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Gaston County Board of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

JULY 28, 2020

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

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

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

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

Chairman Philbeck announced that no item was on the Agenda concerning the Confederate monument outside of the Courthouse.

Public Hearing - Zoning Map Change: Conditional District CD20-01, CH Land Company LLC (Applicant); Property Parcels 172387, 172379, 172378, 172377, and 172375, Located at Old Dallas Hwy., Dallas, NC, Rezone from the (RS-8) Single Family 8,000 square feet Zoning District to the (CD/RS-8) Conditional District/Single Family 8,000 square feet Zoning District

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 Jack Brown, the BOC unanimously entered into Public Hearings.

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

Mrs. Penley advised subject request is to rezone parcels 172387, 172379, 172378, 172377 and 172375 located off Old Dallas Hwy., Dallas, NC, from the (RS-8) Single Family 8,000 square feet Zoning District to the (CD/RS-8) Conditional District/Single Family 8,000 square feet Zoning District to allow a 163 lot residential development; the Applicant is CH Land Company LLC and has multiple property owners; 64.61 acres, the total acreage of property, is being considered for rezoning; the property is mostly vacant and wooded with the exception of two existing residential homes; Applicant was required to conduct two community input meetings per the Conditional District rezoning process, which were held on July 1, 2020 and July 2, 2020.

She reviewed aerial and zoning maps and advised the property is located on Old Dallas Hwy. (north of Gastonia city limits; south of Town of Dallas; in north central portion of County) and is currently predominately vacant except for the two residential structures at the front; it adjoins a residential development to the east and adjoins some single family homes to the west; the current zoning is RS-8 with some C-1 to the north; adjoins the Gastonia city limits and Town of Dallas zoning districts; the zoning is consistent with RS-8; it borders the municipal boundaries of the Town of Dallas and City of Gastonia to the west, southeast and north. She reviewed the Owner and Adjacent Property Listing of property owners notified of the Public Hearing and the Site Plan

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attached to the Application for the proposed 163 lot subdivision/residential development; advised per the text amendments adopted in the Spring that anything over 50 lots must come before BOC for consideration; staff recommended conditions were provided in BOC's packets for review and approval.

Mrs. Penly advised the property is consistent with the Comprehensive Land Use Plan (Comp Plan) and is located within the Suburban Development Small Area 2: North 321 Gaston/North Central Gaston; it is staff's opinion the Conditional District request would be appropriate within the Comp Plan's future land use designation; the general area has residential zoned properties located near subject site; staff recommends adoption of the attached conditions to mitigate any detrimental factors should the BOC approve the request; the request was advertised, notices were mailed out per County policy and staff received a few calls for information only.

Chairman Philbeck called for comments from the Applicant.

Mr. Ray Holt advised they wanted to present a brief Powerpoint presentation and that Mr. Jonathan Crowder, Merrick (& Company's) Engineer was in attendance also.

Mr. Holt explained the proposed development involves multiple parcels on 64 acres; the density is about 2.5 units per acre; common open space required is about 4.5 acres; the lots dimension are 50'x120' and is an extension of the Long Creek community with larger lots; to the east of the proposed site plan is the existing residential community which provides connectivity; there are buffers against the less densely populated areas; they will preserve the indigenous plant materials as much as possible; there will be an amenity area as Planning asked (gazebo, pool, playground, cabana) which is not shown yet because the builder likes to put them in a central location; this will result in fewer lots but it is a commitment; met with NCDOT about the roads and have done everything they have asked; have provided much more open space than required; the development will create increased revenues (via higher tax base; workers and homeowners spending monies; demands for restaurants, neighborhood services, etc.).

Chairman Philbeck called for questions from the BOC.

Commissioner Worley asked for the price range of the homes; if the municipality would provide water and sewer or would it be well and septic.

Mr. Holt responded \$235,000 to \$300,000; it will be municipal water and sewer through Two Rivers; have already talked to Mr. (Mike) Bynum (with Two Rivers Utilities).

Chairman Philbeck asked for the breakeven number on house values in regards to the impact on schools, police, medic, etc.

The County Manager responded around the \$240k range.

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Chairman Philbeck asked what guarantee the County has that the homes will sell for \$235,000 to \$300,000; what is the square footage of the average house; are the homes vinyl siding or brick.

Mr. Holt responded the only real guarantee is the cost of the land and development will drive that but the market can change things; believe the square footage is 1,800SF and up; the homes will be a combination of exterior siding.

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

Chairman Philbeck called for a short break at 6:15 pm to dismiss the zoning case to the 4th Floor Jury Room, Room 4129 and to bring in the participants for the CD20-02 zoning request.

Chairman Philbeck resumed the meeting at 6:17 pm.

Public Hearing - Zoning Map Change: Conditional District CD20-02, Hornet Solar, LLC (Applicant); Property Parcels 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, Located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm)

Chairman Philbeck introduced Mrs. Penley for comments.

Mrs. Penley advised subject request is to rezone parcels 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964 located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm); the Applicant is Hornet Solar, LLC; property owners are multiple; total acreage of property is 543.71 acres to be considered for rezoning; the property is currently vacant and wooded; Applicant, per the Conditional District rezoning process, was required to conduct two community input meetings which were held on March 5, 2020 and July 8, 2020.

She reviewed aerial and zoning maps and advised the property is located in the northeast section of County (west of Lucia-Riverbend Hwy.; north of city limits of City of Mount Holly; east of Town of Stanley); predominate zoning in area is R-1 with some R-2 abutting or adjoining; the zoning is consistent with R-1 with some single family moderate and some commercial closer to the Lucia-Riverbend Hwy. She reviewed the list of property owners notified for the purposes of a Public Hearing and advised a Site Plan and **revised** staff recommended conditions were included in the BOC's packets should the BOC approve the Application. She presented the **revised** conditions to the Planning Board.

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Chairman Philbeck called for a motion to accept the **revised** staff recommended conditions.

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously accepted the revised conditions as information.

Mrs. Penley advised there was a slight modification to condition #6 regarding the decommissioning bond to add some minor language to the end of that revision.

Regarding the Comp Plan the property is located within the rural and rural communities small areas of Area 3: Northeast Gaston; it is staff's opinion the Conditional District request is appropriate within the Comp Plan's future land use designation; the general area has residential zoned properties located near the site; the proposed development of a solar farm would be consistent with preservation of open land and non-development; should the BOC approve the request, staff recommends that the attached conditions be adopted for mitigation; the request was advertised and notices were mailed out per County policy; staff received correspondence via email from one of the residents and presented the correspondence to the Planning Board; staff received a few calls and two emails in support of the proposed solar farm.

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

Chairman Philbeck called for comments from the Applicant.

Mr. Tom Terrell, Attorney with Fox Rothschild, LLP, Greensboro, NC, advised he represents Renewal Energy Services, one of the oldest companies doing solar work in NC; the company is operated by a Father and two sons who are the best at responding to and working with the government and to listening and proactively speaking to and working with neighbors; the communications in notebook provided to BOC will confirm that; it is not uncommon to have emails of support from the community and have heard their complaints about growth in area (do not want a subdivision in area), Riverbend Preserve, increased traffic and facility's entrance not being state maintained during the neighborhood meeting; proposed solar farm will preserve the land, will not generate traffic, will be dark at night and may potentially be rezoned agricultural or farmland; when Renewal Energy met with NCDOT and could not get the road into the system they put up monies and will repair Drew Rd. as it has never been repaired if approved; some neighbors and the owners (of both families) are in attendance tonight; introduced Mr. Tom Delafield for a Powerpoint presentation.

Mr. Tom Delafield, Renewal Energy Services Project Development Director, advised the family-owned/operated company has been developing solar farms in the Carolinas since 2013; per visuals advised the project originated in 2019 and will be owned/operated by Capital Power (a publicly traded utility company on the Canadian Stock Exchange that owns energy assets throughout North America and over 1800 megawatts in the United States via field sources - coal, gas, wind or solar); Capital Power has a couple of facilities in NC and wants to continue their aspirations into the renewable market; the project will be 75 megawatts in size with enough capacity to power over 1,800 homes; approximately 550 acres in the County was requested in the zoning site plan; it is estimated that the County will see approximately a 600% increase in the tax

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base over the course of the project (expected 40-year life span at \$1M vs \$153k estimated to date); Capital Power was awarded a 20-year contract with Duke Power to supply renewable energy at a cheaper price than they can produce it.

Re: Site Plan: Reviewed the Site Plan depicting flood plains, access point (off Old Beaty Rd.), road frontages, proposed sediment basins locations (storm water controls and retention ponds subject to further engineering and review), 240 acres on southern part of site, setbacks on western and eastern sides, southwest corner for utility right-of-way interconnects.

He advised the majority of the parcel shown with panels on it will be in Lincoln County and does not have any road frontage; portion south of County line is predominately wetlands and flood plains and will not have any equipment in it; the project involves three families.

Re: March 5th and July 8th Community Meetings: Two community meetings were held at Mountain Island Charter School (1st meeting 20 attendees/2nd meeting 10 attendees); the attendees primary questions were about Drew Rd., what would happen following construction of solar farm and about the use of herbicides and pesticides; herbicides and pesticides are used occasionally for spot treatments in operations and maintenance.

Re: Drew Road: Currently Drew Road has a patched pothole and some cracking; developer did not get it into the NCDOT's system as intended; we learned later there was not enough residential density for acceptance into NCDOT's system; there is no Home Owner's Association (HOA) for the adjacent neighborhood and no road maintenance agreement in place; Capital Power solicited NCDOT to do an engineering review on what needed to be done to get it into its system; some of those items were outside of our control (i.e., density on road; encroachments, drainage issues, etc.) so we focused on the road surface; Capital Power is committed to improving and resurfacing the road at end of construction period at no cost to residents; there will be 6" of new asphalt and will tear up about 1.5 to 2 inches before laying the new cover.

Re: Economic Benefit: Believe the economic benefit to County is substantial; forecast a 600% tax base increase (about \$1M vs \$150k over its 40-year expected useable life span); construction will occur in phases (land clearing, site prep, etc.); will require about 150 people for a 9 to 12 months period; solar is unique and will not involve any County funded services nor impact schools; there will be very little traffic once construction is completed (approximately one to two vehicle trips/month vs nine vehicle trips/day).

Re: Tax Base: In year 1 of the 40-years tax base increase the company plans to pay \$60,000 in taxes versus paying \$3,800 today; the numbers remains large for life time of project but decreases over time due to depreciation of the solar system.

Re: Environmental and Permitting of Site: This is primarily handled by the County's Department of Natural Resources; two parcels are in the Catawba IV Watershed; solar is considered by NCDEQ as a pervious surface use and minimally impactful; threshold for the protected watershed is in the mid 20s; solar is about 2% pervious surface; believe the company will clear that hurdle quite a bit; there will be no modules erected in the floodplain but there will be one utility easement (a 50' wide power line) to connect the northern and southern sections on the site plan; there will be no emissions, odors or permanent light at the facility; have already received the NC Utilities Commission CPCN permit; this permit gives the public and state

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regulatory agencies the opportunity to comment and ask questions about the project and publishes or make public notice of the project in *The Gaston Gazette* and no comments were received; Duke Energy has approved the project and we need the County's approval to move forward.

Re: Operations and Maintenance: Capital Power is an experienced operator of energy assets; the solar farm will be monitored 24/7 on a daily basis to ensure that everything is running smoothly and safely; the only monthly maintenance required is mowing; the equipment and connections are inspected annually.

Re: Equipment and Decommissioning: Will use state-of-art equipment throughout facility including tier 1 solar panels which are the best and under warranty for replacements; have a private decommissioning agreement in place with landowners in addition to the staff recommended conditions; 40 years is the life expectancy of the facility; it will be insured throughout its life expectancy but will have periodic cost reassessments to ensure that the private bond stays up-to-date in real dollars; Capital Power is willing to stand behind this project until the end of its useful life when the land is restored back to its previous condition.

In closing, requested BOC to approve the proposed solar farm that will bring economic benefit and clean air and water to the County.

Attorney Terrell, advised that two experts, Mr. Thomas Cleveland (in attendance) and Mr. Kirkland, who is quarantined at home but available via phone, could answer any questions from the BOC; the property owners are also in attendance.

Mr. Randy Beatty advised he and his brother owns a good partial of the land in question which has been in his family for quite some time; he lives on the property where the solar farm will be located; his son and family live on the same road; they see no impact from it and are comfortable with its location and fully support it; hope BOC will approve it.

Ms. Siri Jones and daughter of Tony Jones, one of the landowners, speaking on behalf of her family read a letter her Father wrote in support of the zoning map change request to allow them to scale back their farming operations.

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

Commissioner Chad Brown asked if Lincoln County's Board of Commissioners had addressed their portion of the project; if something happened with their Board would it exclude that one parcel.

Mr. Delafield responded there are several parcels involved in the Lincoln County side and we need their approval for it; if Duke Energy denied, the project would be reevaluated to try to make it work; the technology package envisioned for the project needs a certain amount of acreage for it to work; would look at every option, but would like to move forward with project if possible.

Commissioner Hovis asked if the project involved stationary panels.

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Mr. Delafield responded "no"; with the tracker technology package the panels will be strung north and south and will begin facing east and tilt to track the sun and finish in the west which increases the panels efficiency and allows them to capture more sunlight.

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

Public Hearing - Zoning Text Amendment: ZTA20-03 Gaston County Planning Board (Applicant): To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 9 (General Provisions): Section 9.5(A)

Chairman Philbeck recognized Mr. David Williams, Director, Planning & Development Services, for comments.

Mr. Williams advised subject request is to consider amendments to the Unified Development Ordinance (UDO) regarding a lot abutting a dedicated street and minimum lot widths; this staff initiated request is supported by the Planning Board; no lot can be created in a zoning district, with exception of the CBD, after the effective date of the ordinance that does not have at least 50' of road frontage right-of-way to depth of lot.

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

Chairman Philbeck excused the Planning Board to the 4th Floor Jury Assembly Room - Room 4129 for deliberations.

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

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

Chairman Philbeck paused the proceedings briefly to clear the room at 6:42 pm.

Chairman Philbeck called the meeting back to order at 7:02 pm.

Agenda Revision/Approval

- **REVISED/** *Commissioner Chad Brown - Finance - To Approve Staff Recommendation of Small Business Emergency Bridge Loans - Section IV., T.*
- **REVISED/** *Commissioner Hovis - Police Department/Animal Care and Enforcement - To Surplus Four Cage Banks from the Former Animal Care and Enforcement Facility Located at 220 Leisure Lane, Dallas NC and to Approve the Donation and Conveyance of the Cages to the Gaston Low Cost Spay/Neuter Clinic, a Non-Profit Corporation - Section IV., U.*
- **ADDED/** *Commissioner Philbeck - Budget & Management Services - To Accept and Appropriate Additional Federal CARES Act Revenue (\$6,260,807) - Section IV., Item Z.*
- **ADDED/** *Closed Session Pursuant to NCGS 143-318.11(a)(3) - Consult with the Attorney - Section X., Item C., 1.*
- **MOVED** to precede III. Citizen Recognition/ *Commissioner Tom Keigher – Council of Understanding Recommendation (Section X., Item A., 1.)*

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

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Chairman Philbeck – Re: Motion to Formally Accept Two Petitions as Information

Chairman Philbeck advised the Clerk to the BOC received two petitions, which were emailed to the Board yesterday and are requested to be formally accepted as information; one petition from Ms. Emily Parker and Ms. Sierra Hall with 1,511 signatures in favor of removing the monument; another petition from Ms. Jane Dye with 1,812 signatures in favor of keeping the monument at the Courthouse.

Commissioner Chad Brown introduced the motion to accept the petitions as information and Commissioner Fraley provided the second.

Chairman Philbeck called for discussion.

Commissioner Keigher advised that many of the names on the petitions were people from out-of-County, out-of-state and other parts of the country; in his opinion they do not hold the validity of something being purely from the County.

Chairman Philbeck called for the vote, and the BOC unanimously accepted the petitions as information.

Citizen Recognition

Chairman Philbeck announced citizen recognition would be limited to one hour and comments would be limited to two minutes.

The following individuals spoke in support of relocating the Confederate monument from the Courthouse: Ms. Emily Parker, Gastonia; Lieutenant Colonel Retired Maury A. Williams, President of Epsilon Upsilon Chapter of Omega Si Phi Fraternity, Inc., Gastonia; Ms. Kimberley Hallas, Gastonia; Mr. Colin Hoggard, Belmont; Mr. Graham Renfro, County native; Ms. Sierra Crank Hall, County resident; Mr. Robert Celentano, Gastonia; Pastor Darial Jackson on behalf of GC3 (Gaston Clergy & Citizens Coalition); Mr. Roshawn McClendon, lifelong County resident; Mr. Shane White, Gastonia; Ms. Wendy Rayfield, Dallas; Mr. Mark Epstein, Gastonia; Mr. Ronald Phillips, Gastonia; Mr. Julius Barkley, Gastonia; Ms. Lydia McCaskill, Gastonia native; Mr. Toren Gordon, Gastonia.

The following individuals spoke in support of keeping the Confederate monument at the Courthouse: Mr. Bill Starnes, Mount Holly; Mr. John Hovis, Stanley; Ms. Delores Green, Gastonia; Mr. Bruce Cloninger, Cherryville; Mr. Marshall Bumgarner, Gastonia; Mr. Brad Clary, Gastonia; Mr. Alan Petty, Gastonia; Mr. Steve Brown, Shelby;

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Keigher, the BOC accepted the documentation from Mr. Steve Brown as information.

On motion introduced by Commissioner Hovis and seconded by Commissioner Chad Brown, the BOC unanimously accepted two additional documents from the public comment period as information.

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On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously accepted the documents from Mr. Charles Roseberry as information.

Commissioner Tom Keigher - Council of Understanding Recommendation

Chairman Philbeck introduced Commissioner Keigher for comments.

Commissioner Keigher thanked the Council of Understanding members: (Mr. D'Andre Nixon, Mr. Moises Miranda, Mr. Joe Will, Mr. Eric Riley, Rev. Dickie Spargo, Mr. Bill Starnes, Mr. James Muhammad, Mr. Bruce Cloninger, Ms. Cheryl Comer, Esq., Mr. Ed Smith, Rev. Thomas (Tom) Gillespie and Mr. Jim Stewart) for their participation and volunteerism; also thanked the Clerk, Clerk's staff, PIO Officer, Cable Access staff and the Police Department and Sheriff's Office for assisting with security.

He provided a brief recap of the first and second meetings which were focused primarily on discussion. He advised the third meeting was more emotional and became somewhat controversial and redundant; as Chairman, he decided to call for the vote at the end of meeting; the vote was 7-5 to recommend to the BOC that the monument be relocated.

Chairman Philbeck called for comments and/or considerations from the BOC.

Commissioner Hovis proposed scheduling a Special Voting Meeting following the August 11th Work Session for the BOC to discuss the recommendation from the Council and input received from individuals heard tonight in order to decide on a direction for moving forward. He expressed his belief that the Board owes that to the citizens. Gaston County is stronger than the far left or far right and probably 90% of the citizenry is somewhere in the middle. He recalled the statement made at the last meeting that citizens would be allowed to speak, without a limitation on the overall comment period, once the Board took up the matter for a vote.

Commissioner Jack Brown advised much discussion has occurred about the issue and the best alternative for the BOC is to solicit the local Legislative Delegates to let the citizens openly vote on the monument.

Commissioner Worley noted his disagreement with requesting a countywide referendum. He stated the BOC has the sole authority to gift or relocate the monument for preservation and public safety. It is his desire to see the monument protected. He expressed his support of relocating the monument to a more appropriate place and for replacing it with a monument that honors veterans of all wars. He concluded that kicking it back to the legislature for a referendum is a waste of time, and he noted his support of Commissioner Hovis' suggestion.

Commissioner Fraley stated he supported Commissioner Jack Brown's suggestion regarding a referendum. He also stated he liked Commissioner Hovis' suggestion, but because it is such a divisive issue, he would prefer giving all County citizens an opportunity to vote. He cited the recent relocation of monuments in other jurisdictions and noted it didn't appear those actions were legal. He asked for the County Attorney's opinion regarding moving the statue.

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The County Attorney advised under NCGS 100-2.1, the BOC can move the monument but must satisfy one of two limitations – 1) as part of a renovation or construction project or 2) for the preservation of the monument; he noted that he asked the sponsors (Caucus Leaders) that ushered the bill through the General Assembly, if it was their intent that this would include fear of people destroying the monument – both gentlemen said no, without specifying further. He stated that is as close to the Legislative intent as we know and the most complete answer that can be provided today. If the BOC decided to vote to keep or move the monument, the statute specifically states that it would have to go to a place of similar prominence, honor, respect, access.

Commissioner Fraley advised he was told if the County moves the monument that it would be sued; it will also incur moving costs at the taxpayers' expense and may also have to defend a lawsuit that may force the County to move it back. He asked the County Attorney to comment on the legitimacy of those concerns.

The County Attorney responded there are costs associated with any lawsuit; action by this Board in either direction could trigger a lawsuit; statements have been made on both sides that litigation may ensue and the County is prepared for that.

Commissioner Chad Brown advised that the Legislature put rules in place; does not have a problem with Commissioner Jack Brown's recommendation or with the Board voting on it if needed.

Commissioner Worley advised the citizens did not vote to place the monument in front of the old Courthouse; there was never a vote taken to place it there. The County has spent over \$50k since this strife began and is not even defending a lawsuit – it is defending a statue, protecting people, and putting its officers in continual harm's way. He reiterated that it is the responsibility of the BOC to make the determination on preserving the monument and protecting the public's safety.

Commissioner Keigher asked if a lawsuit would come from the General Assembly or private citizen groups.

The County Attorney responded based on community feedback, it would come from private citizen groups.

Commissioner Hovis pointed out that if the County is spending money to protect the monument, then fear and concern for the monument's safety already exists; if not, then remove the barricades and police presence, and move forward.

Commissioner Fraley asked if the Chairman had clear direction on this issue.

Chairman Philbeck stated the monument is the most divisive issue the Board has dealt with during his ten years as a Commissioner. He provided examples of input received from people on both sides and noted his surprise at where some people stood on the issue. He recalled Attorney Sink's explanation of the legal basis for removing the monument and acknowledged that he had spoken with some attorneys that had a different opinion. He noted he spoke with the drafters of

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the bill and added that [they] wrote a letter to the BOC expressing their agreement with the County Attorney's interpretation. In closing, he noted that throughout the debate, the message he consistently heard from both sides was "I want my voice to be heard". His recommendation would be to ask the State to give the BOC the right to put it before the people for a vote. This would allow for every voice to be heard and to settle the issue in the ballot box.

With debate at an end, Chairman Philbeck stated the direction would be to have the County Attorney to send a letter to the local Legislative Delegation requesting them to allow Gaston County citizens to vote on a referendum as soon as humanly possible on the question of "***Do the citizens of Gaston County support leaving the monument where it is or moving it***". He asked if that was the BOC's direction and Commissioners Fraley, Jack Brown, Hovis, and Chad Brown concurred.

Commissioner Hovis asked how the referendum would change the fact that the current law states it cannot be moved.

Chairman Philbeck responded it would give the BOC time to appeal to the Legislature to help clarify or change certain aspects of that law.

Commissioner Hovis stated that needs to be part of the conversation because if the referendum was held today, a vote of the people would not change the current law.

Chairman Philbeck asked if Commissioner Hovis supported the direction or not.

Commissioner Hovis noted support with the caveats he mentioned.

Commissioner Keigher stated he had the same concerns as Commissioner Hovis.

Chairman Philbeck clarified the direction would be 1) that the BOC would request a local Bill to vote on the issue by referendum); 2) to ask the NC Senate and House Special Counsel to clarify in writing what the BOC can and cannot do. If a change is needed, the BOC would seek that change – but it would be dependent on how the citizens voted.

Commissioner Keigher stated he preferred that the BOC, as the local elected board, be involved directly with making that decision by voting it up or down.

Commissioner Worley responded the BOC is a representative body that was duly elected by the citizens to do the County's business. This issue is part of its business, therefore he would also prefer an up-or-down vote.

Chairman Philbeck advised the direction from a majority of the BOC (Commissioners Philbeck, Fraley, Jack Brown and Chad Brown) is to ask the State Legislature for a local Bill to allow the citizens to vote on the issue and to also look at anything in the law that needs to be changed. In closing, he stated if any issues arise from the State, and the BOC brings the matter forward for a vote, every citizen in attendance will have an opportunity to speak.

Commissioner Jack Brown advised items that go before the General Assembly are put to committees to be vetted thoroughly.

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Recapping his comments, Chairman Philbeck stated if the State turns down the referendum, he will request Commissioner Worley to place the matter on an Agenda and the BOC will vote it up or down.

Hearing no further discussion, Chairman Philbeck called for a five-minute recess at 8:37 pm.

Chairman reconvened the meeting at 8:47 pm.

Consent Agenda

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

- 2020-173 Board of Commissioners - To Set Forth the Membership of the Council of Understanding Ad Hoc Committee in the County Appointment Records and to Approve the Dissolution of the Council**
- 2020-174 Commissioner Worley - Budget & Management Services - To Approve and Adopt Required Assistance and Procurement Policies for the 2020 Urgent Repair Program (URP)**
- 2020-175 Commissioner Worley - Budget & Management Services - To Approve a Sole Source Bid for Security Upgrades to The Cathy Mabry Cloninger Center**
- 2020-176 Commissioner Philbeck - Budget & Management Services - To Transfer FY21 Budgeted Vehicle Service Payments from the General Fund & Health Fund to the Debt Service Fund per Budget Change Request:**

Fund	Account	Description	Type	I	D
Debt Service Fund	030-98-9800-0000-480041	Transfer from CIF	R	\$ (1,936,823)	
	030-09-9110-0000-550001-18150	Principal: FY18 Vehicle LP	E	\$ 564,220	
	030-09-9110-0000-550001-19070	Principal: FY19 Vehicle LP	E	\$ 735,013	
	030-09-9110-0000-550001-20007	Principal: FY20 Vehicle LP	E	\$ 303,617	
	030-09-9110-0000-550001-21008	Principal: FY21 Vehicle LP	E	\$ 265,210	
	030-09-9110-0000-550002-18150	Interest: FY18 Vehicle LP	E	\$ 4,971	
	030-09-9110-0000-550002-19070	Interest: FY19 Vehicle LP	E	\$ 26,887	
	030-09-9110-0000-550002-20007	Interest: FY20 Vehicle LP	E	\$ 13,102	
	030-09-9110-0000-550002-21008	Interest: FY21 Vehicle LP	E	\$ 23,803	
	010-98-9800-0000-580041-	Transfer to CIF	E	\$ 1,936,823	
	010-98-9800-0000-580011-	Transfer to Health Dept	E		\$ (18,979)
	010-09-4140-0000-550001-21008	Principal: FY21 Vehicle LP	E		\$ (4,571)
	010-09-4140-0000-550002-21008	Interest: FY21 Vehicle LP	E		\$ (410)
	010-09-4261-0000-550001-	Vehicle Lease Principal	E		\$ (4,884)
	010-09-4261-0000-550002-	Vehicle Lease Interest	E		\$ (43)
	010-09-4265-4260-550001-	Vehicle Lease Principal	E		\$ (19,468)
	010-09-4265-4260-550001-20007	Vehicle Princ: 20 LP Financing	E		\$ (29,131)
	010-09-4265-4260-550002-	Vehicle Lease Interest	E		\$ (172)
	010-09-4265-4260-550002-20007	Vehicle Int: 20 LP Financing	E		\$ (1,257)
	010-09-4265-4265-550001-21008	Principal: FY21 Vehicle LP	E		\$ (5,873)
	010-09-4265-4265-550002-21008	Interest: FY21 Vehicle LP	E		\$ (527)
	010-09-4310-4310-550001-	Vehicle Lease Principal	E		\$ (91,249)
	010-09-4310-4310-550001-19070	Vehicle Princ: 19 LP Financing	E		\$ (176,985)
	010-09-4310-4310-550001-20007	Vehicle Princ: 20 LP Financing	E		\$ (167,349)
	010-09-4310-4310-550001-21008	Principal: FY21 Vehicle LP	E		\$ (79,788)
	010-09-4310-4310-550002-	Vehicle Lease Interest	E		\$ (804)

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General Fund	010-09-4310-4310-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(6,474)
	010-09-4310-4310-550002-20007	Vehicle Int: 20 LP Financing	E	\$	(7,221)
	010-09-4310-4310-550002-21008	Interest: FY21 Vehicle LP	E	\$	(7,164)
	010-09-4315-4315-550001-	Vehicle Lease Principal	E	\$	(12,243)
	010-09-4315-4315-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(59,097)
	010-09-4315-4315-550001-20007	Vehicle Princ: 20 LP Financing	E	\$	(73,250)
	010-09-4315-4315-550001-21008	Principal: FY21 Vehicle LP	E	\$	(51,876)
	010-09-4315-4315-550002-	Vehicle Lease Interest	E	\$	(108)
	010-09-4315-4315-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(2,162)
	010-09-4315-4315-550002-20007	Vehicle Int: 20 LP Financing	E	\$	(3,161)
	010-09-4315-4315-550002-21008	Interest: FY21 Vehicle LP	E	\$	(4,657)
	010-09-4330-0000-550001-	Vehicle Lease Principal	E	\$	(7,292)
	010-09-4330-0000-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(15,251)
	010-09-4330-0000-550002-	Vehicle Lease Interest	E	\$	(65)
	010-09-4330-0000-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(558)
	010-09-4370-0000-550001-	Vehicle Lease Principal	E	\$	(429,084)
	010-09-4370-0000-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(287,324)
	010-09-4370-0000-550001-21008	Principal: FY21 Vehicle LP	E	\$	(69,426)
	010-09-4370-0000-550002-	Vehicle Lease Interest	E	\$	(3,779)
	010-09-4370-0000-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(10,509)
	010-09-4370-0000-550002-21008	Interest: FY21 Vehicle LP	E	\$	(6,229)
	010-09-4372-0000-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(127,497)
	010-09-4372-0000-550001-21008	Principal: FY21 Vehicle LP	E	\$	(32,582)
	010-09-4372-0000-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(4,664)
	010-09-4372-0000-550002-21008	Interest: FY21 Vehicle LP	E	\$	(2,923)
	010-09-4380-0000-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(51,167)
	010-09-4380-0000-550001-20007	Vehicle Princ: 20 LP Financing	E	\$	(15,898)
	010-09-4380-0000-550001-21008	Principal: FY21 Vehicle LP	E	\$	(7,885)
	010-09-4380-0000-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(1,872)
	010-09-4380-0000-550002-20007	Vehicle Int: 20 LP Financing	E	\$	(686)
	010-09-4380-0000-550002-21008	Interest: FY21 Vehicle LP	E	\$	(707)
	010-09-4910-4910-550001-21008	Principal: FY21 Vehicle LP	E	\$	(4,571)
	010-09-4910-4910-550002-21008	Interest: FY21 Vehicle LP	E	\$	(410)
	010-09-4960-0000-550001-20007	Vehicle Princ: 20 LP Financing	E	\$	(17,989)
	010-09-4960-0000-550002-20007	Vehicle Int: 20 LP Financing	E	\$	(777)
	010-09-6141-0000-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(8,465)
	010-09-6141-0000-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(310)
Health Fund	011-98-9800-0000-480010-	Transfers from General Fund	R	\$	18,979
	011-09-5114-5125-550001-19070	Vehicle Princ: 19 LP Financing	E	\$	(9,227)
	011-09-5114-5125-550001-21008	Principal: FY21 Vehicle LP	E	\$	(8,638)
	011-09-5114-5125-550002-19070	Vehicle Int: 19 LP Financing	E	\$	(338)
CIF	011-09-5114-5125-550002-21008	Interest: FY21 Vehicle LP	E	\$	(776)
	041-98-9800-0000-480010-	Transfers from General Fund	R	\$	(1,936,823)
	041-98-9800-0000-580030-	Transfer to Debt Service Fund	E	\$	1,936,823

2020-177 Commissioner Philbeck - Budget & Management Services - To Establish the Community Investment Fund (CIF) in the County's Financial System per Budget Change Request:

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Fund	Account	Description	Type	I	D
Community Investment Fund (CIF)	041-01-3200-3231-406005-	Sales Tax: Article 39	R	\$ (1,580,250)	
	041-01-3200-3231-406006-	Sales Tax: Article 40	R	\$ (1,424,063)	
	041-01-3200-3231-406007-	Sales Tax: Article 42	R	\$ (1,037,969)	
	041-01-3200-3231-406008-	Sales Tax: Article 44 (524)	R	\$ (1,189,393)	
	041-01-3200-3234-406009-	Sales Tax: Article 46	R	\$ (5,452,417)	
	041-01-8300-0000-412001-	Interest on Investment	R		
	041-03-5911-0000-435011-	State Lottery Proceeds	R	\$ (2,050,000)	
	041-98-9800-0000-480010-	Transfers from General Fund	R	\$ (19,587,461)	
	041-98-9800-0000-480020-	Transfer from PA Fund	R	\$ (250,000)	
	041-99-9900-0000-490000-	Fund Balance Appropriated	R	\$ (1,957,322)	
	041-98-9800-0000-580030-	Transfer to Debt Service Fund	E	\$ 5,036,055	
	041-98-9800-0000-580031-	Transfer to School Debt Fund	E	\$ 24,203,601	
	041-98-9800-0000-580040-	Transfer to CIP Fd	E	\$ 5,289,219	
Debt Service Fund	030-98-9800-0000-480041	Transfer from CIF	R	\$ (5,036,055)	
	030-01-3200-3231-406008-	Sales Tax: Article 44 (524)	R		\$ 1,189,393
	030-98-9800-0000-480010-	Transfers from General Fund	R		\$ 3,846,662
School Debt Service Fund	031-98-9800-0000-480041-	Transfer from CIF	R	\$ (24,203,601)	
	031-01-3200-3234-406009-	Sales Tax: Article 46	R		\$ 5,452,417
	031-03-5911-0000-435011-	State Lottery Proceeds	R		\$ 2,050,000
	031-98-9800-0000-480010-	Transfers from General Fund	R		\$ 15,740,799
	031-99-9900-0000-490000-	Fund Balance Appropriated	R		\$ 960,385
Capital Improvements Fund	040-98-9800-0000-480041-	Transfer from CIF	R	\$ (5,289,219)	
	040-01-3200-3231-406005-	Sales Tax: Article 39	R		\$ 1,580,250
	040-01-3200-3231-406006-	Sales Tax: Article 40	R		\$ 1,424,063
	040-01-3200-3231-406007-	Sales Tax: Article 42	R		\$ 1,037,969
	040-98-9800-0000-480020-	Transfer from Public Assist	R		\$ 250,000
	040-99-9900-0000-490000-	Fund Balance Appropriated	R		\$ 996,937
General Fund	010-98-9800-0000-580030-	Transfer to Debt Service Fund	E		\$ (3,846,662)
	010-98-9800-0000-580031-	Transfer to School Debt Fund	E		\$ (15,740,799)
	010-98-9800-0000-580041-	Transfer to CIF	E	\$ 19,587,461	
PA Fund	020-98-9800-0000-580040-	Transfer to CIP Fd	E		\$ (250,000)
	020-98-9800-0000-580041-	Transfer to CIP Fund	E	\$ 250,000	

2020-178 Commissioner Philbeck - Budget & Management Services - To Appropriate 2018 School Bond Premium and Transfer Out to the School Debt Service Fund per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	040-99-9900-0000-490000-	(\$5,600,790)
Transfer to CIF	040-98-9800-0000-580041-	\$5,600,790
Transfer to CIP	041-98-9800-0000-480040-	(\$5,600,790)
Bond Proceeds	041-03-5911-0000-540100-19040	\$5,600,790

2020-179 Commissioner Worley - Budget & Management Services - To Accept and Appropriate a Community Oriented Policing Services (COPS) Hiring Program Grant for 10 New County Police Department Officers (Federal - \$1,158,278; Matching - \$386,092) per Budget Change Request:

Account Description	Account Number	Amount
Federal	010-02-4310-4310-420000-21COP	(\$1,158,278)
Match	010-02-4310-4310-430000-21COP	(\$386,092)
Salaries	010-02-4310-4310-510001-21COP	\$1,249,757
FICA	010-02-4310-4310-510100-21COP	\$83,107
Retirement	010-02-4310-4310-510101-21COP	\$124,018
401K	010-02-4310-4310-510001-21COP	\$62,488
Health Ins	010-02-4310-4310-510103-21COP	\$22,400
Dental Ins	010-02-4310-4310-510108-21COP	\$2,100
Life Ins	010-02-4310-4310-510109-21COP	\$500

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2020-180 Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information as follows:

COUNTY MANAGER - LISTING OF DEPARTMENTAL BUDGET CHANGE REQUESTS
TO BE ACCEPTED AS INFORMATION AT THE JULY 28, 2020 BOARD MEETING

ENTRY DATE	DEPARTMENT	ACCOUNT	DR/CR	AMOUNT
06/01/2020	GEMS	010-02-4372-0000-530030-	C	\$ 2,500.00
06/01/2020		010-02-4372-0000-530002-	D	\$ 2,500.00
06/01/2020		010-02-4370-0000-520013-	C	\$ 3,150.00
06/01/2020		010-02-4370-0000-540001-	D	\$ 3,150.00
06/01/2020	PARKS & REC	010-04-6120-0000-530010-	C	\$ 2,000.00
06/01/2020		010-01-4261-0000-520007-	D	\$ 2,000.00
06/02/2020	GEMS	010-02-4370-0000-520004-	C	\$ 282.20
06/02/2020		010-02-4370-0000-520004-COVID	D	\$ 282.20
06/02/2020		010-02-4370-0000-520001-	C	\$ 372.00
06/02/2020		010-02-4370-0000-520007-	D	\$ 372.00
06/02/2020	SHERIFF	010-02-4315-4323-520005-	C	\$ 42,567.00
06/02/2020		010-02-4315-4323-530015-COVID	D	\$ 42,567.00
06/02/2020		010-02-4315-4323-520005-	C	\$ 69,912.00
06/02/2020		010-02-4315-4323-530010-	D	\$ 69,912.00
06/03/2020	EM. MGMT/FIRE SVCES	010-02-4330-4330-530029-	D	\$ 192.00
06/03/2020		010-02-4330-4330-510105-	C	\$ 192.00
06/03/2020		010-02-4330-4340-530020-	D	\$ 122.49
06/03/2020		010-02-4330-4330-510105-	C	\$ 122.49
06/03/2020		010-02-4330-4340-540001-	D	\$ 119.98
06/03/2020		010-02-4330-4330-510105-	C	\$ 119.98
06/03/2020		010-02-4330-4330-530023-	D	\$ 66.50
06/03/2020		010-02-4330-4330-510105-	C	\$ 66.50
06/03/2020		010-02-4330-4340-530023-	D	\$ 61.25
06/03/2020		010-02-4330-4330-510105-	C	\$ 61.25
06/03/2020		010-02-4330-4330-530020-	D	\$ 59.57
06/03/2020		010-02-4330-4330-510105-	C	\$ 59.57
06/03/2020		010-02-4330-4330-520014-	D	\$ 10.53
06/03/2020		010-02-4330-4330-510105-	C	\$ 10.53
06/03/2020	ACE	010-02-4380-0000-530010-	C	\$ 10,000.00
06/03/2020		010-02-4380-0000-540001-	D	\$ 10,000.00
06/04/2020	PIO	010-01-4124-0000-560000-20075	D	\$ 4,875.00
06/04/2020		010-01-4125-0000-530015-	C	\$ 4,875.00
06/05/2020	EM. MGMT/FIRE SVCES	010-02-4330-4330-540001-	C	\$ 84.41
06/05/2020		010-02-4330-4330-520007-	D	\$ 84.41
06/08/2020	PUBLIC HEALTH	011-05-5119-0000-520012-	C	\$ 2,100.00
06/08/2020		011-05-5119-0000-530020-	D	\$ 2,100.00
06/08/2020	GEMS	010-02-4370-0000-530002-	C	\$ 4,677.98
06/08/2020		010-02-4370-0000-540001-	D	\$ 4,677.98
06/08/2020	PUBLIC HEALTH	011-05-5111-0000-510003-	D	\$ 6,120.00
06/08/2020		011-05-5111-0000-510101-	C	\$ 6,120.00
06/08/2020		011-05-5112-5115-510003-	D	\$ 79.00
06/08/2020		011-05-5115-0000-510101-	C	\$ 79.00
06/08/2020		011-05-5113-5120-510003-	D	\$ 355.00
06/08/2020		011-05-5113-5120-510101-	C	\$ 355.00
06/08/2020		011-05-5114-5125-510003-	D	\$ 339.00
06/08/2020		011-05-5114-5125-510101-	C	\$ 339.00
06/08/2020		011-05-5115-0000-510003-	D	\$ 1,469.00
06/08/2020		011-05-5115-0000-510101-	C	\$ 1,469.00
06/08/2020	PUBLIC HEALTH	011-05-5116-5133-510003-	D	\$ 127.00
06/08/2020		011-05-5116-5133-510101-	C	\$ 127.00
06/08/2020		011-05-5117-0000-510003-	D	\$ 4,148.00
06/08/2020		011-05-5117-0000-510101-	C	\$ 4,148.00
06/08/2020		011-05-5121-0000-510003-	D	\$ 78.00
06/08/2020		011-05-5121-0000-510101-	C	\$ 78.00
06/08/2020	REG OF DEEDS	010-01-4180-0000-520013-	C	\$ 6,500.00

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06/08/2020		010-01-4180-0000-530030-	C	\$	6,500.00
06/08/2020		010-01-4180-0000-510101-	D	\$	13,000.00
06/09/2020	ACE	010-02-4380-0000-530010-	C	\$	5,000.00
06/09/2020		010-02-4380-0000-520007-	D	\$	5,000.00
06/10/2020	FINANCE	010-01-4130-0000-530012-	C	\$	2,500.00
06/10/2020		010-01-4130-0000-540001-	D	\$	2,500.00
06/10/2020	EM. MGMT/FIRE SVCES	010-02-4330-4330-520007-COVID	C	\$	2,326.77
06/10/2020		010-02-4330-4330-530010-COVID	D	\$	2,326.77
06/10/2020		010-02-4330-4340-530000-	C	\$	1,000.00
06/10/2020		010-02-4330-4330-530010-COVID	D	\$	1,000.00
06/10/2020	GEMS	010-02-4370-0000-520004-	C	\$	52.50
06/10/2020		010-02-4370-0000-520004-COVID	D	\$	52.50
06/10/2020		010-02-4370-0000-520001-	C	\$	1.50
06/10/2020		010-02-4370-0000-520007-	D	\$	1.50
06/10/2020	SHERIFF	010-02-4315-4315-520004-	C	\$	5,120.00
06/10/2020		010-02-4315-4315-530002-	D	\$	5,120.00
06/10/2020		010-02-4315-4315-520006-	C	\$	5,000.00
06/10/2020		010-02-4315-4323-520007-	C	\$	1,950.00
06/10/2020		010-02-4315-4323-530023-	C	\$	1,950.00
06/10/2020		010-02-4315-4315-530020-	D	\$	8,900.00
06/11/2020	BLDG SVCES	012-02-4350-4351-530020-	D	\$	1,112.04
06/11/2020		012-02-4350-4351-520006-	C	\$	1,112.04
06/11/2020	EM. MGMT/FIRE SVCES	010-02-4330-4330-530000-	C	\$	234.00
06/11/2020		010-02-4330-4340-520006-	D	\$	234.00
06/11/2020	SOCIAL SVCES	020-05-5585-0000-540005-	C	\$	1,000.00
06/11/2020		020-05-5585-0000-540001-	D	\$	1,000.00
06/12/2020	EM. MGMT/FIRE SVCES	010-02-4330-4330-530000-	C	\$	317.00
06/12/2020		010-02-4330-4330-540001-	D	\$	317.00
06/12/2020	SHERIFF	010-02-4315-4315-530029-	C	\$	70,178.00
06/12/2020		010-02-4315-4315-540001-	D	\$	70,178.00
06/12/2020	EDC	010-07-4920-4920-520013-	C	\$	4,000.00
06/12/2020		010-07-4920-4920-530010-	D	\$	4,000.00
06/15/2020	ATTORNEY	010-01-4150-0000-530002-	D	\$	1,000.00
06/15/2020		010-01-4150-0000-520011-	C	\$	1,000.00
06/15/2020	HOPE UNITED (FJC)	010-05-4121-0000-520011-	C	\$	4,000.00
06/15/2020		010-05-4121-0000-520002-	D	\$	4,000.00
06/16/2020	REG OF DEEDS	010-01-4180-0000-510003-	D	\$	725.00
06/16/2020		010-01-4180-0000-520013-	C	\$	725.00
06/16/2020	EM. MGMT/FIRE SVCES	010-02-4330-4340-520014-	C	\$	94.13
06/16/2020		010-02-4330-4330-520007-COVID	D	\$	94.13
06/16/2020	REG OF DEEDS	010-01-4180-0000-520013-	C	\$	100.00
06/16/2020		010-01-4180-0000-520007-	D	\$	100.00
06/17/2020	GEMS	010-02-4370-0000-520004-	C	\$	12,121.88
06/17/2020		010-02-4370-0000-520004-COVID	D	\$	12,121.88
06/17/2020	GEMS	010-02-4370-0000-520014-	C	\$	566.00
06/17/2020		010-02-4370-0000-520007-COVID	D	\$	566.00
06/18/2020		010-02-4370-0000-510001-	C	\$	16,800.00
06/18/2020		010-02-4370-0000-530023-	D	\$	16,800.00
06/18/2020	CO POLICE	010-02-4310-4310-530010-	C	\$	5,000.00
06/18/2020		010-02-4310-4310-520006-	D	\$	5,000.00
06/19/2020	LIBRARY	010-04-6110-6113-530003-	C	\$	2,500.00
06/19/2020		010-04-6110-6112-540001-	D	\$	2,500.00
06/22/2020	EM. MGMT/FIRE SVCES	010-02-4330-4340-540001-PCLap	C	\$	3,000.00
06/22/2020		010-02-4330-4330-540001-	D	\$	3,000.00
06/22/2020		010-02-4330-4340-520014-	C	\$	54.09
06/22/2020		010-02-4330-4330-540001-	D	\$	54.09
06/22/2020	SHERIFF	010-02-4315-4315-530029-	C	\$	50,000.00
06/22/2020		010-02-4315-4315-510001-	C	\$	60,000.00
06/22/2020		010-02-4315-4323-530010-	D	\$	110,000.00
06/22/2020		010-02-4315-4315-520011-	C	\$	6,100.00
06/22/2020		010-02-4315-4315-520007-	D	\$	6,100.00

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06/22/2020		010-02-4315-4315-520004-	C	\$	1,000.00
06/22/2020		010-02-4315-4315-520001-	D	\$	1,000.00
06/22/2020		010-02-4315-4315-520016-	C	\$	1,000.00
06/22/2020		010-02-4315-4315-520005-	D	\$	1,000.00
06/22/2020	HOPE UNITED (FJC)	010-05-4121-0000-520011-	C	\$	600.00
06/22/2020		010-05-4121-0000-530002-	D	\$	600.00
06/22/2020	PARKS & REC	010-01-4261-0000-530023-	C	\$	1,421.00
06/22/2020		010-01-4261-0000-530004-	D	\$	1,421.00
06/23/2020	GEMS	010-02-4370-0000-520004-	C	\$	25.75
06/23/2020		010-02-4370-0000-520004-COVID	D	\$	25.75
06/23/2020		010-02-4372-0000-530029-	C	\$	1,641.00
06/23/2020		010-02-4372-0000-530023-	D	\$	1,641.00
06/23/2020	LIBRARY	010-04-6110-6112-520002-	C	\$	1,000.00
06/23/2020		010-04-6110-6112-520012-	C	\$	2,000.00
06/23/2020		010-04-6110-6112-530029-	C	\$	12,000.00
06/23/2020		010-04-6110-6113-520002-	C	\$	1,500.00
06/23/2020		010-04-6110-6113-530003-	C	\$	2,000.00
06/23/2020		010-04-6110-6113-530023-	C	\$	5,000.00
06/23/2020		010-04-6110-6113-540001-	D	\$	23,500.00
06/24/2020	GEMS	010-02-4370-0000-530002-	C	\$	3,580.19
06/24/2020		010-02-4370-0000-520004-COVID	D	\$	303.13
06/24/2020		010-02-4370-0000-520007-	D	\$	46.81
06/24/2020		010-02-4370-0000-520012-	D	\$	1,575.00
06/24/2020		010-02-4370-0000-530023-	D	\$	1,655.25
06/24/2020	EM. MGMT/FIRE SVCES	010-02-4330-4340-520005-	C	\$	251.38
06/24/2020		010-02-4330-4330-520007-COVID	D	\$	251.38
06/24/2020	ACE	010-02-4380-0000-530015-	C	\$	2,692.00
06/24/2020		010-02-4380-0000-530004-	D	\$	1,300.00
06/24/2020		010-02-4380-0000-530002-	D	\$	650.00
06/24/2020		010-02-4380-0000-530005-	D	\$	742.00
06/25/2020	PARKS & REC	010-01-4261-0000-520002-	C	\$	310.00
06/25/2020		010-01-4261-0000-520007-	D	\$	310.00

2020-181 Commissioner Chad Brown - DHHS (Social Services Division) Child Advocacy Center - To Authorize Edge One Solutions, Inc. as a Sole Source Provider for the Purchase of iRecord Software and Hardware for Digital Recording (\$28,594)

2020-182 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate the Carry Forward of June Donations in the Amount of \$24,285 (100%Donations) per Budget Change Request:

Account Description	Account Number	Amount
Shelter - Donations	020-05-5582-0000-415001-	(19,723)
Nutrition: Donations	020-05-5622-0000-415003-	(1,367)
Employee Activities:Donations	020-05-4790-0000-415001-18142	(1,800)
Adult Services Donations	020-05-5600-0000-415001-	(910)
CAC Donations	020-05-5585-0000-415001-	(485)
Shelter - Child Care Program	020-05-5582-0000-560000-09253	18,251
Shelter Donations	020-05-5582-0000-560000-08162	1,472
Special Programs:Donations Nutrition	020-05-5600-0000-560000-15259	1,367
Employee Activities Donations	020-05-4790-0000-560000-18142	1,800
Adult Services Donations	020-05-5600-0000-560000-08159	910
CAC Donations	020-05-5585-0000-560000-16282	485

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2020-183 Commissioner Chad Brown - DHHS (Social Services Division) - To Accept and Appropriate Funds Awarded from the Glenn Foundation to the Foster Care Program in Child and Family Services in the Amount of \$9,765 (100% Grant Funds) per Budget Change Request:

Account Description	Account Number	Amount
Glenn Foundation Grant-Resource Closet	020-05-5867-0000-430000-21535	(\$9,765)
Glenn Foundation Grant-Resource Closet	020-05-5867-0000-560000-21535	\$9,765

2020-184 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Ranlo Fire & Rescue (\$51,867.00) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(51,867.00)
*Additional Subsidies (A/S)		
Ranlo Fire & Rescue	028-02-4412-0000-570007-	51,867.00

2020-185 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to East Gaston Volunteer Fire Department (\$35,991.00) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(35,991.00)
*Additional Subsidies (A/S)		
East Gaston Fire Department	028-02-4407-0000-570007-	35,991.00

2020-186 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Crowders Mountain Volunteer Fire and Rescue (\$126,791) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000-	(126,791)
*Additional Subsidies (A/S)		
Chapel Grove	028-02-4404-0000-570007-	80,072
South Gastonia	028-02-4415-0000-570007-	46,719

2020-187 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Spencer Mountain Road Volunteer Fire Department (\$26,919) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000	(26,919)
*Additional Subsidies (A/S)		
Spencer Mountain	028-02-4413-0000-570007-	26,919

2020-188 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 & Rescue (\$24,761) per Budget Change Request:

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000	(24,761)
*Additional Subsidies		

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High Shoals	028-02-4408-0000-570007-	9,893
Long Shoals	028-02-4414-0000-570007-	14,868

- 2020-189 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Union Road Volunteer Fire Department (\$20,174) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000	(20,174)
*Additional Subsidies		
Union Road	028-02-4418-0000-570007-	20,174

- 2020-190 Commissioner Chad Brown - Emergency Management/Fire Services - To Approve the Transfer of Accumulated Funds Realized from Past Tax Collections, Revaluation, Interest Earned, Etc. to Alexis Fire Department (\$34,959) per Budget Change Request:**

Account Description	Account Number	Amount
Fund Balance Appropriated	028-99-9900-0000-490000	(34,959)
*Additional Subsidies		
Alexis	028-02-4402-0000-570007-	34,959

- 2020-191 Commissioner Worley - Finance - To Approve Giving Authorization to the Purchasing Manager, Beth Griffiths, to Pre-audit Gaston County Contracts**

- 2020-192 Commissioner Chad Brown - Finance - To Approve Staff Recommendation of Small Business Emergency Bridge Loans as follows:**

Small Business Assistance Loans – Approvals	Amount of Loan
Hollywood Fit	\$ 5,000.00
Darby Doll Photography	\$ 4,500.00
Friendly's of Stanley	\$ 5,000.00
Southerncharm Hair Designs	\$ 5,000.00
	\$19,500.00

- 2020-193 Commissioner Hovis - Police Department/Animal Care and Enforcement - To Surplus Four Cage Banks from the Former Animal Care and Enforcement Facility Located at 220 Leisure Lane, Dallas NC and to Approve the Donation and Conveyance of the Cages to the Gaston Low Cost Spay/Neuter Clinic, a Non-Profit Corporation as follows:**

WHEREAS, Gaston County owns but no longer needs four animal cage banks located at the County's former Animal Care facility in Dallas, North Carolina; and,

WHEREAS, the Animal League of Gaston, a nonprofit organization that runs the Gaston Low-Cost Spay/Neuter Clinic ("the Clinic"), has requested ownership and use of said surplus property from County staff; and,

WHEREAS, North Carolina Gen. Stat. §160A-279 allows boards of county commissioners to convey personal property to a nonprofit organization at little or no cost so long as the nonprofit promises to use said property for a public purpose; and,

WHEREAS, the Executive Director of the Clinic has made such a promise to the County in her July 14, 2020 email to the County Attorney; and,

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WHEREAS, the Gaston County Board of Commissioners is committed to maximizing efficiencies and recycling or otherwise conveying surplus property for its continued public use.

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

That the Gaston County Board of Commissioners hereby conveys at no charge the four animal cage banks identified by the Gaston County Animal Care and Enforcement division of the Gaston County Police and located at 220 Leisure Lane, Dallas, NC 28034 to the Animal League of Gaston for use at the League's Gaston Low-Cost Spay/Neuter Clinic with the understanding and written promise from the Clinic to use the four cage banks for one or more legitimate public purposes, chiefly spaying and neutering animals from throughout Gaston County.

- 2020-194 Commissioner Philbeck - Public Works - To Award a Construction Contract to T&K Construction, LLC and Authorize the County Manager to Execute the Necessary Contracts for Construction of Unit I, Phase 2 at the Gaston County Landfill (100% Solid Waste Enterprise Fund - \$5,153,975) as follows:**

<u>Contractor</u>	<u>Bid Amount</u>
T&K Construction, L.L.C.	\$4,769,974.25
Thalle Construction Co., Inc.	\$6,577,250.00
Blythe Construction, Inc.	\$6,731,792.63

and per Budget Change Request:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
Fund Balance Appropriated	060-99-9900-0000-490000	(5,153,975)
Landfill Construction	060-08-4720-0000-540009-21012	5,153,975

- 2020-195 Commissioner Chad Brown - Public Works - To Authorize the County Manager to Amend the Fairwood Construction Contract for the Mt. Holly Library ADA Renovations Due to Unforeseen Conditions Encountered During Construction Activities**

- 2020-196 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the Listed Tax Refunds be Made. (Overpayments - \$22,497.59; VTS Refunds - \$5,415.64; Grand Total - \$27,913.23) as follows:**

TAXPAYER NAME **AMOUNT**

JUNE 2020 RELEASES AND REFUNDS

TOTAL **\$0.00**

JUNE 2020 OVERPAYMENTS

CALDWELL, THOMAS A	\$114.38
WEATHERS, MICHAEL KEITH II	\$117.25
GUNNON, JOSHUA K	\$232.71
ROGERS, MARSHA ANN	\$323.96
LINGETRFELDT, KIM	\$113.37
LAWING, DON	\$276.83
COPE, ALMA E	\$100.00
CKEZEPIS LAW, PLLC	\$125.60
LERETA TAX SERVICE	\$178.29
LERETA TAX SERVICE	\$321.42
FEWELL, PERRY E	\$155.00
CORELOGIC	\$131.14
LOAN CARE	\$117.11

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CALDWELL, THOMAS A	\$139.65
JEFFRIES, JERRY JR	\$167.15
MAY, DANA MELISSA	\$157.59
GRINDSTAFF, DARRIN MICHAEL	\$191.62
CORELOGIC	\$989.92
LERETA TAX SERVICE	\$387.70
WALLACE, LAKEISH	\$100.00
HERSEY, RONNIE L	\$168.02
WEATHERS, MICHAEL KEITH II	\$117.16
EVANS, TINA M	\$221.89
PETRO CHOICE HOLDINGS	\$1,908.14
LERETA TAX SERVICE	\$747.28
SHOAF LAW FIRM PA	\$320.30
LERETA TAX SERVICE	\$302.19
HOLLIFIELD, MICHAEL A	\$631.82
CREATIVE SOLUTIONS	\$144.02
JEFFRIES, JERRY JR	\$156.30
GRINDSTAFF, DARRIN MICHAEL	\$186.39
LERETA TAX SERVICE	\$336.63
LERETA TAX SERVICE	\$130.12
LERETA TAX SERVICE	\$363.13
STATES, BETSY	\$300.09
BROOKS, GARY E	\$149.71
SHULL, LINDA J	\$300.00
FERGUSON, SHERRY ANNE	\$214.55
ALEXANDER, JANE S	\$290.00
CALDWELL, MICHAEL E	\$560.00
GARVIN, MARGIE L	\$160.00
HICKMAN, CURTIS D	\$177.00
HOUGE, DENISE A	\$247.17
JARRELL, NANCY	\$106.09
K & P RENTALS	\$590.33
QUINTERO, EUCARIS ZAPATA	\$289.62
MCALISTER, LISA F	\$138.00
KING, RICHARD CARL	\$129.65
HUDSON, MARSHA ANN	\$188.53
BOWLIN, PAMELA DENISE	\$241.06
KING, RICHARD CARL	\$122.59
GUNNON, JOSHUA K	\$148.50
CORELOGIC	\$334.90
LERETA TAX SERVICE	\$672.45
ODLE, TINA	\$107.18
MATHENEY, ELISA	\$237.55
RANKIN, PHILIP	\$181.00
MANFREDI, TONI	\$181.56
LONDON, LAWTON	\$159.92
HUNTER, MICHAEL	\$132.56
HAWKINS, WILLIAM	\$130.73
LEWIS GRADING & PAVING INC	\$343.68
KING, RICHARD CARL	\$123.33
HERSEY, RONNIE L	\$170.38
EVANS, TINA M	\$202.00
JOHNSON, TERRY M	\$100.00
ODLE, TINA	\$130.43
LINGERFELDT, KIMBERLY	\$108.60

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ROBERTS, GLEN E	\$136.56
CEBALLOS, JULIE AMANDA	\$289.88
FESQUET, TINA MARIE	\$407.70
WARD, MICHAEL	\$130.60
THOMAS, CHRISTOPHER	\$145.91
BOHANAN, MELESA V	\$158.10
HERSEY, RONNIE L	\$166.81
LERETA TAX SERVICE	\$300.00
NC ASSOCIATION OF COUNTY COMMISSIONERS	\$115.96
HILL, DANIEL	\$217.00
INMAN, WILLIE	\$111.76
MITCHELL, JUSTIN	\$122.77
BAYVIEW ASSET MANAGEMENT	\$112.33
PARKER, GINA	\$100.00
WILSON, ANNE GRAY	\$194.49
LINGERFELDT, KIMBERLY	\$131.23
ODLE, TINA	\$128.32
NIXON, SHEILA G	\$201.53
CARPENTER, KRISTY L	\$102.74
PARK LANE FINANCE SOLUTIONS	\$248.64
PARK LANE FINANCE SOLUTIONS	\$853.68
BROOKS, GARY E	\$147.54
RADFORD, TIMOTHY FRANK	\$130.80
TOTAL	\$22,497.59

JUNE VTS REFUNDS

Baucom, Timothy Earl	\$419.96
Branch, Buddy Ray	\$118.70
Brown, Tarrion Moore	\$182.58
Bryne, Keith Stryker	\$275.19
Carrington, David Tryon	\$101.51
Cleveland County Tax Department	\$328.93
Cornelius, Heather Rauchelle	\$116.62
Edmonson, Jason Kelley	\$102.97
Flicek, Theresa Marie	\$273.54
Ford, Nancy Hughes	\$265.83
Foster, Gregory Scott	\$112.66
Graham, Kenneth Reid	\$149.74
Hayes, Dennis Paul Jr	\$241.54
Heatwole, Deborah Mattha	\$105.94
Heatwole, Earnest Lyle Jr	\$104.72
Hedgepath, Harold David	\$137.95
Heffner, Larry Dennis	\$135.72
Jackson, Mary Thomason	\$115.55
Keever, Margaret Inlge	\$234.64
Leonard, Jeffery Scott	\$232.66
Lincoln County Tax Department	\$123.57
Lincoln County Tax Department	\$245.29
Mecum, Timothy Eugene	\$184.56
Moore, Thomas Bruce	\$237.95
Mootoo, Liselle N	\$117.90
Parker, Erika Nicole	\$101.58
Prescott, James Kevin	\$200.17
Rivas, Eric Giovanni	\$156.75

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Sanders, Charles Joseph	\$100.51
Westview Baptist Church	\$190.41
TOTAL	\$5,415.64

GRAND TOTAL	\$27,913.23
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2020-197 Commissioner Hovis - Tax Collections - To Accept the Annual Tax Settlement Report of Taxes Billed and Collected Over the Previous Fiscal Year Ending June 30, 2020 per N.C.G.S. §105-373

2020-198 Commissioner Philbeck - Budget & Management Services - To Accept and Appropriate Additional Federal CARES Act Revenue (\$6,260,807) per Budget Change Request:

Account Description	Account Number	Amount
Federal Grant Revenue	010-01-4199-0000-420000-20578	[\$6,260,807]
Grants and Projects	010-01-4199-0000-560000-20578	\$4,195,605
Other Governmental Aid	010-01-4199-0000-570002-20578	\$2,065,202

Zoning Matters (Non-Consent)

2020-199 Commissioner Philbeck - Planning & Development Services - Zoning Map Change: Conditional District CD20-01, CH Land Company LLC (Applicant); Property Parcels 172387, 172379, 172378, 172377, and 172375, Located at Old Dallas Hwy., Dallas, NC, Rezone from the (RS-8) Single Family 8,000 square feet Zoning District to the (CD/RS-8) Conditional District/Single Family 8,000 square feet Zoning District

The County Attorney advised the Planning Board recommended approval of the request, with staff recommended conditions, by a unanimous vote.

The County Attorney read the consistency statement for the record: The Planning Board has reached the decision and by recommendation has approved Conditional District Zoning Application 20-01, CH Land Company LLC, based upon the following: *The proposed rezoning is in the Suburban Development future land use plan. Suburban development allows for residential development to exist around commercial pockets representing a standard suburban center. The use, going from (RS-8) to (CD/RS-8) will make the subject parcel primarily residential in nature, which is consistent with the Suburban Development designation and is in harmony with the uses of the surrounding neighborhood. The (CD) Conditional District designation will also help foster higher quality development for the parcel.*

On motion introduced by Commissioner Jack Brown and seconded by Commissioner Chad Brown, the BOC unanimously approved **2020-199**, after consideration of the map change application, public hearing comment and Planning Board recommendation:

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- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Suburban Development future land use plan. Suburban Development allows for residential development to exist around commercial pockets representing a standard suburban center. The use, going from (RS-8) to (CD/RS-8) will make the subject parcel primarily residential in nature, which is consistent with the Suburban Development designation and is in harmony with the uses of the surrounding neighborhood. The (CD) Conditional District designation will also help foster higher quality development for the parcel.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcels: 172387, 172379, 172378, 172377, and 172375, is hereby approved as conditioned (Exhibit A), effective with the passage of this Resolution.

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

Exhibit A
CONDITIONS OF APPROVAL
CD20-01

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto or any part thereof is held invalid or void, then this zoning district shall be void and no effect.
3. Development shall meet all local, state, and federal requirements.
4. The zoning is conditioned upon the conceptual site plan and representative elevations as attached.
5. Before the preliminary subdivision plat will be approved, details of the water/sewer utility agreements must be provided by Two Rivers Utilities.
6. Before the preliminary subdivision plat will be approved, details of an amenity center must be provided.

2020-200 Commissioner Chad Brown - Planning & Development Services - Zoning Map Change: Conditional District CD20-02, Hornet Solar, LLC (Applicant); Property Parcels 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, Located at the Gaston Co./Lincoln Co. Line (Alexis/Lucia Area), Stanley, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/R-2) Conditional District/Single Family Moderate Zoning District with (US) Urban Standards Overlay, in order to allow Essential Services Class 3 (Solar Farm)

The County Attorney advised that the Planning Board recommended approval of the request, with the staff recommended conditions, by an 8 - 1 vote with one member abstaining.

The County Attorney read the consistency statement for the record: *The proposed rezoning is in the Rural and Rural Community future land use plan. Rural areas are characterized by plenty of open space, as well as agribusinesses. Rural communities are areas within rural areas that allow for residential buildings with a neighborhood feel. The use, going from (R-1) with (US) Overlay to (CD/R-2) with (US) Overlay will make the subject parcel an essential service in nature, which is consistent with the Rural/Rural Community designations and is in harmony with the uses of the surrounding area. The (CD) Conditional District with (US) Overlay designation will also help foster higher quality development for the parcel.*

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On motion introduced by Commissioner Chad Brown and seconded by Commissioner Worley, the BOC unanimously approved **2020-200**, after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural and Rural Community future land use plan. Rural areas are characterized by plenty of open space, as well as agribusinesses. Rural communities are areas within rural areas that allow for residential buildings with a neighborhood feel. The use, going from (R- 1) with (US) Overlay to CD/R- 2) with (US) Overlay will make the subject parcel an essential service in nature, which is consistent with the Rural/ Rural Community designations and is in harmony with the uses of the surrounding area. The (CD) Conditional District with (US) Overlay designation will also help foster higher quality development for the parcel.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcels: 173020, 173410, 173466, 207155, 211893, 211896, 211897, and 222964, is hereby approved as conditioned (Exhibit A), effective with the passage of this Resolution.

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

Exhibit A
CONDITIONS OF APPROVAL
CD20-02

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto or any part thereof is held invalid or void, then this zoning district shall be void and no effect.
3. Development shall meet all local, state, and federal requirements.
4. Canopy trees placed in the designated buffer shall be ten (10) feet at the time of planting. Understory trees placed in the designated buffer shall be five (5) feet at the time of planting. All plantings are required to be a Type D buffer, as found in the Gaston County Unified Development Ordinance (UDO), and be an evergreen species. Any existing or natural areas on site meeting this criteria are allowed to be factored as part of the buffer requirements. Required fencing must be opaque.
5. Owner/applicant is required to conduct on site visits monthly to ensure buffers are maintained and thriving; to make repairs, as needed, to equipment; and, to otherwise provide that the property is being maintained in such a manner that it deters calls for nuisance complaints (i.e. tall grass, pest control, etc).
6. The applicant shall commit to decommissioning the facility after expiration of the lease agreements or at the end of the project's operational life, whichever happens sooner, and provide decommissioning security in an amount as determined by either: (a) three (3) cents per total wattage of project site, or (b) one half (1/ 2) the certified engineer total cost to remove/ repair as stated in the decommission report (to be provided by the applicant), whichever of the two is greater; and, shall remain in full force and effect throughout the lifespan of the project. The cost of decommissioning shall be reviewed and updated every five (5) years, and the decommissioning security shall be updated, if applicable. Decommissioning security may be in the form of a removal bond, irrevocable letter of credit, or irrevocable parent guarantee.

2020-201 Commissioner Philbeck - Planning & Development Services - Zoning Text Amendment: ZTA20-03, Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 9 (General Provisions): Section 9.5(A)

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The County Attorney advised the Planning Board recommended approval by a unanimous vote; he read the consistency statement for the record: *The text amendments clarify the minimum lot width requirement to the Unified Development Ordinance (UDO), as mandated by NC General Statutes. These changes will help enable Gaston County to grow in an orderly manner and improve the quality of life for the residents of Gaston County, all of which are goals of the Gaston County Comprehensive Land Use Plan.*

Chairman Philbeck called for a motion to approve.

On motion introduced by Commissioner Worley and seconded by Commissioner Fraley, the BOC unanimously approved **2020-201** as filed with the Clerk to the Board to be set forth in the Gaston County Code of Ordinances and as follows:

SECTION 9.5 LOT TO ABUT A DEDICATED STREET; MINIMUM LOT WIDTHS

~~A. No lot may be created after the effective date of this Ordinance that does not have at least fifty (50) feet of road right-of-way frontage in all zoning districts, except CBD, except as follows:~~

A. *In all zoning districts except CBD, no lot may be created after the effective date of this ordinance that does not have at least fifty (50) feet of road right-of-way to a depth on the lot at which the required minimum lot width established in table 7.1-2B may be achieved. Except as follows:*

1. Lots within a planned shopping center or office park or other planned multi-tenant development of a nonresidential nature; or,
2. Lots within a condominium, townhome, patio home, or planned residential development, traditional neighborhood development or traditional infill development.
3. Easement lots as provided for in Section 13.15.3(C) of this Ordinance

Non-Consent

2020-202 Commissioner Keigher - County Attorney - To Provide an Advisory Opinion to the North Carolina Department of Transportation (NCDOT) Recommending an Abandonment of a Portion of a Publicly Dedicated Right-of-Way Known as State Road 1677, aka Tennessee Trail

Chairman Philbeck introduced the Assistant County Attorney for comments.

The Assistant County Attorney advised that Ecoplexus wants to close a portion of a platted right-of-way (R-O-W) at the end of Tennessee Trail which is contained within tax parcel number 164778; NCDOT describes the portion of road as being .2 miles in length and approximately 60 feet of publicly dedicated R-O-W known as SR 1677; BOC only has to make a recommendation to close this portion of road to NCDOT who then will make a decision; Ecoplexus has heard from NCDOT that they will not have any objections to this; there will still be ingress/egress for the other properties; no other property is impacted by this road closure which is encompassed within parcel #164778; this involves a Solar Farm that has already been before the BOC.

On motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously approved **2020-202** as follows:

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WHEREAS, the Gaston County Attorney's office received a request to close a portion of a platted right-of-way at the end of Tennessee Trail aka SR 1677. The portion requested to be closed is contained within tax property parcel number 164778; and,

WHEREAS, the property owner, Ecoplexus Inc., wishes to ultimately close a portion of what the NCDOT describes as being a road .2 miles in length and approximately sixty (60) feet of the publicly dedicated right-of-way known as State Road 1677, aka Tennessee Trail, which enters the abovementioned parcel on the Northern boundary, but does not continue through and provides no benefit to any adjacent parcels or the general public after it enters Tax Parcel 164778 (see attached petition); and,

WHEREAS, the front portion of SR 1677 would remain in the NCDOT system from the intersection of High Shoals Road, 188 feet in length and sixty (60) feet in width, located between the tax property parcel numbers 164730 and 164731, as shown on the attached map depicting the area for the request; and,

WHEREAS, the NCDOT makes the ultimate decision as to whether such petition will be granted; and,

WHEREAS, prior to the NCDOT deciding whether to abandon said road, the County the road is located in needs to provide the NCDOT with a resolution of approval; and,

WHEREAS, this Resolution is intended to provide the NCDOT with such approval.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners has no objections to the NCDOT abandoning said road, and recommends to the NCDOT that the subject property, being approximately sixty (60) feet of the publicly dedicated right-of-way known as State Road 1677, aka Tennessee Trail, where it enters Parcel 164778 to the point where the right-of-way terminates at the ruins of the former clubhouse, as shown on said map, be released and abandoned.

BE IT FURTHER RESOLVED that the County Manager is authorized to make necessary notifications in the matter.

Appointments

On motions introduced and seconded, the following individuals were unanimously **appointed/reappointed** to the ***Nursing Home Community Advisory Committee***:

Motion Introduced	Seconded	Appointee	Term Ending
Commissioner Fraley	Commissioner Hovis	Ms. Roberta Faile	July 31, 2021
Commissioner Chad Brown	Commissioner Hovis	Ms. Johnsie Richardson	May 31, 2023
Commissioner Keigher	Commissioner Worley	Ms. Sharon Stiles	July 31, 2021

On motions introduced and seconded, the following individuals were unanimously **appointed** to the ***SARA Local Planning Committee (LEPC)***:

Motion Introduced	Seconded	Appointee	Term Ending
Commissioner Fraley	Commissioner Hovis	Mr. Michael Coone	December 31, 2020 (Unexpired Term)
Commissioner Worley	Commissioner Hovis	Mr. Barry Wilson	January 31, 2023

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously appointed Ms. Theresa Richardson to the ***Family Advisory Board*** to an unexpired term ending April 30, 2021.

On motion introduced by Commissioner Keigher and seconded by Commissioner Jack Brown, the BOC unanimously designated Commissioner Bob Hovis as Voting Delegate to the ***2020 NCACC Annual Conference***.

COMMISSIONER'S COURT

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GASTON COUNTY, NORTH CAROLINA

On motion introduced by Commissioner Keigher and seconded by Commissioner Jack Brown, the BOC unanimously designated Commissioner Ronnie Worley as Alternate Voting Delegate to the **2020 NCACC Annual Conference**.

Commissioners Committee Reports

No reports.

County Manager's Report

The County Manager referenced three documents provided to the BOC and advised as follows:

- **Re: Overview of Budget Brochure:** The brochure provides an helpful overview of the budget and will be included with the tax bills this year
- **Re: Task Force Framework:** The second handout is the framework for a Task Force that will be convened by the Manager and BOC Chairman in preparation of dealing with the reality of Covid-19 in the context of the upcoming flu season
- **Re: Recap of Last Year:** She noted the last document recaps the past 12 months as she approaches her first Anniversary in the role of County Manager (August 5th). A Closed Session for Personnel Matters is scheduled for August 11th to allow for a more in-depth discussion and feedback

County Attorney's Report

No report.

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

On motion introduced by Commissioner Chad Brown and seconded by Commissioner Keigher, the BOC unanimously entered into Closed Session Pursuant to NCGS 143-318.11(a)(3) - Consult with the Attorney at 9:01 pm.

On motion introduced by Commissioner Worley and seconded by Commissioner Jack Brown, the BOC unanimously entered into Open Session at 9:08 pm.

Chairman Philbeck announced that no action was taken as a result of the Closed Session.

Other Matters

None.

COMMISSIONER'S COURT

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Adjournment

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

On motion introduced by Commissioner Worley and seconded by Commissioner Jack Brown, the BOC unanimously adjourned the Regular Meeting of July 28, 2020 at 9:08 pm.

(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