood-proofed;
- (c) if flood-proofing, a flood-proofing certificate (FEMA Form 086-0-34) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of flood-proofing measures.
- (d) a foundation plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
- (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls);

- (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(c) when solid foundation perimeter walls are used in Zones A, AO, AE, and A1-30;
 - (e) Usage details of any enclosed areas below the lowest floor.
 - (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;
 - (g) Certification that all other local, state, and federal permits required prior to floodplain development permit issuance have been received.
 - (h) Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of Article 5, Section B, subsections (6) and (7) of this ordinance are met.
 - (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.
- (2) **Permit requirements.** The floodplain development permit shall include, but not be limited to:
- (a) A description of the development to be permitted under the floodplain development permit.
 - (b) The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article 3, Section B.
 - (c) The regulatory flood protection elevation required for the reference level and all attendant utilities.
 - (d) The regulatory flood protection elevation required for the protection of all public utilities.
 - (e) All certification submittal requirements with timelines.
 - (f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, as applicable.
 - (g) The flood openings requirements, if in Zones A, AO, AE or A1-30.

(3) Certification requirements.

(a) Elevation certificates

- (i) An elevation certificate (FEMA Form 086-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
- (ii) An elevation certificate (FEMA Form 086-0-33) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.
- (iii) A final as-built elevation certificate (FEMA Form 086-0-33) is required after construction is completed and prior to certificate of compliance/occupancy issuance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to certificate of compliance/occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a certificate of compliance/occupancy.

(b) Flood-proofing certificate

If non-residential flood-proofing is used to meet the regulatory flood protection elevation requirements, a flood-proofing certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the flood-proofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Flood-proofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The floodplain

administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a certificate of compliance/occupancy.

- (c) If a manufactured home is placed within Zone A, AO, AE, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).
- (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- (e) Certification exemptions. The following structures, if located within Zone A, AO, AE or A1-30, are exempt from the elevation/flood-proofing certification requirements specified in items (a) and (b) of this subsection:
 - (i) Recreational vehicles meeting requirements of Article 5, Section B (6)(a);
 - (ii) Temporary structures meeting requirements of Article 5, Section B(7); and
 - (iii) Accessory structures less than 150 square feet meeting requirements of Article 5, Section B(8).

Section C. Duties and responsibilities of the floodplain administrator.

The floodplain administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas to assure that all necessary local, state, and federal permits have been received.
- (3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.
- (6) Obtain actual elevation (in relation to mean sea level) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been flood-proofed, in accordance with the provisions of Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to mean sea level) of all public utilities in accordance with the provisions of Article 4, Section B(3).
- (9) When flood-proofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (11) When Base Flood Elevation (BFE) data has not been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any Base Flood Elevation (BFE) data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D(2)(b), in order to administer the provisions of this ordinance.
- (12) When Base Flood Elevation (BFE) data is provided but no floodway or non-encroachment area data has been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this ordinance.
- (13) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area is above the Base Flood Elevation, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the Letter of Map Amendment (LOMA) issued by FEMA in the floodplain development permit file.

- (14) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- (15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (16) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the floodplain administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (17) Revoke floodplain development permits as required. The floodplain administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable state or local law may also be revoked.
- (18) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The floodplain administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (19) Follow through with corrective procedures of Article 4, Section D.
- (20) Review, provide input, and make recommendations for variance requests.
- (21) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps and studies adopted in accordance with Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify state and FEMA of mapping needs.
- (22) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-F) and Letters of Map Revision (LOMR).

Section D. Corrective procedures.

- (1) Violations to be corrected: When the floodplain administrator finds violations of applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) Actions in event of failure to take corrective action: If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
 - (a) that the building or property is in violation of the floodplain management regulations;
 - (b) that a hearing will be held before the floodplain administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) that following the hearing, the floodplain administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) Order to take corrective action: If, upon a hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, they shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred eighty (180) calendar days. Where the floodplain administrator finds that there is imminent danger to life or other property, they may order that corrective action be taken in such lesser period as may be feasible.
- (4) Appeal: Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) Failure to comply with order: If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

Section E. Variance procedures.

- (1) The flood control appeal board, as established by City of Belmont, hereinafter referred to as the "appeal board," shall hear and decide requests for variances from the requirements of this

ordinance. Unless designated otherwise by the city council of the City of Belmont, the zoning board of adjustment shall serve as the flood control appeal board.

- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for:
 - (a) the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (b) functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
 - (c) any other type of development, provided it meets the requirements of this section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
 - (a) the danger that materials may be swept onto other lands to the injury of others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependent facility, where applicable;
 - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) the compatibility of the proposed use with existing and anticipated development;
 - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;

- (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the Base Flood Elevation increases risks to life and property, and that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- (9) Conditions for variances:
- (a) Variances shall not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
 - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
 - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (d) Variances shall only be issued prior to development permit approval.
 - (e) Variances shall only be issued upon:
 - (i) a showing of good and sufficient cause;
 - (ii) a determination that failure to grant the variance would result in exceptional hardship; and

- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for municipal water treatment plants and wastewater treatment plants that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
 - (a) The use serves a critical need in the community.
 - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
 - (c) The reference level of any structure is elevated or flood-proofed to at least the regulatory flood protection elevation.
 - (d) The use complies with all other applicable federal, state, and local laws.
 - (e) The City of Belmont has notified the Secretary of the North Carolina Department of Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

Article 5. Provisions for flood hazard reduction.

Section A. General standards.

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Regulatory Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- (9) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (10) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted. Municipal water treatment plants and wastewater treatment plants shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or flood-proofed to at least the regulatory flood protection elevation and certified in accordance with the provisions of Article 4, Section B(3).
- (11) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (13) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (14) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (15) When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (16) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest base flood elevation shall apply.

Section B. Specific standards.

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) Residential construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
- (2) Non-residential construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance. Structures located in A, AE, AO, and A1-30 Zones may be flood-proofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the flood-proofing elevation shall be in accordance with Article 5, Section G(2). A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the floodplain administrator as set forth in Article 4, Section B(3), along with the operational and maintenance plans..
- (3) Manufactured homes.
 - (a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
 - (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
 - (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4).

- (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the floodplain administrator and the local emergency management coordinator.
- (4) Elevated buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
- (a) shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
 - (b) shall be constructed entirely of flood resistant materials at least to the regulatory flood protection elevation;
 - (c) shall include, in Zones AE and Zone A flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
 - (i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
 - (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
 - (iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
 - (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade;
 - (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
 - (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

(5) Additions/improvements.

- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - (i) not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
 - (ii) a substantial improvement; both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- (b) Additions to post-FIRM structures with no modifications to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.
- (c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - (i) not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction.
 - (ii) a substantial improvement; both the existing structure and the addition and/or improvements must comply with the standards for new construction.

(6) Recreational vehicles. Recreational vehicles shall either:

- (a) be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or
- (b) meet all the requirements for new construction.

(7) Temporary non-residential structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the floodplain administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

- (a) a specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;

- (b) the name, address, and phone number of the individual responsible for the removal of the temporary structure;
 - (c) the time frame prior to the event at which a structure will be removed (i. e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 - (d) a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
 - (e) designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- (8) Accessory structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
 - (b) Accessory structures shall not be temperature-controlled;
 - (c) Accessory structures shall be designed to have low flood damage potential;
 - (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A(1);
 - (f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and
 - (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with the provisions of Article 5, Section B(4)(c).

An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or flood-proofing certificate. Elevation or flood-proofing certifications are required for all other accessory structures in accordance with Article 4, Section B(3).

Section C. Reserved.

Section D. Standards for floodplains without established base flood elevations.

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The BFE used in determining the regulatory flood protection elevation shall be determined based on the following criteria:
 - (a) When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or flood-proofed in accordance with standards in Article 5, Sections A and B.
 - (b) When floodway data is available from a federal, state, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Article 5, Sections B and F.
 - (c) All subdivision, manufactured home park and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Article 3, Section B and utilized in implementing this ordinance.
 - (d) When Base Flood Elevation (BFE) data is not available from a federal, state, or other source as outlined above, the reference level shall be elevated or flood-proofed (non-residential) to or above the Regulatory Flood Protection Elevation, as defined in Article 2. All other applicable provisions of Article 5, Section B shall also apply.

Section E. Standards for riverine floodplains with BFE but without established floodways or non-encroachment areas.

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

Section F. Floodways and non-encroachment areas.

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - (a) it is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit, or
 - (b) a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision, provided the following provisions are met:
 - (a) the anchoring and the elevation standards of Article 5, Section B(3); and
 - (b) the no encroachment standard of Article 5, Section F(1).

Article 6. Legal status provisions.

Section A. Effect on rights and liabilities under the existing flood damage prevention ordinance.

This ordinance in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted 16 July 1987 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued there under are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of the City of Belmont enacted 16 July 1987 (as amended on 28 September 2007), as amended, which are not re-enacted herein are repealed.

The date of the initial flood damage prevention ordinance for the City of Belmont is 16 July 1987.

Section B. Effect upon outstanding floodplain development permits.

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the floodplain administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

Section C. Effective date.

This ordinance shall become effective on 2 September 2015, and the Flood Insurance Rate Maps (FIRMS) as compiled and dated effective 2 September 2015 are hereby adopted and shall serve as the base information for the enforcement of this ordinance.

Section D. Adoption certification.

I hereby certify that this is a true and correct copy of the flood damage prevention ordinance as adopted by the City Council of the City of Belmont, North Carolina, on the 2nd day of September, 2015.

WITNESS my hand and the official seal of City of Belmont, this the -
2nd day of September, 2015.

Delna Brown

SEAL



Inter-local Agreement for County Enforcement of Flood Hazard Prevention Ordinance within
Municipal Areas of the City of Belmont, North Carolina

**NORTH CAROLINA
GASTON COUNTY**

INTERLOCAL AGREEMENT

This agreement, made and entered into this ____ day of _____, 2019, by and between the city of Belmont, North Carolina municipal corporation, having a physical address of 115 North Main Street, Belmont, NC 28120 ("Municipality") and Gaston County, a North Carolina Political Subdivision, having a physical address of 128 West Main Avenue, Gastonia, North Carolina 28503 ("County").

WITNESSETH:

Whereas, the city of Belmont and County, pursuant to the authority granted by North Carolina General Statutes 160A-461, hereby agree as follows:

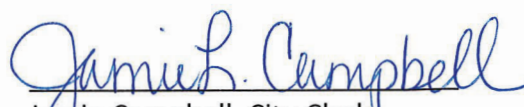
1. That the city of Belmont, NC contracts with the County to use the services of the Planning and Development Services Department of the County to administer the city of Belmont Flood Hazard Prevention Ordinance within the corporate limits and extraterritorial jurisdiction areas of city of Belmont NC.
2. That the services of County shall be performed at no cost to Municipality. However, should any claims arise out of the services provided by the County under this Agreement, the City agrees to indemnify and hold the County, its employees, agents, and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs, and attorney's fees resulting from any action brought against County, its employees, agents, contractors, and Commissioners as a result of these services performed on behalf of the Municipality.
3. That all fees and charges associated with administering the Flood Damage Prevention Ordinance ("Ordinance") as adopted by the Board of County Commissioners, shall be collected by the County, shall be the sole property of the County, and no part thereof shall be payable to the Municipality. A copy of said Ordinance is attached as Exhibit "A" and is incorporated herein by reference.
4. That all development take place within the Municipality's corporate or extraterritorial jurisdictional shall be subject to the rules and regulations set forth in the Ordinance. No building permits shall be issued for any property until the flood zone is determined and the necessary building standards are met. If the property is located within the one hundred (100) year floodplain and if the structure is to be constructed within the flood hazard area, as defined in the Ordinance, preliminary and final elevation certificates will be required.

5. That the County will use every effort to enforce the Ordinance, except that if any civil or criminal action becomes necessary, the Municipality shall bring any legal action as may be required to effectively enforce said Ordinance, upon written notice from County of such violations.
6. This Agreement shall continue until such time as Municipality or County resolves to discontinue the Agreement and presents six (6) months written notice to the other party of said termination or upon mutual agreement of both parties.
7. Gaston County shall adopt new Flood Hazard Prevention Ordinance(s) and updated Flood Insurance Rate Maps (FIRMs), as required by the Nation Flood Insurance Program (NFIP), to ensure continued participation in the program. In order to provide consistent enforcement of the Flood Hazard Prevention Ordinance (FHPO), the Municipality is required to adopt the County's FHPO and new FIRMs within the time constraints defined by the NFIP. Gaston County will advise the Municipality of any new map or ordinance adoption dates and other requirements set by the NFIP and provided copies of new County Flood Hazard Prevention Ordinances to Municipality not less than thirty (30) days prior to NFIP adoption requirement date(s). Failure of Municipality to adopt the County's FHPO and new FIRMS, within the time set by the NFIP, shall result in termination of this agreement.
8. Gaston County reserves the right to terminate this agreement at such a time that additional funding and or staff is required to provide the service to the Municipality.
9. This Agreement may only be modified in writing and executed by both parties.
10. The County will begin enforcement of the Flood Hazard Prevention Ordinance with in the Municipality upon execution of this agreement by both parties.

IN WITNESS WHEREOF, the city of Belmont NC has caused this Agreement to be signed in its name by its Mayor, attested by its Clerk, and its Official Seal to be hereunto affixed, and Gaston County has caused this Agreement to be signed by the Chair of the Board of Commissioners and attested by the Clerk of its Board and its Official Seal to be hereunto affixed, the day and year first above written.

City of Belmont, a North Carolina Municipal Corporation


Charles R. Martin, Mayor


Jamie Campbell, City Clerk
Belmont, NC

Approved as to form on behalf of the City of Belmont, North Carolina, this 4th day of
February 2019

Seal



Gaston County

Tracy Philbeck, Chairman
Gaston County Board of Commissioners

Donna Buff, Clerk of the Board
of County Commissioners

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be duly executed this
_____ day of _____ 2019.

Seal



City of Belmont North Carolina

Flood Map

The Federal Emergency Management Agency (FEMA) is required by Federal law to compile Flood Insurance Rate Maps identifying areas of potential flooding. Property located within a SFHA is subject to a **one percent (1%) or greater chance** of complete or partial flooding in any given year. FEMA defines this type of flood as the "base flood".

FEMA has placed more than 20,000 communities in the United States into a category of flood zones. Each community is able to participate in the agency's National Flood Insurance Program (NFIP), with premium rates determined by the risks of flooding. To indicate the risks in different parts of the country, FEMA has assigned a character from the alphabet to each zone.

The most hazardous flood zones are V (usually first-row, beach-front properties) and A (usually, but not always, properties near water).

V Zones

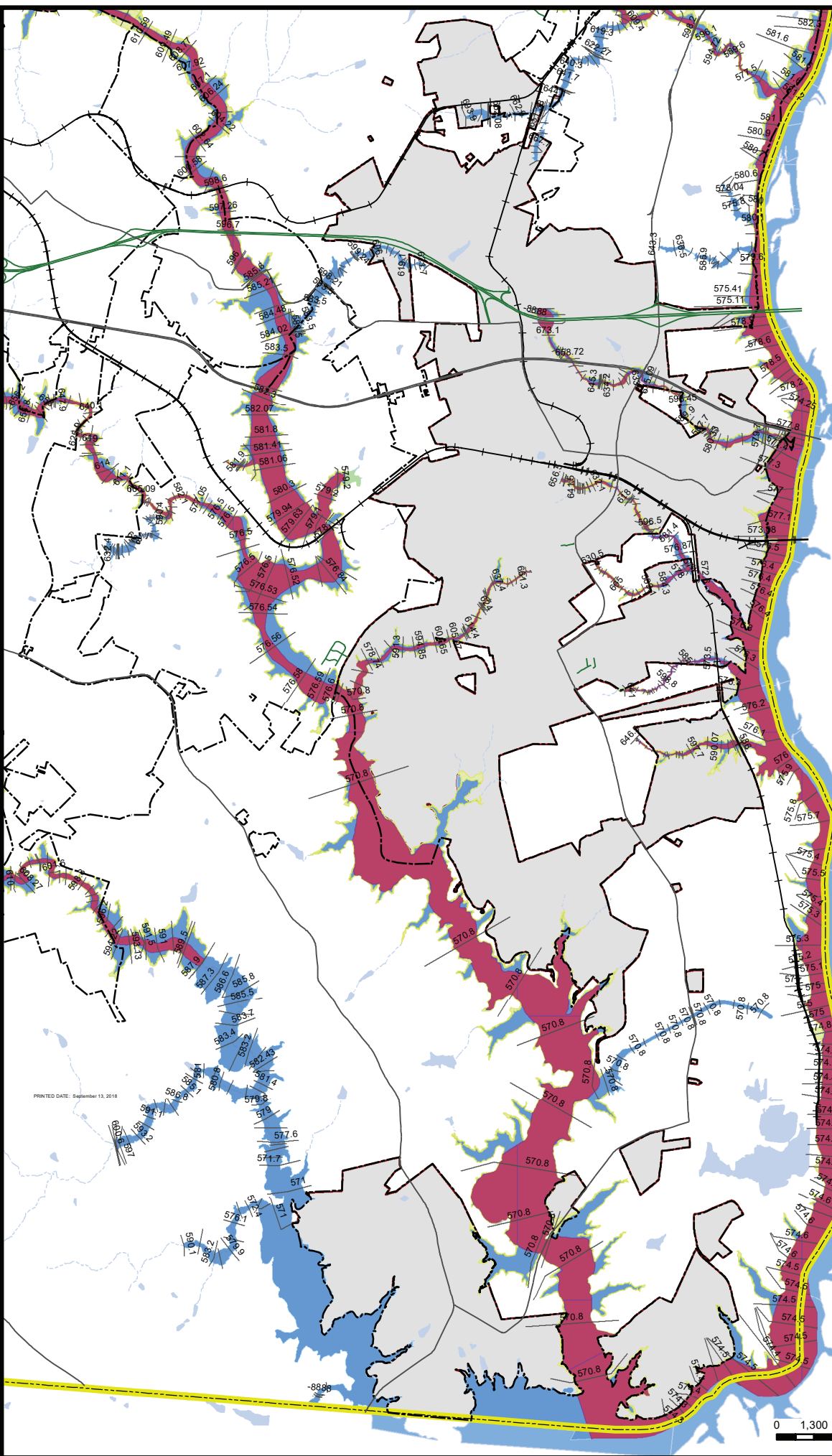
According to FEMA and the National Flood Insurance Program, any building located in an A or V zone is considered to be in a Special Flood Hazard Area, and is lower than the Base Flood Elevation. V zones are the most hazardous of the Special Flood Hazard Areas. V zones generally include the first row of beachfront properties. The hazards in these areas are increased because of wave velocity - hence the V designation. Flood Insurance is mandatory in V zone areas.

A Zones

A zones - the next most volatile of the Special Flood Hazard Areas - are subject to rising waters and are usually near a lake, river, stream or other body of water. Flood insurance is mandatory in all A zones because of the high potential of flooding. A-zone maps also include AE, AH, AO, AR and A99 designations, all having the same rates. The different A zones are named depending on the way in which they might be flooded.

Property located outside an SFHA may still be subject to severe flooding. FEMA reports that 25% to 30% of all flood insurance claims are from owners of property located in low to moderate-risk areas located outside of an SFHA.

For more information, please contact the Federal Emergency Management Agency office or contact them via the world wide web at <http://www.fema.gov/>



PRINTED DATE: September 13, 2018

LEGEND	
—	NCS GISADMIN CrossSection
■	Regulatory Floodway
■	2 PCT Annual Chance Flood Hazard
■	Zone A - Flood Zone No BFE determined
■	Zone AE - 1 PCT Annual Chance Flood Hazard
■	Others Waterways



0 1,300 2,600 5,200 10,400 Feet

149



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Planning Board Action

File #: 19-174

Commissioner Philbeck - Planning & Development Services - To Approve the 2020 Census Proclamation and Establishment of 2020 Census Complete Count Committee

STAFF CONTACT

David L. Williams - Planning Director - 704-866-3473

BACKGROUND

Every 10 years our nation conducts a census in an effort to count every person in the United States. This action is to request support of the proclamation for the 2020 Census and local organizing structure, including the establishment of a Census Complete Count Committee. This Committee would provide for coordinating a cooperative effort between local governments, communities, general public and the US Census Bureau. Local knowledge, and resources to educate residents and promote the census is a primary emphasis. Minimal County funding (\$10,000 dollars approximately) is projected for this effort. At stake for an accurate 2020 Census is an opportunity for Gaston County to receive its due portion of the more than \$600 billion dollars in federal and state funding, which is based on census data.

ATTACHMENTS

Resolution



RESOLUTION TITLE: 2020 CENSUS PROCLAMATION AND ESTABLISHMENT OF 2020 CENSUS COMPLETE COUNT COMMITTEE

- WHEREAS, an accurate census count is vital to our community and residents well-being by helping planners and public officials determine where to locate schools, daycare centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and,
- WHEREAS, more than \$600 billion per year in federal and state funding is allocated to states and communities based on census data; and,
- WHEREAS, census data ensure fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and,
- WHEREAS, the 2020 Census creates jobs that stimulate economic growth and increase employment opportunities in our community; and,
- WHEREAS, the information collected by the census is confidential and protected under Federal Law Title-13 of the United States Code; and,
- WHEREAS, the County of Gaston, North Carolina agrees to be one of the local governments in partnership with the United States Census Bureau by forming a 2020 Complete Count Committee and to be Chaired by Mr. David Williams, Director of the Planning and Development Services, to ensure that all residents in our community are counted; and,
- WHEREAS, the Gaston County Complete Count Committee will include representatives from local governments, business, residents, and other community organizations.
- NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners proclaims that Gaston County, North Carolina is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2020.

As a 2020 Census partner, we will:

1. Support the goals and ideals for the 2020 Census and will disseminate 2020 Census information to encourage those in our community to participate.

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:

2020 CENSUS PROCLAMATION AND ESTABLISHMENT OF 2020 CENSUS COMPLETE
COUNT COMMITTEE

Page 2

2. Encourage people in Gaston County, North Carolina to place an emphasis on the 2020 Census and participate in events and initiatives that will raise overall awareness of the 2020 Census and ensure a full and accurate census.
3. Support census takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community such as Complete Count Committees, to utilize high-profile, trusted voices to advocate on behalf of the 2020 Census.

Signed this 23rd day of April in the year 2019.

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Attest:

Donna S. Buff, Clerk to the Board



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Police Department

Board Action

File #: 19-163

Commissioner Chad Brown - Police Department - Interlocal Agreement Providing for Communications Shared Facilities

STAFF CONTACT

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

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

This agreement will cover our co-locating facilities (towers and back up 911 center) once the agency's migrate to the VIPER radio system. Facilities have been shared for a number of years. The City of Gastonia has requested an inter-local agreement before the county can put equipment for the new radio system on the tower at the Gastonia Police Department. This agreement meets the needs of both entities. Gastonia currently has radio equipment on three county towers and the county will have equipment on their tower. It also covers the back up 911 center inside the Gastonia Police Department and who has access for maintenance, etc.

POLICY IMPACT

N/A

ATTACHMENTS

Interlocal Agreement

STATE OF NORTH CAROLINA
GASTON COUNTY

INTERLOCAL AGREEMENT PROVIDING FOR COMMUNICATIONS SHARED FACILITIES

This Agreement, made and entered into this ____ day of _____, 2019, by and between **THE CITY OF GASTONIA**, a municipal corporation organized under the laws of the State of North Carolina, hereinafter referred to as "City", and **GASTON COUNTY**, a political subdivision of the State of North Carolina, herein referred to as "County".

WHEREAS, in 1998, City and County entered into an Intergovernmental Agreement Providing for Combined Telecommunications, Police, Fire and EMS Records Management and Criminal Information Systems (the "1998 Agreement"); and

WHEREAS, in 2012, the City and County entered into an Interlocal Agreement Providing for Telecommunications Dispatch, and Public Safety Systems Computer Support; and

WHEREAS, County is the Public Safety Answering Point (PSAP) under NCGS 62A-40, et seq., and receives distributions from the State 911 Fund; and

WHEREAS, the co-location, operation and maintenance of telecommunications equipment is an exercise of proper government functions for both units of local government; and

WHEREAS, both parties desire to continue their intergovernmental relationship, but modify it from the 2012 Agreement in which the 2012 Agreement will remain in place unless superseded by the contents herein; and

WHEREAS, this Agreement is intended to define the rights, responsibilities and duties of the parties hereto; and

WHEREAS, City and County are authorized to enter into this Agreement, by virtue of N.C.G.S. Sections 160A-461.

NOW THEREFORE, for and in consideration of the following mutual promises and covenants, City and County hereby agree as follows:

1. **Agreement Representatives:** City and County shall designate, in writing, a representative to serve as the respective manager or spokesperson of the respective entity in the implementation and ongoing Administration of this Agreement.
2. **Shared Facilities:** Shared facilities shall consist of the Cherryville High School Tower, Crowders Mountain Volunteer Fire Department Tower, Gastonia Police Department, and the Gaston County

Police Communications Center. City and County agree to work together in good faith to share communications facilities whenever possible to save costs and maximize taxpayer investments. Access to facilities not specified in this agreement shall require modification to this agreement.

- a. **Cherryville High School Tower:** (owned by Gaston County) City staff shall be given 24x7 access to the Cherryville High School tower to allow for the installation, maintenance and repair of the radio equipment that is a part of the UASI radio network. Any proposed additions or modifications to the equipment located on the tower shall be provided to the County for review and approval. County may elect to require a tower loading study prior to granting any tower addition or modification request. County will work with City in good faith to process addition or modification requests in a timely manner. Tower loading studies and modifications required to support any requested changes to the tower shall be the responsibility of the City. City shall notify the VIPER Network Operations Center prior to entering the site.
- b. **Crowders Mountain Volunteer Fire Department Tower:** (owned by Gaston County) City staff shall be given 24x7 access to the Crowders Mountain Volunteer Fire Department tower to allow for the installation, maintenance and repair of the radio equipment that is a part of the UASI radio network. Any proposed additions or modifications to the equipment located on the tower shall be provided to the County for review and approval. County may elect to require a tower loading study prior to granting any tower addition or modification request. County will work with City in good faith to process addition or modification requests in a timely manner. Tower loading studies and modifications required to support any requested changes to the tower shall be the responsibility of the City. City shall notify the VIPER Network Operations Center prior to entering the site.
- c. **Gaston County Police Communications Center:** (owned by Gaston County) City staff shall be given 24x7 access to the Gaston County Police Communications Center to allow for the installation, maintenance and repair of the radio equipment that is a part of the UASI radio network. County shall be responsible for providing a climate-controlled environment, UPS power, and emergency generator power for the UASI radio network equipment. Facility equipment space requirements shall be mutually agreed upon by County and City. Any proposed additions or modifications to the equipment located on the tower shall be provided to the County for review and approval. County may elect to require a tower loading study prior to granting any tower addition or modification request. County will work with City in good faith to process addition or modification requests in a timely manner. Tower loading studies and modifications required to support any requested changes to the tower shall be the responsibility of the City.
- d. **Gastonia Police Department:** (owned by Gastonia)
 - 1) **Tower Site:** VIPER staff shall be given 24x7 access to the Gastonia Police Department Tower Site to allow for the installation, maintenance and repair of the radio equipment that is a part of the VIPER radio network. County staff shall

3. **Licensing and Compliance with Applicable Laws:** City and County agree to comply with all applicable federal, state, county, and local laws, regulations, ordinances, orders, and decrees in effect at the time of this Agreement. The parties agree that later enacted laws, rules, regulations, ordinances, orders, and decrees may require modification of this Agreement.
4. **Non-Liability:** City and County agree that in no event shall either City or County be liable or responsible to each other, or to persons due to any stoppage or delay in work herein provided for, where stoppages or delays result from acts of God, fire, war, legal or equitable proceeding, or any other cause which is outside the control of City or County. This Agreement is not intended to create a joint venture, partnership, or other kind of legal relationship between the two entities.
5. **Term:** City and County agree that the duration of this Agreement shall commence upon execution and extend until June 30, 2022. The parties hereto further agree that this Agreement shall automatically be renewed for one (1) year successive periods, provided, however, that any party may withdraw at the end of the initial term by giving written notice to withdraw from participation in this Agreement which must be received by the other party not less than 24 months prior to the expiration of the initial term or each renewal term.
6. **Dispute Resolution:** If resolution is not achieved by the agreement representatives as defined above, then the deficiency in services shall be brought to the attention of the participating City and County Managers. In the event that either party determines deficiencies, the determining party shall notify the party responsible for the deficiency in writing as to the precise nature of such deficiency. Within ten (10) working days of receipt of such notice, the receiving party shall correct or initiate reasonable action to correct the deficiency. If the notified party fails to correct or take reasonable steps to correct the deficiency to the satisfaction of the aggrieved party within ten (10) working days, a panel of three persons shall be appointed to engage in non-binding mediation to resolve the issue in good faith. City shall appoint one member, County shall appoint one member, and one member will be agreed upon by City and County to comprise the panel.
7. **Notice:** Any written notice to be given hereunder by any party shall be affected by certified mail, return receipt requested. Notice to the City shall be sufficient if made or addressed to the City Manager, P.O. Box 1748, Gastonia, NC 28053. Notice to the County shall be sufficient if made or addressed to the County Manager, P.O. Box 1578, Gastonia, NC 28053. Either party may change the address for notice to it by giving written notice of such change in accordance with the provisions of this section.
8. **Entire Agreement:** The Agreement and attached Exhibits shall constitute the entire Agreement between City and County, and neither City nor County shall be bound by any requirement which is not specifically stated in this Agreement. This agreement is specifically intended to supersede Sections 7 and 10 of the 2012 Interlocal Agreement between the City and County shared public safety systems.

9. **Waiver of Immunity/Third Party Liability:** No portion of this Agreement shall be deemed to constitute a waiver of any immunities which City or County or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care on the part of either part of any persons not a party to this Agreement.
10. **Severability:** If any section, subsection, paragraph, sentence, or clause or phrase of this Agreement is for any reason held or decided to be invalid or unconstitutional, such a decision shall not affect the validity of the remaining portions. The parties hereto declare that they would have entered not this Agreement and each and every section, subsection, paragraph, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.
11. **Applicable Law:** This Agreement shall be interpreted, construed, and governed by the State of North Carolina.
12. **Amendments:** Amendments which are consistent with the purposes of this Agreement may be made in writing duly executed by the parties hereto.

IN WITNESS WHEREOF, City and County have signed and sealed this Agreement this ___day of _____, 2019.



Gaston County

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Police Department

Board Action

File #: 19-148

Commissioner Worley - Police Department - Proclamation - To Proclaim April 14-20, 2019 as **Public Safety Telecommunicators Week** in Gaston County

STAFF CONTACT

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

BACKGROUND

N/A

ATTACHMENTS

Proclamation



WHEREAS, emergencies in Gaston County can occur at anytime that require law enforcement, fire or emergency medical services; and,

WHEREAS, Gaston County 911 Telecommunications are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, when an emergency occurs, the prompt response of Gaston County Law enforcement officers, firefighters and paramedics is critical to the protection of life and the preservation of property; and,

WHEREAS, the safety of our law enforcement officers, firefighters and paramedics is dependent upon the quality and accuracy of information obtained from citizens who telephone the Gaston County 911 Communications Center; and,

WHEREAS, Gaston County Telecommunicators are the single vital link for our law enforcement officers, firefighters and paramedics, by monitoring their activities by radio, providing them information and insuring their safety; and,

WHEREAS, Gaston County Telecommunicators have exhibited compassion, understanding and professionalism during the performance of their job in the past year; and,

WHEREAS, the second full week in April has been set aside to recognize public safety telecommunications personnel and their crucial role in the protection of life and property.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners proclaims April 14 – 20, 2019 as

PUBLIC SAFETY TELECOMMUNICATIONS WEEK

in Gaston County to honor the men and women whose diligence and professionalism keep our county and citizens safe.

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 23rd Day of April 2019



Gaston County

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Public Works

Board Action

File #: 19-135

Commissioner Chad Brown - Public Works - To Award a Construction Contract and Authorize the County Manager to Execute Said Contract with Patterson Electric, Inc. of Blacksburg, South Carolina for the Replacement of the Emergency Backup Generator at the Gaston County Public Health Building (Hudson Boulevard), and Approve Funding at a Cost Not to Exceed \$402,583.00

STAFF CONTACT

Dan Ziehm, P.E. - Assistant Director - Public Works - 704-862-6795
Chris Dobbins - DHHS Director - DHHS (Health Division) - 704-862-5262

BUDGET IMPACT

\$402,583.00 Medicaid Maximization Funds (No local funds).

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The current Public Health Building located at 991 West Hudson Boulevard, Gastonia, North Carolina was built in 1988. The existing natural gas 50 kW emergency backup generator only serves a small portion of emergency lights, vaccine refrigerators and freezers and other miscellaneous electrical outlets. In July 2018, Gaston County hired Optima Engineering to perform a preliminary engineering feasibility study for replacing the existing emergency backup generator. Optima Engineering subsequently prepared construction documents for the installation of a new 700 kW emergency backup generator and automatic transfer switch (ATS). The new emergency backup generator will provide power to the entire Public Health Building in case of a power outage (all lights, computers, HVAC, etc.).

Construction plans for the new emergency backup generator were publicly advertised on January 13, 2019. A public bid opening was held on February 28, 2019 at which time six (6) sealed electrical contractor bids were submitted and publicly

(Continued on Page 2)

Commissioner Chad Brown - Public Works - To Award a Construction Contract and Authorize the County Manager to Execute Said Contract with Patterson Electric, Inc. of Blacksburg, South Carolina for the Replacement of the Emergency Backup Generator at the Gaston County Public Health Building (Hudson Boulevard), and Approve Funding at a Cost Not to Exceed \$402,583.00

Page 2

read with the following results:

<u>CONTRACTOR</u>	<u>TOTAL BID</u>
Patterson Electric, Inc.	\$ 402,582.00
Premium Power Systems	\$ 566,520.15
Smart Electric Company	\$ 599,445.00
Emergency Power Solutions, Inc.	\$ 681,450.00
Southern Switchgear Services	\$ 689,283.00
Catalyst Construction Company	\$ 1,512,620.00

Based on the bids received, this Board Action deems Patterson Electric, Inc. as the electrical contractor submitting the lowest, responsive, responsible bid. Approval of this Board Action formally selects Patterson Electric, Inc. to perform construction work associated with this project, directs the County Attorney to draft all necessary contract documents, and authorizes the County Manager to execute said contract documents in an amount totaling \$402,582.00.

POLICY IMPACT

N/A

ATTACHMENTS

N/A



Gaston County

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Public Works

Board Action

File #: 19-161

Commissioner Chad Brown - Public Works - To Award a Construction Contract for Pavement Repairs at the Courthouse/Jail, Social Services, GEMS and ACCESS Facilities to Blythe Brothers Asphalt Company, LLC at a Cost Not to Exceed \$1,937,095.60, and Authorize the County Manager to Execute Any Necessary Contract Documents **(FY19 Budgeted Funds)**

STAFF CONTACT

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

BUDGET IMPACT

Construction / Repair - \$1,937,095.60

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Gaston County Board of Commissioners approved funding in the FY18-19 budget to complete pavement repairs at various County facilities. Due to age and continued usage of these parking lots / drives, the pavement has deteriorated resulting in pavement failures that continue to worsen. Terracon Consultants previously conducted an in-depth study of various pavement systems and provided repair recommendations to Gaston County. Based on the results of that study, Robinson & Sawyer, Inc. designed pavement repairs and prepared bidding documents for public bidding purposes. The project was publicly advertised on February 10, 2019 and a bid opening was scheduled for March 5, 2019. Due to an insufficient number of bids, the bids were not opened on the originally scheduled bid date. The project was re-advertised publicly on March 22, 2019 and bids were received on April 2, 2019 with the following results:

Blythe Brothers Asphalt Company, LLC, Charlotte, NC	\$1,937,095.60
T.C. Strickland Construction, Inc., Shelby, NC	\$2,200,266.75

(Continued on Page 2)

Commissioner Chad Brown - Public Works - To Award a Construction Contract for Pavement Repairs at the Courthouse/Jail, Social Services, GEMS and ACCESS Facilities to Blythe Brothers Asphalt Company, LLC at a Cost Not to Exceed \$1,937,095.60, and Authorize the County Manager to Execute Any Necessary Contract Documents (FY19 Budgeted Funds)
Page 2

Based on the bids received, this Board Action deems Blythe Brothers Asphalt Company, LLC as the contractor submitting the lowest responsive, responsible bid. Approval of this Board Action formally selects Blythe Brothers Asphalt Company, LLC to perform the repair 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 for an amount not to exceed \$1,937,095.60.

POLICY IMPACT

N/A

ATTACHMENTS

Bid Award Recommendation Letter



**ROBINSON &
SAWYER, INC.**

CIVIL ENGINEERING CONSULTING AND DESIGN



EST. 1962

707 E. SECOND AVE. ■ GASTONIA, NORTH CAROLINA 28054 ■ PHONE: 704-864-2201 ■ FAX: 704-864-2276

April 3, 2019

via e-mail: ray.maxwell@gastongov.com

Mr. Ray Maxwell, PE
Public Works Director
Gaston County
PO Box 1578
Gastonia, NC 28053

RE: Gaston County Pavement Rehabilitation Project

Mr. Maxwell:

Based on a thorough review of the Bids received on April 2, 2019 for the subject project, we recommend a contract be awarded to the low bidder, Blythe Brothers Asphalt Company, LLC in the amount of one million, nine hundred thirty-seven thousand, ninety-five dollars and sixty cents (\$1,937,095.60).

We have attached a bid tabulation, a copy of the bids received for your files, and a Notice of Award. Please sign the Notice of Award and return it to us and we will forward it to the Contractor. Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

Robinson & Sawyer, Inc.

Donald D. Smith, PE
President



Gaston County

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Sheriff's Office

Board Action

File #: 19-156

Commissioner Worley - Sheriff's Office - To Appropriate \$23,455 for the Gaston County Sheriff's Office from the State Criminal Alien Assistance Program (SCAAP) Funds for FY 2018-2019 **(100% Federal Funds)**

STAFF CONTACT

Chief Deputy Kim Johnson - Sheriff's Office - 704-869-6837

BUDGET IMPACT

100% Federal Funds

BUDGET ORDINANCE IMPACT

Increase SCAAP grant revenues by \$23,455 and appropriate \$23,455 into Special Grants account.

BACKGROUND

Gaston County was awarded a \$23,455 grant from the 2017 State Criminal Assistance Program (SCAAP). The federal Bureau of Justice Assistance provides State Criminal Alien Assistance Program grants to reimburse costs incurred by state or political subdivisions of a state, including counties, for the confinement of certain undocumented criminal aliens. The grant money will be used to upgrade the audio visual equipment in the training room at the Sheriff's Office. This room is used by correctional officers for in-service training and Detention Officer Certification Course (DOCC) School.

POLICY IMPACT

N/A

ATTACHMENTS

Budget Change Request

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4315 Sheriff's Office
Dept. # Department Name

Sheriff Alan Cloninger 4/1/2019
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)
State Criminal Alien Assistance Program FY 2017 SCAAP Grant	010-02-4315-0000-425080	(23,455)
	010-02-4315-4315-560000-19571	23,455

JUSTIFICATION FOR REQUEST:

Gaston County was awarded a \$23,455 grant from the 2017 State Criminal Assistance Program (SCAAP). The federal Bureau of Justice Assistance provides State Criminal Alien Assistance Program grants to reimburse costs incurred by state or political subdivisions of a state, including counties, for the confinement of certain undocumented criminal aliens. The grant money will be used to upgrade the audio visual equipment in the training room at the Sheriff's Office. This room is used by correctional officers for in-service training and Detention Officer Certification Course (DOCC) School.

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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Tax Board Action

File #: 19-170

Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the March Tax Refunds be Made. (***Real Estate - \$16,778.75; Vehicles and ETC - \$2,396.35; VTS Refunds - \$7,907.91; Grand Total - \$27,083.01***)

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 010-00-0000-0000-23010.

ATTACHMENTS

Tax Refunds Listing for March 2019

TAXPAYER NAME	OWNER NAME	AMOUNT
MARCH 2019 REAL ESTATE		
Falls, Thomas D		\$122.74
Bailey, Leo R		\$124.72
Mehta, Niravkumar		\$103.81
Ferguson, Sherry Ann		\$319.39
Hoefner, Richard T S		\$118.00
Lacount, James D		\$108.66
Bailey, James W		\$471.44
Bailey, James W		\$382.53
Cotter, Daniel		\$234.41
Fender, Betty P		\$325.00
Fuse Storage LLC		\$540.00
Little, William J		\$420.18
Martinez-Castro, Fanny		\$100.00
Washington Alloy Company		\$518.26
Gunn, Garner L		\$226.88
Crawford, Freddie D		\$124.90
Pryor, Paul S II		\$266.00
McKinstry, Albert J		\$442.31
Phillips, Allison D		\$149.38
Falls, Thomas D		\$121.12
Randall, Don R Jr		\$303.06
Stivala, Edward G Jr		\$159.17
Ratchford, Tresa S		\$210.21
Adams, Harold Lane		\$107.63
Lindner, Linda		\$100.00
Biggerstaff, Erik A		\$341.98
Elrod, Stephanie J		\$248.30
Kelly, Rocky		\$106.37
Lacount, James D		\$117.08
Miller, Christopher		\$146.81
Myers, Christopher G		\$373.51
Adams, Robert Lee II		\$102.71
Davis, Perry Andre		\$120.09
Leeper, Debra D		\$175.33
Malotte, Rhonda		\$114.37
Adams, Robert Lee II		\$135.90
Critchley, James H		\$141.03
Morrow, William G		\$210.47
Warren L Tadlock		\$1,501.63
Jordan, Ray B		\$324.24
Lacount, James D		\$117.30
Pierre, Matthew M		\$214.39
Pendleton, John L		\$135.50
Rollins, Von A		\$148.40
J Charles Saunders Co Inc		\$125.00
Pierre, Matthew M		\$113.83
Fletcher, Russell		\$146.17
Adams, Robert Lee II		\$136.39
Huckaby, Edith H		\$100.00
Evans, Kevin C		\$139.73
Conley, Stacy E		\$112.33
IGT Global Solutions		\$144.84
Henderson, Michael D		\$119.71
Hester, Gary W		\$907.40

TAXPAYER NAME	OWNER NAME	AMOUNT
MARCH 2019 REAL ESTATE (Continued)		
Pendleton, John L		\$129.27
Roberts, Troy D		\$136.62
Bryant, Anthony Glenn		\$187.36
Myers, Christopher G		\$308.87
Malotte, Rhonda		\$311.64
Martin, Kenneth B		\$378.87
McKinstry, Albert J		\$442.32
Lynch, William I		\$441.67
Benson, Ashley A		\$195.02
Ellington, Frank W		\$135.81
Pendleton, John L		\$120.83
Rice, Tony B		\$246.48
Malotte, Winston J		\$100.00
Fletcher, Joel S		\$330.00
Rollins, Von A		\$157.37
Harris, Debra Jones		\$115.92
Davis, Perry Andre		\$120.09
TOTAL		\$16,778.75
MARCH 2019 VEHICLES & ETC		
Littlejohn, David L		\$100.47
Bingham, Timothy F		\$161.44
Bingham, Timothy F		\$146.41
Warren L Tadlock		\$255.04
Blackledge, Rose M		\$357.62
Jordan, Stacy Tillman		\$131.00
Gouacide, Kai Jason		\$102.02
Sawyer, Robert Chris		\$384.00
Camp, Billy Joe Jr		\$105.44
Bingham, Timothy F		\$188.68
Moss, William Michael		\$111.15
Sox, Katelin Nicole		\$112.32
Kitchen, Maria N		\$135.65
Camp, Billy Joe Jr		\$105.11
TOTAL		\$2,396.35
MARCH VTS REFUNDS		
Aurco Management Inc		\$216.72
Bradley, Pamela Kzzinsky		\$173.32
Burrell, Jeffrey Glenn		\$137.67
Carstarphen, Joseph Martin IV		\$132.91
Cornelison, Jason Everett		\$2,284.08
Dehaney Wilson, Verna Ivette		\$132.52
Duran Quintero, Dany Enrique		\$107.84
Foster, Frances Sullivan		\$361.95
Foster, Maurice Jan II		\$269.32
Griggs, Donnie Ledford		\$210.42
Helms, Laura Lawing		\$116.20
Huber, Brett Lewis		\$238.09
Kirlin, David Russell		\$110.32
Kokalis, Paul Jerry		\$123.45
Lasalle, Jason David		\$135.02
Leonard, Phillip Terry		\$199.88
Leviner, Clinton Neil		\$162.16

TAXPAYER NAME	OWNER NAME	AMOUNT
MARCH VTS REFUNDS (Continued)		
Lincoln County Tax Department		\$371.00
Lloyd, James Arthur Jr		\$104.70
Martin, Dan Curtis		\$132.29
McNure, Sarah Nicole		\$117.44
Nash, Charles Lindberg Jr		\$229.95
Palmer, William Sila Jr		\$163.58
Pettus, Betty Ann		\$142.89
Rendleman, Roy Rogers		\$220.94
Salcedo, Winston Fernando		\$177.03
Sanders, Jacob Adam		\$102.53
Santos, Sergio Armando Dos		\$117.18
Sharpe, Clarence Gladen		\$107.27
Thompson, Daniel Brett		\$221.44
Thompson, William J		\$458.76
Williams, Monteir Damone		\$129.04
TOTAL		\$7,907.91
GRAND TOTAL		\$27,083.01



Gaston County

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County Attorney

Board Action

File #: 19-153

Commissioner Jack Brown - Travel & Tourism - To Amend the By-Laws of the Gaston County Travel & Tourism Advisory Board

STAFF CONTACT

Charles Moore - County Attorney

BACKGROUND

N/A

ATTACHMENTS

By-Laws

BYLAWS OF THE GASTON COUNTY TRAVEL & TOURISM ADVISORY BOARD

ARTICLE I

Name

The name of the organization is the Gaston County Travel & Tourism Advisory Board.

ARTICLE II

Object

The object of the organization is to advise the Gaston County Department of Travel & Tourism and the Gaston County Board of Commissioners regarding travel and tourism issues in Gaston County, the promotion of travel & tourism in Gaston County through state, regional, national and international resources and the promotion of Gaston County travel & tourism through commercial resources.

ARTICLE III

Members

The members of the Advisory Board shall be those persons appointed by the Gaston County Board of Commissioners to serve on the Advisory Board. The initial composition of the Board consists of seven at large members assigned on a township basis to each County Commissioner; the County Manager or his/her designee (non-voting); an ex officio appointment from the Economic Development Commission; an ex officio appointment from an Attraction; an ex officio appointment from the Parks & Recreation Advisory Board; an ex officio appointment from a non-profit attraction (February, 2010); and an ex officio appointment from the Hotel/Motel Industry. The terms of office of said members shall be staggered three year terms.

ARTICLE IV

Officers

Section 1. The officers of the Board shall be Chairman, a Vice-Chairman. **Nominations for Officers shall be limited to township representatives.**

Section 2. The Travel & Tourism Advisory Board shall organize and elect a Chairman and Vice-Chairman annually at the regular meeting in the month of January.

Section 3. The Chairman shall preside at all meetings and public hearings of Travel & Tourism Advisory Board and shall decide on all matters of order and procedure using Robert's Rules of Order. The Chairman shall appoint any committee found necessary to investigate any matters before the Board or to perform any of its duties as directed.

Section 4. The Vice-Chairman shall assume the duties of the Chairman in the Chairman's absence.

Section 5. The Travel & Tourism Administrative Assistant shall prepare, or cause to be prepared, the Minutes of the Travel & Tourism Advisory Board, and shall cause proper notice of Board meetings to be disseminated in accordance with the NC Open Meetings Law.

Section 6. Members of the Travel & Tourism Advisory Board who represent entities which could benefit from the distribution of occupancy tax revenues or who otherwise appear to have a conflict of interest regarding the use of occupancy tax revenues or other public funds shall not be eligible for election as officers of the Board and shall be excused from participating in any Board action in which there is an appearance of a conflict of interest.

ARTICLE V

Meetings

Section 1. Regular Meetings of the Travel & Tourism Advisory Board shall be held on the third Tuesday of each month at 4:00 p.m. at the Gaston County Visitors Center. The Chairman may change meeting times and locations as needed and pursuant to the Open Meetings Law notice procedure.

Section 2. Special meetings for the Board may be called at any time as provided by NC General Statute.

Section 3. A quorum shall consist of seven members.

Section 4. All meetings shall be open to the public and shall be conducted pursuant to the NC Open Meetings Law and Robert's Rules of Procedure.

Section 5. Except as may be otherwise specified herein, the vote of a majority of those members present shall be sufficient to decide matters before the Board, provided that a quorum is present.

Section 6. The Gaston County Board of Commissioners attendance policy shall apply to the Travel & Tourism Advisory Board and members of the Advisory Board with insufficient attendance records may be replaced. Any member of a Commission appointed board or committee shall be removed from office if, in a calendar year, he/she:

With the exception of medical reasons, any member of a BOC appointed body may be removed from office if he/she:

- (1) Is absent from three (3) consecutive advisory board meetings,
- (2) Has less than a 60% annual attendance record at advisory board meetings

Section 7. Any change in meeting schedules or cancellation of a meeting shall require a 48-hour notice.

ARTICLE VI

Records

The Travel & Tourism Administrative Assistant shall maintain files of all studies, plans, reports and recommendations made by the Advisory Board in the discharge of its duties and responsibilities. All minutes of the Board are public records. An annual report shall be given to the Gaston County Board of Commissioners.

ARTICLE VII

Amendments

These bylaws may be amended at any regular meeting of the Board by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting. The adoption of and amendments to these bylaws is subject to the review of the Gaston County Board of Commissioners.

ARTICLE VIII

Committees

Said Committees will be established annually at the regular meeting in January. Each Committee Chair will be selected by the Advisory Board Chairman. The Committee Chair will solicit volunteers from the T&T Advisory Board and/or expand outside of the board to solicit experts in a particular field.

Section 1. At least three Board Members shall volunteer to serve on a Grants Committee. With the assistance of staff, the committee is responsible for developing, reviewing, adjusting and implementing Travel & Tourism's annual grant program criteria and recommending grant awards for full Advisory Board approval. The committee will work with the Board Chairman and/or Vice Chairman. No grants shall be disbursed without the approval of the full Board at a regular or special meeting.

Section 2. At least three Board Members shall volunteer to serve on a Fund Balance/Budget Committee. With the assistance of staff, including a representative from the County Attorney's Office, the committee will evaluate tourism- related investment opportunities and make recommendations for full Advisory Board approval regarding the effective expenditure of Travel & Tourism's fund balance. Also with the assistance of staff, the committee will participate in the development of the department's annual budget prior to the county review process. The committee will work with the Board Chairman and/or Vice Chairman.

Section 3. At least 3 Board Members shall volunteer to serve on a Research/Strategic Planning Committee. With the assistance of staff, the committee will participate in the development of the department's annual marketing plan, the implementation of a departmental strategic plan and the creation of requests for proposals for necessary outside research. The committee will work with the Board Chairman and/or Vice Chairman.

ARTICLE IX

Definitions

Attraction: a business, association, or establishment that operates to create a profit and which draws a substantial number of people from outside of Gaston County.

Non-Profit Attraction: a business, association, or establishment that does not operate for the purpose of making a profit and which draws a substantial number of people from outside of Gaston County which has the status of a Non-Profit Organization with the North Carolina Secretary of State.

ARTICLE X

Certification

I, _____, Chairman of the Gaston County Travel & Tourism Advisory Board, do hereby certify that the foregoing is a true and accurate copy of the bylaws of the above named organization, duly adopted by this Board on October 16, 2018.

Chairman Travel & Tourism Advisory Board

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate copy of the Gaston County Travel & Tourism Advisory Board Bylaws adopted by the Board of Commissioners on _____.

Clerk to Gaston County Board of Commissioners



Gaston County

Gaston County
Board of Commissioners
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Planning Board Action

File #: 19-151

Commissioner Worley - Planning & Development Services - Parallel Conditional Use Permit (PCUP): PCUP19-03, John & Jennifer Ratchford (Applicants); Property Parcel: 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in Order to Allow Animal Grooming Service/Animal Kennel

STAFF CONTACT

David L. Williams - Planning Director - 704-866-3473

BACKGROUND

Chapter 5 of the Unified Development Ordinance provides for issuance of a Conditional Use Permit for parcels which have been zoned as a Conditional Use District. A quasi-judicial public hearing is required which allows for sworn testimony before the Board of County Commission and Planning Board prior to consideration of the Conditional Use Permit. Planning Board recommendation and Board of Commission approval or disapproval on Parallel Conditional Use District map amendments, with recommendation on same by the Planning Board and final approval or disapproval shall be based on four findings (outlined in the ordinance) made on factual evidence provided through the public hearing process. John & Jennifer Ratchford (Applicants), applied for a zoning map change from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service/Animal Kennel. Said site consists of 3 acres, located at 5515 Sparrow Dairy Rd., Gastonia, NC in the South Point Township. A joint public hearing was advertised for and held on April 23, 2019 to take sworn testimony relating to issuance of a Conditional Use Permit, with the public hearing comments being on file in the Commission Clerk's Office.

ATTACHMENTS

Resolution - PCUP19-03; Maps - PCUP19-03



RESOLUTION TITLE: PARALLEL CONDITIONAL USE PERMIT (PCUP): PCUP19-03 JOHN & JENNIFER RATCHFORD (APPLICANT), PROPERTY PARCEL 194195, LOCATED AT 5515 SPARROW DAIRY RD., GASTONIA, NC, REQUEST FOR A PCUP ZONING DISTRICT FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT WITH (US) URBAN STANDARDS OVERLAY TO THE (CU/R-2) CONDITIONAL USE / SINGLE FAMILY MODERATE ZONING DISTRICT WITH (US) URBAN STANDARDS OVERLAY (PCUP), IN ORDER TO ALLOW ANIMAL GROOMING SERVICE / ANIMAL KENNEL

WHEREAS, Chapter 5 of the County Unified Development Ordinance set forth guidelines for consideration of a Parallel Conditional Use Permit zoned as a Conditional Use district, and a quasi-judicial joint public hearing by the County Commission and the Planning Board, was held on April 23, 2019, to take sworn testimony for a zoning map change (parallel conditional use district), as follows:

Tax Parcel Number(s): 194195
Applicant: John & Jennifer Ratchford
Owner(s): George Lytle Ratchford Jr.
Property Location: 5515 Sparrow Dairy Rd.
PCUP Request: Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel

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

WHEREAS, the Planning Board recommended **(approval)** or **(disapproval)** of the map change for parcel: 194195, located at 5515 Sparrow Dairy Rd., Gastonia, NC, from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel, was approved April 23, 2019, based on: public hearing comment, staff recommendation, and the request is in **(accordance with)** or **(not in accordance with)** the County's Comprehensive Plan.

Motion: Second: Vote:
Aye:
Nay:
Absent:
Abstain:

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:

Parallel Conditional Use Permit (PCUP): PCUP19-03 John & Jennifer Ratchford (Applicant), Property Parcel 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel
Page 2

WHEREAS, based on evidence provided in sworn testimony at the public hearing, the Planning Board made the following findings of fact:

- a. The proposed development will not materially endanger the public health or safety if located where proposed and developed according to plan, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- b. The use meets all required conditions and specifications, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- c. The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- d. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

WHEREAS, making all findings of fact in the affirmative, the Planning Board recommends (**approval**) or (**not approval**) of the Parallel Conditional Use Permit (PCUP) with the following proposed recommended conditions:

Parallel Conditional Use Application (PCUP19-03) Conditions

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this permit shall be void and no effect.
3. Unless the Board of Commissioners issues a Conditional Use Permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit.
4. Development shall meet all local, state and federal requirements.
5. Provide a commercial grade dumpster on site per guidelines as outlined in Section 9.25 (Solid Waste Dumpster Requirements).
6. Any alterations required by North Carolina Department of Transportation, through the driveway permitting process, causing the proposed drawing to change orientation or any portion of the design, shall be allowed.
7. Any alterations required by North Carolina State 2018 Commercial Building Code, causing the proposed drawing to change orientation or any portion of the design, shall be allowed.

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the Parallel Conditional Use Permit application, sworn testimony provided at the public hearing and Planning Board recommendation:

- 1) Find the proposed map change for parcel 194195 from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel, is consistent with the County's Comprehensive Plan; the map change is **(approved)** or **(disapproved)** as follows:

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

Parallel Conditional Use Permit (PCUP): PCUP19-03 John & Jennifer Ratchford (Applicant), Property Parcel 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel
Page 4

- 2) Based on evidence provided in sworn testimony at the public hearing, the Board of Commissioners made the following findings of fact:

- a) The proposed development will not materially endanger the public health or safety if located where proposed and developed according to plan, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- b) The use meets all required conditions and specifications, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- c) The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- d) The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- 3) Making all findings of fact in the affirmative, the Board of Commissioners (**approves**) or (**disapproves**) of the Parallel Conditional Use Permit (PCUP) with the following recommended conditions:

Parallel Conditional Use Permit (PCUP): PCUP19-03 John & Jennifer Ratchford (Applicant), Property Parcel 194195, Located at 5515 Sparrow Dairy Rd., Gastonia, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District with (US) Urban Standards Overlay (PCUP), in order to allow Animal Grooming Service / Animal Kennel
Page 5

Parallel Conditional Use Application (PCUP19-03) Conditions

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this permit shall be void and no effect.
3. Unless the Board of Commissioners issues a Conditional Use Permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit.
4. Development shall meet all local, state and federal requirements.
5. Provide a commercial grade dumpster on site per guidelines as outlined in Section 9.25 (Solid Waste Dumpster Requirements).
6. Any alterations required by North Carolina Department of Transportation, through the driveway permitting process, causing the proposed drawing to change orientation or any portion of the design, shall be allowed.
7. Any alterations required by North Carolina State 2018 Commercial Building Code, causing the proposed drawing to change orientation or any portion of the design, shall be allowed.

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

- 4) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Attest:

Donna S. Buff, Clerk to the Board



Gaston County

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Planning Board Action

File #: 19-152

Commissioner Chad Brown - Planning & Development Services - Parallel Conditional Use Permit (PCUP): PCUP19-04, Ecoplexus Inc. (Applicant); Property Parcel: 164778, Located at 601 High Shoals Rd., Lincolnton, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in Order to Allow Essential Services Class 3 (Solar Generation Facility/Solar Farm)

STAFF CONTACT

David L. Williams - Planning Director - 704-866-3473

BACKGROUND

Chapter 5 of the Unified Development Ordinance provides for issuance of a Conditional Use Permit for parcels which have been zoned as a Conditional Use District. A quasi-judicial public hearing is required which allows for sworn testimony before the Board of County Commission and Planning Board prior to consideration of the Conditional Use Permit. Planning Board recommendation and Board of Commission approval or disapproval on Parallel Conditional Use District map amendments, with recommendation on same by the Planning Board and final approval or disapproval shall be based on four findings (outlined in the ordinance) made on factual evidence provided through the public hearing process. Ecoplexus Inc.(Applicant), applied for a zoning map change from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP) in order to allow Solar Generation Facility (Solar Farm). Said property consists of 131.97 acres, located at 601 High Shoals Rd., NC in the Dallas Township. A joint public hearing was advertised for and held on April 23, 2019 to take sworn testimony relating to issuance of a Conditional Use Permit, with the public hearing comments being on file in the Commission Clerk's Office.

ATTACHMENTS

Resolution - PCUP19-04; Maps - PCUP19-04



**RESOLUTION TITLE: PARALLEL CONDITIONAL USE PERMIT (PCUP): PCUP19-04
ECOPLEXUS INC. (APPLICANT), PROPERTY PARCEL 164778, LOCATED AT 601 HIGH
SHOALS RD., LINCOLNTON, NC, REQUEST FOR A PCUP ZONING DISTRICT FROM THE (R-1)
SINGLE FAMILY LIMITED ZONING DISTRICT TO THE (CU/R-2) CONDITIONAL USE / SINGLE
FAMILY MODERATE ZONING DISTRICT (PCUP), IN ORDER TO ALLOW ESSENTIAL SERVICES
CLASS 3 (SOLAR GENERATION FACILITY/SOLAR FARM)**

WHEREAS, Chapter 5 of the County Unified Development Ordinance set forth guidelines for consideration of a Parallel Conditional Use Permit zoned as a Conditional Use district, and a quasi-judicial joint public hearing by the County Commission and the Planning Board, was held on April 23, 2019, to take sworn testimony for a zoning map change (parallel conditional use district), as follows:

Tax Parcel Number(s):	164778
Applicant:	Ecoplexus Inc.
Owner(s):	BCGC Associates Inc.
Property Location:	601 High Shoals Rd.
PCUP Request:	Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Generation Facility/Solar Farm)

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

WHEREAS, the Planning Board recommended **(approval)** or **(disapproval)** of the map change for parcel: 164778, located at 601 High Shoals Rd., Lincolnton, NC, from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Generation Facility/Solar Farm), on April 23, 2019, based on: public hearing comment and staff recommendation; and the request is in **(accordance with)** or **(not in accordance with)** the County's Comprehensive Plan.

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

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:

Parallel Conditional Use Permit (PCUP): PCUP19-04 Ecoplexus Inc. (Applicant), Property Parcel 164778, Located at 601 High Shoals Rd., Lincolnton, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Generation Facility/Solar Farm)
Page 2

WHEREAS, based on evidence provided in sworn testimony at the public hearing, the Planning Board made the following findings of fact:

- a. The proposed development will not materially endanger the public health or safety if located where proposed and developed according to plan, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- b. The use meets all required conditions and specifications, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- c. The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- d. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

WHEREAS, making all findings of fact in the affirmative, the Planning Board recommends (**approval**) or (**not approval**) of the Parallel Conditional Use Permit (PCUP) with the following proposed recommended conditions:

Parallel Conditional Use Permit (PCUP): PCUP19-04 Ecoplexus Inc. (Applicant), Property Parcel 164778, Located at 601 High Shoals Rd., Lincolnton, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Generation Facility/Solar Farm)
Page 3

Parallel Conditional Use Application (PCUP19-04) Conditions

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this permit shall be void and no effect.
3. Unless the Board of Commissioners issues a Conditional Use Permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit.
4. Development shall meet all local, state and federal requirements.

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the Parallel Conditional Use Permit application, sworn testimony provided at the public hearing and Planning Board recommendation:

- 1) Find the proposed map change for parcel 164778, from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Essential Services Class 3 (Solar Generation Facility/Solar Farm), is consistent with the County's Comprehensive Plan; the map change is **(approved)** or **(disapproved)** as follows:

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

- 2) Based on evidence provided in sworn testimony at the public hearing, the Board of Commissioners made the following findings of fact:

- a) The proposed development will not materially endanger the public health or safety if located where proposed and developed according to plan, based on:

Motion:

Second:

Vote:

Aye:

Nay:

Absent:

Abstain:

b) The use meets all required conditions and specifications, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

c) The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

d) The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

3) Making all findings of fact in the affirmative, the Board of Commissioners (**approves**) or (**disapproves**) of the Parallel Conditional Use Permit (PCUP) with the following recommended conditions:

Parallel Conditional Use Application (PCUP19-04) Conditions

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this permit shall be void and no effect.

3. Unless the Board of Commissioners issues a Conditional Use Permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit.
4. Development shall meet all local, state and federal requirements.

Motion:
Aye:
Nay:
Absent:
Abstain:

Second:

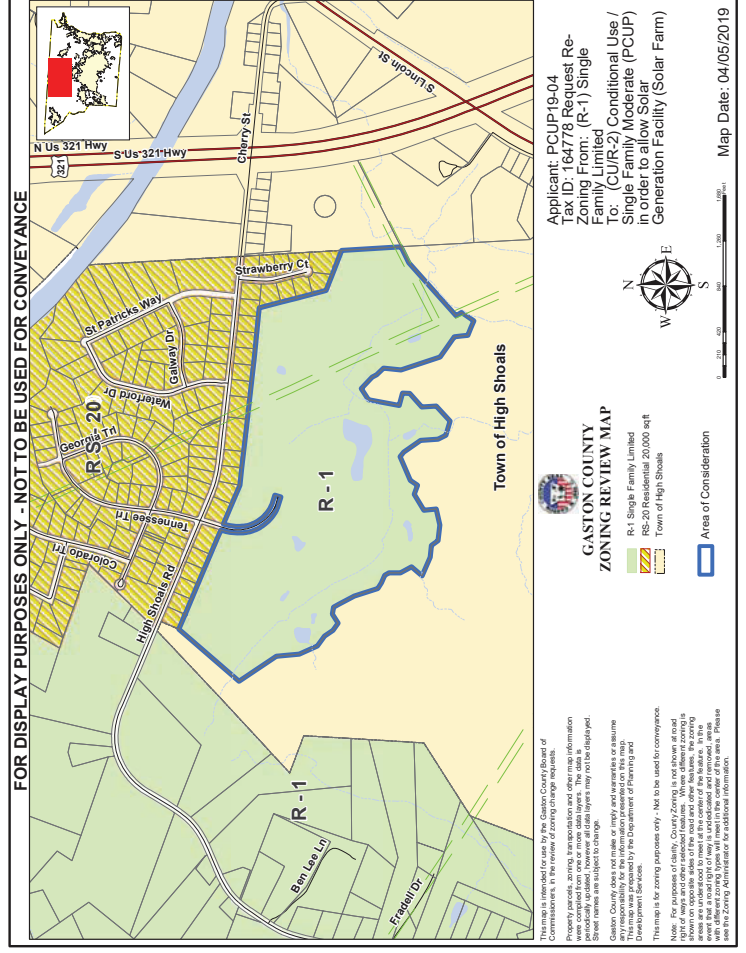
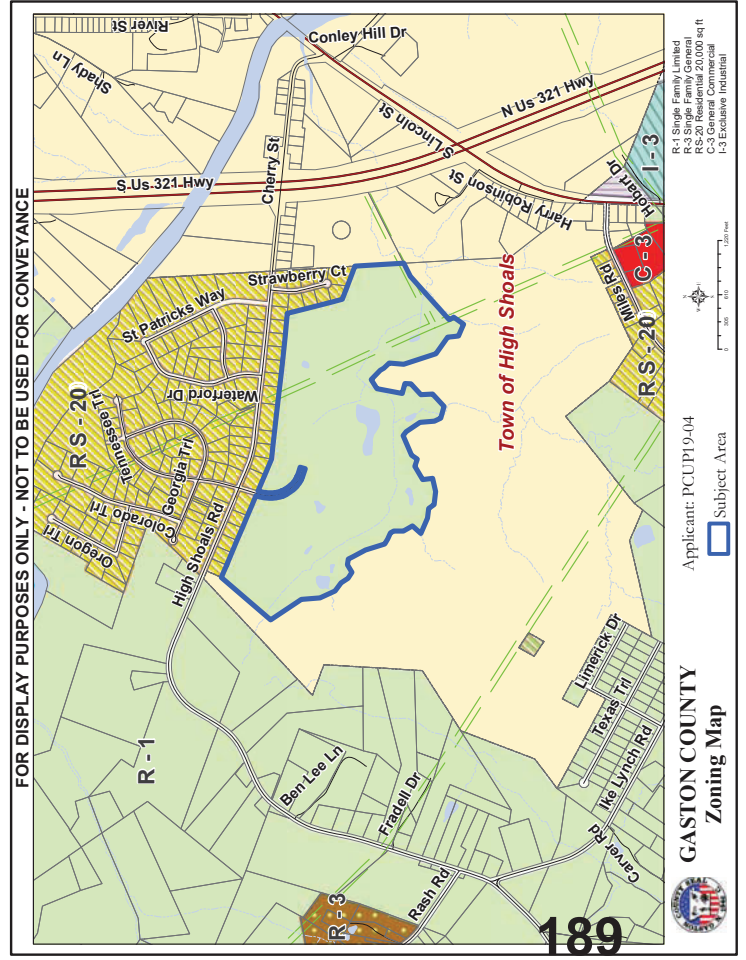
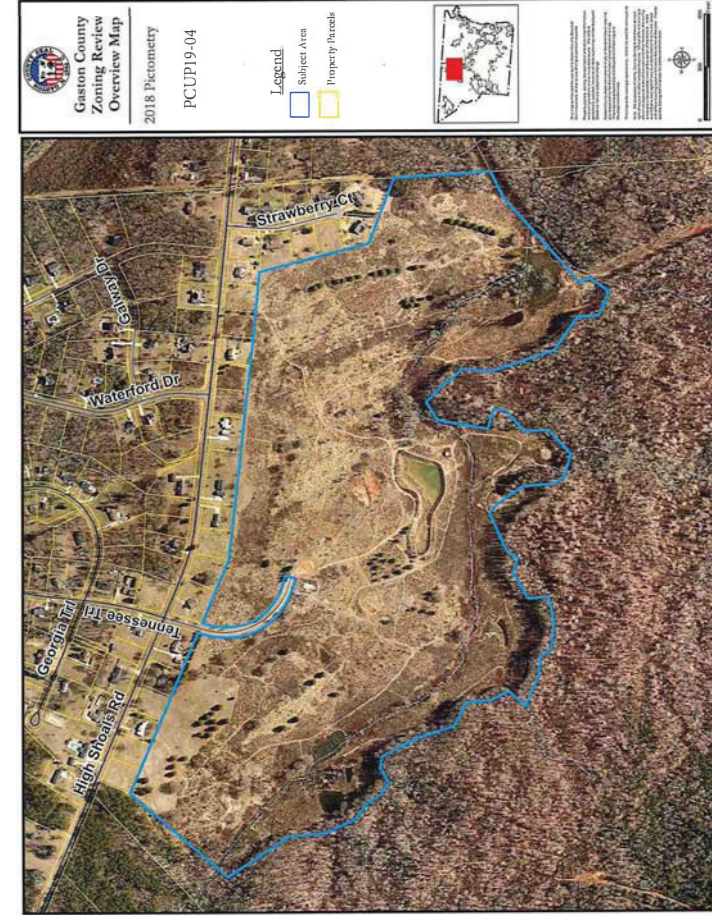
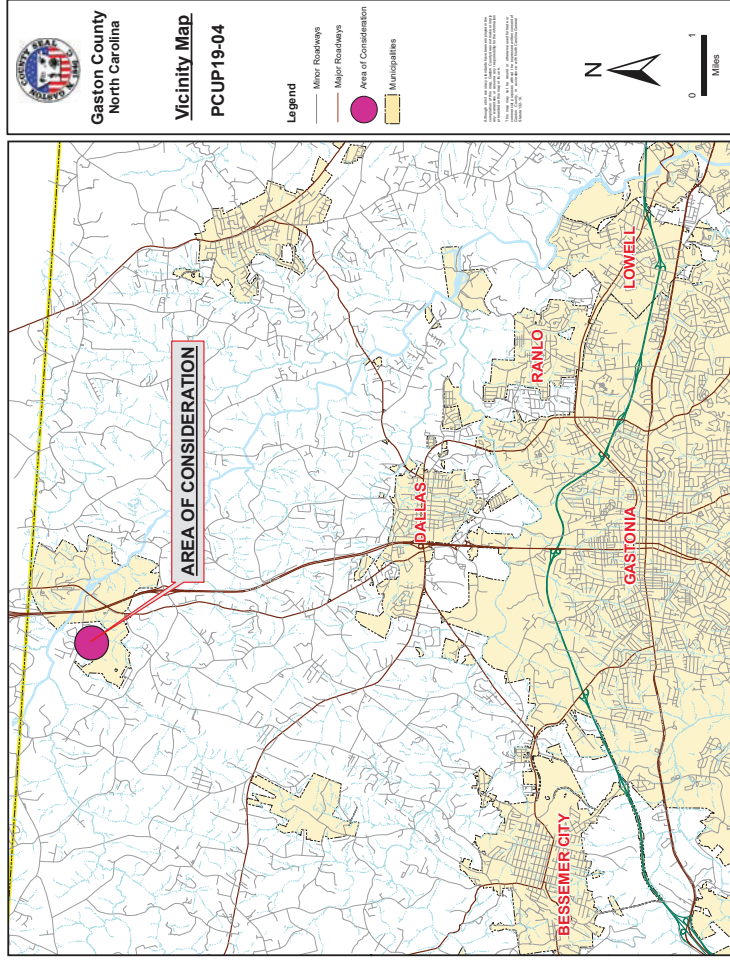
Vote:

- 4) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Attest:

Donna S. Buff, Clerk to the Board



This map is for zoning purposes only - Not to be used for conveyance.

Note: For purposes of clarity, County Zoning is not shown as actual zoning districts. The map is a representation of the zoning districts as shown on the official zoning map of the County and other documents. The zoning district shown on this map is not a guarantee of the zoning district. The zoning district shown on this map is not a guarantee of the zoning district. The zoning district shown on this map is not a guarantee of the zoning district.



Gaston County

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Board of Commissioners
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Parks & Recreation

Board Action

File #: 19-118

Commissioner Philbeck - Parks and Recreation - To Amend Chapter 12 - Parks and Recreation, Article I., Subsection 12-4(2) of the Gaston County Code of Ordinances to Allow Alcoholic Beverages by Permit in Gaston County Parks (Second Reading)

STAFF CONTACT

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

BUDGET IMPACT

No County Funds

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Gaston County Parks and Recreation Advisory Board recommends allowing alcohol possession and consumption at permitted special events in Dallas and George Poston parks. All special event applicants requesting alcohol permits will be required to complete a Gaston County Parks and Recreation Special Event application that will be reviewed by County staff and law enforcement. To obtain a permit, applicants will be required to provide proof of insurance, make adequate provision for public safety, obtain all necessary ABC permits and comply with all ABC and Gaston County policies.

DATE OF INTRODUCTION (First Reading): 3/26/2019

POLICY IMPACT

Change in Parks and Recreation Ordinance

ATTACHMENTS

Resolution



RESOLUTION TITLE: TO AMEND CHAPTER 12 – PARKS AND RECREATION, ARTICLE I., SUBSECTION 12-4(2) OF THE GASTON COUNTY CODE OF ORDINANCE IN ORDER TO ALLOW ALCOHOLIC BEVERAGES BY PERMIT IN GASTON COUNTY PARKS (SECOND READING)

WHEREAS, Gaston County has the authority, pursuant to N.C.G.S. § 153A-444 and Article 18 of G.S. Chapter 160A to establish and regulate parks and recreation facilities; and,

WHEREAS, pursuant to G.S. 153A-169, the County may regulate the care and usage of its property; and,

WHEREAS, to allow alcohol at permitted special events in Dallas and Poston Parks, Gaston County is adopting this ordinance change.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby modifies Chapter 12, Article I., Section 12-4(2) of the Gaston County Code of Ordinances as follows:

Sec. 12-4. - Weapons; explosives; alcoholic beverages; drugs, dangerous substances.

It shall be unlawful for any person to bring into or have in his possession any weapon (or any device that, in the reasonable opinion of county law enforcement authorities or park officials, can be used as a weapon) or substance, including without limitation:

(2) Any mind-altering substances, whether manmade or found in nature, including without limitation, narcotic drug, hallucinogen, or any controlled substance, without a valid physician's prescription. Alcoholic beverages are prohibited, **except as permitted, as described below**. While in the park, persons should conduct themselves in a proper and orderly manner and shall not display, consume, or be under the influence of alcoholic beverages or any such mind-altering substance without a valid physician's prescription, used as directed by the physician.

Possession and consumption of malt beverages and unfortified wine, as defined by Chapter 18B of the North Carolina General Statutes, shall be permitted pursuant to a Special Parks and Recreation Event Permit issued by the Parks and Recreation Director for events hosted or sponsored by Gaston County or a Not-For-Profit Corporation at Dallas Park or Poston Park. Applicants must demonstrate proof of proper insurance for the planned event and make adequate provisions for public safety, as required by the Parks and Recreation Director. All required ABC permits must be obtained, and all other policies as indicated on the Special Event Application Form must be compiled with. The Parks and Recreation Director may place such additional restriction on the event as deemed reasonably necessary to insure public safety and convenience.

This Ordinance amendment shall be effective July 1, 2019.

Adopted the 23rd day of April, 2019.

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above, as filed with the Clerk to the Board, is a true and accurate copy of the ordinance amendment entitled **TO AMEND CHAPTER 12 – PARKS AND RECREATION, ARTICLE I., SUBSECTION 12-4(2) OF THE GASTON COUNTY CODE OF ORDINANCE IN ORDER TO ALLOW ALCOHOLIC BEVERAGES BY PERMIT IN GASTON COUNTY PARKS (SECOND READING)** as adopted by the Board of Commissioners on April 23, 2019 and is to be set forth in the Gaston County Code of Ordinances upon adoption.

Donna S. Buff, Clerk to the Board

SEAL



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Public Works

Board Action

File #: 19-160

Commissioner Keigher - Public Works - To Accept a Federal Congestion Mitigation and Air Quality (CMAQ) Grant for Sidewalk Infrastructure along Neal Hawkins Road and Appropriate the Required Local Match Necessary to Complete the Project (**Federal - \$1,488,462; Local - \$372,116**)

STAFF CONTACT

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

BUDGET IMPACT

Appropriate Federal Grant Funding (80%) \$1,488,462; Local Match (20%) \$372,116

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Gaston County Public Works and Planning Department worked together to develop and submit an application for grant funding through the Federal Congestion Mitigation and Air Quality (CMAQ) Program. The purpose of the project is to encourage pedestrian movement and accessibility by constructing approximately 3,135 linear feet of sidewalk infrastructure in an unincorporated area of Gaston County. Due to the high density of existing residential dwellings, a nearby city park, a house of worship, and other commercial uses just outside the project area, the proposed sidewalk will encourage pedestrian movement/exercise in the area and increase pedestrian safety. Additionally, such an alternative mode of travel may also contribute to a reduction of vehicle mileage and emissions in terms of travel decisions that originate from within the corridor. The Gaston County Board of Commissioners provided endorsement of the grant application and approved the local match via Resolution 2018-055 dated February 27, 2018.

The Gaston Cleveland Lincoln MPO (GCLMPO) received grant applications with a total funding request of approximately \$4.3 million for the FY 2019 funding cycle. The GCLMPO funding allocation for FY 2019 was approximately \$1.49 million. Based on the evaluation of applications received, the GCLMPO CMAQ subcommittee recommended awarding the entire \$1.49 million FY 2019 allocation to the construction of a sidewalk along Neal Hawkins Road as submitted by Gaston County. Gaston County received notification of the grant award on May 30, 2018 and submitted the required grant agreement application to NCDOT in July 2018. The grant agreement was mailed by NCDOT to Gaston County on March 11, 2019.

(Continued on Page 2)

Commissioner Keigher - Public Works - To Accept a Federal Congestion Mitigation and Air Quality (CMAQ) Grant for Sidewalk Infrastructure along Neal Hawkins Road and Appropriate the Required Local Match Necessary to Complete the Project (Federal - \$1,488,462; Local - \$372,116)
Page 2

Approval of this Board Action accepts the STIP# C-5606M grant award in the amount of \$1,488,462 and appropriates the required local match in the amount of \$372,116 for the construction of sidewalk infrastructure along Neal Hawkins Road to improve pedestrian mobility and reduce vehicle emissions. Additionally, approval of this Board Action authorizes the County Manager or his designee to execute said documents on behalf of Gaston County and appropriates funding for expenditure purposes. The attached Budget Change Request moves funding into the specific accounts to meet guidelines for auditing and reporting.

POLICY IMPACT

N/A

ATTACHMENTS

BCR - CMAQ Grant and Local Match Appropriation (STIP# C-5606M)

GASTON COUNTY BUDGET CHANGE REQUEST

TO: Earl Mathers COUNTY MANAGER

FROM: 4265 Public Works
Dept. # Department Name

Ray Maxwell 4/3/2019
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)
Fund Balance Appropriated	040-99-9900-0000-490000	(372,116)
CMAQ: Neal Hawkins Match	040-01-4265-4260-540006-19536	372,116
CMAQ: Neal Hawkins Sidewalk - Revenue	040-01-4265-4260-425127-19536	(1,488,462)
CMAQ: Neal Hawkins Sidewalk	040-01-4265-4260-560000-19536	1,488,462

JUSTIFICATION FOR REQUEST:

This Budget Change Request accepts the grant award of \$1,488,462 and appropriates the local match of \$372,116 for the construction of sidewalk infrastructure along Neal Hawkins Road to improve pedestrian mobility and reduce vehicle emissions.

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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Board of Commissioners

Board Action

File #: 19-029

Appointment List - Current Expiring Terms/Vacant Positions

STAFF CONTACT

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

Appointment List

April 23, 2019

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<u>Full Board</u>					
Full Board	Quality of Natural Resources Committee (QNRC)	Education	Vacant	Vacancy	10/31/2017
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" Rhyne	10/31/2018
<u>Chad Brown</u>					
#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
<u>Jack Brown</u>					
#1-JB	Adult Care Home Community Advisory Committee	Commission	Vacant	Vacancy/Carl Baber	08/31/2018
#1-JB	Nursing Home Community Advisory Committee	NHA Appt.	Vacant	Vacancy/Mr. Jonathan Fletcher	06/30/2018
#1-JB	Nursing Home Community Advisory Committee	At Large	Term Expiring	Mr. Richard Trado	04/30/2019
<u>Allen Fraley</u>					
#4-AF	Adult Care Home Community Advisory Committee	Domiciliary Home Appt.	Vacant	Vacancy/Ms. Jane Patrick	01/31/2018
#4-AF	Adult Care Home Community Advisory Committee	Commission	Term Expiring	Ms. Erin E. Barbee	04/30/2019
#4-AF	Family Advisory Board	Citizen At Large	Vacant	Vacancy/Frank Morehead	09/30/2021

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

April 23, 2019

COMMISSIONER	BOARD	REPRESENTING	REASON	NAME	END DATE
<u>Bob Hovis</u>					
#5-BH	Adult Care Home Community Advisory Committee	NHA Appt	Vacant	Vacancy/Mary Alice Brown	04/30/2019
#5-BH	Adult Care Home Community Advisory Committee	Commission	Term Expiring	Ms. Bonnie C. Singer	04/30/2019
#5-BH	Animal Care and Enforcement Advisory Board	Citizen At Large	Vacant	Vacancy/William Fobell	02/28/2019
#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	Personnel Advisory Board	At Large (Personnel Field)	Vacant	Vacancy/Rachel Whitaker	03/31/2019
#5-BH	Transportation Advisory Board (TAB)	Local Elected Officials/Staff	Vacant	Vacancy/Commissioner Donnie Loftis	10/31/2012
#5-BH	Transportation Advisory Board (TAB)	United Way of Gastonia	Vacant	Vacancy/Ms. Deborah Ally	10/31/2019
<u>Tom Keigher</u>					
#6-TK	Adult Care Home Community Advisory Committee	NHA Appt	Vacant	Vacancy/Patricia (Patti) Lineberger	02/01/2017
#6-TK	Adult Care Home Community Advisory Committee	Commission	Term Expiring	Dr. Edward Smith	04/30/2019
#6-TK	Animal Care and Enforcement Advisory Board	Citizen At Large	Vacant	Vacancy/Steve Whitlow	01/31/2021
#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)	Chamber of Commerce/Economic Development	Vacant	Vacancy/Commissioner Tom Keigher	05/31/2021
#6-TK	Transportation Advisory Board (TAB)	Vocational Rehabilitation	Vacant	Vacancy/Mr. Eric F. Davis	10/31/2020
#6-TK	Transportation Advisory Board (TAB)	Local Elected Officials/Staff	Vacant	Vacancy/Don Grant	10/31/2020
G Twp./TK	Travel & Tourism Advisory Board	Citizen At Large	Term Expiring	Mr. Vann P Noblett	04/30/2019

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April 23, 2019

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<u>Tracy Philbeck</u>					
#2-TP	Adult Care Home Community Advisory Committee	Commission	Term Expiring	Ms. Shirley Brannon	04/30/2019
#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	Term Expiring	Mr. Brian DiYorio	04/30/2019
#2-TP	Juvenile Crime Prevention Council (JCPC)	United Way Rep./ Nonprofit Agency	Vacant	Vacancy/Cody Carpenter	06/30/2019
#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
<u>Ronnie Worley</u>					
#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
#3-RW	Health and Human Services Board	Psychologist (PhD)	Vacant	Vacancy/Dr. Ann Navarro	06/30/2017
#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
SP Twp.	Parks and Recreation Advisory Board	SP Twp.	Vacant	Vacancy	05/31/2019
#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

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