

ADOPTED

FEB 26 2019

114

Gaston County Board
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

NOVEMBER 13, 2018

The Gaston County Board of Commissioners (BOC) met in Rescheduled Session on November 13, 2018, immediately following its Work Session at 6:53 pm, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Chad Brown presided with Commissioners Tom Keigher, Vice-Chairman; Jack B. Brown, Allen R. Fraley, Bob Hovis, Tracy L. Philbeck and Ronnie Worley in attendance.

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

Upon request of Chairman Brown, Commissioner Worley led those assembled in the Invocation and Commissioner Hovis led in the Pledge of Allegiance during the preceding Work Session.

Public Hearing - Parallel Conditional Use Permit (PCUP): (PCUP 18-01) Patricia T. Vaughan (Applicant), Property Parcels: 226220, 167219 and 201957, Located at 4739 & 4743 Dallas High Shoals Hwy, Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with the (US) Urban Standards Overlay to the (CU/C-1) Conditional Use / Light Commercial Zoning District with the (US) Urban Standards Overlay (PCUP) in order to allow Business Services (Small Business/Accounting)

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

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

Chairman Brown advised that a PCUP was a quasi-judicial process requiring sworn testimony of any speakers; asked if any Planning Board members or Commissioners had any reason not to rule in the case; with none being heard, the Chairman then impaneled the Planning Board and Commissioners to hear the request; called for any attendees wishing to give testimony to please stand; he then administered the oath to those standing and provided additional directions for the procedure.

With a quorum of the Planning Board in attendance, Chairman Brown recognized Mrs. Sarah Penley, Planning & Development Services Planner, for comments.

Mrs. Penley advised this request is to rezone parcels from R-1 (Single Family Limited with Urban Standards Overlay (USO) to CU/C-1 (Conditional Use/Light Commercial Zoning District with USO); Applicant present; total acreage requested for rezoning is 2.84 acres; the property has two existing structures – one residential and one business. She reviewed vicinity, aerial, zoning and adjacent property owner maps depicting the property's location off of Dallas-High Shoals Hwy. and its adjoining parcels, R-1 zoning within USO and a listing of adjacent property owners that received notifications. She cited the Applicant's site plan map submitted for consideration; advised the property is located within the rural center area of planning area two; based on the goals and objectives and zoning district pattern in the overall vicinity it is consistent with the Comprehensive Land Use Plan; staff advertised request and mailed out notices per County policy; staff received one call for general information and one walk-in for information and clarification.

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Chairman Brown asked the Applicant/representative to present the request and any pertinent information to the BOC.

Ms. Patricia T. Vaughan, 4743 Dallas-High Shoals Hwy., Dallas, NC advised she is petitioning for a C-1 zoning with a conditional permit to continue operating a tax and accounting business as she has for the last 18 years; there are 17 commercial businesses, three mobile home parks and a small church along that corridor within 1.5 miles of her location; currently the properties at 4739 and 4743 Dallas-High Shoals Hwy. are zoned residential; parcel numbers 226220, 167219, and 201957 were recently consolidated into one deed; the total acreage to be rezoned is 2.84 acres; she has lived at 4743 since April 2000 and operated business in home; she purchased property at 4739 in 2007, refurbished and began using it as her primary office in January 2008; she has been a County resident and registered business owner all this time and the question of zoning never came up; she did not try to defraud anyone and does not foresee any adverse impact to the community by continuing to operate business; she has had no complaints so far; is already making improvements to meet zoning standards for screening, paved parking spaces (seven for clients including a van accessible and handicapped space adjacent to handicap entrance ramp and nine additional spaces for overflow and employee parking), installation of 36" interior doors to client areas for walkers and wheelchairs access and installation of a handicapped accessible restroom. Future plans include additional office space on back side of building, an additional handicapped bathroom, an approved handicapped ramp to handicapped parking area and updated vinyl siding as funds become available. She also advised she will continue to work with Department of Planning and Development Services to meet all code requirements in a timely manner. Regarding the burden of proof, the use meets all required conditions; she will work with Inspections to ensure the structure is compliant with commercial up-fits and the use will not substantially injure the value of adjoining property; the existing business has been a home-occupation for 18 years with no undue impact to adjoining properties; the enhancements will make it more appealing and the character of use aligns with number of commercial businesses within 1.5 miles of highway going in either direction; thanked BOC for allowing her to present her case for consideration.

Chairman Brown called for questions from the Planning Board; hearing none, called for questions from the BOC.

Commissioner Worley advised the Applicant has made many improvements to make business compliant with ADA, other codes and parking; asked if Applicant was considering subletting the office for any other use.

Ms. Vaughan responded "no, sir".

Commissioner Keigher asked how many people might be in the office at one time.

Ms. Vaughan responded "never more than four or five".

Chairman Brown called for additional questions from the BOC and Planning Board, additional testimonies or information for the parallel use condition and for questions on the given testimony; none were heard.

Chairman Brown excused the Planning Board to Room 2029 for deliberations.

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

On motion introduced by Commissioner Keigher and seconded by Commissioner Fraley, the BOC unanimously closed the Public Hearing.

Upon the request of Chairman Brown, the following Planning Board members introduced themselves as: Scott Attaway, Chairman; Mark Hollar, William Sain, Zack Horne, Roger Hurst, Randy Vinson and Carl Harris.

Agenda Revision/Approval

On motion introduced by Commissioner Hovis and seconded by Commissioner Keigher, the BOC unanimously approved the Agenda of November 13, 2018.

Approval of Minutes

On motion introduced by Commissioner Philbeck and seconded by Commissioner Hovis, the BOC unanimously approved the Minutes of the Regular Meeting of August 28, 2018, Closed Session of August 28, 2018 - NCGS 143-318.11(a)(6), Special Meeting of September 11, 2018, Regular Meeting of September 25, 2018, Closed Session of September 25, 2018 - NCGS 143-318.11(a)(3) and Closed Session of October 9, 2018 - NCGS 143-318.11(a)(6).

Citizen Recognition

No request.

Consent Agenda

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

- 2018-259 Commissioner Chad Brown - BOC - Proclamation - To Proclaim Veterans Day, November 11, 2018 in Gaston County**
- 2018-260 Commissioner Keigher - BOC - Proclamation - To Proclaim the Week of November 12-18, 2018 as National Apprenticeship Week**
- 2018-261 Commissioner Chad Brown - BOC - Proclamation - To Proclaim November 10-18, 2018 as Hunger and Homelessness Awareness Week in Gaston County**
- 2018-262 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate an Additional \$3,000 Grant Award to the Gaston County/District 27/Division of Adult Corrections and Juvenile Justice from the NC Department of Health and Human Services/Division of Mental Health, Developmental Disabilities, and**

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Substance Abuse Services for the Youth Problem Awareness and Gambling Stacked Deck Program per Budget Change Request:

Account Description	Account Number	Amount
Stacked Deck Grant (YPGAP)	010-01-4131-4131-420001-18591	(\$3,000.00)
Stacked Deck Grant (YPGAP)	010-01-4131-4131-560000-18591	\$3,000.00

2018-263 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate a Governor's Crime Commission Grant Award to Fund Salaries and Fringes for the Sheriff's Domestic Violence Deputies (\$136,836; County Match 25% - \$45,612) per Budget Change Request:

Account Description	Account Number	Amount
2018 GCC DV LE Unit Grant	010-02-4315-4315-425022-19556	(\$136,836)
Salary: 2018 GCC DV LE Unit Grant	010-02-4315-4315-510001-19556	\$90,125
FICA: 2018 GCC DV LE Unit Grant	010-02-4315-4315-510100-19556	\$7,363
Retirement: 2018 GCC DV LE Unit Grant	010-02-4315-4315-510101-19556	\$7,722
401K Contribution: 2018 GCC DV LE Grt.	010-02-4315-4315-510102-19556	\$4,826
Group Insurance: 2018 GCC DV LE Grt.	010-02-4315-4315-510103-19556	\$20,400
Overtime: 2018 GCC DV LE Unit Grant	010-02-4315-4315-510002-19556	\$6,400

2018-264 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Grant Funds from the Governor's Crime Commission for the Sheriff's Office Supervised Safe Exchange Program (\$55,527; County Match 25% - \$17,352) per Budget Change Request:

Account Description	Account Number	Amount
2018 GCC Safe Exchange Grt	010-02-4315-4315-420000-19557	(\$52,056)
Salaries	010-02-4315-4315-510001-	(\$12,588)
FICA	010-02-4315-4315-510100-	(\$4,764)
Salary: 2018 GCC Safe Exch Grt	010-02-4315-4315-510001-19557	\$62,244
FICA: 2018 GCC Safe Exch Grt	010-02-4315-4315-510100-19557	\$4,764
Print: 2018 GCC Safe Exch Grt	010-02-4315-4315-520013-19557	\$2,400

2018-265 Commissioner Chad Brown - County Manager - To Accept Departmental Budget Change Requests as Information as follows:

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
10/02/2018	Health	011-05-5114-5125-530012-	D	\$2,500.00
10/02/2018		011-05-5114-5125-560000-18147	C	\$2,500.00
10/04/2018	Bldg Insp	012-02-4350-0000-520002-	D	\$800.00
10/04/2018		012-02-4350-0000-520010-	C	\$800.00
10/08/2018	Facilities	010-01-4265-4260-530000-	C	\$2,500.00
10/08/2018	Forestry	010-01-4751-0000-530000-	D	\$2,500.00
10/08/2018	Finance	011-00-0000-0000-390096-	C	\$245.93
10/08/2018		011-00-0000-0000-390097-	D	\$245.93
10/08/2018		040-00-0000-0000-390096-	C	\$225,000.00
10/08/2018		040-00-0000-0000-390097-	D	\$225,000.00
10/09/2018	DSS	020-05-4790-0000-540005-	C	\$2,000.00
10/09/2018		020-05-4790-0000-520017-	D	\$2,000.00
10/09/2018		020-05-5582-0000-560000-08162	C	\$20,796.00
10/09/2018		020-05-5582-0000-530005-	D	\$20,796.00
10/12/2018	Elections	010-01-4170-0000-520013-	D	\$1,000.00
10/12/2018		010-01-4170-0000-530041-	C	\$1,000.00
10/19/2018	GEMS	010-02-4372-0000-520016-	D	\$1,400.00
10/19/2018		010-02-4372-0000-530023-	C	\$1,400.00
10/19/2018	Budget	010-01-4131-0000-560000-18561	C	\$15,798.90
10/19/2018		010-01-4131-0000-560000-12276	D	\$15,798.90
10/23/2018	Finance	040-00-0000-0000-390096-	C	\$175,000.00
10/23/2018		040-00-0000-0000-390097-	D	\$175,000.00
10/24/2018	HR	010-01-4122-0000-560000-EWell	D	\$21,190.60

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10/24/2018		010-01-4122-0000-510001-	C	\$21,190.60
10/26/2018	JCPC/FAB	010-05-5830-0000-570006-18551	D	\$2,900.00
10/26/2018		010-05-5830-0000-570006-18550	C	\$1,000.00
10/26/2018		010-05-5830-0000-570006-18545	C	\$1,900.00
10/29/2018	Bldg Insp	012-02-4350-0000-510001-	C	\$17,000.00
10/29/2018		012-02-4350-0000-530029-	D	\$17,000.00

2018-266 Commissioner Chad Brown - DHHS (Health Division) - To Appropriate Funds from Medicaid Cost Settlement for the Public Health Facility Renovations and Equipment and Supply Purchases (\$1,200,000) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	011-99-9900-0000-490000-	(\$1,200,000)
MCS # 5 Appropriated	011-05-5111-0000-560000-19008	\$1,200,000

2018-267 Commissioner Chad Brown - DHHS (Social Services Division) - To Approve the Revised Workforce Development Board By-Laws

2018-268 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Additional FY2018-2019 Home and Community Care Block Grant Funding (HCCBG) in the Amount of \$87,957 per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	020-99-9900-0000-490000-	(9,773)
Home/Community Block Grant-Federal	020-05-5600-0000-425006-	(84,044)
Home/Community Block Grant-State	020-05-5600-0000-425063-	(3,913)
In-Home Aide:Professional Services	020-05-5623-0000-530010-	64,397
HCCBG- Senior Transportation	020-05-5621-0000-560002-	33,333

2018-269 Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of November 2018 as Adoption Awareness Month

2018-270 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate a Christmas Donation in the Amount of \$50,000 Received from the Community Foundation of Gaston County for the Children and Family Services Division per Budget Change Request:

Account Description	Account Number	Amount
Residential Child Care: Donations	020-05-5867-0000-415001-	(50,000)
Special Programs:Residential Child Care	020-05-5867-0000-560000-16194	50,000

2018-271 Commissioner Worley - Finance - To Appropriate Juvenile Justice and Delinquency Prevention Grant Funds Out of Fund Balance in Order to Refund the State for Unspent Funds in Fiscal Year 2017/2018 (\$78) per Budget Change Request:

Account Description	Account Number	Amount
JCPC Administration	010-05-5830-0000-560010-18534	78
Fund Balance Appropriated	010-99-9900-0000-490000	(78)

2018-272 Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should be Recorded in the Board's Minutes. (Real Property Tax Refunds - \$3,218.55; Total HB20 Refunds - \$256.12; Total NCVTS Refunds - \$8,072.12; Total Vehicle Tax Refunds - \$8,328.24) as follows:

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Gaston County, North Carolina - Listing of Property Tax Refunds Less than \$100.00 for Real Property
To be Reported at the November 13, 2018 Board Meeting

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
Armour, Brandon Dale	40.00	Harry Marsh Law	75.00
Arro Chem Inc	3.82	Hill, Ramona	68.47
Arro Chem Inc	18.02	Hill, Ramona	96.16
Arro Chem Inc	20.64	Huss, Larry Ernest	79.00
Arro Chem Inc	26.39	JEB Capital Group LLC	33.57
Arrowood & Associates PA	1.47	Jenkins, Troy T	3.00
Arrowood & Associates PA	8.24	JS Business Group LLC	3.14
Arrowood & Associates PA	14.92	KES Bellas LLC	50.18
Arrowood Partnership	14.61	Lamar, Marjorie D	4.37
Asian Market	90.00	Lane, Melody	41.44
Baldwin, Jeffrey	1.75	Massengill, Roland Jr	10.94
Banger, Richard	53.65	Mauney, Donald Daniel	56.00
Banger, Richard	58.00	Mauney, Randall Clyde & Richard Edwin	8.12
Bost, Michael E	72.35	Mauney, Randall Clyde & Richard Edwin	8.12
Brown, Brett Jay	5.49	Mauney, Randall Clyde & Richard Edwin	14.69
Bryant, Danny R and Kathy K	20.00	Mauney, Randall Clyde & Richard Edwin	15.09
Chavis Rental Corp	45.42	Mauney, Randall Clyde & Richard Edwin	19.83
Clark, Deborah Annette	4.02	McClean, Susan Lynn	2.00
Clemmer, Michael R	17.54	McCoig, Darren Lee	50.59
Cody, James A	84.00	McElwaine, Thomas Michael Jr	2.01
Conroy, Debra P	13.04	Mchenry, Carol R	20.00
Contreras, Dora Serrano	70.00	McMillan, Psaroudis, & Markey, PA	5.00
Contreras, Dora Serrano	90.00	McSwain, Pam	6.73
Cowan, Michael D & Alethea H	94.99	Memory Lane Digital Videos LLC	1.39
D & C Lawn Service	95.68	Minder, Robert Jeffery	8.25
Davis, Max R	56.96	Nixon, Thelma Chastain	12.92
Dennis, Alan Clinton	20.00	Okruhlica, Phillip Daniel	14.11
DM & RK Inc Subway of Dallas	18.30	Paysour, Deborah Dianne	9.92
DM & RK Inc Subway of Dallas	44.88	Paysour, Deborah Dianne	18.79
DM & RK Inc Subway of Mt. Holly	14.55	Pope, Marvin James Jr	73.29
DM & RK Inc Subway of Mt. Holly	74.89	Rowe, Ruben Jessie	95.13
DM & RK Inc Corporate Office	2.31	Sams, Cloyd E	2.00
DM & RK Inc Corporate Office	4.12	Scott, Jack M	12.32
DM & RK Inc Corporate Office	6.16	Smarr, Nannie	6.00
DM & RK Inc Corporate Office	8.08	Smith, Lanny Neil	18.57
DM & RK Inc Subway of Stanley	23.60	Southers, Kevin Lewis	66.35
DM & RK Inc Subway of Stanley	46.28	Stott, Hollowell, Palmer & Windham, LLP	4.00
Ezell, Ashley N	98.86	Stroupe, Gina Ruth	8.49
Faggart, Steven M	40.24	Thomas J. Wilson, PA	91.27
Fisher, James Edward	19.28	Timios	65.67
Fleming, Anthony	7.80	Treadway, Randy Wayne	14.59
Fleming, Anthony	22.38	Tru Finish Custom Paint & Body	1.26
Fleming, Anthony	36.90	W Porter Thoton III PA Attorney at Law	3.63
Fleming, Anthony	44.70	Wall, Leslie Hester	23.66
Fleming, Anthony	51.30	Walls, Robert Matthew	24.54
Fuller, Charles T	9.83	Watson Taft Wiley	20.06
Glenn, Karen G	69.00	Webb, Henry Jason	69.34
Hagans, Roy Scott	52.19	Whitlock, Shane	1.15
Hall, Leon R	50.31	Winecoff, George C III	20.00
Hall, Leon Roosevelt	3.33	Wolfe, Frances E	3.00
Hall, Leon Roosevelt	63.11	Woodworks	2.00
TOTAL REAL PROPERTY TAX REFUNDS		\$ 3,218.55	

Gaston County, North Carolina - Listing of Property Tax Refunds Less than \$100.00 for Vehicles
To be Reported at the November 13, 2018 Board Meeting

TAXPAYER NAME	AMOUNT	TAXPAYER NAME	AMOUNT
Anthony, Matthew Todd	12.99	McMillan, Tina Katrice	8.74
Cole, Lucille Maria Leavitt	17.23	Messer, Debra Jones	13.00
Hall, John English Jr	24.20	Parrott, Chad Anthony	42.32
Hall, John English Jr	92.48	Robertson, Michael Patrick	45.16
TOTAL HB20 REFUNDS		\$ 256.12	

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NC VTS REFUNDS-AUGUST

Adams, Jabarr Eljiwon	21.26
Aldridge, Marvin Duaine	91.00
Anderson, Amy Dover	22.75
Anderson, Stephanie Nicole	29.40
Ashworth, Sara Torrence	21.93
Barker, Brenda Mayhue	53.00
Bartlett, William Curtis	93.91
Beatty, Clara Elaine	1.11
Berry, Tonya Denise	81.06
Blair, Paul Kent III	57.96
Blair, Paul Kent III	62.76
Blair, Paul Kent III	46.06
Bowertraust Construction LLC	11.80
Bowertraust Construction LLC	30.93
Bowertraust Construction LLC	43.27
Brennecke, Brenda Setzer	64.93
Burris, Dean Walker	81.38
Calvert, William Henry	36.86
Caulder, Roseland Mullis	37.41
Clark, Charles Dale	38.17
Cole, Ronney Eugene	67.99
Cordero, Nilda Ivette	93.10
Corzo, Josue	54.94
Cruz, Ever	66.95
Davis, Ronnie Keith	71.21
Davis, Sandra Marie	26.50
Dellinger, Jill Loraine	41.20
Dellinger, Katherine Damenda	91.85
Dodd, Charles Edward	10.77
Doyne, Richard Allen	20.48
Edwards, Tony Wayne	22.58
Friday, Barry Lynn	69.42
Gaytan, Cortes Carmen	61.92
Gentry, Beverly Lingerfelt	38.29
Gibson, Thomas Clifton	6.62
Gunter, Mark Allen	5.19
Halford, Brenda Faye	62.00
Hall, Donald Wayne	5.49
Hamrick, Joey Willard	34.99
Helms, Nancy Roberts	30.57
Hodge, Jeffrey Louis	23.48
Hopkins, Sidney Lynn	92.27
Hunter, Adrian Mark	1.55
Jackson, Alma Allen	53.84
Jenkins, Janice Wylie	56.58
Jennings-Mastin, Wrandetta	59.43
Johnson, Brittany Perry	51.77
Johnson, Clifton Harris	13.94
Jordan, Jimmy Dean	29.43
June, Richard Norman	50.11
Kinghorn, Marshall Lee	59.08
Knox, Charles Ray	68.53
Kowalski, Roberta Goehler	46.20
Lawing, Marie Finchum	17.94
Leslie, Andra Juarez	96.52

NC VTS REFUNDS-SEPTEMBER

Ali, Yaqoob	74.41
Allen, Leslie Davis	85.24
Armstrong, Deborah Martin	56.86
Bailey, Shirley Kay	40.95
Bane, Gordon Hampton	2.17

Louangrath, Phakhom Tommy	37.07
Lowe, Jimmy Charles	69.57
Lowry, Martha Leah	59.45
Mallett, Melvin Watson Jr	15.16
Mauney, Leslie Young	43.30
McMillan, Huey Alexander	49.59
Estate of Nellie Meek	5.06
Estate of Nellie Meek	57.69
Meeler, Reginald Darrell	10.27
Metcalf, Michael Jerome	3.45
Miller, Michelle Marie	2.91
Mootoo, Ramnarace	70.66
Morrell, Barbara Jean	55.18
Morrell, Robert Matthew	12.61
Morris, Sharman Sherry	78.04
Morrison, Graham Daniel	92.81
Munday, Freida Gantt	4.30
Murrow, Tara Lee	41.68
Nelson, Mildred Hart	22.86
Nutt, Suzanne Hamilton	54.63
Nutt, Suzanne Hamilton	69.42
Parr, Willie James Jr.	42.61
Powell, Evelyn	44.85
Powell, James Robert	37.19
Quickel, Patricia Dianne	58.33
Roberts, Margie Taylor	81.06
Rodriguez, Yira Maritza	34.34
Rose, Phillip Chadwick	35.48
Sagisi, Tina Marie	31.82
Seelingerm Marc Jr.	48.88
Stevens, Angela Irene	53.12
Taylor, Kelly Starling	5.95
Teasdell, Eva Alicia	47.53
Thomas, Robert Scott	72.12
Thomas, Robert Scott	33.48
Tommy Bynum Insulation Heating & Cooling	3.29
Tommy Bynum Insulation Heating & Cooling	9.65
Tommy Bynum Insulation Heating & Cooling	19.50
Tommy Bynum Insulation Heating & Cooling	28.51
Tommy Bynum Insulation Heating & Cooling	8.07
Tommy Bynum Insulation Heating & Cooling	59.41
Tommy Bynum Insulation Heating & Cooling	39.72
Turner, Gregory Thomas	40.42
Waters, Timothy Warren	16.65
Westbrook, Patsy Katherine	70.17
Westover, Guy Frederick Jr.	24.44
Wheeler, Stephen Craig	51.80
Whitehurst, Ricky Steven	93.02
Williams, Geraldine Puttman	71.74
Wilson, Jonathan Paul	35.93
Wilson, Steven West	65.23
Witten, Eugene Lamont	59.81
Woods, Spencer Ramon II	70.35
Wray, Charles Henry Jr.	41.88

NCVTS TOTAL FOR AUGUST	\$ 4,821.74
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Barker, John Terrell Jr	53.02	McIlwain, Sharon Janelle	25.67
Barnhart, Jessie William	33.92	McIlwain, Sharon Janelle	74.56
Barr, Carl Benjamin Jr	54.79	Nichols, Donna Buchanan	97.33
Beam, John Adrian	54.46	Nolan, Daniel Patrick	59.44
Beatty, Lee Allen	21.94	Patterson, Robert Benard	85.79
Beauchamp, James Robert	91.82	Pillock, Gregory Allan	92.33
Benitez, Rita Deliza	31.55	Pillow, Melvin Russell	43.61
Bouras, Stephanie Howe	45.36	Psaroudis, Steve Jr	64.34
Brotherton, Joanne Edwards	3.82	Pullen, Catherine Stokes	70.06
Bumgardner, Timothy Alfred	11.61	Robbins, Ronald Clayton	23.85
Carson, Edward John	0.59	Robbins, Whitney Lee	8.17
Champagne, Keri Sue	17.45	Robinson, Donna Green	12.16
Clemmer, Suzanne Elizabeth	14.87	Rodriguez, Mark Steven	23.49
Dorantes, Francisca Rangel	83.15	Rodriguez, Myra Lucia Martinez	18.99
Eckard, Kelly Barnard	14.00	Rudisill, David Rodney	9.39
Edison, Rebecca Anne	19.30	Ruff, Charles Allen	47.61
Farmer, Lori Haynes	14.27	Ruiz Benavides, Xochilt Dayana	61.60
Ferguson, Joe Franklin	92.32	Rybak, James Edward	96.77
Fielder, Katie Marie	78.20	Sadler, Valencia Chanel	37.97
Frese, Pamela Breil	72.23	Sanders, Melvin Douglas	37.76
Garrison, Donna Faye	3.01	Scott, Samuel Junior	23.33
Greene, Billy Ray	31.97	Simmons, Betty Jean Askew	23.69
Hall, Mark Alan	33.36	Taylor, James Earl	15.41
Hamilton, George Loren	90.57	Turney, Meilsa Henson	34.44
Hamrick, Glenda Ramsey	55.63	Walters, Tracey John	78.76
Hannah, David Jon	32.75	Watson, Albert Marvin III	15.82
Henderson, Lanny Joel	22.77	Week, Duane Alan	89.32
Hill, David Fred	86.01	Whitesides, Dana Putnam	71.47
Jordan, Denise Ball	16.73	Wilkinson, Irene Davis	75.31
Juarez, Jacobo Rodriguez	32.85	Williams, Ralchelle Rippy	4.83
Juarez, Jacobo Rodriguez	21.21	Wilson, Angila Chavis	36.25
Juarez, Jacobo Rodriguez	1.73	Woody, Milton Dwayne	49.27
Knox, Carolyn Gettys	9.07	Ziltener, Betty Luke	15.28
Knon, Hyunwoo	27.29	NCVTS TOTAL FOR SEPTEMBER	\$ 3,250.38
		TOTAL VEHICLE REFUNDS	\$ 8,328.24

2018-273 Commissioner Philbeck - Planning & Development Services - Historic Preservation Commission - To Accept and Appropriate an Historic Preservation Grant Awarded by the NC Office of Archives and History and Matching Donation Funds from the Town of Dallas for the Dallas Architectural Survey Update Project (State Grant Funds - \$6,000; Matching Donation Funds Town of Dallas - \$4,000) per Budget Change Request:

Account Description	Account Number	Amount
Donations	010-04-6140-0000-415001-19552	(\$4,000)
State Revenue	010-04-6140-0000-425121-19552	(\$6,000)
Dallas Grant Project	010-04-6140-0000-560000-19552	\$10,000

2018-274 Commissioner Chad Brown - Police Department - To Approve Allocation of Drug Asset Forfeiture Funds to Replace Latent Workstation (AFIS), Shelving for Property/Evidence, and to Provide Leadership Training for Department Supervisors (\$100,000) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	025-99-9900-0000-490000	[100,000]
Drug Forfeiture - Treasury	025-02-4310-4310-530043-10002	100,000

2018-275 Commissioner Worley - Sheriff's Office - To Approve Surplus and Disposition of Nine (9) Year Old German Shepherd K-9 Named Jasper

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2018-276 Commissioner Jack Brown - Travel & Tourism - To Approve the Revised Travel & Tourism Advisory Board By-Laws

Non-Consent

2018- 277 Commissioner Chad Brown - Budget/Purchasing - To Appropriate Funds for The Mercer Group to conduct a Search for an Assistant County Manager (\$23,000)

On motion introduced by Commissioner Hovis and seconded by Commissioner Philbeck, the BOC unanimously approved **2018-277** appropriating funds for The Mercer Group to conduct a search for an Assistant County Manager, per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	(23,000)
Prof Svcs:Assist Co Mgr Search	010-01-4110-0000-530010-19067	23,000

*** With the Planning Board still in deliberations, Chairman Brown moved to the next item of business.**

Appointments

On a motion introduced by Commissioner Fraley and Seconded by Commissioner Philbeck, the BOC unanimously reappointed Ms. Mildred Dail to the **Library Board of Trustees** to a term ending November 30, 2024.

On a motion introduced by Commissioner Jack Brown and Seconded by Commissioner Hovis, the BOC unanimously reappointed Mr. Thomas P. Hauer to **Council on Aging/Home and Community Care Block Grant Advisory Committee** to a term ending November 30, 2021.

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Fire Advisory Board**:

Motion Introduced	Seconded	Appointee	Term Ending
Commissioner Jack Brown	Commissioner Hovis	Mr. Charles Moore	November 30, 2019
Commissioner Hovis	Commissioner Philbeck	Mr. Craig Huffstetler	November 30, 2021
Commissioner Worley	Commissioner Philbeck	Mr. Eric Hendrix	November 30, 2019
Commissioner Keigher	Commissioner Philbeck	Mr. Matt Kanupp	November 30, 2021
Commissioner Keigher	Commissioner Philbeck	Mr. Barry Joye	November 30, 2021

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Keigher, the BOC unanimously reappointed Mr. Brian Bookout to the **Council on Aging/Home and Community Care Block Grant Advisory Committee** to a term ending November 30, 2021.

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Keigher, the BOC unanimously appointed Ms. Judy Wall to the **Adult Care Home Community Advisory Committee** to a term ending October 31, 2019.

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On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Keigher, the BOC unanimously appointed Mr. Mark Stephens to the ***Travel & Tourism Advisory Board*** to a term ending March 31, 2021.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Hovis, the BOC unanimously reappointed Mr. James Hefferan to the ***Animal Care and Enforcement Advisory Board*** to a term ending November 30, 2022.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Mark Stephens to the ***Economic Development Commission*** to an unexpired term ending June 30, 2019.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Hovis, the BOC unanimously appointed Ms. Candy (Mary) MacArthur to the ***Nursing Home Community Advisory Committee*** to a term ending October 31, 2019.

On motions introduced by Commissioner Chad Brown and seconded by Commissioner Philbeck, the following individuals were unanimously appointed/reappointed to the ***Fireman's Relief Fund Trustees*** to a term ending November 2020:

Mr. Tim Gunn
Mr. Richard Harris
Mr. Douglas Mabry
Mr. James Towery

Mr. Steven Dalton
Mr. Michael Hoover
Mr. Jim Pasour
Mr. Rick Worley

Mr. Casey Bishop
Mr. Bobby Lutz
Mr. David Robinson

Ms. Dora Groves
Mr. David Lynn
Mr. Jeffery Snuggs

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Philbeck, the BOC unanimously appointed Commissioner Chad Brown to the ***Fire Advisory Board*** to a term ending November 30, 2019.

On a motion introduced by Commissioner Fraley and Seconded by Commissioner Philbeck, the BOC unanimously appointed Ms. Janie Peak to the ***Quality of Natural Resources Committee (QNRC)*** to an unexpired term ending June 30, 2019.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Keigher, the BOC unanimously appointed Commissioner Tracy Philbeck to the ***Farmers Market Advisory Board*** to an unexpired term ending November 30, 2020.

On motion by Commissioner Worley, seconded by Commissioner Chad Brown, the BOC unanimously nominated Commissioner Ronnie Worley as the Voting Delegate for the ***2019 NCACC Legislative Goals Conference***.

On motion by Commissioner Philbeck, seconded by Commissioner Keigher, the BOC unanimously nominated Commissioner Bob Hovis as the Voting Alternate for the ***2019 NCACC Legislative Goals Conference***.

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Commissioners Committee Reports

Commissioner Hovis reported attendance, along with other Commissioners, to the ***Dedication Ceremony of Cramerton Veterans Memorial***; the Town of Cramerton did a wonderful job and it was a huge, very involved event; also participated in the ***Veterans Day Parade*** on Sunday which was very well attended by the citizens of Gaston County in downtown Gastonia.

Commissioner Philbeck reported attendance to the ***Dedication Ceremony of Cramerton Veterans Memorial***; learned Cramerton Mills made clothing out of 8.2 ounce cotton twill yarn for the military; owner gave up the patent and allowed other mills to produce this yarn so that all military personnel had this material during the war; he thanked all Veterans for their service in the past and the present.

Commissioner Keigher reported attendance to ***EDC Board Meeting***: Gaston College presented plans for a comprehensive study; is looking at demographics to provide education for ten years from now; will eliminate programs that are fading away; ***Economic Forecast Meeting***: There was much discussion about the airport, surrounding economy and a Catawba crossing bridge; will have to consider the traffic problems when the development of 1200 to 1800 homes on New Hope Road comes before the BOC.

Commissioner Worley reported attendance to ***Centralina Council of Governments (COG) Executive Board Meeting***: A new Executive Director, Geraldine Gardner, was hired and will start work in January; ***COG 50th Anniversary Luncheon***: Invited BOC to attend luncheon on November 30th, 11 am to 1:30 pm, Charlotte Motor Speedway Club; ***CaroMont Veterans Golf Tournament***: Played in tournament, sponsored by CaroMont and Cramer Mountain Club, with many veterans that received a nice breakfast, lunch, gift bag and played golf at no cost; the event was well attended; ***Gaston Family Health Services (GFHS) Orientation***: Attended orientation; met with Robert Spencer for 1.5 hours; ***Dedication Ceremony of Cramerton Veterans Memorial***: It was a great event, a great day in Cramerton and a great day for veterans.

Commissioner Keigher - Re: The Charlotte Regional Partnership: The Partnership will dissolve at end of the year; former Commissioner Joe Carpenter spoke about this at the EDC Board meeting and was taken aback that the good work the Partnership has accomplished is ending. He asked the County Manager to comment on the merger with The Charlotte Chamber.

The County Manager advised the Charlotte Regional Partnership, a free-standing entity, is merging with The Charlotte Chamber in a new capacity but will have some separation of departments and physical space. There are concerns that this whole process proceeded without input from key stakeholders; staff is not confident or certain the County will be well represented as it has in the past; the EDC Director and former Commissioner Joe Carpenter were involved in the Partnership from its inception and played an instrumental role in making sure the County was well represented in the region; believe the County got more than its share of leads generated through the Partnership; want to see that continue; among other key questions and issues, who will be the next Executive Director and is unclear at this point; not sure the County can fully endorse it until seeing more factual information.

Commissioner Keigher congratulated Commissioners Philbeck and Chad Brown on a well-run campaign and re-election.

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Commissioner Hovis, the BOC's representative on the Charlotte Regional Partnership, advised that this is the fourth opportunity to merge with the Charlotte Chamber to create a different entity; Mecklenburg County does not have an EDC Director and department like Gaston, Lincoln, Cleveland and other surrounding counties; the Partnership relies on the Charlotte Chamber for that function; the Partnership has been very effective for Gaston County; the Chamber has a building that is not fully occupied that the Partnership's employees can merge into at no cost; uncertain who will be on those executive committees; the new entity will be unveiled at the November 27th Charlotte Chamber and Carolinas Regional Partnership combined meeting; the committee that did all this work "behind closed doors" will roll out 90% of the details; a lot of the same players from the former Partnership will be involved but the entity will be a subset of another committee; those that represent the County will make sure the County gets what it expects for area developers.

Commissioner Jack Brown asked if Mr. Bob Morgan, Charlotte Chamber Director, would be heading this up.

Commissioner Hovis advised that Mr. Morgan is on the list but they are doing a national search for the new Director.

Commissioner Philbeck asked if the County could create its own if this is not what it wants.

Commissioner Hovis responded there are other avenues for economic development partnerships; will be able to measure the County's participation in the next year or so; there are definitely some synergies in terms of cost recovery (branding, name recognition, etc.); believe there is an opportunity for it to come out better as a whole but it will take 1-2 years to see it to fruition; also believe this is also the opinion of a majority of the Partnership members.

County Manager's Report

The County Manager presented:

- **Re: Bond Rating:** The County had successful rating calls with the bonding agencies and a successful School Bond sale which yielded a better interest rate than anticipated
- **Re: Hiring of New Emergency Management Services (EMS) Director:** The County's new EMS Director, Mr. Keith Rapp, is in attendance; it is great to have him aboard.

Chairman Brown welcomed the EMS Director aboard and asked him to introduce himself.

Mr. Keith Rapp, EMS Director, stated he was grateful to be here; was impressed by County's Veterans Tribute being a 32 year veteran. He thanked the Gaston Gazette Reporter (Dash Coleman) for the article about him; he has spoken with the County Manager about looking at some initiatives (storm ready credentialing process, pursuit of grants, and building a culture of preparedness at the citizen level).

Zoning Matters Non-Consent

2018-278 Commissioner Chad Brown - Planning/Development Services - Parallel Conditional Use Permit (PCUP): PCUP 18-01 Patricia T. Vaughan (Applicant), Property Parcels: 226220, 167219 and 201957, Located at 4739 & 4743 Dallas

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High Shoals Hwy, Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District with the (US) Urban Standards Overlay to the (CU/C-1) Conditional Use / Light Commercial Zoning District with the (US) Urban Standards Overlay (PCUP) in order to allow Business Services (Small Business/Accounting)

Chairman Brown advised if the map change is approved the BOC will move to the conditional use permit (CUP); if disapproved, the matter is concluded; if the zoning change is approved the BOC will consider a CUP with the four findings of fact which must be found in the affirmative before issuance of a CUP; conclusions on the findings will be based on testimony provided to BOC; should one of the findings be found in the negative the matter is concluded with no CUP being issued; once all findings of fact have been found in the affirmative, consideration will be given to issue a CUP setting uses for the property and fair and reasonable conditions; should the CUP not be approved the matter is concluded. He asked for the Planning Board's recommendation.

The County Attorney advised the Planning Board approved *the* consistency statement: Property in question is in future land use designation of Rural Center, which supports commercial development needed for the population living in the surrounding areas; proposed rezoning from R-1 to CU/C-1 with USO - rezoning the subject property on a main road is consistent with Rural Center future land use designation which allows for flexibility on changing land use patterns on this fairly well-traveled road. Site plan which is followed by Applicant allows the property to be developed in an area consistent with the surrounding general residential uses. The Planning Board recommended approval of the zoning change by a unanimous vote.

Commissioner Keigher introduced a motion to approve the zoning change; Commissioner Philbeck provided the second the zoning map change was approved by a unanimous vote.

With the map change being approved, the County Attorney rendered the four Findings of Fact, which were found in the affirmative by the Planning Board, and the board's unanimous approval of the CUP, based on recommended conditions. The BOC voted on each Finding individually and found all four Findings in the affirmative, as set forth in the resolution below.

Before considering the issuance of the CUP, Chairman Brown asked if anyone wished to add, delete or modify any of the conditions.

Commissioner Philbeck advised that Condition #3 needed a timeframe; suggested everything be completed within a one-year period.

Chairman Brown asked the Applicant if that was possible.

Ms. Vaughan responded "yes" for the building addition; the vegetation may take a while.

Chairman Brown asked if anyone wished to make a recommendation on the number of months for completion.

Commissioner Philbeck recommended that the project be completed in two years.

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Chairman Brown advised the date of issuance is today; Applicant would have 24 months to complete the project.

The County Attorney clarified the condition states "*24 months after obtaining the building permit*"; asked if the BOC is modifying it to be based on issuance of the CUP instead.

Chairman Brown confirmed it is to be based on the date of the CUP issuance and the BOC concurred.

Hearing no further discussion, Chairman Brown called for a vote to issue the CUP.

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously approved Resolution **2018-278** as follows:

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 parcels 226220, 167219 and 201957, from the (R-1) Single Family Residential Zoning District with (US) Urban Standards Overlay to a (CU/C-1) Conditional Use / Light Commercial Zoning District (PCUP) with (US) Urban Standards Overlay, is consistent with the County's Comprehensive Plan. The property in question is in a future land use designation of Rural Center. Rural Center supports commercial development needed for the population living in the surrounding area. This proposed rezoning is from R1 to CU/C1, with the Urban Standards Overlay. Rezoning the subject property, which is on a main road, is consistent with the Rural Center future land use designation, which allows for flexibility on changing land use patterns on this fairly decently traveled road. The site plan, which is required to be followed by the applicant, allows the property to be developed in an area consistent with the surrounding general residential uses, the map change is approved as follows:

Motion: Keigher Second: Philbeck Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

- 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 public hearing testimony and Planning Board recommendation: Existing structure will be compliant with ADA restrooms, paved parking, marked handicap parking, and equipped with steps/ramp combination.

Motion: Keigher Second: Worley Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

- b) The use meets all required conditions and specifications, based on: public hearing testimony Planning Board recommendation that plan meets requirements of zoning ordinance: Owner will be working with Building Inspections to ensure structure will be compliant with commercial up-fits that meet NC Building Code.

Motion: Worley Second: Hovis Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

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- c) The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on: public hearing testimony and Planning Board recommendation: The existing business has been in use as a home occupation for eighteen (18) years with no undue impact on adjoining properties; enhancements to property will be more appealing.

Motion: Fraley Second: Philbeck Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

- 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: public hearing testimony and Planning Board recommendation: The business is located in Small Area 2 (North 321 Gaston) on a major thoroughfare (US 321 Business) that, while primarily residential, has small business scattered along this corridor.

Motion: Keigher Second: Hovis Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

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

Parallel Conditional Use Application (PCUP 18-01) 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 complete all required improvements within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit (November 13, 2018).*
4. Development shall meet all local, state and federal requirements.

Motion: Hovis Second: Worley Vote: Unanimous
 Aye: C. Brown, J. Brown, Fraley, Hovis, Keigher, Philbeck and Worley
 Nay: None
 Absent: None
 Abstain: None

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

County Attorney's Report

The County Attorney advised he did not have a report but did request a two-part Closed Session.

Closed Sessions Pursuant to NCGS 143-318.11(a)(5) - Re: Property Acquisition and NCGS 143-318.11(a)(6) – Re: Personnel

Chairman Brown called for a motion to enter into Closed Sessions pursuant to NCGS 143-318.11(a)(5) and NCGS 143-318.11(a)(6) Personnel.

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On motion introduced by Commissioner Philbeck and seconded by Commissioner Worley, the BOC unanimously entered into Closed Session Sessions pursuant to NCGS 143-318.11(a)(5) and NCGS 143-318.11(a)(6) Personnel at 7:55 pm.

On motion introduced by Commissioner Worley and seconded by Commissioner Jack Brown, the BOC unanimously reentered Open Session at 8:36 pm.

Chairman Brown reported that no action was taken during the Closed Sessions.

Other Matters

Commissioner Worley – Re: House Bill 284 (*An Act to Allow Law Enforcement Officers Who Are Members of the Teachers' and State Employees' Retirement System or the Local Government Employees' Retirement System to Retire After Achieving Twenty-five Years of Creditable Service, To Allow for Separation Buyouts for Law Enforcement Officers, and To Allow Transfers Under the Special Retirement Allowance to be Paid in Whole or In Part with Employer Contributions*): Asked the BOC to direct the County Manager and Human Resources to prepare a report, after the first of the year on House Bill 284; it becomes law in July 2019 and the County needs to understand the financial responsibilities it will bear, if any, and what it will do to prepare for any options in retirements; have a copy of it; it will be relevant for the County in case a Board Action is needed later.

Chairman Brown directed Commissioner Worley to provide the bill to the Clerk to distribute to BOC.

Commissioner Hovis advised it will be important to see how this bill may affect the County in the coming budget year.

Adjournment

Chairman Brown called for a motion to adjourn the meeting.

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously adjourned the Rescheduled Meeting of November 13, 2018 at 8:37 pm.

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

Chad Brown, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL