

# ADOPTED

FEB 26 2019

Gaston County Board  
of Commissioners

166

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

JANUARY 22, 2019

The Gaston County Board of Commissioners (BOC) met in Regular Session on January 22, 2019 in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

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

Commissioner Bob Hovis 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 Philbeck, Commissioner Jack Brown led those assembled in the Invocation and Commissioner Chad Brown led in the Pledge of Allegiance.

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

Chairman Philbeck 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 Chad Brown and seconded by Commissioner Worley, the BOC unanimously entered into Public Hearings.

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

Mrs. Penley noted the Applicant, MT Land, and property owner, Carolina Centers, LLC both had representatives in attendance; she outlined the zoning request and advised as follows: total acreage requested for rezoning is 288.5 acres; the property is vacant and undeveloped; purpose of the CD/C-2 (Conditional District/Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards and (SV) Scenic View Overlays) for a Planned Unit Development (PUD) request is to allow the establishment of certain uses that, because of their nature or scale, impact the immediate area and the community as a whole and cannot be predetermined or controlled by general district standards; the Conditional District (CD) process allows the BOC to create a zoning district that is unique and site specific for developments of this size; conditions outside of standard UDO regulations are allowable at the BOC's discretion; the Applicant is proposing a PUD with 593 single family homes and 585 townhomes totaling 1,178 residential lots of various sizes; the remaining 32.7 acres will be reserved for future commercial development determined at a later date; the property is located in the Town of Cramerton's ETJ; the developer also proposes to develop approximately 339 single family 12,000SF lots by right in Cramerton's ETJ; at build out, the entire project will be approximately 15-17 residential lots; if approved, the project will be served by Two Rivers utilities without annexation (representative

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

present for questions); the Applicant provided a Traffic Impact Analysis (TIA) conducted by Kimberley Horn and a Phase One Environmental Site Assessment performed by Summit Engineering; staff had outside firms review the TIA and the Phase One (representatives present for questions). Mrs. Penley reviewed vicinity, aerial, zoning and adjacent property owners maps depicting the following: site location (southeast location of County, south of the Town of Cramerton's city limits and north of Belmont's city limits); surrounding single-family residential homes, vacant and undeveloped property; R-1 and R-2 zoning to the north, commercial C-2 zoning to the south and west; and a list of property owners notified of the public hearing.

Regarding the Comprehensive Land Use Plan, Mrs. Penley advised the property is located within the suburban development small area of area 4, the Garden Gaston - southeast Gaston; key issues for citizens in area include road improvements and better connectivity to other areas of County and throughout region. She noted it is staff's opinion the request as presented is not consistent with the current Comprehensive Land Use Plan due to the high density of proposed housing, specifically the townhomes are not in harmony with the immediate surrounding area consisting of rural single family homes; additionally the lack of road and other infrastructure improvements will not make the general area suitable for a development of this magnitude. If the BOC approves the request, staff recommends that the list of recommended conditions, which were provided, are adopted to mitigate some of the effects of the development.

In conclusion, Mrs. Penley stated the request was advertised and notices were mailed out per County policy; staff identified 91 adjacent properties, however, the buffer was extended to 1,000' and staff actually mailed out 226 notices. She offered to go over the listing of staff-recommended conditions if necessary and noted the Fire Marshal added one before the hearing.

Chairman Philbeck asked the Applicant to present the request.

Mr. Paul Shriver, 1157 Madison Green Dr., Fort Mill, SC advised MT Land (MTL), the developer of the property, provided PowerPoint slides and presented as follows: has been in business over 30 years and is locally owned and operated; last major County project was the Loray Mills Subdivision; MTL is working on over 9,000 new home sites in Charlotte and Charleston, has built over 10,000 home sites and has projects in Monroe, Indian Trail and Mooresville similar to Overlook at Riverside (higher end mixed use communities with commercial components); R. Joe Harris, civil engineer, has over 20 years of experience in site design and civil engineering services; Kimberly Horn, traffic engineer, has over 50 years of experience in the industry with clients across the country and they completed the approved traffic study.

Mr. Shriver detailed the work that has gone into the project to this point as follows: worked with the DOT (Department of Transportation) for over 9 months on the traffic study; worked with Two Rivers utilities for two years on a development agreement to provide water and sewer. He noted that MTL will build, at its own expense, the regional pump station (\$10M+), extend a 16" water line (about 1.5 miles down S. New Hope Rd.) and a 12' water line ( $\frac{3}{4}$  of a mile up Armstrong Ford Rd.) at a cost of over \$1.5M – noted this would also help future growth along this corridor; worked with Town of Cramerton's staff, Manager and Mayor for over two years on multiple site plans; Town Council preferred the area remain R-1; site was redesigned to match Cramerton's ETJ and the 2035 Comprehensive Land Use Plan for Gaston County; worked with County staff for over seven months on current plan; held two voluntary and two required public information meetings for neighbor input; accommodated reasonable requests by neighbors and Planning staff by

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

adding commercial components, eliminating over 400 apartment units, increasing buffers along property boundary, eliminating driveways and road connections to Lake Wylie Road and relocating the proposed pump stations; currently working with County's Public Works Department on improving its Lake Wylie Road Recycling Center by providing additional land for expansion of the current facility and a monetary donation to help cover redesign cost; working with staff to determine if money can be donated for future school expansion or other County needs; completed the wetlands study, phase one environmental assessment, soil studies, boundary and aerial surveys, title search, water and sewer availability and traffic study; as part of the road improvements, will make over \$5M in off-site road improvements to the existing roadway system to help alleviate impact of a new subdivision. He reiterated that they have accommodated every reasonable request by the Planning Board and neighbors.

Mr. Shriver stated that *Overlook at Riverside* is in the Suburban Development Area which is typically for subdivisions with single family housing but can also include multifamily housing; MTL proposed townhomes versus apartments for this reason; also proposing commercial centers to support services for that type of subdivision; the total project involves 477 acres and the site plan presented for consideration depicts the County and Cramerton ETJ portions of the project; the County's portion would be a mix of single family detached housing, active adult housing and townhomes totaling 1,178 units; with 288.5 acres, the density on County's side is 4.13 units/acre and the overall density is 3.25 units/acre which puts MTL at the low end of a medium density community; per request, added a commercial center consisting of 25 acres on S. New Hope Rd. and 3 acres along the future river crossing portion of the property.

Regarding feedback on the small size of the active adult homes, Mr. Shriver noted McLean Subdivision is doing an active adult section with homes ranging from \$300k-400k; they are able to justify these prices by offering high-end finishes; MTL also expects to sell homes at that price point. He displayed an example of some of the single family housing features, two product types and a mix of features; townhomes with front-load garages with prices ranging from high \$100k to mid \$200k; noted active adult homes and single family detached homes will have centrally located amenity centers for each commodity type and walking trails if topography allows; has a lot of open space in addition to what is required; working with Carolina Thread Trail (CTT) on blanket easements across the open space for its future trail; amenities for single family and townhomes include pools with children areas, club house with meeting rooms and playgrounds; amenities for active adults include clubhouse, meeting/card/game rooms, tennis and pickle-ball courts, shuffleboard, croquet and putting greens; amenities built in other communities include a 4,500SF pool with kids area and waterslide, meeting room, tennis/volleyball/basketball courts combination, gazebos, covered picnic areas and playgrounds; considered putting single family detached housing along perimeter and townhomes in middle of community which reduces the lot count (to 276 single family detached, 546 active adults; townhomes go from 587 to 164 – brings total units to 986 units or a reduction of 207 home sites); project's density drops to 3.41 on the County side and the total project to 2.81 units/acre for a low density classification; MTL would have to revise the plan's TIA improvements and buffers if units are reduced from 1,900 to 1,300 total homes with the County and Cramerton's ETJ. He reviewed the design of entry ways from Armstrong Ford Rd. and S. New Hope Rd. The buffer was increased from the PUD required 35' buffer to 50'. During the last community meeting, was asked to increase the buffer to a 500' buffer; he explained the reasons why that would not be feasible or reasonable.

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Mr. Shriver described the alternatives to this project: main alternative would be to develop the property by right under the current R-1 zoning classification; zoning only allows 249 lots/parcel; allows minor subdivision of up to five parcels on a parcel of this size prior to the major subdivisions; currently one parcel is completely located in Gaston County and one is partially in Gaston and Cramerton's ETJ; each of the parcels could be subdivided under their respective zoning ordinances; displayed an example of what the subdivision could look like if developed by right. He explained each of the parcels would be required to be sold to different developers/builders; with 825 acres, MTL could not develop over 1,000 lots in the County per the Ordinance minimum lot size requirement; however, the R-1 zoning would allow for 825 lots and displayed an example of what a site plan could look like (477 acres with 2.86 units per acre – yielding 1,364 lots on the total project). He outlined some of the key differences in rezoning and developing by right in the R-1 zoning as follows: not much difference in total units allowed versus proposed (825 compared to 986 respectively); end up with multiple builders and developers; lack of continuity; piece-mill subdivisions; no major entryway or landscaping because each parcel is its own neighborhood; no commercial components allowed under R-1; no improvements to the recycling center; allows driveways and road connections along Lake Wylie Road; the buffers, donations for future growth for schools or other County needs and off-site road improvements would go away. Mr. Shriver stated that MTL wants to build a top notch community, create continuity with a pedestrian friendly community which would include dual sidewalks, trails, amenities, extra open space.

In conclusion, Mr. Shriver stated the project does meet the goals of the 2035 Comprehensive Land Use Plan by incorporating single family, commercial, and small multifamily components. He also estimated the tax revenues that would be generated by this type of community rezoned as submitted at roughly \$3.2M/year once it's built out and at the reduced number of townhomes it will generate \$2.9M-\$3M in tax revenues; if developed under the current zoning revenues would decrease \$2M/year; with the reduced number of townhomes, would generate nearly \$90M in tax revenues; MTL will put in the water/sewer, some high end retail opportunities and off-site road improvements; also reserving right-of-way for two future road improvements (Armstrong Rd. and future river crossing); expect construction to start in early 2020 and completion of final homes in 2027 or 2028. Overall, MTL will make over \$17M of off-site improvements; urged Boards to consider the 825 units allowed under current zoning versus 986 (reduced townhomes) or 1,193 (full townhomes) and the additional 160-260 units requested with the road improvements, architectural guidelines, entry ways, etc.; all information is available on website as well as follow-ups from community meetings ([www.mtland.us/riverside](http://www.mtland.us/riverside)) and MTL is available via email ([info@mtland.us](mailto:info@mtland.us)).

Chairman Philbeck called for questions from the Planning Board.

Mr. Scott Attaway, Planning Board Chairman, 1380 Carmen Ln, Gastonia, asked if Applicant's proposed plan, as presented, will meet all of staff's recommended conditions.

Mrs. Penley advised the site plan presented tonight and responses to staff's recommended conditions were included in BOC's packets; developer did not agree to all the recommended conditions.

Mr. Shriver responded MTL agreed to at least half of the conditions.

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Chairman Philbeck advised currently there are 58 conditions.

Mrs. Penley advised the Fire Marshal added a 59<sup>th</sup> condition as the Boards entered Public Hearing after observing there needed to be an additional remote access to the property, specifically for the townhomes; Lake Wylie Rd. is not sufficient for emergency vehicles; staff spoke with developer prior to meeting and believe he conceded that Teakwood Lane could be a source for that other option.

Chairman Philbeck clarified the 59<sup>th</sup> condition is an additional remote access for emergency vehicles.

Mr. Shriver advised MTL did not agree to all conditions citing the minimum of 10,000SF lots as an example – noted that active adult buyers want smaller lot sizes; developer and staff are going back and forth on those types of things; developer needs clarification since the conditions do not match the site plan as presented.

For the record, Mrs. Penley advised that both Boards were provided a copy of the updated conditions; #35 was inserted to include the Recycling Center.

Chairman Philbeck asked if the 59 conditions were already part of the record.

The County Attorney responded they are part of the record as presented.

Mr. Carl Harris, Planning Board Member, 319 N. Highland St., Gastonia, asked if developer could carve out 35 acres for an educational piece since a lot of kids will live in the area; asked if developer had considered the capacity of an elementary, middle, or high school district for a development of this size.

Mr. Shriver advised it was not feasible for the developer to carve out 35 acres to accommodate a new school and still do the required off-site improvements; the developer is willing to make financial donations to the School Board or County for general purposes; aware that schools are overcrowded; every school system in the greater Charlotte area is facing this problem due to growth; the project proposes a large component of active adult because it would have a lower impact on the school system versus single family market rate housing; MTL is trying to be good neighbor and want to see the County's school needs met and has proposed a way for that to happen.

Chairman Philbeck called for questions from the BOC.

Commissioner Keigher advised that 35 of the 58 conditions were agreed upon, but cited some examples of ambiguities in some of the responses.

Commissioner Jack Brown stated there would be a significant impact on schools regardless if it is rezoned or if it stayed R-1; two schools may actually be required for the existing and number of proposed homes in that area; asked if the \$10M earmarked for road improvements are within the property or on S. New Hope Rd.

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Mr. Shriver clarified that \$5M is for off-site road improvements (traffic lights, road widenings, turn lanes) on S. New Hope and Armstrong Ford to various intersections; \$10M is for the regional pump station.

Commissioner Jack Brown inquired about the section from Twin Tops Fish Camp to Seven Oaks Bridge.

Mr. Shriver advised the developer's improvements will be contained within subject area; developer will not be widening S. New Hope Rd.; understand that NCDOT has plans to improve portions of S. New Hope Rd. but they have not been finalized.

Commissioner Jack Brown advised that the NCDOT improvements will end at the traffic light or fire station by Union-New Hope. Regarding the agreement with Two Rivers, he asked if Cramerton, Gastonia and Belmont were included in discussions?

Mr. Shriver responded that Mr. Bynum with Two Rivers can address that; the developer's agreement with Two Rivers involves installing the regional pump station and bringing waterlines along S. New Hope and Armstrong Ford.

Commissioner Worley asked if vinyl building material is part of the project.

Mr. Shriver responded there will be vinyl accents (trims, doors, etc); one of the conditions is hardie would be a minimum; open to hardie but wants to have further discussion about hardie versus vinyl siding; some grades of vinyl siding look better than hardie, which is not a maintenance-free product; will also have brick, stone and many other nice architectural features.

Commissioner Worley asked developer to explain how they would recoup the \$10M water/sewer investment with the agreement with Two Rivers.

Mr. Shriver explained the developer will install the regional pump station and get reimbursed for the cost when the new homes and commercial ventures pay tap fees to tie into sewer line; it won't cost taxpayers anything and helps promote growth in this area.

Commissioner Worley cited condition #42 *"Development should be phased in over a ten year period, not to exceed 150 constructed homes per year. If additional homes built per year are needed, an increase of no more than 5% may be requested to the Zoning Administrator. Any request that exceeds the increase by 5% must be approved by the Board of County Commissioners."* MTLs response was that it wasn't possible to accommodate this condition. He added that depending on the economy and other factors, it appears that building 150 homes a year is a reasonable number to allow infrastructure upgrades (roads and schools); asked if the developer would reconsider accommodating that condition.

Mr. Shriver responded it is a possibility and warrants further discussion; pointed out that some larger active adult communities sell more than 100 units/year and that begins to put a strain on it; a lot of the conditions need to be discussed further in more detail to determine the real driving factor behind each condition and what is the ultimate goal with creating a first rate quality community.



COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Commissioner Chad Brown confirmed with the Manager that breakpoint is roughly 280k – already well below that; cited condition #24 and developer's response; advised that the New Hope Road Fire Department would require a different apparatus to reach a 35' structural fire; asked how project would impact that department. He also commented that 1,100 homes x 2.3 equals roughly 2,400 children, which could result in the need for 3-4 schools.

The Fire Marshal advised that per hydrant plans and access to lower portion of property, the fire department may be able to accommodate; some of the things to consider when looking at a subdivision are road widths (to determine if an apparatus can get in/out), set up, access to a local water supply and the height issue; other fire departments that have that apparatus may be able to shift employees onto a call card; the proposed subdivision is within five miles of the fire station and would obtain the best rating; think we can work within what was presented; there is always the option to extend, modify or consider residential fire sprinklers used for multifamily housing.

Mr. Shriver advised that in light of school impacts, 546 of the proposed units are for buyers in the 55-year and over buyer profile; it is more of a retirement community versus the typical single family market rate buyer; covenants can restrict children.

Commissioner Fraley asked if there was a specific number for the schools monetary donation.

Mr. Shriver responded they are working with the Planning staff on the number; technically not allowed to have a school impact fee; still trying to figure out the number; having the additional units on the property will increase the ability to make more of a donation.

Commissioner Keigher asked if Mr. Shriver was employed by MT Land and where it is located.

Mr. Shriver responded yes; MTL is located on Providence Road (Charlotte); is locally owned and operated; Mr. Charles Myers owns the company and is present tonight.

Commissioner Keigher asked for the company's financial background.

Mr. Shriver advised Mr. Myers owned Myers Park Properties and Myers Park Mortgage; MTL is a financially solid, steady company that is currently working on nine projects in and around Charlotte; have several financial backers for larger projects of this nature; part of the requirements is to bond out all the improvements required prior to finishing the project; if something happened there are bonds in place that allows the County to finish work that was never started; these are assurances that commitments will be completed.

Mr. David Williams, Planning and Development Services Director, clarified that staff has completed its discussions with the developer; conditions presented reflect staff recommendations.

Chairman Philbeck advised his main issue with the development is traffic; the traffic in Belmont and Cramerton is horrendous; the County is working with the State on a bridge to have another outlet; a school will be built on South Point Road and whether this development occurs or not there is going to be a need for another school; asked what MTL could do (if anything) to help alleviate the traffic.

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Mr. Shriver responded he works in and around Charlotte on multiple projects; traffic everywhere is an issue; the UNC Charlotte Study expects that 500k people will move here in the next 10 years; MTL did a traffic study and will mitigate the impacts of its subdivision with the rezoning plan; MTL spent 9 months working with NCDOT and staff to determine what intersections would be impacted by this new community and what could be done; MTL will make over \$5M worth of off-site road improvement to mitigate that impact via turn lanes on S. New Hope, reserving right-of-way for a future river crossing, realigning and widening Armstrong Ford, traffic signals and turn lanes at multiple intersections; MTL's Traffic Engineer, Ms. Amy Massey can provide a more in depth response.

Ms. Amy Massey, Kimley Horn, 200 S. Tryon St., Charlotte, NC and a Licensed Professional Engineer, advised the addition of a northbound left turn lane, a southbound right turn lane and a traffic signal will improve the Union-New Hope Rd. and NC-279 intersection.

Chairman Philbeck advised it is incumbent that the BOC look at smart growth; looking at the totality of projects occurring in this corridor, you can expect to see more development and with no traffic issues being addressed. Addressing Mrs. Penley, he asked if the R-1 zoning district allowed townhouse/townhome development by right, or commercial development or commercial uses; asked for clarification on the difference between lot sizes and the proposed development versus the current R-1 district.

Mrs. Penley responded "no" nor is multifamily housing, commercial development or commercial uses - which would require a rezoning. Regarding lot sizes, she noted the proposed lot sizes are 5,000-6,000SF; if developed by right in the R-1 district, the lots would be 12,000SF with two utilities.

Chairman Philbeck advised the plan depicts lot sizes of 40' to 60' for single family homes; what is the lot standard for the R-1 district; and how many lots are allowed by right in the R-1 district without a public hearing?

Mrs. Penley responded the standard lot size for the R-1 district is 80'; 250 lots are allowed by right without a public hearing; anything over that must come before BOC.

Chairman Philbeck asked if sidewalks, street lighting, landscaping and open space are required for a subdivision of 250 houses or less; asked if the R-1 district allowed manufactured housing.

Mrs. Penley responded yes, sir"; those requirements are addressed in Chapter 13 of County's subdivision regulations; R-1 does not allow manufactured housing; it is the most restrictive residential zoning the County has that allows for modular or site built homes.

Chairman Philbeck asked if Applicant would have to come before BOC to do an R-1 development of over 250 homes.

Mrs. Penley responded that is correct.

Chairman Philbeck called for citizen comment. He offered the audience an opportunity to stand in support at the conclusion of each speaker's comments.



## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Mr. Dale Hester, 100 Moonlight Way, Belmont, NC and a founding member of the Protecting S. New Hope Community Organization, distributed three petitions totaling 549 signatures to BOC; spoke in opposition of MTL's proposed development and urged BOC to deny their rezoning request.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Keigher, the BOC unanimously accepted the petitions as information.

Ms. Heather LaVine, 529 Lake Wylie Rd., Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Mrs. Lynette Demperio, 549 Lake Wylie Rd., Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Mr. Dick Houck, 613 Edgewater Dr., Belmont, NC, distributed an area map depicting developments planned or currently being built; spoke in opposition of the proposed development and rezoning request.

On motion introduced by Commissioner Worley and seconded by Commissioner Keigher, the BOC unanimously accepted the map as information.

Mr. Jeff Sanders, 115 Sleepy Hollow Ln, Belmont, NC and member of New Hope Fire Department, spoke in opposition of the proposed development and rezoning request.

Ms. Kelly Sprinkles, 240 Walnut St., Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Mr. Mike Whiteman, 2724 Lakefront Dr., Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Mr. Wil Neumann, 3215 Grange Court, Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Chairman Philbeck called for a point of personal privilege to ask Cramerton City Councilmembers to stand and be recognized.

Mayor Will Cauthen, 610 Ellis Ct., Cramerton, NC and accompanied by Councilmembers (Don) Rice, (Houston) Helms and (Susan) Neeley, spoke in opposition of the proposed development and rezoning request.

Mr. Peter Shuler, 537 Lake Wylie Rd., Belmont, NC and Environmental Engineer with 30 years of experience designing Waste Water Treatment Plants and licensed in 7 states, spoke in opposition of the proposed development and rezoning request.

Ms. Suzanne Albertson, 181 Paradise Dr., Belmont, NC and High School Environmental Science Teacher, spoke in opposition of the proposed development and rezoning request.

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Mr. Bill Ward, 101 Country Lane, Belmont, NC, spoke in opposition of the proposed development and rezoning request.

Mr. Malachi Brewer, 180 Duck Cove Rd, Belmont, NC, read a letter on behalf of his sister in opposition of the proposed development and rezoning request.

On motion introduced by Commissioner Jack Brown and seconded by Commissioner Chad Brown, the BOC unanimously accepted the letter as information.

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

Commissioner Chad Brown cited pictures of the McLean and other properties during the presentation; asked if Mr. Shriver had pictures of their other properties in Charlotte.

Mr. Shriver responded those are examples of houses built in other neighborhoods; MTL built the Pecan Hills single family detached houses in Mooresville; clarified MTL had no part of any negotiations with landowners referenced in Mr. Brewer sister's letter; anything that was done there was through Two Rivers.

Chairman Philbeck requested Mr. Houck and Mayor Cauthen to return to the podium; asked Mr. Houck to repeat his statement.

Mr. Houck responded since 2016 that 1,941 houses have been built in the area that normally would service the schools.

Chairman Philbeck asked how many permits are in place or how many requests are working through Planning on proposed houses and apartments, excluding MTL.

Mayor Cauthen responded the True Homes project involves 178 single family homes; currently Southwood Realty is constructing 400 apartment homes on the boulevard; Courtyards at Cramerton project has about 70 active adult single family homes off Armstrong-Ford Rd.; the Village at Cramerton Mills could build out more but is limited to about 65 single family homes; once additional waste water treatment capacity is available it could be 400-800 units depending on how the remainder is zoned.

Chairman Philbeck advised if you remove 400 homes you would be looking at 700 to 800 homes or apartments that are currently on the books.

Mayor Cauthen responded that this represents about 50% growth for Cramerton.

Chairman Philbeck advised the BOC must not only look at the 1,500 homes but the totality of the impact of 2,500 to 2,800 homes to the area including traffic issues; asked if most of the project was in Cramerton's ETJ.

Mr. Houck responded about 1/3 of the project is in its ETJ.

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Chairman Philbeck explained an ETJ is an Extraterritorial Jurisdiction where a city can tell you what to do on your property one mile out from that city; those residents do not have a vote on the board or council; encouraged them to approach the city and ask them to relinquish the jurisdiction; other cities have done that already throughout the County.

Mr. Houck clarified he was not talking about the ETJ but about the sphere of influence of MTL's published documents stating they want to have the impact of their land use plan and they don't have representation in the area.

Hearing no further questions, Chairman Philbeck excused the Planning Board to Room 2029 for deliberation and called for a five minute recess at 7:58 pm.

Chairman Philbeck reconvened the meeting at 8:14 pm.

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

Chairman Philbeck introduced the County Attorney for comments.

The County Attorney advised the purpose of the Public Hearing is to consider financing for Apple Creek Business Park, Public Safety Radio System and the Infield Project for the jail; staff received an acceptable bid for the jail infield project; staff is still waiting for the audit to be completed and is asking BOC to conduct the hearing, receive citizen comment and recess tonight's meeting to February 12 to finalize the Resolution; staff is not sure which type of financing the County will do, but it will have to get approval from the Local Government Commission (LGC) whether it is done with a private bank or public financing; the hearing was advertised per statute and staff will try to answer any questions the BOC might have about the projects.

Chairman Philbeck called for citizen comment and for questions from the BOC; none were heard.

Chairman Philbeck announced that no action would be taken tonight, and that the BOC will recess the meeting to precede the February 12 Work Session.

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

Chairman Philbeck introduced the County Attorney for comments.

The County Attorney advised the hearing was advertised per statute; typically unimproved right-of-ways are requested to be closed and the petitioner owns the property impacted by the closure;

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

if the closure is approved and the right-of-way is eliminated, it will revert back to the owner of the adjoining property.

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

Commissioner Worley advised this unimproved road has become a place for dumping and illegal activities; hope BOC supports the request.

Chairman Philbeck called for a motion to approve.

On motion introduced by Commissioner Jack Brown and seconded by Commissioner Worley, the BOC unanimously approved **2019-001**.

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

Chairman Philbeck reported that one position was available on subject board; an application was received from Ms. Charlene Hill as recommended by the Bessemer City Council to serve as its extraterritorial jurisdiction representative. The Chairman called for any additional applications or comments.

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

On motion introduced by Commissioner Fraley and seconded by Commissioner Jack Brown, the BOC reappointed Ms. Charlene Hill to the **Bessemer City Planning Board** to a term ending May 31, 2019. The motion carried as follows:

Ayes: Commissioners Chad Brown, Jack Brown, Fraley, Keigher, Worley  
 Nay: Commissioner Philbeck  
 Absent: Commissioner Hovis

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

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

**Agenda Revision/Approval**

- Added/ *Minutes of the Regular Meeting of October 23, 2018 – B., 1.*
- Revised/ Commissioner Philbeck – *Public Works – To Award a Construction Contract for the Jail Infill Project to Pinnix, Inc. of Gastonia at a Cost not to Exceed \$10,770,000 and Authorize the County Manager to Execute Any Necessary Contract Documents - V., U.*

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Fraley, the BOC unanimously approved the Agenda of January 22, 2019 with changes as noted above.

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Approval of Minutes

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously approved the Minutes of the Regular Meeting of October 23, 2018.

Citizen Recognition

No requests.

Consent Agenda

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

**2019-002 Commissioner Keigher - BOC - Proclamation - To Proclaim the Week of January 27, 2019 - February 2, 2019 as Catholic School Week in Gaston County**

**2019-003 Commissioner Keigher - BOC - Proclamation - To Proclaim the Month of February 2019 as Black History Month in Gaston County**

**2019-004 Commissioner Fraley - BOC - To Approve the Removal of the Garden Parkway Delineation from the Gaston County GIS Website and Rescind Resolution 2016-245**

**2019-005 Commissioner Worley - Budget/Purchasing - To Accept and Appropriate Additional Federal Grant Funds from the Governor's Crime Commission for the Therapeutic Services for Children Who Have Witnessed Domestic and/or Family Violence in the Amount of \$25,143 per Budget Change Request:**

Account Description	Account Number	Amount
GCC Therapeutic Svcs for Children	010-01-4131-0000-420000-19564	(\$25,143)
GCC Therapeutic Svcs for Children	010-01-4131-0000-560000-19564	\$25,143

**2019-006 Commissioner Chad Brown - Budget/Purchasing - To Approve Bid Award of the Purchase of Vehicles per County Bid, a Wagon per NC Sheriffs' Contract, and Ambulances (QVR and Transit Vans) per HGACBuy Contract, Totaling \$2,273,225 Which Includes Equipment, Decals, Tag/Tax and Title Fees as follows:**

Bid Results - Unit Prices Only		2019 Vehicles		12/28/2018	
<i>(see separate chart for total costs including equipment, decals, tag/tax/title)</i>					
Recommended awards are in "bold" below					
Spec #1	Unit Price	Make/Model	Qty	Extended	Recommended Award
<b>AWD 4WD SUV Police Package - County Police</b>	<b>Bid Amount</b>		<b>11</b>		
Parks Chevrolet	\$ 37,220.91	Chevy Tahoe		\$ 409,430.01	\$ 409,430.01
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				
<b>Spec #2</b>					
<b>Full Size 2WD RWD SUV Police Package - County Police</b>			<b>1</b>		
Parks Chevrolet	\$ 33,827.06	Chevy Tahoe		\$ 33,827.06	\$ 33,827.06
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

	Unit Price Bid Amount	Make/Model	Qty	Extended	Recommended Award
<b>Spec #3</b>					
<b>AWD-4WD SUV Police Package - Sheriff's Office</b>					
Parks Chevrolet	\$ 37,220.91	Chevy Tahoe	4	\$ 148,883.64	\$ 148,883.64
Piedmont Truck Center	No bid				
Ilderton Dodge	No bid				
<b>Spec #4</b>					
<b>3/4 Ton Extended Cab &amp; Chassis - Animal Care &amp; Enforcement</b>					
Parks Chevrolet - bid non-responsive w/out trailer hitch, trailer wiring or ability for mounting for spare tire under animal body	\$ 25,355.00	Chevy 2500 Double Cab	2		
Piedmont Truck Center	\$ 26,874.00	Ford F250		\$ 53,748.00	\$ 53,748.00
Ilderton Dodge	No bid				
<b>Spec #5</b>					
<b>Full Size Van - Animal Care &amp; Enforcement</b>					
Parks Chevrolet	No bid		1		
Piedmont Truck Center	\$ 32,829.00	Ford Transit 350		\$ 32,829.00	\$ 32,829.00
Ilderton Dodge	No bid				
<b>Spec #6</b>					
<b>1 Ton Crew Cab - Fire Marshal</b>					
Parks Chevrolet	No bid		1		
Piedmont Truck Center	\$ 39,733.00	Ford F350		\$ 39,733.00	\$ 39,733.00
Ilderton Dodge	No bid				
<b>Spec #7</b>					
<b>Full Size Extended Cab Truck - Building Inspections</b>					
Parks Chevrolet	\$ 28,707.90	Chevy 1500 Double Cab	2		
Piedmont Truck Center	No bid				
Ilderton Dodge	\$ 26,758.00	Dodge Ram 1500 DS Quad Cab Tradesman		\$ 53,516.00	\$ 53,516.00
<b>Spec #8</b>					
<b>Full Size Extended Cab Truck - Environmental Health</b>					
Parks Chevrolet	\$ 28,707.90	Chevy 1500 Double Cab	1		
Piedmont Truck Center	No bid				
Ilderton Dodge	\$ 26,758.00	Dodge Ram 1500 DS Quad Cab Tradesman		\$ 26,758.00	\$ 26,758.00
<b>Spec #9</b>					
<b>Five Passenger Wagon - Museum</b>					
Parks Chevrolet	No bid		1		
MATT	No bid				
Ilderton Dodge	No bid				
<i>No bids were received, so award per NC Sheriff's contract is recommended</i>					
Asheville Ford	\$ 24,419.65	Ford Transit Connect LWB XL		\$ 24,419.65	\$ 24,419.65
<b>Spec #10</b>					
<b>Mid-Size Hybrid Sedan - Social Services</b>					
<i>Includes grant funds, so bid per the Uniform Guidance process</i>					
Parks Chevrolet	\$ 25,941.54	Chevy Malibu	1	\$ 25,941.54	\$ 25,941.54
Asheville Ford	\$ 26,286.34	Ford Fusion			
Champion Ford	\$ 28,105.00	Ford Fusion			
Tindol Ford	\$ 26,522.00	Ford Fusion			
<b>TOTAL - Vehicle Unit Costs Recommended for Award</b>			25		\$ 849,085.90
<b>AMBULANCES</b>					
<b>Unit Price Make/Model Qty Extended Recommended Award</b>					
<b>QRV - Type 1 with Chevy 5500 Chassis - GEM</b>					
AEV/Northwestern per HGAC Contract AM10-18	\$ 323,504.00	QRV	2	\$ 647,008.00	\$ 647,008.00
<b>Transit Van - Ford Transit High Roof - GEMS (1) and Rescue (2)</b>					
AEV/Northwestern per HGAC Contract AM10-18	\$ 184,538.00	Ford Transit	3	\$ 553,614.00	\$ 553,614.00
<b>TOTAL of VEHICLES and AMBULANCES - Extended Unit Prices for Award</b>			30		\$ 2,049,707.90
<i>See separate chart showing recommended vehicle costs plus equipment, decals and tag/tax/title for total cost related to vehicles.</i>					



## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

**2019-007 Commissioner Keigher - Cooperative Extension - To Accept and Appropriate \$6,192 in Extension and 4-H Fees per Budget Change Request:**

Account Description	Account Number	Amount
4-H Local Programs	010-07-4950-4952-410009-16276	[493]
Fund Balance Appropriated	010-99-9900-0000-490000	[4937]
4-H Programs	010-07-4950-4952-560000-16276	5430
Fee Based Prog:Food/Supplies	010-07-4950-4950-415013-15226	[562]
Fee Based Prog:Food/Supplies	010-07-4950-4950-560000-15226	562
Something Pumpkin	010-07-4950-4950-415013-17272	[200]
Something Pumpkin	010-07-4950-4950-560000-17272	200

**2019-008 Commissioner Hovis - County Attorney - To Approve a Duke Energy Easement for the Installation of Street Light Fixtures on the SouthRidge Parkway****2019-009 Commissioner Chad Brown - County Attorney - To Schedule a Public Hearing for the Request to Close Unimproved Right-of-Ways: Oak Street; Holly Drive (a portion of); and, Pine Street (a portion of), Located in Riverbend Township****2019-010 Commissioner Chad Brown - County Attorney - To Authorize a Lease of County Property to the State of North Carolina for the Mountain Island Lake Educational Forest****2019-011 Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information as follows:**

EFF DATE	DEPT	ACCOUNT	DR/CR	AMOUNT
11/01/2018	Elections	010-01-4170-0000-530021-	D	\$300
11/01/2018		010-01-4170-0000-530041-	C	\$300
11/02/2018	Planning	010-02-4910-4911-530029-	D	\$6,448
11/02/2018		010-02-4910-4911-520015-	C	\$3,000
11/02/2018		010-02-4910-4911-540001-	C	\$2,000
11/02/2018		010-02-4910-4911-520014-	C	\$1,000
11/02/2018		010-02-4910-4911-520012-	C	\$448
11/05/2018	T&T	022-07-4921-0000-530028-	D	\$895
11/05/2018		022-07-4921-0000-540001-	C	\$895
11/06/2018		022-07-4921-0000-530030-	D	\$130
11/06/2018		022-07-4921-0000-540001-	C	\$130
11/07/2018	Planning	010-02-4910-4911-520006-	D	\$500
11/07/2018		010-02-4910-4911-540001-	C	\$500
11/08/2018	Public Works	010-01-4265-4265-530010-	C	\$100
11/08/2018		010-01-4265-4230-520006-	D	\$100
11/15/2018	DSS	020-05-5450-0000-560008-	C	\$20,000
11/15/2018		020-05-4790-0000-530013-	D	\$20,000
11/15/2018	T&T	010-01-4261-0000-530023-	C	\$600
11/15/2018		010-01-4261-0000-540001-	D	\$600
11/19/2018	Planning	010-02-4910-4910-540001-	D	\$450
11/19/2018		010-02-4910-4910-520014-	C	\$450
11/26/2018	GEMS	010-02-4370-0000-520005-	D	\$2,000
11/26/2018		010-02-4370-0000-520001-	C	\$2,000
11/27/2018	DSS	020-05-5450-0000-560008-	C	\$41,000
11/27/2018		020-05-5581-0000-560008-18064	D	\$41,000
11/28/2018	T&T	022-07-4921-0000-520015-	C	\$22,160
11/28/2018		022-07-4921-0000-560000-17166	D	\$22,160
11/29/2018	Planning	010-02-4910-4910-530010-	D	\$1,200

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

11/29/2018		010-02-4910-4910-520014-	C	\$1,200
12/03/2018		010-02-4910-4911-520006-	D	\$100
12/03/2018		010-02-4910-4911-520007-	C	\$100
12/04/2018	DSS	020-05-4790-0000-560000-18040	C	\$5,000
12/04/2018		020-05-4790-0000-530010-	D	\$5,000
12/04/2018	IT	010-01-4210-0000-520001-	C	\$100
12/04/2018		010-01-4210-0000-520013-	D	\$100
12/04/2018	Budget	010-01-4131-0000-510001-	C	\$11,093
12/04/2018		010-01-4131-0000-560000-19069	D	\$11,093
12/04/2018	Public Health	011-05-5110-0000-530029-	C	\$1,800
12/04/2018		011-05-5110-0000-530023-	D	\$1,800
12/04/2018		011-05-5115-0000-510003-	D	\$5,717
12/04/2018		011-05-5115-0000-510101-	C	\$5,717
12/04/2018		011-05-5112-5115-510003-	D	\$76
12/04/2018		011-05-5112-5115-510101-	C	\$76
12/04/2018		011-05-5114-5125-510003-	D	\$1,572
12/04/2018		011-05-5114-5125-510101-	C	\$1,572
12/04/2018		011-05-5110-0000-510003-	D	\$162
12/04/2018		011-05-5110-0000-510101-	C	\$162
12/04/2018		011-05-5116-5131-510003-	D	\$243
12/04/2018		011-05-5116-5131-510101-	C	\$243
12/04/2018		011-05-5116-5133-510003-	D	\$121
12/04/2018		011-05-5116-5133-510101-	C	\$121
12/04/2018		011-05-5117-0000-510003-	D	\$265
12/04/2018		011-05-5117-0000-510101-	C	\$265
12/04/2018		011-05-5121-0000-510003-	D	\$166
12/04/2018		011-05-5121-0000-510101-	C	\$166
12/04/2018		011-05-5111-0000-510003-	D	\$69
12/04/2018		011-05-5111-0000-510101-	C	\$69
12/06/2018	Museum	010-04-6141-0000-530021-	D	\$750
12/06/2018		010-04-6141-0000-530023-	C	\$750
12/11/2018	Fire Marshal	010-02-4330-0000-520001-	C	\$344
12/11/2018		010-02-4330-0000-530030-	D	\$344
12/12/2018	DSS	020-05-4841-0000-570006-	C	\$22,000
12/12/2018		020-05-4841-0000-570007-	D	\$22,000
12/13/2018	Public Works	010-01-4265-4260-530020-	D	\$6,000
12/13/2018		010-01-4265-4260-530010-	C	\$6,000
12/13/2018	Landfill	060-08-4720-0000-530021-	C	\$6,500
12/13/2018		060-08-4720-0000-520012-	D	\$1,500
12/13/2018		060-08-4720-0000-530030-	D	\$5,000
12/13/2018	Elections	010-01-4170-0000-530041-	C	\$4,500
12/13/2018		010-01-4170-0000-540001-	D	\$4,500
12/14/2018	Public Health	011-05-5115-0000-530029-	C	\$1,800
12/14/2018		011-05-5115-0000-530023-	D	\$1,800
12/14/2018		011-05-5110-0000-530029-	D	\$1,800
12/14/2018		011-05-5110-0000-530023-	C	\$1,800
12/17/2018	DSS	020-05-5585-0000-540001-	C	\$1,500
12/17/2018		020-05-5585-0000-530010-	D	\$1,500
12/21/2018	Sheriff	010-02-4315-4315-510001-	C	\$50,000
12/21/2018		010-02-4315-4315-510002-	D	\$25,000
12/21/2018		010-02-4315-4323-510002-	D	\$25,000

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

**2019-012 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Funds from the Area Health Education Center for the Public Health Clinics (\$337) per Budget Change Request:**

Account Description	Account Number	Amount
Preceptorship Fund	011-05-5115-0000-415024-	(\$337)
CHS Preceptor Program	011-05-5115-0000-560000-16266	\$337

**2019-013 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Grant Funds from the NC Public Health Association for the Health Department of the Year Award (\$1,000) per Budget Change Request:**

Account Description	Account Number	Amount
Other Grants - NCPHA HD Award	011-05-5110-0000-430000-19565	(\$1,000)
NCPHA Health Dept Award	011-05-5110-0000-560000-19565	\$1,000

**2019-014 Commissioner Keigher - Finance - To Award Bid for Financing up to \$2,273,225 for Rolling Stock and Equipment to Bank of America and to Approve the Attached Budget Change Request (to appropriate funds) and Resolution Approving Financing Terms per Budget Change Request:**

Account Description	Account Number	Amount
Installment Purchase Agreement	010-01-8300-0000-416002-	(2,273,225)
County Police Motor Vehicles	010-02-4310-4310-540003-19070	527,727
Sheriff Office Motor Vehicles	010-02-4315-4315-540003-19070	176,175
Fire Marshal Motor Vehicles	010-02-4340-0000-540003-19070	45,381
GEMS Motor Vehicles	010-02-4370-0000-540003-19070	856,512
Rescue Squad Motor Vehicles	010-02-4372-0000-540003-19070	380,161
Animal Care Motor Vehicles	010-02-4380-0000-540003-19070	152,533
Museum Motor Vehicles	010-04-6141-0000-540003-19070	25,189
Environmental Health Motor Vehicles	011-05-5114-5125-540003-19070	27,597
Building Inspections Motor Vehicles	012-02-4350-0000-540003-19070	55,194
Social Services Motor Vehicles	020-05-4790-0000-540003-19070	26,756
Transfers to Health Fund	010-98-9800-0000-580011	27,597
Transfers from General Fund	011-98-9800-0000-480010	(27,597)
Transfers to Building Inspections	010-98-9800-0000-580012	55,194
Transfers from General Fund	012-98-9800-0000-480010	(55,194)
Transfers to Social Services Fund	010-98-9800-0000-580020	26,756
Transfers from General Fund	020-98-9800-0000-480010	(26,756)

**2019-015 Commissioner Philbeck - Finance - To Appropriate \$60,000,000 in G.O. School Bond Proceeds per Budget Change Request:**

Account Description	Account Number	Amount
School Bond Proceeds: 11/15/18	040-03-5911-0000-416004-19040	(60,000,000)
Bond Premium	040-03-5911-0000-416003-19040	(5,600,790)
Bond Interest	040-03-8300-0000-412011	(1206)
Professional Services (Issuance Cost)	040-03-5911-0000-530010-19040	165,000
11/15/18 GO School Bond Issue	040-03-5911-0000-540100-19040	65,436,996

**2019-016 Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should be Recorded in the Board's Minutes. (Real Property Tax Refunds - \$1,805.76; Total HB20 Refunds - \$933.61; Total NCVTS Refunds - \$7,555.61; Total Vehicle Tax Refunds - \$8,489.22) as follows:**

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

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

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

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

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

**NC VTS REFUNDS-OCTOBER**

Adair, Maria Pilar	37.44	Kukendall, Mark David	49.71
Angle, Clyde Robert	37.32	Ledford, Bobby Gene	27.30
Banks, Michael Alan	30.89	Leonard, Richard Kevin	40.94
Barker, Margaret Rose	32.20	Lippard, Lunette Pennington	80.03
Blume, Thomas Frederick	4.58	McCaskill, Quonisha Tiona	82.21
Blume, Thomas Frederick	76.20	Meachum, Derek Boyd	48.78
Branton, Michael Eugene	29.60	Morgan, Janice Faye	35.62
Brenes, Amanda Althea Munson	50.05	Morris, Jack Wilson Jr	47.41
Casey, Michael Oshea	29.43	Mullis, Steven Robert	9.33
Chase, Edwin Leo	40.88	Murphy, Christopher Hewell	49.71
Childers, Jennifer Jo	49.66	Murphy, David Ray Jr.	6.13
Christopher, Randy Nelson	95.82	Nikolaidis, Stamatios	46.69
Costner, Anthony Eugene	34.98	O'Neill, Edward Joseph	36.66

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Darnell, Billy Paul II	92.96	Peddycord, Daniel Clayton	62.18
Davenport, RJ III	36.15	Perkins, Lila Featherstone	20.58
Davis, John William Jr	41.84	Perry, Everett Hammond	72.85
Dean, Scottie Dale	46.79	Porter, John William	51.18
Denholm, David John	15.81	Porter, John William	18.90
Denholm, Marilyn Guerra	50.68	Powell, Michael Dudley	26.10
Downs, Fred Robert Jr	27.44	Pressley, Jo Ann Campbell	8.39
Eaker, Jessie Hugh	36.77	Reese, Kimberly Dale	7.19
Easter, Bobby Joe	66.35	Rhoten, Matthew Kevin	74.07
Edens, Christopher Colu Jr	19.74	Roberts, Robert Gene	49.74
Edy-Mac Plumbing Service	24.01	Rogers, Casey Eric	16.82
Elmore, Robert James	27.86	Rybak, Kelley Ann	92.82
Fisher, Allen Keith	45.66	Salce, jeannette Salas	61.92
Gibson, Donald Bruce	84.00	Sanders, Martha Lee	15.77
Hall, Sandra Rivas	78.24	Sanders, William Douglas	7.58
Hall, William Carleton	88.67	Scoggins, Helen Ramsey	18.38
Hardesty, Robert Edward	6.10	Smith, Radford Dennis	41.70
Harris, Karen Sue	55.80	Somerville, Arlisa Lynette	30.48
Hawkins, Carolyn Lee	7.93	Stewart, Melissa Levonne	74.37
Heidenreich, Amanda Lee	61.74	Stewart, Melissa Levonne	35.06
Hemphill, Patricia Patton	14.72	Tallent-Johnson, Madison Ciara	66.74
Horton, Ted Ervin	21.76	Terry, Nicole Renee	24.88
Hovis, Betty Sutton	58.20	Trudnak, William Brown	38.74
Howard, Novel Lee	55.29	Ugarte, Geronimo Solis	8.25
Huneycutt, Zachary Daniel	59.01	Walker, Charles Harold Jr	23.09
Jackson, Alma Allen	55.73	Waters, Lynne Boyd	44.64
Jenkins, Ingrid Elaine	73.67	Willman, Eric Carl	96.77
Jones, Tucker Davis	93.05	Wrighton, Tanya Clarissa	7.76
		<b>Total October VTS Refunds</b>	<b>\$ 3,552.49</b>

## NC VTS REFUNDS-NOVEMBER

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

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

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

**2019-017 Commissioner Chad Brown - Fire Marshall - To Approve a Certificate of Need for Alexis Volunteer Fire Department to Obtain Financing (\$573,257) to Purchase a 2019 Pierce Enforcer Rescue Engine**

**2019-018 Commissioner Philbeck - Gaston Community Action - To Accept as Information the FY2019-20 Community Services Block Grant Application as filed with the Clerk to the BOC**

**2019-019 Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate a Gaston County Travel and Tourism Grant for the NC State-wide Athletics (SWAC) Recreation Soccer Tournament in the Amount of \$8,000 per Budget Change Request:**

Account Description	Account Number	Amount
SWAC Soccer Tournament Grant	010-04-6120-0000-430000-19559	(\$8,000)
SWAC Soccer Tournament Grant	010-04-6120-0000-560000-19559	\$8,000

**2019-020 Commissioner Chad Brown - Parks and Recreation - To Accept and Appropriate Funds in the Amount of \$1,890 from the NC Recreation and Parks Association for the NC State-Wide Athletics Committee (SWAC) Soccer Tournament at George Poston Park per Budget Change Request:**

Account Description	Account Number	Amount
Recreation Event Fees	010-04-6120-0000-410028	(\$1,890)
Recreation Programming	010-04-6120-0000-560000-19022	\$1,890

**2019-021 Commissioner Keigher - Police Department - To Approve Surplus and Disposition of Eight (8) Year Old German Shepherd K-9 Named Zepher**



COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

**2019-022 Commissioner Philbeck - Public Works - To Award a Construction Contract for the Jail Infill Project to Pinnix, Inc. of Gastonia at a Cost Not to Exceed \$10,770,000 and Authorize the County Manager to Execute Any Necessary Contract Documents**

**2019-023 Commissioner Jack Brown - Public Works - To Finalize and Formally Accept an Offer to Purchase a County Owned Surplus Parcel (PID 103983 Located Off North Oakland Street, Gastonia)**

**2019-024 Commissioner Fraley - Public Works - To Approve the Sale of a Surplus County Vehicle #899 to the Tryonota Volunteer Fire Department**

**2019-025 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the November Listed Tax Refunds be Made. (Real Estate - \$24,751.74; Vehicles and ETC - \$1,347.69; VTS Refunds - \$3,323.93; Grand Total - \$29,423.36) as follows:**

TAXPAYER NAME	OWNER NAME	AMOUNT
<b>NOVEMBER 2018 REAL ESTATE</b>		
Alsop, Thomas A		\$160.97
Andrew M Adams PA		\$100.00
Bargain Hunters INC		\$100.28
Beam, Helen A		\$135.07
Bryant, Bryan T		\$125.00
Clemons, Jennifer		\$100.00
Cloninger, John R		\$300.00
Cold River Land LLC		\$1,058.47
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$448.00
Cold River Land LLC		\$1,058.37
Cold River Land LLC		\$448.00
Corelogic		\$160.97
Corelogic		\$100.80
Corelogic		\$1,749.37
Corelogic		\$2,164.53
Corelogic		\$1,222.57
Cunningham, Foy B		\$337.00
Gray, Layton, Kersh		\$335.70
Kern, Doris Jo		\$940.90
Lereta		\$997.06
Lereta		\$845.45
Lereta		\$148.54
Lereta		\$222.61
Marrero, Elena		\$222.78
McManus, Donald		\$100.00
Moore, Faye Helms		\$222.30
Robertson, Wayne K		\$854.39
robinson, Matthew T		\$537.05
Simmons, Bryan A		\$878.57
Sloan, Kathleen		\$289.09
Sorenson, Deborah W		\$203.09
Teaster, Jerry Lee		\$222.79
Teaster, Jerry Lee		\$222.79
Thompson, Kevin C		\$1,999.61
Torres, Noe Antonio		\$126.07

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

V P Limited LLC	\$490.00
Wilkinson, Frances J	\$705.29
Wright Laine Properties	\$305.47
Wu, Xiaochuan	\$1,872.79
<b>TOTAL</b>	<b>\$24,751.74</b>

**NOVEMBER 2018 VEHICLES & ETC**

Gomez, Elmer Alfonso	\$110.20
Green, Kenneth Michael	\$524.38
Greene, Richard E	\$255.22
Irby, Todd Lee	\$136.48
Reid, Rashica Rachel	\$103.67
Rush, Timothy David	\$106.90
Williams, Joshua T	\$110.84
<b>TOTAL</b>	<b>\$1,347.69</b>

**NOVEMBER VTS REFUNDS**

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

<b>GRAND TOTAL</b>	<b>\$29,423.36</b>
--------------------	--------------------

**2019-026 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the December Listed Tax Refunds be Made. (Real Estate - \$59,721.63; Vehicles and ETC - \$558.84; VTS Refunds - \$2,621.04; Grand Total - \$62,901.51) as follows:**

TAXPAYER NAME	OWNER NAME	AMOUNT
<b>DECEMBER 2018 REAL ESTATE</b>		
Nexsen Pruet PLLC		\$297.95
Jackson, Mils		\$163.59
Rhodes, James Phillip		\$281.96
Rhodes, James Phillip		\$281.96
Alsop, Thomas A		\$160.97
Teaster, Jerry Lee		\$222.79
Jones, Latta E		\$517.31
Cunningham, Foy B		\$3,033.00
Servisolutions		\$1,872.91
Sexton, Imogene C		\$353.19
Payne, Linda H		\$549.33

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Bigham, Ted H	\$132.00
Gaston County Tax	\$5,797.21
Gwinn, John F	\$141.73
Corelogic	\$540.00
Corelogic	\$623.25
Johnson, James Walter	\$200.00
R L Price	\$223.76
Webb, Kendra	\$143.46
Minges, G M Jr	\$969.86
Mayberry, Marshall A	\$560.36
Butler, Thomas Harold	\$950.23
Marrero, Elena	\$135.27
Shana X Crawford DDS	\$166.62
Southwood Realty Com	\$5,397.26
Triangle Real Estate	\$528.20
Wells Fargo RE Tax	\$630.00
Wells Fargo RE Tax	\$782.65
Lereta	\$2,442.87
Beaty, Amanda Brown	\$361.82
Webb Custom Kitchen	\$1,543.23
Smith, Ralph Edmond	\$1,834.21
Hunter, Daniel Lewis	\$735.18
Corelogic	\$369.22
Corelogic	\$427.50
Kiser, Barbara	\$584.49
Cold River Land LLc	\$675.65
Linden, Corey J	\$200.00
Egret Ridge Properties	\$809.85
Herndon, Kahtryn P	\$1,986.87
First Financial Corp	\$127.88
Blackwelder, Gwynneth	\$590.20
Blackwelder, Gwynneth	\$369.94
Blackwelder, Gwynneth	\$474.46
Clements, Faye K	\$150.00
Corelogic	\$630.00
Rogers, Robert J	\$630.00
HK Paradise Point LLc	\$129.80
Bryant, Bryan T	\$125.00
Arp, Daphine H	\$162.88
Arp, Daphine H	\$1,151.78
Gaston county Family	\$550.04
Springwood Freewill	\$384.66
State Employees Credit Union	\$426.34
Alliance Real Estate	\$5,270.64
Wacstaff, Shery H	\$200.96
Kelly, R William JR	\$10,496.55
Teaster, Jerry Lee	\$222.79
<b>TOTAL</b>	<b>\$59,721.63</b>
 <b>DECEMBER 2018 VEHICLES &amp; ETC</b>	
McClain, Shante	\$165.40
Greene, Richard E	\$227.14
Connor, Shante	\$166.30
<b>TOTAL</b>	<b>\$558.84</b>

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

**DECEMBER VTS REFUNDS**

Archibald, Ian Drummond	\$122.85
Blalock, Christopher Ray	\$102.91
Call, William Jerry	\$135.98
Darby, Gwendolyn McCree	\$195.14
Gidron, Darlene Bailey	\$123.20
Hall, Shanetta Marie	\$132.12
Hendrix, Kaitlyn Amanda	\$113.24
Jackson, Larry Demetrise	\$133.91
Loudermilk, Thomas Ray	\$246.14
Reed, Leo Francis	\$220.40
Sherman, Lisa Marie	\$121.70
Sherman, Lisa Marie	\$121.70
Swanger, Jimmy Wayne	\$167.12
Tallent, Lillian Ellen-Robidart	\$213.26
Vasquez, Marianne	\$134.05
Wallace, Ronald Neal	\$234.01
Wilson, Roger David	\$103.31
<b>TOTAL</b>	<b>\$2,621.04</b>
 <b>GRAND TOTAL</b>	 <b>\$62,901.51</b>

**Legislative Requests****2019-027 Board of Commissioners - Legislative Request: Legislative Agenda for the 2019 Session of the North Carolina General Assembly**

On motion introduced by Commissioner Worley and seconded by Commissioner Chad Brown, the BOC unanimously approved Resolution **2019-027** as follows:

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

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

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

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

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

1. Support the North Carolina Association of County Commissioners' legislative priorities; most importantly, oppose unfunded mandates and any shifts of State responsibilities to Counties.
2. Focus on Economic Development:
  - A. Support tax policy to promote advancement of a business climate in Gaston County that fosters competitiveness, encourages new investment and provides for the expansion of current industry to support the local workforce and quality of life:

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

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

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

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

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

**2019-028 Board of Commissioners - Legislative Request: To Support the Juvenile Crime Prevention Council (JCPC) Allocation Expansion**

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously approved Resolution **2019-028** as follows:

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



## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

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

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

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

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

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

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

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

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

***At this point in the meeting the Planning Board had not concluded its deliberations. Chairman Philbeck moved to the next item of business.***

**Non-Consent**

**2019-029 Commissioner Philbeck - Finance - Appropriation of Fund Balance in the Amount of \$106,625 for the Register of Deeds Supplemental Pension Fund**

On motion introduced by Commissioner Philbeck and seconded by Commissioner Chad Brown, the BOC unanimously approved 2019-029 and per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	(106,625)
Retirement	010-01-4180-0000-510101	106,625

**2019-030 Commissioner Worley - Sheriff's Office - Appropriation of Additional Funds to House Inmates Out of County for November 2018 (\$19,000)**

On motion introduced by Commissioner Worley and seconded by Commissioner Chad Brown, the BOC unanimously approved 2019-030 and per Budget Change Request:

Account Description	Account Number	Amount
FUND BALANCE APPROPRIATED	010-99-9900-0000-490000	{19,000}
INMATES HOUSED OUT OF COUNTY	010-02-4315-4323-530015-18126	19,000

## COMMISSIONER'S COURT

JANUARY 22, 2019

## GASTON COUNTY, NORTH CAROLINA

Appointments

On a motion introduced by Commissioner Fraley and Seconded by Commissioner Chad Brown, the BOC unanimously appointed Ms. Cherie Feemster to the ***Gaston Community Action Board of Trustees*** to a term ending October 31, 2021.

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

On a motion introduced by Commissioner Fraley and Seconded by Commissioner Chad Brown, the BOC unanimously appointed Ms. Amelia Lenke to the ***SARA Local Planning Committee (LEPC)*** to a term ending December 31, 2021.

On a motion introduced by Commissioner Fraley and Seconded by Commissioner Chad Brown, the BOC unanimously appointed Mr. Keith Rapp to the ***SARA Local Planning Committee (LEPC)*** to a term serving until the task of making recommendation to the Board is completed.

On motions introduced and seconded, the following individuals were unanimously reappointed to the ***Gaston County Board of Adjustments***:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Jack Brown	Commissioner Philbeck	Mr. George Mason	January 31, 2022
Commissioner Worley	Commissioner Chad Brown	Mr. Chuck Ballard	January 31, 2022
Commissioner Philbeck	Commissioner Keigher	Mr. Monte Monteleone	January 31, 2022

On a motion introduced by Commissioner Jack Brown and Seconded by Commissioner Philbeck, the BOC unanimously reappointed Ms. Elizabeth Utick to the ***Travel & Tourism Advisory Board*** to a term ending January 31, 2022.

On a motion introduced by Commissioner Jack Brown and Seconded by Commissioner Philbeck, the BOC unanimously appointed Ms. Nancy Hutchins to the ***Animal Care and Enforcement Advisory Board*** to an unexpired term ending February 28, 2021.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Keigher, the BOC unanimously reappointed Ms. Belinda Bogle to the ***Child Fatality Prevention Team*** to a term ending January 31, 2023.

On a motion introduced by Commissioner Chad Brown and Seconded by Commissioner Keigher, the BOC unanimously reappointed Ms. Belinda Bogle to the ***Community Child Protection Team*** to a term ending January 31, 2023.

On a motion introduced by Commissioner Keigher and Seconded by Commissioner Philbeck, the BOC unanimously reappointed Mr. John Lowery to the ***Economic Development Commission*** to a term ending December 31, 2021.

On motions introduced and seconded, the following individuals were unanimously reappointed to the ***Centralina Economic Development Commission***:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Philbeck	Commissioner Fraley	Commissioner Bob Hovis	March 31, 2022
Commissioner Philbeck	Commissioner Fraley	Mr. Donny Hicks	February 28, 2022

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

On a motion introduced by Commissioner Philbeck and Seconded by Commissioner Fraley, the BOC unanimously appointed Commissioner Jack Brown to the ***Home & Community Care Block Grant Advisory Committee*** to a term ending May 31, 2022.

### **Commissioners Committee Reports**

Commissioner Jack Brown reported attendance to the **EDC Meeting** - six businesses will be hiring new employees for existing projects; 1,500 new jobs will be coming here within the next several years.

Commissioner Keigher reported attendance to the ***Martin Luther King, Jr. Celebration*** at Erwin Center; ***Gaston College Board of Trustees*** - the Board held its annual retreat last week; worked on updating its strategic plan and is getting ready to finalize everything; the BOC will receive the President's proposed budget requests for the upcoming fiscal year as soon as possible.

Commissioner Worley reported attendance to the ***Martin Luther King, Jr. Unity Award Presentation*** along with Chairman Philbeck – congratulated Ashbrook High School Coach Larry Rhodes (retired), Mrs. Donyel Barber and Dr. Will Current on receiving the 2019 Martin Luther King, Jr. Unity Awards; the event was well attended.

### **County Manager's Report**

The County Manager presented:

- The economic development activity is robust right now, and we are excited about ***Sonic***, the County's first major back office operation
- The Department of Health and Human Services (Health Division) is the ***Urban Health Department of the Year*** which is quite an honor
- The ***Pre-Budget Session*** held last month was a good way to get initial thoughts from BOC on the budget for FY-20.

Chairman Philbeck advised via a conference call that he and Commissioners Worley and Hovis met with the Mercer Group to discuss hiring an Assistant County Manager and gave them some parameters on what the BOC is looking for; once BOC updates a brochure, completes application process, which may take about eight weeks, will review and narrow down the applications and will present those to BOC for review.

Chairman Philbeck took a two minute recess at 8:30 pm to obtain some information.

Chairman Philbeck reconvened the meeting at 8:32 pm.

### **Zoning Matters Non-Consent**

**2019-000 Commissioner Chad Brown - Planning/Development Services - Zoning Map Change: Conditional District CD18-01, MT Land (Applicant); Property Parcels 222767 (part of), 216850, and 222768, Located at Lake Wylie Rd., Belmont, NC,**

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

**Rezone from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays to the (CD/C-2) Conditional District / Highway Commercial Zoning District with (CH) Corridor Highway, (US) Urban Standards, and (SV) Scenic View Overlays, in order to allow a Planned Unit Development (PUD)**

The County Attorney advised the Planning Board recommended disapproval by an 8 to 1 vote; the request is not consistent with the Gaston County Land Use Plan due to the density of the proposed housing. The surrounding area generally consists of rural land usage and is primarily single family homes. The townhome development is inconsistent with this use now and the future land use plan which contemplates lower density development. Additionally, the lack of road and infrastructure improvements to the general area will not make a development of this scope suitable for its location. Despite the future land use designation for the subject area as being suburban, the scope and density of the project makes it inconsistent with such future land use designation.

Commissioner Worley introduced a motion to accept the Planning Board's recommendation to **DISAPPROVE** the zoning map change and Commissioner Jack Brown provided the second.

Chairman Philbeck called for discussion; none was heard.

Chairman Philbeck called for the vote, and the BOC unanimously **DISAPPROVED** the zoning map change for Conditional District CD18-01.

**County Attorney's Report**

No report; requested a Closed Session to discuss the MD Realty litigation

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

Chairman Philbeck called for a motion to enter into Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with the Attorney to discuss MB Realty vs Gaston County Litigation.

On motion introduced by Commissioner Fraley and seconded by Commissioner Chad Brown, the BOC unanimously entered into Closed Session at 8:35 pm.

Chairman Philbeck called for a motion to return to Open Session.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously returned to Open Session at 9:05 pm.

Chairman Philbeck announced there was no action necessary as a result of the Closed Session.

**Other Matters**

COMMISSIONER'S COURT

JANUARY 22, 2019

GASTON COUNTY, NORTH CAROLINA

Chairman Philbeck announced the Joint BOC/Gastonia City Council Special Meeting, January 29, Gastonia Conference Center, 6:00 pm.

**Adjournment**

Chairman Philbeck called for a motion to recess the meeting.

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Jack Brown, the BOC unanimously recessed the meeting to precede the February 12<sup>th</sup> Work Session, 6 pm, Harley B. Gaston, Jr. Public Forum - Courthouse.

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

---

Tracy L. Philbeck, Chairman  
Gaston County Board of Commissioners

---

Donna S. Buff  
Clerk to the Board

SEAL