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Gaston County Board of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

OCTOBER 23, 2018

The Gaston County Board of Commissioners (BOC) met in Regular Session on October 23, 2018 at 6:00 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, Bob Hovis, Tracy L. Philbeck and Ronnie Worley in attendance.

Commissioner Allen R. Fraley was not in attendance.

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

Upon request of Chairman Brown, Commissioner Hovis led those assembled in the Invocation and Commissioner Keigher led in the Pledge of Allegiance.

Judge William Gaston Award Presentation

Vice-Chairman Keigher presented:

- A very important part of this Board's mission is to encourage citizen participation in county government and community involvement.
- In 1998, the County Commission established an annual award bearing the name of the County's namesake, Judge William Gaston (1778-1844), to recognize those volunteers who have demonstrated exemplary commitment, dedication, and leadership. Since its establishment, the County Commission has honored 61 recipient volunteers for their services to the Gaston County community.
- This year the Board of Commissioners has the privilege of presenting the William Gaston Award to one outstanding individual: Dr. Edward Smith
- At this time, I would ask Dr. Edward Smith to come to the podium along with any family and friends he has with him to receive the William Gaston Award.

Dr. Edward Smith

Chairman Brown presented:

- Dr. Edward "Ed" Smith has been described by his colleagues as *"humble, personable and approachable - a highly distinguished and motivated public servant who has devoted many years to serving Gaston County and its citizens"*.
- An advocate for community health and wellness for all citizens, Ed is currently the Vice-Chairman of the Gaston County Health and Human Services Board and he also serves as the Chairman of the Sub-Committee on Abuse and Neglect.
- Likewise, Ed works passionately on behalf of Gaston County's aging community. He is currently the Chairman of the Gaston County Council on Aging – a board that works on behalf of older adults to provide and coordinate services to keep older adults living independently. He is also a member of the Adult Care Home Community Advisory Committee of the North Carolina Long Term Care Ombudsman Program that promotes community involvement and cooperation with adult care homes and nursing homes to ensure the quality of care for older and disabled adults.
- Ed has been a part of the Gaston County community for more than 27 years. He is known as a passionate supporter of education initiatives and he understands that a strong, skilled workforce is vital to Gaston County's economy. Involved in education and workforce development for most of his career, Ed has served in many different capacities. He was the Vice President for Workforce Development for the Gaston Regional Chamber of Commerce from 2008 to 2011. He was also the Vice President for Workforce Development and Continuing Education for Tri-County Community College; the Dean of Continuing Education and Summer School at Lees McRae College and the Dean of Continuing Education and Summer School for Belmont Abbey College from 1991 to 1997. Most recently, Ed worked for Montreat College serving as the Director for the Charlotte, Asheville and Morganton campuses until his retirement in 2014.
- Ed, the County Commission extends its gratitude to you and your devoted wife Debra. We are forever indebted to you for your exemplary leadership, kindness and compassion and for your many years of service to the citizens of Gaston County.
- Your willingness to serve is truly inspirational, and as a colleague recently stated, your *"tireless work and passion is the embodiment of a public servant and of this distinguished award"*.
- On behalf of the County Commission, it is my pleasure to present you with the William Gaston Award.

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Chairman Brown stated that during his eight years on the Board Dr. Smith has been an outstanding person and mentor and it was his pleasure to nominate him as a recipient for this year's Award.

Dr. Smith accepted and thanked the Board for the Award and for the opportunity to serve the residents of the County.

Commendation - Commissioner Hovis - BOC - Certificate of Commendation - To Commend Captain Robert Heussy, Union Road Volunteer Fire Department, Recipient of the 2018 Workwear MVP Award

Commissioner Hovis invited Captain Robert Heussy, his family and friends to join him at the podium and advised as follows:

- Captain Robert Heussy was nominated for an MVP award through Service Wear Apparel Company a few months ago.
- Robert has been a member of Union Road VFD for 13 years and was nominated for his work through his ministry, **Fireman's Faith**. Robert uses Fireman's Faith to minister to firefighters throughout our area and in countries such as Nicaragua and Honduras. He has been on several mission trips where he has ministered to firefighters that may not have known Christ. Robert also collects fire equipment that is no longer being used here in the states and ships it to fire departments such as those in Honduras and Nicaragua. He does this on monies he has raised, but mostly from money out of his own pocket.
- Service Wear Apparel has a contest each year that recognizes someone that goes above and beyond. The winner is chosen through a comprehensive selection and voting process. This year, Robert won overwhelmingly. The award ceremony was held on September 13, 2018 at Sandy Plains Baptist Church on Union Road. Robert was presented with a check for \$1,000 and the Union Road VFD was awarded \$1,000 worth of uniforms.

Commissioner Hovis presented him with the following Certificate of Commendation:

The Government of Gaston County, North Carolina
hereby presents this
Certificate of Commendation
to
Robert Heussy, Captain
Union Road Volunteer Fire Department

Upon being named the Recipient of the 2018 Workwear MVP Award, presented by Service Wear Apparel Company, for his dedicated ministry to fellow firefighters through Fireman's Faith. The Gaston County Board of Commissioners further commends him for his faithfulness and tireless Service to the Union Road community. His service and dedication proudly reflects the highest ideals of himself, the members of his team and all fellow firefighters.

Commissioner Hovis stated that Captain Huessey is the example we hope all firefighters in Gaston County uphold and we are proud to have him as a part of our Gaston County family.

Presentation of the LGFCU Excellence in Innovations Award to Gaston County DHHS Children and Family Services

Chairman Brown introduced Mr. Matt Gunnet with the North Carolina Association of County Commissioners (NCACC), and Ms. LeeAnna Lott with the Local Government Federal Credit Union (LGFCU) and invited the DHHS staff to the podium.

Mr. Matt Gunnet, NCACC Membership Services Coordinator, advised the NCACC supports and promotes the wellbeing of its 100 NC counties and empowers them through advocacy, education, research and member services to work together for the betterment of one state. He thanked the BOC for their work on their legislative goals, Chairman Brown for his leadership, and

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Commissioner Keigher for serving on their Health and Human Services Steering Committee and for being a longtime Board of Directors District Director. He thanked Ms. Marcie Smith, Solid Waste and Recycling Administrator, for being a member of their Environment Steering Committee.

Mr. Gunnet noted that Mr. Ralph Ketner, a Rowan County native and co-founder of Food Town known now as Food Lion started the Employee Productivity Awards in 1991 and its sponsorship was taken over by the LGFCU. He introduced Ms. LeeAnna Lott for comments.

Ms. LeeAnna Lott, LGFCU Membership Development Officer, advised the LGFCU President (Mark Caverly) and CEO (Maurice Smith) took over sponsorship of the award which was renamed the *LGFCU Excellence and Innovation Awards*; in addition to monetary awards the LGFCU holds an awards luncheon at the NCACC Annual Conference to recognize award winners, present trophies to winning programs and share the innovative ideas with all 100 counties.

Mr. Gunnett advised ten awards were given in four categories (General Government; Human Services; Public Information; Participation and Intergovernmental Collaboration); he described the panel of judges and he outlined the selection criteria. There were 38 submissions in 2018; Gaston County Department of Social Services was awarded for developing and implementing their Day Maker Program (General Government Category) – a program that allows the community to support children via donations from 363 people resulting in 765 gifts for foster children between March and December 2017; the value of those gifts was over \$12,000. Program team members include Melanie Lowrance (Children & Family Services Administrator), Tara Joyner and Tiyania Shands (Foster Program Coordinators) and Brittany Swift (Social Services Assistant). He introduced Ms. Shands to comment on the program.

Ms. Shands thanked the NCACC and the LGFCU for the Innovations Award; advised that with the Day Maker Program, the community can choose children to sponsor and purchase Christmas and birthday gifts; last year the program helped more than 192 children with donations of more than \$12,000.

Mr. Gunnet and Ms. Lott presented a \$1,000 check to Gaston County for the Day Maker Program.

Public Hearing - Zoning Map Change: (Z18-09) Taylor Davis (Applicant); Property Parcel: 139199, Located between E Hudson Blvd. and Neal Hawkins Rd., Rezone from the (CD/RMF) Conditional District / Residential Multi Family Zoning District to the (RMF) Residential Multi Family Zoning District

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

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

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With a quorum of the Planning Board in attendance, Chairman Brown recognized Mr. Willie King, Community Development Planner III, for comments.

Mr. King restated the request as outlined above and advised it involved rezoning one parcel from the Conditional District/Residential Multi Family Zoning District (CD/RMF) to the Residential Multi Family Zoning District (RMF); the Applicant and his representative were present; subject property is 27+/- acres, wooded and undeveloped. He reviewed the aerial map depicting the property's location (southeastern part of County's jurisdiction - Hudson Blvd. to the north, Neil Hawkins Rd. to the south and Hwy 321 to west); current CD/RMF zoning, surrounding zoning, street network, jurisdictions and the adjacent properties that were notified about hearing. He further advised that the property is located within the Suburban Development Area (Planning Area Four); is staff's opinion that the request is consistent with the Comprehensive Land Use Plan based on the goals, objectives and zoning district pattern in the overall area; the hearing was advertised and notices were mailed per County policy; staff received one call and one walk-in for general information about the application.

Chairman Brown called for citizen comment.

Attorney David Smith, representative for the applicant, advised that Mr. Joseph Cass, the Developer's representative (also present) is well versed and experienced in developing multifamily projects; the property is currently owned by C&C Investments and Ratchford Family Partnership; Mr. Donnie Cann and John Cashatt were present on behalf of the owners. Formerly, the subject property was within the City of Gastonia's ETJ; this request involves taking it from a conditional use district to a straight RMF rezoning district for multifamily purposes; the property was under the City's permit in the 1990s which has expired; the Developer wants to bring it within the County's RMF zone and develop it per the Unified Development Ordinance (UDO) with the applicable supplemental regulations that are already in place; currently there is no specific plan for the property.

Pastor John Pelonero, 631 Efird St., Gastonia, NC advised that the previous landowners gave New Covenant Church permission to keep its sign on the corner parcel; the Church wants to be in good standing with the new owners and for Hudson Blvd. to be developed in a good neighborly fashion so it can reach and serve as many people as possible.

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

Commissioner Worley asked if there would be multiple points of ingress and egress since the property is bordered by Hudson Blvd. and Neal Hawkins Rd.

Mr. Joseph Cass, 227 Asbury Ave., Greenville, SC advised the Developer is just getting into the preliminary site design; NC-DOT wants Developer to use the existing curb cut across from Efird St. for ingress and egress; currently there are no plans to connect to Neal Hawkins Rd.

Commissioner Worley asked how many units would be on the property.

Mr. Cass responded that Phase 1 would have 80 units for the acreage.

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Hearing no further questions, Chairman Brown moved to the next item of business.

Public Hearing - Zoning Map Change: (Z18-10) Shelia H. Ballard (Applicant); Property Parcels: 220416 and 165013, Located at 350 and 344 Ballard Rd., Rezone from the (R-1) Single Family Limited Zoning District to the (R-3) Single Family General Zoning District

Chairman Brown introduced Mr. King for comments.

Mr. King advised subject request involved rezoning two parcels from the R-1 (Single Family Limited Zoning District) to the R-3 (Single Family Moderate Zoning District); Applicant, Ms. Sheila Ballard (present). The original maps in the Planning Board and BOC packets were amended because of a discrepancy with the rear portion of the larger parcel (220416); the Mapping Department verified that corrections were in order after careful remapping and deed research; the acreage proposed for rezoning has been reduced from 29.42 to 24.41 acres. He distributed the amended maps to the BOC.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Keigher, the BOC accepted the revised map to be entered as part of the record.

Mr. King further advised the larger parcel (220416) contains one residential structure and undeveloped land; the second parcel (165013) contains an unoccupied residential structure. Mr. King reviewed aerial and zoning maps depicting the property's location in the northeastern area (between Stanley, Alexis and High Shoals), the R-1 and R-2 area zoning, surrounding street network and adjacent landowners, which were notified of the proposed map amendment and hearing; advised the property is located within a Rural Area of Planning Area Three; based on the goals, objectives and zoning district pattern in the overall vicinity, it is staff's opinion the request is consistent with the Comprehensive Land Use Plan; the request was advertised and notices were mailed out per County policy; staff received one call and one walk-in for general information.

Chairman Brown called for citizen comments.

Ms. Sheila Ballard, Applicant, PO Box J, Catawba, NC advised her parents owned the property at 350 Ballard Rd., Dallas, NC; her mother died last year and as Executor of the estate; trying to get the property rezoned so her brother can put a mobile home on it.

Mr. Michael Skulkety, 432 Ballard Rd., Dallas, NC advised Ballard Rd. is graveled and State-maintained; he does not have a problem having one mobile home on the property but the State should pave the road first because it is a mess in the winter; prefers R-1 not R-3 zoning.

Mr. Caleb Cook, 474 Ballard Rd., Dallas, NC asked why the entire parcel needed to be rezoned for one trailer, and what made the zoning go from R-1 to R-3 instead of R-2 like the surrounding areas.

Chairman Brown advised those questions would be answered as the meeting progressed.

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

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Commissioner Philbeck asked why the zoning district was being changed to R-3.

Mr. King responded the R-3 district allows stick-built, site built, modular, doublewide, and single-wide homes and manufactured homes.

Commissioner Philbeck advised the neighbors do not want a mobile home park; asked if any additional mobile homes would have to come before BOC?

Mr. King responded if Applicant was doing a subdivision the Ordinance allows three parcels at a 3-acre minimum by right; anything beyond that must be examined by staff.

Commissioner Philbeck asked if Applicant could put a mobile home on every three acres by right.

Mr. King advised it would be a maximum of three lots at three acres.

Mr. David Williams, Planning & Development Services Director, explained that per Code you can only have one single family residential on a piece of property; having more than one would require subdividing the property; if that occurred the Subdivision Ordinance only allows *not more than three* 3-acre tracts off Ballard Rd; if Applicant has already done one or two they could not do any additional ones; staff would have to examine that in-house; that changed in 2008 per the UDO.

Commissioner Philbeck asked if a Conditional Use Permit (CUP) would better serve the Applicant.

Mr. Williams advised that the Applicant can apply for a Parallel Conditional Use Permit (PCUP) and submit a site plan for a single family residential meeting the required setbacks, etc. if the rezoning request is denied.

Commissioner Philbeck stated he personally did not have an issue with having a trailer on the property; would like BOC to consider if Applicant considers doing anything else that could potentially create an ingress/egress issue.

Mr. Williams advised Applicant has only applied for one tract.

Commissioner Hovis stated the Subdivision Ordinance applied to the original tract and if it had been subdivided once into two tracts the Applicant could do another tract by right under R-3 without the Subdivision Ordinance requirement; if Applicant chose to do more, the Subdivision Ordinance requirements would apply which would be expensive and prohibitive; do not foresee the original size property being subdivided by an individual – maybe by a developer at some point in time, but that would be expensive – especially since the road is not paved per State standards; Public Works advised it would take more than \$15M to pave the numerous roads in Gaston County that do not meet State standards; asked if there could be a PCUP requirement that allowed a mobile home use in an R-1.

Mr. King advised that staff offered that option to Applicant; R-1 does not allow manufacturing houses.

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Commissioner Hovis advised a PCUP would not address the need in its current zoning district.

Commissioner Jack Brown asked if County previously restricted removing a mobile home and replacing it with another one.

Mr. King advised that may have been the grandfathered policy; today it is a legal non-conformity and that policy is still in place which applies to manufactured houses and other structures.

Chairman Brown asked if the Applicant owned the parcel reduced from 29 to 24 acres that extended back to Rhyne Road.

Mr. King responded "no".

Hearing no other questions, Chairman Brown moved to the next item of business.

Public Hearing - Zoning Text Amendment: (ZTA 18-02) Applicant: Gaston County Planning Board - To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO), Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B)2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A)

Chairman Brown introduced Mr. David Williams, Planning & Development Services Director, for comments.

Mr. Williams advised subject text amendments reflects minor clarification of existing definitions, existing uses, changes in state statutes for plat submittal and the inclusion of the watershed; both Boards were provided with the proposed changes as highlighted and italicized in their packets; proposed amendments affect Chapters 2, 6, 7, 8, 10, 13 and 15; the Planning Board reviewed the proposed text amendments and unanimously recommended them for public hearing.

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

Commissioner Philbeck referenced the term, ***Junkyard and Salvage Yard - Definition***; asked why staff was deleting "...*The use of more than five hundred (500) square feet of the area of any lot...*".

Mr. Williams responded to update the junkyard actual use; Planning Board and staff had concerns about having no zoning regulations on a junkyard less than 500SF; the County can zone and regulate the actual business by deleting that text; the solid waste scrap metal and junk that is not part of a business is regulated by the Solid Waste Ordinance.

Commissioner Philbeck referenced ... "*used plumbing fixtures and used brick, wood, or other building materials*"...; asked if a farm with a lot of wood on it or acreage used to store wood from cutting down trees, would be deemed a junkyard.

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Mr. Williams responded that the definition is related to a business activity; if someone is trying to run an operation that discarded that type of material, it would need to be controlled through zoning.

Chairman Brown referenced **Section 10-12, Parking and Storage of Boats and of Recreational Vehicles, B., 2**; asked why it changed from "rear" to "front" or why not have rear and front.

Mr. Williams advised currently recreational vehicles (RVs) are only allowed in the rear yard; this will allow RVs in the rear and side yard with some regulations to protect that.

Chairman Brown asked if this included transfer trucks.

Mr. Williams advised it only pertains to RVs.

Chairman Brown asked if there was anything that allows the parking of transfer trucks in front yards for many days.

Mr. Williams advised staff would have to review UDO; if it is operating in some type of business or something that is not permitted they would be in violation.

Hearing no further discussion, Chairman Brown excused the Planning Board to Room 2029 for deliberations.

Public Hearing - RE: Commissioner Chad Brown - DHHS (ACCESS) - To Request Permission to Apply for NCDOT/PTD FY20 Community Transportation Program (5311) Grant to Provide Rural Public Transportation Services; Enter into an Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and Required Local Match

Chairman Brown introduced Ms. Cheree Wilson, ACCESS Coordinator, for comments.

Ms. Wilson, Access and DHHS - Social Services Division Transportation Coordinator, advised the FY20 Community Transportation Program Grant is a state and federally funded program that is administered by the Public Transportation Division. The Division's goals are to achieve the Coordination Transportation Services definition to support general public transportation in rural North Carolina and provide a coordinated network, enhance access in rural areas to healthcare, shopping, education, employment, public services, recreation and to encourage the most efficient use of transportation funds to provide passenger transportation in rural areas via coordination of programs and services. The County is requesting an administrative grant totaling \$204,160 with an 80% federal, 5% state and 15% local match; the 15% local match totals \$30,624; the administrative grant will be used to fund administrative salaries of Transportation Coordinator, Dispatch Supervisor and Administrative Support Specialist, fringe benefits, travel, training and computer software lease. The County will also apply for an operating grant totaling \$300,000 with a 50% federal and 50% local match of \$150,000 each; this grant will support our operators, drivers and dispatchers salaries. The capital grant totals \$519,655 and is made up of six replacement vehicles (two 22' LTVs, two 25' LTVs, one 28' LTV and one raised roof lift van). Our other capital expenses include advanced technology and baseline technology expenses for the

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replacement of our current two-way radio systems, which dates back to the early 2000s and cameras used in vehicles; the County is asking State to assist with 90% of funding and County to provide a 10% match; the County is requesting a grant to upgrade surveillance (four cameras, a BBR, and hardware to run software) for 28 vehicles that will allow real time GPS and live video for our drivers and passengers to produce evidence to combat any false claims.

Chairman Brown called for citizen comment; hearing none, called for questions from the BOC.

Commissioner Keigher asked what the odds were of not getting these grants.

Ms. Wilson responded the operating which is a new program, would possibly not be awarded; they have a maximum allocation between the administrative and operating; the maximum allocation is being used for the administration; want to start a conversation and get feedback to see if the County could increase the allocation amount or if they will add it as an additional allocation amount.

Commissioner Keigher asked if this was an all or nothing type grant.

Ms. Wilson responded the County receives the capital and administrative grants yearly for reimbursement claims; the likelihood for receiving the new request for the operation grant is slim.

Commissioner Keigher asked if the award amount could be reduced or if the requested amount is typically fully funded.

Ms. Wilson responded based on past trends, the County has received the full amount requested.

Chairman Brown asked if work that is reimbursed is done by the County or an outside agency.

Ms. Wilson responded the state has vendors to select from and staff selected Fortress Mobile for the surveillance; GEMS assisted in acquiring that sole source vendor - no other vendor in area could produce the same product.

Chairman Brown stated he would like staff to use a vendor in the County that can do that same type work if possible.

Hearing no further questions, Chairman Chad Brown called for a motion to approve.

2018-234 Commissioner Chad Brown - DHHS (ACCESS) - To Request Permission to Apply for NCDOT/PTD FY20 Community Transportation Program (5311) Grant to Provide Rural Public Transportation Services; Enter into an Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and Required Local Match

On motion introduced by Commissioner Philbeck and seconded by Commissioner Jack Brown, the BOC unanimously approved **2018-234**.

Commissioner Keigher failed to vote; therefore his vote was cast with the majority.

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Public Hearing - RE: Commissioner Chad Brown - EDC -To Authorize an Economic Development Agreement to Provide a Standard Level One Local Incentive Grant - Project Alpha 3

Chairman Brown introduced Ms. Leslie Hardwick, EDC Project Administrator, for comments.

Ms. Hardwick advised that Project Alpha 3, an international manufacturer and wholesaler of polyurethane systems, has operations in Australia, New Zealand and South Africa and has been importing polyurethane systems in the U.S. for 20 years; they have a partnership with a contract manufacturer in Florida; Gaston County is the only site in NC being considered for this project; the BOC is requested to provide a standard Level One grant for investment years 2018-2022, to accept a \$25,000 Duke Energy Investment Fund Grant on behalf of the company and to apply for the One NC grant for \$50,000 with a \$25,000 County match (County will be the pass-through). Project Alpha 3 proposes to purchase an existing building (former DSM Plant) in Stanley containing 26.16 and 11.43 acres; this is a \$9.2M investment for land; real property investment is \$5.5M and the personal property is \$3.7M; they will employ at least 20 new positions at an average wage of \$60,000, which exceeds the average annual wage of \$38,750 in the County; details of grant will be incorporated into an agreement with the County, Town of Stanley and the company.

Chairman Brown called for citizen comment; hearing none, called for questions from the BOC.

Commissioner Worley asked if the Town of Stanley had voted on this matter.

Ms. Hardwick responded they will vote on it at their next meeting.

Hearing no further questions, Chairman Chad Brown called for a motion to approve the resolution.

2018-235 Commissioner Chad Brown - EDC - To Authorize an Economic Development Agreement to Provide a Standard Level One Local Incentive Grant - Project Alpha 3

On motion introduced by Commissioner Hovis and seconded by Commissioner Philbeck, the BOC unanimously approved **2018-235** as follows:

WHEREAS, Project ALPHA 3 is considering a total investment of \$9,200,000 over a period of five calendar years to establish an advanced manufacturing operation in Gaston County, which includes the purchase of the building, facility improvements and installation of machinery and equipment; and,

WHEREAS, the firm intends to create at least twenty new jobs (20) expecting to pay an average annual wage of \$66,250; and,

WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,

WHEREAS, the company's net new taxable investment in facility improvements and installation of machinery & equipment may not qualify for a standard grant during some years of the five calendar year investment schedule; and,

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WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to provide a standard level one grant for Project ALPHA 3 for all those net new taxable investments occurring in calendar years 2018, 2019, 2020, 2021 and 2022; and,

WHEREAS, this proposed local incentive offering will be incorporated into a detailed economic development agreement between Project ALPHA 3, the County and the Town of Stanley, so as to induce the company to provide good job opportunities and capital investment in Gaston County which will enhance the County's ability to attract additional business and industry.

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

The Chairman of the Gaston County Board of Commissioners is authorized to:

1. Execute any documents necessary to complete this economic development agreement for Project ALPHA 3.

Public Hearing - RE: Commissioner Chad Brown - EDC - To Authorize an Application to The One North Carolina Grant as the Local Government Applicant for Project Alpha 3 in the Amount of \$50,000 and to Authorize a Local Match of \$25,000

Chairman Brown introduced Ms. Hardwick for comments.

Ms. Hardwick advised the State agreed to provide the One NC Grant for \$50,000 and that Duke Energy will match one half of the grant.

Chairman Brown called for citizen comment; hearing none, called for questions from the BOC.

Commissioner Philbeck asked if this was the second part of the grant for Stanley.

Chairman Brown responded "yes".

Hearing no further questions, Chairman Brown called for a motion to approve the resolution.

2018-236 Commissioner Chad Brown - EDC - To Authorize an Application to The One North Carolina Grant as the Local Government Applicant for Project Alpha 3 in the Amount of \$50,000 and to Authorize a Local Match of \$25,000

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously approved **2018-236** as follows:

WHEREAS, Project ALPHA 3 is considering a total investment of \$9,200,000 over a period of five calendar years to establish an advanced manufacturing operation in Gaston County, which includes the purchase of the building, facility improvements and installation of machinery and equipment and intends to create at least twenty new jobs (20) expecting to pay an average annual wage of \$66,250; and,

WHEREAS, North Carolina Department of Commerce has supported the location of industry by offering a company the opportunity to apply for a One North Carolina Discretionary grant via a unit of local government; and,

WHEREAS, Project ALPHA 3 is an important project for Gaston County and the County is willing to provide the local match of \$25,000 (twenty five thousand dollars) required for the One North Carolina Grant in the amount of \$50,000 (fifty thousand dollars); and,

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WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to complete and administer the One North Carolina Grant in the amount of \$50,000 (fifty thousand dollars) for Project ALPHA 3; and,

WHEREAS, the execution of proposed One North Carolina Grant, between the State, Project ALPHA 3 and the County so as to induce the company to provide good job opportunities and capital investment in Gaston County which will enhance the County's ability to attract additional business and industry.

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

The Chairman of the Gaston County Board of Commissioners is authorized to:

1. Execute any documents necessary to complete and administer the One North Carolina Grant for Project ALPHA 3.

Public Hearing - RE: Commissioner Chad Brown - EDC - To Authorize the Acceptance and Appropriation of Duke Energy's Carolinas Investment Fund Grant in the Amount of \$25,000 on Behalf of Project Alpha 3

Chairman Brown introduced Ms. Hardwick for comments.

Ms. Hardwick advised that Duke Energy has offered \$25,000 towards Project Alpha 3 and staff is asking the County to be the pass-through for that money.

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

2018-237 Commissioner Chad Brown - EDC - To Authorize the Acceptance and Appropriation of Duke Energy's Carolinas Investment Fund Grant in the Amount of \$25,000 on Behalf of Project Alpha 3

On motion introduced by Commissioner Philbeck and seconded by Commissioner Worley, the BOC unanimously approved **2018-237** as follows:

WHEREAS, Project ALPHA 3 is considering a total investment of \$9,200,000 over a period of five calendar years to establish an advanced manufacturing operation in Gaston County, which includes the purchase of the building, facility improvements and installation of machinery and equipment and intends to create at least twenty new jobs (20) expecting to pay an average annual wage of \$66,250; and,

WHEREAS, Duke Energy has supported the location of industry by offering an eligible company their Carolinas Investment Fund Grant via a unit of local government; and,

WHEREAS, Duke Energy agrees to provide Project ALPHA 3 with a \$25,000.00 as an inducement to locate their plant in Gaston County and the Town of Stanley; and,

WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to accept and disburse the Duke Energy Carolinas Investment Fund Grant for Project ALPHA 3; and,

WHEREAS, the acceptance of the Duke Energy Carolinas Investment Fund Grant, between Project ALPHA 3 and the County so as to induce the company to provide good job opportunities and capital investment in Gaston County which will enhance the County's ability to attract additional business and industry.

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

The Chairman of the Gaston County Board of Commissioners is authorized to:

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1. Execute any documents necessary to accept and administer the Duke Energy Carolinas Investment Fund Grant for Project ALPHA 3.

and per Budget Change Request:

Account Description	Account Number	Amount
Duke Grant: Project Alpha 3	040-07-4920-4920-430000-19065	(\$25, 000)
Duke Grant: Project Alpha 3	040-07-4920-4920-560000-19065	\$25,000

Public Hearing - RE: Commissioner Chad Brown - EDC - To Authorize an Economic Development Agreement to Provide a Standard Level Two Local Incentive Grant - Project Phoenix

Chairman Brown introduced Ms. Hardwick for comments.

Ms. Hardwick advised that Project Phoenix, a back office operation, is considering Lowell, NC and plans to invest \$8.3M in real property and \$3M in personal property for a total of \$11.3M over a 5-year period; the company plans to hire 500 employees at an average salary of \$50,000 which exceeds the County's average wage of \$38,750; this will be the largest office project in the County's history; this is the only location being considered in NC; the company is also looking at sites in Texas, Georgia, Tennessee, and South Carolina; the grant stipulates that the company must hire 275 employees before becoming eligible; City of Lowell officials voted and unanimously approved the grant; EDC is requesting BOC to provide a Standard Level Two Grant for years 2019 through 2027 as a local incentive proposal for Project Phoenix.

Chairman Brown recognized the Lowell City Council members in attendance and called for citizen comment.

Mr. Larry Simonds, Lowell, NC, advised that residents of Lowell did not have enough information and spoke in opposition to the approval of providing a tax incentive to a Fortune 500 company when Lowell citizens would also benefit from a tax break; spoke in opposition of the project.

Mr. Ken Erwin, Lowell, NC, advised he retired from the County Police, previously served as Mayor of Lowell for two terms and is currently a Councilmember. He also congratulated County Police Officer Joe Pendergrass on his retirement. He spoke in support of the call center project; the County has tried to attract a call center for several years; this project proposes to bring in several hundred jobs that exceed the average wage in County; the City of Lowell unanimously approved this project at its October meeting and hope the BOC approves the project.

Chairman Brown called for questions from the BOC and none were heard.

2018-238 Commissioner Chad Brown - EDC - To Authorize an Economic Development Agreement to Provide a Standard Level Two Local Incentive Grant - Project Phoenix

On motion introduced by Commissioner Philbeck and seconded by Commissioner Keigher, the BOC unanimously approved **2018-238** as follows:

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WHEREAS, Project PHOENIX is considering a total investment of \$11,300,000 over a period of five calendar years to establish a back-office operation in the City of Lowell, including the installation of office equipment; and,

WHEREAS, the firm intends to create at least two-hundred and seventy-five new jobs (275) within the first 36 months from the hiring date, and expects to pay an average annual wage of \$50,154; and,

WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,

WHEREAS, the company's net new taxable investment would normally qualify for a standard level one grant, based upon the company's intention to invest \$8.3 million for purchase and facility improvements and installation of \$3 million in office equipment for a total investment of \$11.3 million over the five calendar years; and,

WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interests of the County to provide a standard level two grant for Project PHOENIX for all those net new taxable investments, and the opportunity to gain high wage office jobs occurring in calendar years 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, and 2027; and,

WHEREAS, this proposed local incentive offering will be incorporated into a detailed economic development agreement, between Project PHOENIX, the County and the City of Lowell, so as to induce the company to provide good job opportunities and capital investment in Gaston County which will enhance the County's ability to attract additional business and industry.

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

The Chairman of the Gaston County Board of Commissioners is authorized to:

1. Execute any documents necessary to complete this economic development agreement for Project PHOENIX.

Public Hearing – Town of Stanley – 1) Stanley Planning and Zoning Board ETJ; 2) Stanley Board of Adjustments ETJ

Chairman Brown reported that two positions were available on subject boards; applications were received from Mr. John Miller and Mr. Tony Froneberger as recommended by the Stanley Town Council to serve as extraterritorial jurisdiction representatives. The Chairman called for any additional applications or comments.

Commissioner Philbeck explained his opposition to ETJs and noted his reason for voting against ETJ appointments.

Hearing no further comments, Chairman Brown called for a motion to approve.

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC reappointed Mr. John Miller and Mr. Tony Froneberger to the **Stanley Planning and Zoning Board** and to the **Stanley Board of Adjustments** to terms ending June 30, 2021.

The vote carried as follows:

Ayes: Commissioners Chad Brown, Jack Brown, Hovis, Keigher and Worley

Nay: Commissioner Philbeck

Absent: Commissioner Fraley

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

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On motion introduced by Commissioner Keigher and seconded by Commissioner Worley, the BOC unanimously closed the Public Hearings.

Agenda Revision/Approval

- ADDED/ Commissioner Worley - Budget/Purchasing - To Accept and Appropriate the 2017 Gaston County Sheriff's Office Enhanced Identification System Grant (100% Grant Funding - \$23,155) – VII., Item P

On motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously approved the Agenda of October 23, 2018 with changes as noted above.

Citizen Recognition

Mr. George Stauch, Gastonia, NC, and representative for Gardner Park and Gardner Woods residents, cited the proposed Buster Law that was introduced to the City Council and County Commission; he advised of receiving hundreds of emails from neighbors concerned about their safety; he and his dog were attacked September 23rd by two Akitas that killed his dog. He also cited other attacks by these same dogs; would like a law requiring loose/unleashed dogs that kills another dog or child to be registered as dangerous dogs.

Ms. Demetria Gates, Gastonia, NC, advised residents remain concerned about the irresponsible owner of the Akitas. Residents are committed to insure that Buster's Law has a purpose and neighborhoods remain safe. The Akita was returned to the owner and he took it to his business in Charlotte where it escaped and is running loose; asked if Animal Control is working with Char-Meck Animal Control (C-MAC) on the issue; what other measures will be taken against the pet owner; advised neighbors want to meet with BOC, Animal Control and City Council to address the ordinances.

Chairman Brown advised that the Char-Meck Police Department has been notified about the situation as well as the BOC was also made aware at its last meeting.

Consent Agenda

On motion introduced by Commissioner Keigher and seconded by Commissioner Chad Brown, the BOC unanimously approved the Consent Agenda as follows:

- 2018-239 Commissioner Keigher - BOC - Proclamation - To Recognize the 75th Anniversary of the Textile Technology Center of Gaston College**
- 2018-240 Commissioner Chad Brown - BOC - Proclamation - To Proclaim October 23-31, 2018 as "Red Ribbon Week" in Gaston County**
- 2018-241 Commissioner Chad Brown - BOC - Commendation - To Recognize Mrs. Mary Frances Forrester Upon being Honored for her Lifelong Passion and Support of the Arts**

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2018-242 Commissioner Philbeck - BOC - Commendation - To Recognize the 150th Anniversary of the First Baptist Church of Dallas, North Carolina

2018-243 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds Awarded by the Department of Justice for the Edward Byrne Memorial Justice Assistance Grant (JAG) (\$25,244) per Budget Change Request:

Account Description	Account Number	Amount
2017 JAG: Police	010-02-4310-4310-425042-19544	(\$9,913)
2017 JAG: Police	010-02-4310-4310-560000-19544	\$9,913
2017 JAG: Sheriff	010-02-4315-4315-425042-19545	(\$15,331)
2017 JAG: Sheriff	010-02-4315-4315-560000-19545	\$15,331

2018-244 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds for the 2018 Justice Assistance Grant (JAG) in the amount of \$61,866 per Budget Change Request:

Account Description	Account Number	Amount
2018 JAG: Police	010-02-4310-4310-425042-19548	(\$9,041)
2018 JAG: Police	010-02-4310-4310-560000-19548	\$9,041
2018 JAG: Sheriff	010-02-4315-4315-425042-19550	(\$15,466)
2018 JAG: Sheriff	010-02-4315-4315-560000-19550	\$15,466
2018 JAG: City of Gastonia	010-02-4310-4310-425042-19549	(\$37,359)
2018 JAG: City of Gastonia	010-02-4310-4310-560000-19549	\$37,359

2018-245 Commissioner Chad Brown - County Manager - To Accept Departmental Budget Change Requests as Information as follows:

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
09/11/2018	Museum	010-04-6141-0000-520007-	C	\$500
09/11/2018		010-04-6141-0000-530020-	D	\$500
09/11/2018	Library	010-04-6110-6112-520007-	C	\$40,000
09/11/2018		010-04-6110-6112-520018-	D	\$40,000
09/11/2018		010-04-6110-6113-520007-	C	\$20,000
09/11/2018		010-04-6110-6113-520018-	D	\$20,000
09/11/2018		010-04-6110-6110-560000-18554	C	\$2,000
09/11/2018		010-04-6110-6112-560000-19060	D	\$2,000
09/12/2018	Elections	010-01-4170-0000-530041-	C	\$1,800
09/12/2018		010-01-4170-0000-520011-	D	\$1,800
09/13/2018	EDC	010-07-4920-4920-530015-	C	\$10,000
09/13/2018		010-07-4920-4920-560000-18128	D	\$10,000
09/13/2018	DSS	020-05-5585-0000-520010-	C	\$1,000
09/13/2018		020-05-5585-0000-520013-	C	\$2,000
09/13/2018		020-05-5585-0000-530010-18608	C	\$2,000
09/13/2018		020-05-5585-0000-520011-	D	\$5,000
09/20/2018		020-05-4827-0000-510001-	C	\$21
09/20/2018		020-05-4827-0000-510003-	D	\$21
09/20/2018		020-05-5522-0000-510001-	C	\$468
09/20/2018		020-05-5522-0000-510003-	D	\$468
09/20/2018		020-05-5622-0000-510001-	C	\$74

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09/20/2018		020-05-5622-0000-510003-	D	\$74
09/20/2018		020-05-5623-0000-510001-	C	\$51
09/20/2018		020-05-5623-0000-510003-	D	\$51
09/20/2018		020-05-5640-0000-510001-	C	\$64
09/20/2018		020-05-5640-0000-510003-	D	\$64
09/21/2018	Elections	010-01-4170-0000-530041-	C	\$1,200
09/21/2018		010-01-4170-0000-520011-	D	\$1,200
09/25/2018	GEMS	010-02-4370-0000-560000-PEduc	D	\$8,358
09/25/2018		010-02-4370-0000-530015-	C	\$8,358
09/26/2018	County PD	010-02-4310-4310-560000-18597	C	\$288,800
09/26/2018		010-02-4310-4310-560000-DDATT	D	\$288,800
09/28/2018	GEMS	010-02-4372-0000-520017-	D	\$500
09/28/2018		010-02-4372-0000-530023-	C	\$500

2018-246 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Funds from Frontier Nursing University for the Public Health Clinics (\$375) per Budget Change Request:

Account Description	Account Number	Amount
Preceptorship Fund	011-05-5115-0000-415024-	(\$375)
CHS Preceptor Program	011-05-5115-0000-415024-	\$375

2018-247 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Federal Grant Funds in the Amount of \$7,000 from the Office of Juvenile Justice and Delinquency Prevention and National Children's Alliance for the Lighthouse Child Advocacy Center per Budget Change Request:

Account Description	Account Number	Amount
NCA Training Grant	020-05-5585-0000-420000-19546	(7,000)
NCA Training Grant	020-05-5585-0000-560000-19546	7,000

2018-248 Commissioner Chad Brown - DHHS (Social Services Division) - To Request Permission to Increase the Rate per Hour for In-Home Aide Services to Serve the Senior Adults of Gaston County

2018-249 Commissioner Chad Brown - Fire Marshal - Proclamation - To Proclaim the Week of October 7-13, 2018 as Fire Prevention Week and Adopt the Theme: Look. Listen. Learn. Be aware. Fire can happen anywhere.

2018-250 Commissioner Keigher - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Police Officer Joe H. Pendergrass

2018-251 Commissioner Chad Brown - Public Works - To Accept and Appropriate Grant Funding through the 2017-2018 Clean Fuel Advanced Technology Project for the Purpose of Converting Ten (10) Additional County Vehicles to Burn LPG Utilizing a Bi-fuel System (\$50,400) per Budget Change Request:

Account Description	Account Number	Amount
2018 CFAT Grant - Revenue	010-01-4265-4265-420000-19551	(50,400)
Professional Services	010-01-4265-4265-530010	(19,600)
2018 CFAT Grant - Expense	010-01-4265-4265-560000-19551	70,000

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2018-252 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the September Listed Tax Refunds be Made. (Real Estate - \$22,937.71; Vehicles & ETC \$1,103.71; VTS Refunds - \$8,016.74; Grand Total \$32,058.16) as follows:

TAXPAYER NAME	OWNER NAME	AMOUNT
SEPTEMBER 2018 REAL ESTATE		
Taylor, George L		\$392.00
Andrew M Adams PA		\$587.92
Lindsey, Gayle B		\$252.14
Sloan, Kathleen		\$191.37
American Home Title		\$162.68
Dennis, Arthur		\$172.00
Hagans, Roy Scott		\$124.70
Smith, John H		\$100.00
Wruble, Bradley Alan		\$226.01
Sain, Andrew H		\$508.62
Sain, Andrew H		\$611.38
China King		\$154.00
Jeff Davies Services		\$196.69
Barbara M Dworzak Trust		\$3,997.63
Arro Chem Inc		\$272.19
Charlotte Paint Company		\$384.84
JEM DEV, INC		\$200.00
Starrett, W David		\$4,208.11
Young, Kathleen G		\$1,939.11
Phillip L Jamison DDS		\$201.56
Galloway, Maggie		\$115.96
Ezell, Ashley N		\$162.65
Sloan, Kathleen		\$129.60
Harris, Willie T		\$210.82
Hall, Leon Roosevelt		\$102.79
Faithwood Construction		\$291.20
Edy-Mac Home Service		\$352.56
Crockett Lawn Care		\$142.33
Cowand, Alethea		\$143.84
Sain, Andrew H		\$140.00
Vanderbilt Mortgage and Fin Inc		\$344.73
Biggerstaff, Eldridge R		\$291.99
Faggart, Stephen M		\$212.84
Pearson's Inc		\$200.00
Harry Marsh Law		\$100.00
Steele, Joshua		\$2,018.64
Springs, Everett Y		\$2,707.79
Carringer, Wanye		\$158.38
Sloan, William		\$228.64
TOTAL		\$22,937.71
SEPTEMBER 2018 VEHICLES & ETC		
MDH-Gastonia LLC		\$806.47
Huggins, Kathryn M		\$188.10
Myers, Stephanie Skidmore		\$109.14
TOTAL		\$1,103.71
SEPTEMBER VTS REFUNDS		
Alton, Carol Ellen		\$142.53
Anderson, Brandon Matthew		\$160.77
Baggett, William Christopher		\$431.06
Baliles, Dennis James		\$120.41
Berrier, Robert Miles		\$663.19
Brown, Benny Carrol		\$308.63

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Brown, Eric Dean	\$133.96
Bryne, Tracy Eileen	\$116.12
Cloninger, Monica Reagan	\$141.12
Davis, Reginald Evans	\$320.83
Echenique, Raquel	\$236.10
Falls, Robert Dylan	\$361.70
Freeman, Dominique Lillian	\$106.76
Frese, Daniel Joseph	\$133.12
Hall, Shetal Patel	\$177.88
Hauser, Michael Thomas	\$166.75
Henderson, Lanny Joel	\$139.71
Hermes, Ronald Eugene	\$247.94
Jones, Robert Gary	\$119.60
Lincoln County Tax Dept	\$279.85
Lincoln County Tax Dept	\$241.86
Lingerfelt, David Benjamin	\$138.85
Massey, Ronald Eugene	\$111.36
McCorkle, Larry Dean	\$184.26
McFee, Ronnie Eugene	\$127.85
Melesky, John Bronnie	\$227.89
Metcalf, Philip Byron	\$172.11
Mitchell, Albert Jason	\$242.56
Nelson, Harry Vernon IV	\$165.32
Pendleton, Danny Ray	\$194.93
Rodriguez, Mark Steven	\$107.68
Rodriguez, Mark Steven	\$106.37
Rodriguez, Mark Steven	\$214.76
Stewart, Phillip Lowery	\$262.45
Vongkhamchanh, Southara Ding	\$104.15
Wheeler, Stephen Craig	\$430.49
Wright, Jonathan David	\$475.82
TOTAL	\$8,016.74
GRAND TOTAL	\$32,058.16

2018-253 Commissioner Chad Brown - Tax - Pursuant to N.C.G.S. 105-286, Gaston County is required to complete and implement the Reappraisal for 2019, and the Gaston County Board of Commissioners are required to adopt the 2019 Schedule of Values to be used in appraising all property within Gaston County

2018-254 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate the 2017 Gaston County Sheriff's Office Enhanced Identification System Grant (\$23,155) per Budget Change Request:

Account Description	Account Number	Amount
GCC: Enhanced ID System	010-02-4315-4315-420000-19554	(\$23,155.00)
GCC: Enhanced ID System	010-02-4315-4315-560000-19554	\$23,155.00

Zoning Matters Non-Consent

2018-255 Commissioner Keigher - Planning/Development Services - Zoning Map Change: Z18-09, Taylor Davis (Applicant); Property Parcel: 139199, Located between E Hudson Blvd. and Neal Hawkins Rd., Rezone from the (CD/RMF) Conditional District / Residential Multi Family Zoning District to the (RMF) Residential Multi Family Zoning District

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The County Attorney advised the Planning Board recommended approval. The property in question is in a future Suburban Development Land Use Designation which represents residential and commercial development to support residential uses; this rezoning from CD/RMF to RMF means the property will be zoned residential multifamily; the general area contains mostly residential uses; additionally E. Hudson Blvd. dissects the property making the parcel conducive to more dense commercial development; the rezoning is consistent with the Comprehensive Plan; Mr. Vinson was excused from voting due to a potential conflict of interest and the Planning Board voted unanimously to approve the plan.

On motion introduced by Commissioner Keigher and seconded by Commissioner Worley, the BOC unanimously approved **2018-255**, after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Plan. The property in question is in a future land use designation of Suburban Development. Suburban Development represents residential development and commercial development to support the residential uses. The rezoning request is from CD/RMF to RMF, meaning if rezoned the property will still be zoned residential. The general area contains mostly residential uses. Additionally, E. Hudson Blvd. bisects the property, making the parcel conducive to more dense commercial development. For these reasons, a rezoning from CD/RMF to RMF is consistent with the comprehensive plan.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcel: 139199, be approved, effective with the passage of this Resolution.

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

FAILED Commissioner Philbeck - Planning/Development Services - Zoning Map Change: Z18-10, Shelia H. Ballard (Applicant): Property Parcels: 220416 and 165013, Located at 350 and 344 Ballard Rd., Rezone from the (R-1) Single Family Limited Zoning District to the (R-3) Single Family General Zoning District

The County Attorney advised the Planning Board did not recommend approval of the property (24 acres) which is in a future land use designation (rural designated properties) that generally support residential and some commercial activities; the proposed rezoning from R-1 to R-3; rezoning of the subject property in this way keeps the general area in a residential zone and a less restrictive residentially zoned parcel; however, the Planning Board found the request was inconsistent with the Comprehensive Plan because of size of acreage and the request FAILED by a 2-5 vote.

Commissioner Keigher introduced a motion to accept the Planning Board's recommendation to **DISAPPROVE** the rezoning request and Commissioner Philbeck provided the second.

Chairman Brown called for discussion.

Commissioner Worley asked if the Applicant could reapply for the smaller parcel for her relative.

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The County Attorney responded that if he understood the presentation correctly, there could be another subdivision of the site, then a rezoning request from R-1 to R-3; or an R-1 will support the placement of a doublewide.

Commissioner Keigher asked if Applicant would have to pay another application fee to reapply.

The County Attorney advised he will find out the answer and that the Planning Board may still be in session so the Applicant could return to that meeting.

Commissioner Keigher asked the County Manager to make sure that staff remains at meeting until these items are completed.

Chairman Brown called for the vote to **DISSAPPROVE** the rezoning request which carried unanimously.

2018-256 Commissioner Chad Brown - Planning/Development Services - Zoning Text Amendment: ZTA18-02 - Applicant: Gaston County Planning Board - To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO), Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B)2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A)

The County Attorney advised that the Planning Board recommended approval by a unanimous vote for these amendments related to minor modifications and changes to the UDO.

On motion introduced by Commissioner Worley and seconded by Commissioner Keigher, the BOC unanimously approved **2018-256** with amendments set forth in the above request to be in effect upon adoption and as filed with the Clerk to the Board to be set forth in the Gaston County Unified Development Ordinance.

Commissioner Keigher asked Mr. Williams if the Applicant had to pay another application fee to reapply.

Mr. Williams responded "yes, sir"; that would be a different application.

Non-Consent

2018-257 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate a Department of Justice Grant from the Office for Victims of Crime to Serve Children Who Have Been Impacted by the Opioid Crisis and to Approve Four

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(4) New Positions that will be Grant Funded for the Three-Year Duration of the Grant (\$708,279)

On motion introduced by Commissioner Worley and seconded by Commissioner Keigher, the BOC unanimously approved **2018-257**.

and per Budget Change Request:

Account Description	Account Number	Amount
CVA: Enhanced Response to Opioid Crisis	020-05-5491-0000-420000-19547	(\$239,609)
OJP Counseling Center-Salaries	020-05-5491-0000-510001	\$140,772
OJP Counseling Center-FICA	020-05-5491-0000-510100	\$10,770
OJP Counseling Center-Retirement	020-05-5491-0000-510101	\$11,365
OJP Counseling Center-Hospitalization	020-05-5491-0000-510103	\$36,750
OJP Counseling Center-Unemployment Ins	020-05-5491-0000-510104	\$800
OJP Counseling Center-Equip./Furniture	020-05-5491-0000-540001	\$32,410
OJP Counseling Center-Office Supplies	020-05-5491-0000-520001	\$500
OJP Counseling Center-Program Supplies	020-05-5491-0000-520002	\$5,252
OJP Counseling Center-Printing	020-05-5491-0000-520013	\$990

2018-258 Commissioner Worley - Sheriff's Office - Appropriation of Additional Funds to House Inmates Out of County for August and September 2018 (\$112,483)

Commissioner Philbeck introduced the motion to approve and Commissioner Keigher provided the second.

Chairman Brown called for discussion.

Commissioner Worley stated that the County is paying another \$112,483 bill due to its limited jail capacity; he would like to have a monthly update added to the Agenda for continuing projects (jail infill, animal shelter, other ongoing projects); BOC does not get sufficient information about the status of these projects; have heard that progress is being made on the jail infill and the plans are there, but how long will it be before construction gets underway; these payments could be used to service the debt of the infill project.

The County Manager advised that staff has a complete design for the infill project which has been approved by the City of Gastonia; currently the design is with the State and County anticipates its expedited approval; staff will then move forward with the bid process to get a contractor for the project; anticipate the construction process for the modular units will take nine to twelve months to complete; staff has seen some fluctuation in the number of inmates; had 605 on site this morning; hope to abate that as we move further into winter; realistically expects the County will have to make more payments for housing inmates out-of-county.

Commissioner Jack Brown recalled when the Marshal Plan was initiated to incarcerate federal prisoners that the County hired 14 deputies to house inmates under that plan; the County had to have 30 inmates/day to cover the cost of those 14 deputies; the County is not covering its cost for the current 20 inmates; could best use those beds for the prisoners being transported to other counties; suggested ending the Marshal Plan if the County is losing money.

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The County Manager advised the County is currently housing 33 federal inmates (21 Marshals; 12 Bureau of Prisons inmates); have run these numbers before and always came out ahead by continuing to take federal inmates - assuming it does not have to transport the inmates too far which would involve variable cost factors; still believe it's a good idea to have the federal inmate program; once the County gains additional beds via the infill project and additional jail wing, the relationship with the federal agencies will continue to be a valuable revenue stream; don't want to jeopardize that relationship by curtailing it at this time.

Commissioner Jack Brown questioned where the number 33 came from.

The County Manager responded according to the information he received this morning it was 21 Marshals and 12 Bureau of Prisons.

Commissioner Jack Brown advised that the original plan only involved the Marshal's plan and nothing else.

The County Manager responded he did not have all of the history of the original plan.

Commissioner Jack Brown asked the County Manager to check into that.

The County Manager advised he was certain the County has a formal agreement with the Bureau of Prisons.

Commissioner Philbeck stated it would be helpful if staff provided the actual cost of the program, instead of just the inmate population and transport numbers; currently the BOC is being told the program pays for itself; think Commissioner Jack Brown wants to see the numbers.

The County Manager advised that staff would run the numbers.

Chairman Brown advised that Chief Deputy Griffin has been sending him the numbers and he may be at fault by not sharing those with BOC.

Commissioner Hovis advised the County needs to start looking into preliminary plans and begin working with the City of Gastonia to put the property to the rear of the jail in a buildable situation for future construction; would like for County Manager to report these monthly cost projections at the November meeting and to amend the current budget to encumber \$120k/month for inmate transport for the remainder of budget year.

Chairman Brown called for the vote, and the BOC unanimously approved **2018-258**. and per Budget Change Request:

Account Description	Account Number	Amount
FUND BALANCE APPROPRIATED	010-99-9900-0000-490000	{112,483}
INMATES HOUSED OUT OF COUNTY	010-02-4315-4323-530015-18126	112,483

Commissioner Keigher departed the meeting at 7:52 pm.

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Appointments

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Juvenile Crime Prevention Council (JCPC)**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Jack Brown	Commissioner Chad Brown	Ms. Roxanne Murray	June 30, 2020
Commissioner Philbeck	Commissioner Hovis	Mr. Matthew Rhoten	June 30, 2019

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

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Worley	Commissioner Hovis	Mr. Jason Christopher	October 31, 2021
Commissioner Jack Brown	Commissioner Chad Brown	Ms. Kimberly Maguire	October 31, 2021
Commissioner Worley	Commissioner Hovis	Mr. Leon McClain	October 31, 2021
Commissioner Worley	Commissioner Hovis	Ms. Ruth Murphy	October 31, 2021
Commissioner Worley	Commissioner Hovis	Mr. Paul Williams	October 31, 2021

On motions introduced and seconded, the following individuals were unanimously reappointed to the **Gaston Community Action Board of Trustees**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Hovis	Commissioner Worley	Mr. Rashuan Newton	October 31, 2021
Commissioner Hovis	Commissioner Worley	Mr. Robert Pope	October 31, 2021

On a motion introduced by Commissioner Hovis and Seconded by Commissioner Worley, the BOC unanimously appointed Mr. Phillip Hathcock to the **Workforce Development Board** to a term ending May 31, 2021.

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Chad Brown, the BOC unanimously appointed Ms. Mable Manning to the **Nursing Home Community Advisory Committee** to a term ending October 31, 2019.

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Jonathan Fletcher to the **Animal Care and Enforcement Advisory Board** to a term ending August 31, 2022.

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Wavey Williams to the **Family Advisory Board** to a term ending April 30, 2021.

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Hovis, the BOC unanimously appointed Ms. Amy Pearson to the **Gaston County Board of Adjustments** to a term ending December 31, 2020.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Timothy Payne to the **Parks and Recreation Advisory Board** to a term ending May 31, 2019.

On a motion introduced by Commissioner Worley and Seconded by Commissioner Chad Brown, the BOC unanimously appointed Commissioner Ronnie Worley to the **Gaston Family Health Services Inc. Board of Directors (GFHS)** to a term ending September 30, 2021.

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On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Worley, the BOC unanimously appointed Mr. Paul Hartley to the **Lake Wylie Marine Commission** to a term ending September 30, 2021.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Hovis, the BOC unanimously appointed Mr. Charles Heafner to the **Quality of Natural Resources Committee (QNRC)** to a term ending October 31, 2021.

Commissioners Committee Reports

Commissioner Hovis reported that site work and construction at the **Dhollandia Manufacturing, LLC** expanded site in South Ridge Parkway is moving rapidly; Bessemer City's Manager advised that the documents for lighting the Parkway have been presented to Duke Energy; hopefully the Parkway will be fully lighted from Edgewood Rd. to Bessemer City-Gastonia Hwy. by end of January; the County and Bessemer City are also participants in lighting this thoroughfare.

Commissioner Worley reported attendance to the **Celebration of Cathy Cloninger Receiving The Order of the Long Leaf Pine** presented by Senator Kathy Harrington; **Dedication Ceremony of Cramerton Veterans Memorial on November:** Town of Cramerton has invited BOC to attend the dedication and unveiling of the Cramerton Veterans Memorial, November 10, 10:00 am; he invited all citizens to attend.

Commissioner Jack Brown reported on **Cramerton's 5k Run** to honor veterans and **Pinning Ceremony for Vietnam Veterans** on October 27 at 8 am; he invited all Vietnam Vets to attend the 50th Anniversary of the Vietnam War to get pinned.

Commissioner Hovis reported the **Bessemer City Chamber of Commerce Annual Meeting** will be held on November 13th at the Loray Mills Lofts; the County is participating with Bessemer City and a developer to redevelop the Osage Mill site similar to Loray; the meeting is open to the public; construction is scheduled to start first of November; it is a \$35M project.

Chairman Brown reported on **November Election Voter Turnout:** Spoke with Board of Elections Director and was advised the 2018 voter turnout was outstanding; **Economic Development:** The County Manager and I have been busy in the economic development world and are proud of the work EDC is doing; **ANTIFA on social media** – Staff has spoken with Police Chief about this and he has spoken with the FBI who is aware of the situation; thanked the Police Chief and staff for what they do for the County.

County Manager's Report

- **Re: Death of Former Social Services Director** – Cited the tragic loss of Mr. Keith Moon, former Social Services Director; prayers for his family during this time of bereavement. He was a friend to many.
- **Re: Moody's and Standard & Poors' Rating Affirmations:** Through major efforts of staff and consultants, Davenport and Company, the County has successful rating

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affirmations from Moody's and Standard & Poors; staff is pleased about that and is moving forward with the bond sale in the near future.

- **Re: *Pumptrack Grand Opening, George Poston Park***: The grand opening for the pumptrack was an exciting event that exceeded all expectations.

Chairman Brown advised that the BOC has been challenged to see who can perform the best at the Pumptrack.

County Attorney's Report

Closed Session Pursuant to NCGS 143-318.11(a)(5) - Re: Property Acquisition

The County Attorney requested that the Closed Session be carried forward to the November meeting.

On motion introduced by Chairman Brown and seconded by Commissioner Philbeck, the BOC unanimously approved carrying the Closed Session forward to the November 13th meeting.

Other Matters

None.

Adjournment

Chairman Brown called for a motion to adjourn the meeting.

On motion introduced by Commissioner Hovis and seconded by Commissioner Philbeck, the BOC unanimously adjourned the Regular Meeting of October 23, 2018 at 8:07 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