

# ADOPTED

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Gaston County Board  
of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

APRIL 28, 2020

The Gaston County Board of Commissioners (BOC) met in Regular Session on April 28, 2020 at 6:00 pm, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Tracy L. Philbeck presided with Commissioners Bob Hovis, Tom Keigher and Ronnie Worley in attendance.

Commissioners Jack B. Brown, Vice-Chairman; Chad Brown and Allen R. Fraley were in attendance via telephone.

Others present included Dr. Kim S. Eagle, County Manager; Jonathan L. Sink, County Attorney; Charles L. Moore, Attorney; and Donna S. Buff, Clerk to the Board.

Chairman Philbeck advised that although tonight's meeting was closed to the public, the Board created a dedicated telephone line and email account to receive public comment until its meetings can be reopened for public attendance and any comments received prior to the submission deadline will be entered into the record of tonight's meeting.

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

Public Hearing - RE: Commissioner Philbeck - County Attorney - To Approve a Small Business Emergency Bridge Loan Program in Gaston County and Authorize the Appropriation of \$524,000 from Fund Balance

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

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

Chairman Philbeck recognized the County Attorney for comments.

County Attorney Sink presented a Powerpoint presentation and advised that a brief video would follow. He noted the goal of the Small Business Bridge Loan Program is to help small businesses due to the financial and economic hardships being felt in the County and throughout the state and country; the program entails a \$523k appropriation from the BOC; \$500,000 will be direct loan awards capped at \$5,000 or less; the loans are not grants; the loan review committee would be authorized to issue amounts under \$5,000; the loans will be administered in house with County staff and will not be using a third-party lender (some municipalities are also using this format). He thanked staff for making the online application easy to use.

He advised that NCGS 158-7.1 provides the legal authority for this program. If the BOC is to vote to issue the money, it must impact one of six categories stipulated in the statute and staff has identified four that apply to Gaston County (population, taxable property, employment and business prospects); there is also an argument that the other two categories could apply (agricultural industries and industrial output). A public hearing is also enumerated in the statute.

COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

Another important requirement is the County must not compete with private banks; staff did its due diligence to make sure a 3% interest rate would not infringe on private banks; the loan agreement involves a 3-year term at 3% per year. Staff recommends 1) that the BOC allow an automatic one year deferment of any payments for the interest to accrue and for the 13<sup>th</sup> month to be their first payment with interest; 2) that they pay off the (unsecured) loan the remaining 24 months of the loan agreement.

He advised the eligibility criteria includes: the online application; businesses with 50 or fewer employees (no corporate or chain applicants); businesses must be established as doing business in the County prior to the state's declaration of a state of emergency (March 10); must be in compliance with applicable laws; must have no tax delinquencies in the last seven years; and, must be impacted from and by the COVID-19 health crisis.

He advised the online application is received by Finance staff and reviewed by the County Attorney for completeness; the Review and Selection Committee is comprised of five business and community leaders who has volunteered to meet on a weekly basis or more; once an application is selected the County Attorney will forward the awardees to Finance staff for physical checks. He yielded his comments for the presentation of a short video.

Following the video, Chairman Philbeck advised that no public comment was received and called for questions from the BOC.

Commissioner Worley cited a typographic error in the PowerPoint presentation and noted the slide should read "a business must be located in Gaston County prior to March 10, 2020" instead of 2010. He asked what recourse is available to the County for the unsecured loan other than tax liens in the event a business still goes under.

The County Attorney stated the County has a statutory obligation to pursue the debt reasonably; otherwise it becomes an effective grant which is only allowed in certain cases; there are a couple of options available for the County to pursue the debt.

Chairman Philbeck advised there are a lot of different criteria the County could have had; some businesses may not have a lot of assets to recover and many of them rent instead of own places; the County modeled this after the City of Belmont to make it easier for the businesses.

The County Attorney pointed out if the business is owned by a business entity, it is noted within the documents that a guarantor would have to sign.

Chairman Philbeck called for questions from Commissioners Fraley, Chad Brown and Jack Brown.

Commissioner Fraley asked if there were any time constraints on how long a business has been in operation.

The County Attorney responded the businesses will be required to show financials for the last two years.

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Chairman Philbeck advised that Commissioner Fraley brought this idea to the BOC and he will allow him to make the motion.

Commissioner Chad Brown asked if there was a maximum loan amount that businesses could request.

The County Attorney advised that the maximum loan amount is \$5,000.

Commissioner Jack Brown stated he had no questions.

Chairman Philbeck called for a motion to approve.

**2020-088 Commissioner Philbeck - County Attorney - To Approve a Small Business Emergency Bridge Loan Program in Gaston County and Authorize the Appropriation of \$524,000 from Fund Balance**

On motion introduced by Commissioner Fraley and seconded by Commissioner Hovis, the BOC unanimously approved Resolution **2020-088** as follows:

- WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake economic development projects by the appropriation and expenditure of funds to support private creation of jobs and tax base in the local jurisdiction; and,
- WHEREAS, the public health emergency created by the novel coronavirus COVID-19 and the subsequent declarations of states of emergency by the Federal, State and local governments has caused serious harm to locally owned small businesses in Gaston County; and,
- WHEREAS, due to the amount of time which has elapsed between Federal stimulus appropriations and the local availability of funds for small businesses, Gaston proposes to create a bridge loan fund for locally owned small businesses to help the businesses stay in operation while awaiting Federal stimulus funds; and,
- WHEREAS, the Gaston County Board of Commissioners has held a public hearing to consider whether to approve the Small Business Bridge Loan Fund.

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

1. Has determined that this appropriation will increase the population, taxable property, employment and business prospects of the County.
2. The County Manager is authorized and directed to implement the necessary documentation for applications and approval of loans to small locally owned businesses. Loans shall not exceed \$5,000 per business application. Terms of the loans shall be determined by the loan committee which shall be designated by the Manager.

**and per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000-	(\$524,000)
Grants & Projects: Small Business Loan P	010-01-4110-0000-560000-20058	\$500,000
Professional Services	010-01-4110-0000-530010-20058	\$12,000
Software Rental	010-01-4110-0000-530029-20058	\$12,000

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

COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

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

#### **Agenda Revision/Approval**

- REVISED/ *Public Hearing - RE: Commissioner Philbeck - County Attorney - To Approve a Small Business Emergency Bridge Loan Program in Gaston County (\$524,000) - I., A.*
- ADDED/ *Approval of Minutes - II., B. (Regular Meeting of January 28, 2020; Special Meetings of February 4, 2020; Regular Meeting of February 25, 2020)*
- ADDED/ *Commissioner Philbeck - Finance - To Accept and Appropriate Federal CARES Act Funds in the Amount of \$242,169 for GEMS (\$240,889) and Public Health (\$1,280) - IV., AA.*
- ADDED/ *Commissioner Philbeck - BOC - Approval of a Resolution to Endorse an Application to the U.S. Department of Transportation's 2020 Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants Program for the Lineberger Connector Project - IV., AB.*
- DELETED/ *Commissioner Worley - Sheriff's Office - Appropriation of Additional Funds to House Inmates Out of County for February & March 2020 (\$12,240), V., B.*

On motion introduced by Commissioner Hovis and seconded by Commissioner Keigher, the BOC unanimously approved the Agenda of April 28, 2020 with changes as noted above.

#### **Approval of Minutes**

On motion introduced by Commissioner Keigher and seconded by Commissioner Hovis, the BOC unanimously approved the Minutes of the Regular Meeting of January 28, 2020, Special Meetings of February 4, 2020 and Regular Meeting of February 25, 2020.

#### **Citizen Recognition**

Chairman Philbeck directed the Clerk to submit the comment for the record to the County Manager.

Chairman Philbeck asked the County Manager to read the comment.

The County Manager read comments from Ms. Cynthia Willis, Southern Charm Hair Design, 106 W. 1st St., Cherryville, NC, asking the BOC to urge our leaders (the Governor) to let small businesses open up their business.

Chairman Philbeck called for comments from the BOC.

Commissioner Keigher advised the BOC could forward the Governor a letter and ask him to revisit opening barbershops, beauty shops, nail salons licensed by the state that must adhere to state regulations.

Chairman Philbeck advised that the BOC fully supports Ms. Willis's right to open and operate her business with proper sanitation and hygiene. Because of the Governor's order, he recommended she reach out to the state board.

Commissioner Fraley directed the Clerk to provide his telephone number to Ms. Willis.

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

**Consent Agenda**

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

**2020-089 Commissioner Chad Brown - BOC - Proclamation - To Proclaim Thursday, May 7, 2020 as A Day of Prayer in Gaston County**

**2020-090 Commissioner Philbeck - BOC - Proclamation - To Proclaim the Week of April 19-25, 2020 as Volunteer Week in Gaston County**

**2020-091 Commissioner Philbeck - BOC - Appointment of Staci Jimison as Deputy Clerk to the Board of Commissioners as follows:**

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County, North Carolina, appoints Staci Jimison as Deputy Clerk to the Board of Commissioners, and authorizes her to serve in the absence of the Clerk to the Board, assuming all official duties and responsibilities.

**2020-092 Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds from the Gaston Humane Society in the Amount of \$20,000 for the Purchase of Dog Interaction Area Furniture and Lockers for Staff Lounge per Budget Change Request:**

Account Description	Account Number	Amount
Donation-Gaston Humane Society	010-02-4380-0000-415001-20052	[20,000.00]
Gaston Humane Society-Donation	010-02-4380-0000-560000-20052	20,000.00

**2020-093 Commissioner Hovis - Animal Care and Enforcement - To Accept and Appropriate Donation Funds to Assist in the Medical Care of Shelter Pets (\$5,670) per Budget Change Request:**

Account Description	Account Number	Amount
Donations-Medical Care	010-02-4380-0000-415001-Medcl	[5,670.00]
Medical Care-	010-02-4380-0000-530015-Medcl	5,670.00

**2020-094 Commissioner Hovis - Animal Care and Enforcement/Police Department - Proclamation - To Proclaim April 12 - 18, 2020 as Animal Care and Enforcement Appreciation Week in Gaston County**

**2020-095 Commissioner Jack Brown - Budget/Purchasing - To Accept the Family Advisory Board (FAB) Recommendations for CARE Crisis Relief Funding for Nonprofit Organizations as follows:**

Organization	Requested	Recommended
Academy of the Gifted	\$ 10,000	\$ -
Bit of Hope Ranch	\$ 10,000	\$ -
Bountiful Blessings Food Pantry	\$ 5,300	\$ 5,300
Cleveland County CDC	\$ 10,000	\$ 8,000
The Center of New Hope Inc.	\$ 9,000	\$ -
Christ Lutheran Church	\$ 6,000	\$ 5,000
Crisis Pregnancy Center	\$ 10,000	\$ 8,000
Dallas-High Shoals Christian Social Ministry	\$ 10,000	\$ 9,000
Dream Center Academy	\$ 10,000	\$ 7,000
Esther's Organization	\$ 10,000	\$ -

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Flint Groves Baptist Church	\$ 8,000	\$ 5,000
Friendship Christian Church	\$ 10,000	\$ 6,000
Gastonia Freedom School	\$ 4,800	\$ 4,350
Greater Gaston Baptist Association	\$ 10,000	\$ -
Least of These Carolinas	\$ 10,000	\$ 5,000
Mt. Zion Restoration Church	\$ 10,000	\$ 7,500
Place of Refuge	\$ 9,000	\$ -
Revolution Church	\$ 10,000	\$ 6,000
Salvation Army	\$ 10,000	\$ 5,000
Samantha's House	\$ 10,000	\$ 4,350
The Pointe Church	\$ 10,000	\$ 7,500
Gaston County Family YMCA	\$ 10,000	\$ 7,000
<b>Total</b>	<b>\$ 202,100</b>	<b>\$ 100,000</b>

and per Budget Change Request:

Account Description	Account Number	Amount
Other Contracts and Subsidies	010-05-5830-0000-570006-	(\$100,000)
Bountiful Blessing Food Pantry	010-05-5830-0000-570006-20059	\$5,300
Cleveland County CDC	010-05-5830-0000-570006-20060	\$8,000
Christ Lutheran Church	010-05-5830-0000-570006-20061	\$5,000
Crisis Pregnancy Center	010-05-5830-0000-570006-20515	\$8,000
Dallas-High Shoals Ministry	010-05-5830-0000-570006-20062	\$9,000
Dream Center Academy	010-05-5830-0000-570006-20063	\$7,000
Flint Groves Baptist Church	010-05-5830-0000-570006-20064	\$5,000
Friendship Christian Church	010-05-5830-0000-570006-20065	\$6,000
Gastonia Freedom School	010-05-5830-0000-570006-20066	\$4,350
Least of These Carolinas	010-05-5830-0000-570006-20067	\$5,000
Mt. Zion Restoration Church	010-05-5830-0000-570006-20068	\$7,500
Revolution Church	010-05-5830-0000-570006-20069	\$6,000
Salvation Army	010-05-5830-0000-570006-20070	\$5,000
Samantha's House	010-05-5830-0000-570006-20523	\$4,350
The Pointe Church	010-05-5830-0000-570006-20071	\$7,500
Gaston County Family YMCA	010-05-5830-0000-570006-20072	\$7,000

**2020-096 Commissioner Chad Brown - DHHS (Health Division) - To Approve the Gaston County Public Health Department Patient Fee Schedule** incorporated herein by reference as filed with the Clerk to the Board

**2020-097 Commissioner Chad Brown - DHHS (Health Division) - To Appropriate Excess Fee Revenue Earned During Fiscal Year 2019 from Health Fund Balance for the Public Health Clinics and Environmental Health Program (\$30,499)** per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	011-99-9900-0000-490000-	(\$30,499)
FY19 Excess Nutr. Fee Revenue	011-05-5112-5118-560000-20053	\$1,670
FY19 Env. Health Excess Fees	011-05-5114-5125-560000-20054	\$23,513
FY19 Excess ICS Fee Revenue	011-05-5116-5131-560000-20055	\$5,300
FY19 Excess Highland Fee Rev	011-05-5121-0000-560000-20056	\$16

**2020-098 Commissioner Chad Brown - DHHS (Health Division) - To Accept and Appropriate Additional State Grant Funds Received from the NC Division of Public Health for the COVID-19 Crisis Response (\$153,665)** per Budget Change Request:

Account Description	Account Number	Amount
COVID-19 Crisis Response	011-05-5112-5119-425059-20573	(\$153,665)
COVID-19 Crisis Response Grt	011-05-5112-5119-560000-20573	\$153,665

COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

**2020-099 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Third Quarter Donations for Various Programs within Social Services in the Amount of \$18,759 per Budget Change Request:**

Account Description	Account Number	Amount
CAC Donations- Kara's Closet	020-05-5585-0000-415001-20045	(758)
Shelter Donations	020-05-5582-0000-415001-	(10,312)
Adult Services: Donations	020-05-5600-0000-415001-	(580)
Nutrition: Donations	020-05-5622-0000-415003-	(4,005)
Employee Activities: Donations	020-05-4790-0000-415001-18142	(3,104)
Special Programs: Donations Kara's Closet	020-05-5585-0000-560000-20045	758
Shelter Donations	020-05-5582-0000-560000-08162	10,312
Special Programs: Donations- Adult Serv	020-05-5600-0000-560000-08159	580
Special Programs: Donations- Nutrition	020-05-5600-0000-560000-15259	4,005
Employee Activities Donations	020-05-4790-0000-560000-18142	3,104

**2020-100 Commissioner Chad Brown - DHHS (Social Services Division) - Proclamation - To Proclaim the Month of April 2020 as Child Abuse Prevention Month in Gaston County**

**2020-101 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Agriculture Center Volunteer Fire Department (\$35,977) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(35,977.00)
*Additional Subsidies (A/S)		
Agriculture Center	028-02-4401-0000-570007-	35,977.00

**2020-102 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Hugh's Pond Volunteer Fire Department (\$16,432) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(16,432.00)
*Additional Subsidies (A/S)		
Hugh's Pond: A/S	028-02-4409-0000-570007-	16,432.00

**2020-103 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to New Hope Volunteer Fire Department (\$11, 537) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(11,537.00)
*Additional Subsidies (A/S)		
New Hope: A/S	028-02-4411-0000-570007-	11,537.00

**2020-104 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to North Gaston Volunteer Fire Department (\$12,450) per Budget Change Request:**



## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(12,450.00)
*Additional Subsidies (A/S)		
South Fork (Long Shoals)	028-02-4414-0000-570007-	12,450.00
for North Gaston VFD		

- 2020-105 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to South Point Volunteer Fire Department (\$275,000) per Budget Change Request:**

Account Description	Account Number	Amount
Funds Balance Appropriated	028-99-9900-0000-490000-	(275,000.00)
*Additional Subsidies (A/S)		
South Point VFD, Inc.	028-02-4416-0000-570007-	275,000.00

- 2020-106 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Waco Volunteer Fire Department (\$9,932) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(9,932.00)
*Additional Subsidies (A/S)		
Waco: A/S	028-02-4419-0000-570007-	9,932.00

- 2020-107 Commissioner Philbeck - Planning & Development Services - To Approve Adoption of Revised Cleveland Gaston Lincoln County Regional Hazard Mitigation Plan as follows:**

WHEREAS, Gaston County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and,

WHEREAS, Gaston County desires to seek ways to mitigate situations that may aggravate such circumstances; and,

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and,

WHEREAS, it is the intent of Gaston County to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and,

WHEREAS, it is also the intent of the Board of County Commission to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive State and Federal assistance in the event of a declared disaster affecting Gaston County Government; and,

WHEREAS, the Board of County Commission appoints Gaston County Emergency Management and Gaston County Planning Offices to assure that the Hazard Mitigation Plan is reviewed annually and updated every five (5) years as specified to assure that the Plan is in compliance with all State and Federal Regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of County Commission for consideration; and,

WHEREAS, Gaston County, in coordination with Cleveland and Lincoln Counties and the participating municipalities within those Counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials; and,



## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

WHEREAS, the Board of County Commission adopted the Cleveland Gaston Lincoln County Regional Hazard Mitigation Plan on May 26, 2015; and,

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the revised Cleveland Gaston Lincoln County Regional Hazard Mitigation Plan for legislative compliance and has approved the revised plan pending the completion of local adoption procedures.

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

- 1) Adopts the revised Cleveland Gaston Lincoln County Regional Hazard Mitigation Plan; and,
- 2) Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

**2020-108 Commissioner Worley - Police Department - To Proclaim April 12 - 18, 2020 as Public Safety Telecommunicators Week in Gaston County**

**2020-109 Commissioner Worley - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Master Police Officer Robert B. Henninger**

**2020-110 Commissioner Jack Brown - Public Works - To Appropriate Funds from the Courthouse Parking Fund Balance Account into the Other Services Account (\$3,700) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	027-99-9900-0000-490000	(3,700)
Other Services	027-01-4265-4260-530015	3,700

**2020-111 Commissioner Philbeck - Public Works - To Authorize the County Manager to Execute an Architect/Engineering Design Contract with Stewart Cooper Newell Architects for the Child Advocacy Center at a Cost Not to Exceed \$151,975**

**2020-112 Commissioner Chad Brown - Public Works - To Award a Construction Contract for the Stanley Branch Library ADA Renovation to T.C. Strickland Construction Co., Inc. at a Cost Not to Exceed \$448,507 and Authorize the County Manager to Execute Any Necessary Documents**

**2020-113 Commissioner Worley - Sheriff's Office - To Appropriate \$48,723 for the Gaston County Sheriff's Office from the State Criminal Alien Assistance Program (SCAAP) Funds for FY 2019 per Budget Change Request:**

Account Description	Account Number	Amount
State Criminal Alien Assistance Program	010-02-4315-0000-425080	{48,723}
FY 2019 SCAAP GRANT	010-02-4315-4315-560000-20572	48,723

**2020-114 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the Listed Tax Refunds be Made. (Releases and Refunds - \$62,204.18; Overpayments - \$43,337.13; VTS Refunds - \$3,234.96; Grand Total - \$108,776.27) as follows:**

TAXPAYER NAME	AMOUNT
<b>MARCH 2020 RELEASES AND REFUNDS</b>	
Dellamea, Don Anthony	\$5,497.90
Richardson, Catherine P	\$47.53

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Ashley Arms Inc	\$41,491.36
Corelogic	\$810.86
Gerber Collision & Glass	\$14,356.53
<b>TOTAL</b>	<b>\$62,204.18</b>

**MARCH 2020 OVERPAYMENTS**

Allison, Barbara	\$140.00
Alton, Matthew C	\$131.00
Ann's Nails Spa Inc	\$399.28
Bailey, Thomas A	\$446.58
Barnett, Brenda C	\$175.00
Baucom, Donna P	\$1,763.92
Burch, Bertha F	\$201.19
Campbell, Stephen Donald	\$230.77
Carolina Premier LLC	\$239.23
Carolinas Home & Land	\$116.65
Carpenter, Martha B	\$130.00
Cavin, W M JR	\$1,582.52
Ckezepis Law	\$100.00
Creason, Steve A	\$219.59
Cutting Edge Pizza	\$2,500.62
Czerr Construction	\$1,046.45
Dover, William J Jr	\$348.43
Dumontet, Karen	\$157.00
Escalante, Martin	\$171.45
Gaston County Tax Dept Prepay	\$208.89
Gaston County Tax Dept Prepay	\$161.59
Gaston County Tax Dept Prepay	\$220.00
Gaston County Tax Dept Prepay	\$201.01
Gaston County Tax Dept Prepay	\$115.00
Giang, David	\$905.75
Habitat for Humantiy	\$652.26
Harry Marsh Law	\$1,630.88
Homes by John Bailey & Assoc	\$299.15
Houser, Theron D	\$300.00
Isbill, Charlotte	\$508.83
Jenkins, James S	\$155.62
Johnson, Linda M	\$268.00
Kelly, Matthew B	\$504.72
Lawing, Don	\$843.74
LFT Inc	\$604.13
LLB Enterprises	\$200.00
Llewellyn, Nancy	\$1,950.00
Long, Elizabeth H	\$108.40
Mahafee, James S	\$306.78
Mauney, Dale G	\$692.81
McKinney, Angel D	\$184.78
McKinstry, Albert J Jr	\$444.44
Merritt Law	\$140.97
MISI Holdings LLC	\$1,894.62
Neely, Michael	\$111.69
New View Realty Group	\$2,412.58
Overcash, Atwell	\$195.03
Palmer E Huffstetler JR Attorney	\$440.00
Phillips, Charlotte	\$279.77
Phil's Starter & Alternator	\$1,396.94
Phil's Starter & Alternator	\$135.73
Quality Leasing Spe1	\$200.00
Queen, Shelley L	\$291.91
Rainwater, Eric J	\$665.92
Reese, Allen J	\$680.80
Rhyne, Charles R	\$155.00
Roberts, Troy D	\$122.62
Robinson, Kelly J	\$669.08

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Roma Italian	\$2,143.55
Rushing, Donna F	\$149.06
S & D Coffee Inc	\$143.67
S & D Coffee Inc	\$318.62
Saunders, Sarar W	\$860.13
Savage, Grover W	\$112.06
Select Portfolio Servicing	\$290.00
Serrano, Dora	\$100.00
Sosebee Concrete Construction	\$1,463.32
Sosebee Concrete Construction	\$135.29
Southern Magnolia Trust	\$190.59
Statesville Housing Authority	\$112.29
Tanner, Stephen M	\$108.40
Tanner, Stephen M	\$108.40
Thornton, David J	\$317.22
Weaver, Julie K	\$2,619.22
Wells Fargo Real Estate	\$2,098.29
Wilson, Rosa M	\$260.05
Wright, Tonya F	\$203.70
York, Thomas J	\$121.38
York, Thomas J	\$122.77
<b>TOTAL</b>	<b>\$43,337.13</b>

**MARCH VTS REFUNDS**

Baroudi, Ghassan Said	\$116.66
Baucom, Jacqueline Bryant	\$101.48
Belcher, Lisa Mary	\$193.95
Blakemore, Samantha Megan	\$104.70
Bowen, John Layton	\$154.90
Brock, Lea Dianne	\$158.59
Goode, Quincy Carroll	\$110.17
Grindstaff, Robert Curtis	\$237.19
Hall, Janice Haile	\$131.10
Hillard, Jan Randolph	\$235.60
Jones, Eric Jerome	\$138.20
Lawery, Melvin JR	\$128.77
Layne, David Andrew	\$107.46
Manuel, Ameleo Decosta Anonio	\$131.75
Neal, Terry Joe	\$137.23
Sanders, Robin Hoffman	\$122.85
Smith, Meredith Ann	\$138.08
Todd, Jason McDonald	\$217.02
Watts, Cynthia Carson	\$373.75
White, Shirley Williams	\$195.51
<b>TOTAL</b>	<b>\$3,234.96</b>

**GRAND TOTAL****\$108,776.27**

**2020-115 Commissioner Philbeck - Finance - To Accept and Appropriate Federal CARES Act Funds in the Amount of \$242,169 for GEMS (\$240,889) and Public Health (\$1,280) per Budget Change Request:**

Account Description	Account Number	Amount
CARES Act Funding	010-02-4370-0000-420000-20574	(\$240,889)
CARES Act Funding	010-02-4370-0000-560000-20574	\$240,889
CARES Act Funding	011-05-5115-0000-420000-20574	(\$1,280)
CARES Act Funding	011-05-5115-0000-560000-20574	\$1,280

COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

**2020-116 Commissioner Philbeck - BOC - Approval of a Resolution to Endorse an Application to the U.S. Department of Transportation's 2020 Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants Program for the Lineberger Connector Project as follows:**

- WHEREAS, the U.S. Department of Transportation's ("USDOT") Better Utilizing Investments to Leverage Development Transportation Discretionary Grants Program ("BUILD") provides funding for capital investments in surface transportation infrastructure; and,
- WHEREAS, the Lineberger Connector Project was identified as a regional project in the Franklin Boulevard Corridor Access and Alternative Development Mobility Strategy, completed in August 2016 by the City of Gastonia and the City of Lowell; and,
- WHEREAS, the cities of Gastonia and Lowell, in partnership with Gaston County, seek to apply for grant funding to construct the Lineberger Connector Project, which will extend Aberdeen Boulevard east to connect to the existing Lineberger Road with improvements north to NC 7, and provide direct access to approximately 400 acres of property that is ripe for local and regional development; and,
- WHEREAS, the cities of Gastonia and Lowell, in partnership with the property owner, are actively working with NorthPoint Development for the development of the Lineberger property; and,
- WHEREAS, the proposed development will include over 4,675,000 s.f. of warehouse and wholesale sales, distribution, and storage operations; and,
- WHEREAS, upon full buildout, NorthPoint Development is estimating a total of 2,571 new jobs; and,
- WHEREAS, the property currently has only one access point via Lineberger Road, which is a substandard two-lane facility with an at-grade crossing of the Norfolk Southern rail corridor; and,
- WHEREAS, in order for freight trucks to avoid this access, it is imperative that Aberdeen Boulevard be extended through the site to allow for a connection to Cox Road to the west, with safe and direct access to I-85; and,
- WHEREAS, this proposed project presents a unique opportunity to provide accessibility to an area that could produce significant economic development and job creation along Interstate 85; and,
- WHEREAS, the area in which the Lineberger Connector Project is located completely within a Federally designated Opportunity Zone, which could bring a much-needed infusion of investment dollars for economic development into the most distressed rural and urban areas of our state; and,
- WHEREAS, the project will exemplify a strong public-private partnership involving multiple partners in both the public and private sectors, including collaboration among neighboring jurisdictions to achieve both local and regional benefits, now.
- NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby declares support for the funding and construction of the Lineberger Connector Project.

**Non-Consent**

**2020-117 Commissioner Philbeck - Planning & Development Services - To Approve an Interlocal Grant Agreement with the City of Gastonia for Funding the Local Match for Catawba Crossings Feasibility Study (\$34,621)**

On motion introduced by Commissioner Philbeck and seconded by Commissioner Worley, the BOC unanimously approved **2020-117** as follows:

COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

**STATE OF NORTH CAROLINA**  
**COUNTY OF GASTON**

**INTERLOCAL GRANT AGREEMENT  
 WITH THE CITY OF GASTONIA FOR  
 FUNDING THE LOCAL MATCH FOR  
 THE CATAWBA CROSSINGS  
 FEASIBILITY STUDY**

This Agreement, made effective this the \_\_\_\_ day of \_\_\_\_, 2020, by and between the **CITY OF GASTONIA**, a North Carolina Municipal Corporation having a mailing address of PO Box 1748, Gastonia, NC 28053; **CITY OF BELMONT**, a North Carolina Municipal Corporation having a mailing address of PO Box 431, Belmont, NC 28012; **TOWN OF CRAMERTON**, a North Carolina Municipal Corporation having a mailing address of 155 N Main Street, Cramerton, NC 28032; and **GASTON COUNTY**, a body politic and a political subdivision of the State of North Carolina having a mailing address of PO Box 1578, Gastonia, NC 28053.

**WITNESSETH:**

THAT, WHEREAS, Article 20 of Chapter 160A of the General Statutes of North Carolina authorizes any unit of local government and any one or more units of local government to enter into contracts or agreements with each other in order to execute any undertaking; and,

WHEREAS, Fixing America's Surface Transportation (FAST) Act allows for the allocation of State Planning and Research (SPR) funds to be available for certain specified transportation activities; and,

WHEREAS, the City of Gastonia has requested federal funding for the Catawba Crossings Feasibility Study, hereinafter referred to as the Project, in Gaston County, North Carolina; and,

WHEREAS, the City of Gastonia has been designated as a recipient to receive funds allocated to the North Carolina Department of Transportation (NCDOT) by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of \$360,000 for the Project; and,

WHEREAS, NCDOT has allocated additional state funding, under State Bill 136-214, to provide a portion of the non-federal match, in the amount of \$67,500; and,

WHEREAS, the City of Gastonia has agreed to participate in certain costs and to assume certain responsibilities for project administration; and,

WHEREAS, the City of Gastonia shall provide the non-federal match for the reimbursable amount, up to \$22,500 and an additional \$675 for SAP charges (cost incurred by NCDOT); and,

WHEREAS, the City of Gastonia has contracted with Gannett Fleming, Inc. to perform the necessary services to complete the Catawba Crossings Feasibility Study; and,

NOW, THEREFORE, in consideration of the terms, conditions and covenants hereinafter set forth, it is agreed between the parties hereto as follows:

1. **PURPOSE:** The purpose of this agreement is to set forth the terms and conditions under which The City of Belmont, Town of Cramerton, and Gaston County will provide monies to the City of Gastonia for local match costs associated with the Catawba Crossings Feasibility Study.
2. **PROJECT DESCRIPTION:** The City of Gastonia shall engage the services of Gannett Fleming, Inc. to develop a feasibility study to evaluate a potential crossing of the Catawba River, providing a third parallel highway crossing connecting Gaston and Mecklenburg Counties.
3. **COSTS:** The total Project cost is \$512,489 and includes federal funding, state and local matches. See funding table below:

<b>FUND SOURCE</b>	<b>AMOUNT</b>
SPR (Federal) to be reimbursed to the City of Gastonia	\$360,000
SPR (Federal) to be used for SAP Charges	\$10,800
State Match to SPR for Project	\$67,500
State Match for SAP Charges	\$2,025
Gaston County	\$34,621
City of Gastonia	\$31,324

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Town of Cramerton	\$1,819
<b>TOTAL</b>	<b>\$512,489</b>

Utilizing a per capita population breakdown of the total Non-Federal Local Match, the City of Belmont shall pay a 6.1% portion of the local match in the amount of \$4,400, the Town of Cramerton shall pay a 2.52% portion of the local match in the amount of \$1,819, and Gaston County shall pay a 47.98% portion of the local match in the amount of \$34,621. Local match portions shall be paid directly to the City of Gastonia. The City of Gastonia will be responsible for another 43.41% portion of the local match in the amount of \$31,324.

4. REIMBURSEMENT: The City of Gastonia will bill the City of Belmont, Town of Cramerton, and Gaston County accompanied by appropriate documentation justifying the request for payment. The City of Belmont, Town of Cramerton, and Gaston County will reimburse the City of Gastonia for costs within forty-five (45) days of receipt of the request.
5. AGENCY: The City of Gastonia shall ensure the Project is completed within a reasonable time after the execution of this Agreement. This Agreement is not to establish any kind of joint agency or partnership agreement between the parties.
6. ACCESS: The City of Belmont, Town of Cramerton, and Gaston County retain the right to inspect documents, materials, papers and other related items at any point in the Project, with proper notification to the City of Gastonia.
7. INSURANCE AND INDEMNITY: The City of Gastonia shall at all times indemnify, save, protect, and keep harmless the City of Belmont, Town of Cramerton, and Gaston County from all costs, loss, damage, liability, expense, penalty and fines which may arise from or be claimed against them by any person or persons, firms or corporations, for any injuries to persons or property, or damage for whatever kind or character consequent upon or arising from this Agreement by reason of any negligent act of the City of Gastonia, its agents or employees.
8. DUPLICATE ORIGINALS: This Agreement shall be executed by the parties hereto in duplicate originals, each of which when executed shall constitute one and the same Agreement.
9. ENTIRE AGREEMENT: This instrument contains the entire Agreement between the parties, and no statement, oral or written, made by any party or agent of any party that is not contained in this Agreement shall be valid or binding. This contract may not be enlarged, modified or altered, except in writing signed by the parties and endorsed hereon.
10. NON-APPROPRIATION: In the event funds are not appropriated during the term of this Agreement for the subject matter herein described, and there are no other available funds by or with which payment can be made to the Vendor, this agreement is terminated. This Agreement will be deemed terminated on the last day of the fiscal period for which appropriations were received without penalty or expense, except to the portion of payment for which funds have been appropriated and budgeted.
11. IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S. 147-86.59(a).  
As of the date listed below, the vendor or bidder listed below is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 147-86.58. The undersigned hereby certifies that he or she is authorized by the vendor or bidder listed below to make the foregoing statement.  
  
Note: N.C.G.S. 147-86.59(a) requires this certification for bids or contracts with the various governmental entities of North Carolina, including Counties. The certification is required when a bid is submitted, when a contract is entered into, and when a contract is renewed or assigned. No vendor may utilize any subcontract found on the State Treasurer's Final Divestment List. The List is updated every 180 days, and can be found at [www.nctreasurer.com/iran](http://www.nctreasurer.com/iran).
12. NORTH CAROLINA E-VERIFY CERTIFICATION. Applicability: Pursuant to North Carolina Session Law 2015-294, the certification is applicable for all contracts entered into by Gaston County, except for contracts solely for the purchase of goods, apparatus, supplies, materials, equipment, or contracts with specific other entities as described in NCGS 143-133.3, piggy-back contracts, and travel purchases.
13. CERTIFICATION: By signing and entering into this contract with Gaston County, I hereby certify that I comply with E-Verify, the aforementioned Federal program used to verify the work authorization of newly hired employees working in North Carolina. I certify compliance with the E-Verification program pursuant to Article 2 of Chapter 64 of the North Carolina General Statutes. If applicable, I am also certifying that any subcontractor hired or used by me will comply with E-Verify, as described herein.
14. ADA AND CIVIL RIGHTS CERTIFICATION OF COMPLIANCE. I hereby certify that I comply with all applicable federal civil rights laws, including the applicable provisions of the Americans with Disabilities Act.

and per Budget Change Request:

## COMMISSIONER'S COURT

APRIL 28, 2020

## GASTON COUNTY, NORTH CAROLINA

Account Description	Account Number	Amount
Fund Balance Appropriated	010-99-9900-0000-490000	[\$34,621]
Prof Svcs: Catawba Bridge Match	010-02-4910-4910-530010-20057	\$34,621

**Appointments**

On motions introduced and seconded, the following individuals were unanimously appointed/reappointed to the ***Travel & Tourism Advisory Board***:

Motion Introduced	Seconded	Appointee	Term Ending
Commissioner Hovis	Commissioner Keigher	Ms. Cynthia Isenhour	April 30, 2023
Commissioner Hovis	Commissioner Keigher	Mr. Cam Carpenter	April 30, 2023
Commissioner Jack Brown	Commissioner Keigher	Mr. Martin Hutchins	April 30, 2023

**Commissioners Committee Reports**

No reports.

**County Manager's Report**

The County Manager presented as follows:

- ***Re - CARE (Capital and Relief Expansion) Emergency Plan:*** The DHHS staff have approved 346 applications and distributed \$284k to families and individuals impacted by COVID-19; this program is functioning well
- ***Re - New Animal Shelter:*** The State will conduct its final inspection for the new animal shelter on Thursday (April 30<sup>th</sup>) and then the County can proceed with the move
- ***Re - Weekly Budget Updates:*** Staff will start doing weekly updates for the BOC on the status of the budget development starting Friday (May 1<sup>st</sup>).

**County Attorney's Report**

No report.

**Other Matters**

***Re – Family Advisory Board (FAB) Meeting:*** Commissioner Jack Brown advised the FAB will be meeting on the mental health grant on Thursday (April 30) and will be bringing forth information for the BOC to vote on.

Chairman Philbeck presented:

- ***Re – Staff's Appreciation During COVID-19:*** Thanked staff (County Manager, County Attorney, Attorney, Clerk and staff and IT) for the tremendous amount of work they accomplished preparing for meetings, grants, staffing issues, etc. in dealing with the COVID-19 pandemic



COMMISSIONER'S COURT

APRIL 28, 2020

GASTON COUNTY, NORTH CAROLINA

- **Re – Family Advisory Board (FAB):** FAB had some discretionary funding that was moved to combat mental health issues in the community since the first round of funding did not address mental health
- **Re – April 29<sup>th</sup> Press Conference:** A press conference will be held tomorrow at 10 am in the Courthouse (Harley B. Gaston Public Forum) to provide some good information and updates to the public
- **Re – Public Library:** He spoke with County Manager and staff is working on getting the library up and running to some capacity; the libraries are allowed to be open by the Governor's orders and the County is working to do that in a safe way; the County Manager is also working on a plan on bringing staff back
- **Re – May 12 & 26 Meetings:** The May 12<sup>th</sup> Work Session had been cancelled; the next Regular Meeting is May 26<sup>th</sup>
- **Re – COVID-19 Crisis:** The Commission will continue to monitor the COVID-19 crisis and will issue updated guidance regarding future meetings as promptly as possible. Until further notice, please submit public comment to the Public Comment Voicemail line at 704-866-3110, via email to [BOCPublicComment@gastongov.com](mailto:BOCPublicComment@gastongov.com) or visit the Gaston County website at [www.gastongov.com](http://www.gastongov.com) for additional information and alerts.

### Adjournment

Chairman Philbeck called for a motion to adjourn the Regular Meeting.

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously adjourned the Regular Meeting of April 28, 2020 at 6:40 pm.

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

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Tracy L. Philbeck, Chairman  
Gaston County Board of Commissioners

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Donna S. Buff  
Clerk to the Board

SEAL