

# ADOPTED

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## Gaston County Board of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

SEPTEMBER 28, 2021

The Gaston County Board of Commissioners (BOC) met in Regular Session on September 28, 2021 at 6:00 p.m., in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Acting Chairman Chad Brown presided with Commissioners Bob Hovis, \*Kim Johnson (via teleconference), Tracy L. Philbeck and Ronnie Worley in attendance.

Chairman Tom Keigher and Vice-Chairman Allen R. Fraley were not in attendance. Prior to the meeting, Chairman Keigher designated Commissioner Brown to call the meeting to order until an Acting Chairman could be elected.

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

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

### To Elect an Acting Chairman

Commissioner Brown advised that the Chairman and Vice-Chairman were not in attendance and that rules of procedures require the BOC election of an Acting Chairman. He called for nominations.

Commissioner Hovis nominated Commissioner Brown to serve as Acting Chairman.

Hearing no further nominations, Commissioner Brown called for the vote on the nomination.

Commissioner Hovis introduced the motion to elect Commissioner Chad Brown to serve as Acting Chairman and Commissioner Philbeck provided the second. Commissioner Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

### Commissioner Hovis - County Manager - Proclamation - To Proclaim September 15 - October 15, 2021 as National Hispanic Heritage Month

Commissioner Hovis invited Ms. Pearl Burris-Floyd, Diversity Equity & Inclusion Officer, Ms. Karina Dwyer and Mr. Juan Garcia, Multicultural Affairs Committee members, to the podium and read the Proclamation to be adopted under the Consent Agenda.

Ms. Dwyer accepted the Proclamation and thanked the BOC for the recognition.

Mr. Garcia thanked the BOC on behalf of the Latin-American communities and its citizens.

Ms. Floyd thanked the BOC for taking the bold step in honoring the Hispanic Latino community. She stated this is a first for the County and she noted that Karina and Juan are part of the Multicultural Affairs Committee.

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Public Hearing - RE: Commissioner Keigher - Building & Development Services - Zoning Text Amendments: To Repeal and Replace the Gaston County Unified Development Ordinance in its Entirety, to Incorporate All Necessary Modifications in Order to: 1) Bring the Ordinance into Compliance with North Carolina General Statute 160D; 2) Make Minor Modifications to Existing Chapters and Text; 3) Make Modifications to Chapter 14 (Manufactured Home Park) in Order to Update Standards; and, 4) to Incorporate Mining Operations as a Use with Supplemental Regulations

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

Commissioner Hovis introduced the motion to enter into Public Hearings and Commissioner Worley provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

Acting Chairman Brown recognized Mrs. Sarah Penley, Building and Development Services Senior Planner, for comments.

Mrs. Penley advised subject request is to consider repealing and replacing the Unified Development Ordinance (UDO) in its entirety and to incorporate all necessary modifications. She noted her presentation is broken into sections. As background, she explained that Chapter 160D is the culmination of years of work to recodify and modernize city and county development regulations which would enable legislation; work on this effort began in 2013; Chapter 160D was established under Session Law 2019-111; enacted by General Assembly in June 2019 and signed by the Governor in July. Session Law 2019-111 included two parts with different effective dates which have passed. Chapter 160D was drafted to modernize and standardize land use laws across the state; it serves to consolidate local regulations statutes for the County and municipalities, which were previously divided into two separate parts.

**Re: Request: To Incorporate the Necessary Modifications to Bring the Ordinance into Compliance with NCGS 160D** – Mrs. Penley reviewed a slide presentation and advised the purpose is to consolidate city and county statutes (previously in Chapters 160A and 153A) and merge them into new Chapter 160D; other statutes merged into Chapter 160D include zoning family care homes, and regulations for outdoor advertising and adult entertainment. The purpose was to also modernize, clarify and simplify the language used; no major changes in the scope of local government authority were made.

Mrs. Penley described other key points and advised that Chapter 160D allows 1) authorization of zoning exactions comparable to subdivision exactions (exactions in the performance guarantees generally allowed for zoning regulations - will now be the same extent and limitations as the subdivision regulations and exactions); 2) clarifies map adoption and record-keeping; 3) clarifies different types of zoning decisions (you can now have conditional zoning and special use permits via a two-step process with the general rezoning occurring first and the special use issuance occurring in a separate proceeding); 4) revises subdivision performance guarantees standards; 5) clarifies process for development agreements (any exactions or standards put in place for some conditional zoning districts must be put in writing and all parties must sign an agreement to those exactions); 6) clarifies procedures and standards for special topic regulations.

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She shared some examples via screen shots from different sections of the Ordinance where staff incorporated some changes for Chapter 160D; conditional use is now considered special use permits; switched out all references to previous chapters of 153A and replaced them with the correct text referencing 160D. She noted staff made adjustments as needed with the language.

**Re: Request: To Make Minor Modifications to Existing Chapters and Text** - Mrs. Penley stated staff felt it was beneficial to do an overhaul of the Ordinance and made grammatical changes throughout the Ordinance, omitted text in cases of redundancy, and elaborated in certain instances to provide clarification; added some definitions to the Definition Table (provided examples in slides).

**Re: Request: To Make Modifications to Chapter 14 (Manufactured Home Park) in Order to Update Standards** - Mrs. Penley advised the purpose behind the rewrite was to update the standards (she noted this has been of particular concern of the Planning Board). She noted the Manufactured Home Park definition was changed from *any property with two or more mobile homes on a single piece of property*, to *three*, which is consistent with how the Tax Department defines a Manufactured Home Park. Staff incorporated some maintenance standards and updates to this chapter. This chapter was originally laid out in a way to provide standards if a new mobile home park was created; however, creating a new mobile home/manufactured home park is no longer permitted in Gaston County, and staff felt it was important to provide for new standards and updates. Operator permits for getting Manufactured Home Parks into compliance were eliminated, and yearly inspections removed; *Enforcement and Penalties* section was removed since Chapter 18 provides for enforcement of any type of penalties. This also provided the same consistency for enforcement of any type of violations.

**Re: Request to Incorporate Mining Operations as a Use with Supplemental Regulations** – Mrs. Penley advised staff is mindful of activity and the current interest in the northwestern portion of the County; these regulations are not directed towards any entity or corporation; these are standards that staff felt should apply to mining use operations as a whole.

Staff added mining and quarrying to the Use Table and a new section of regulations devoted to that particular use; mining and quarrying are only allowed in the I-3 zoning district as a Special Use Permit; unless the property was already zoned as an I-3 Zoning district, the applicant would have to follow a two-step process and have it first rezoned and then apply for a Special Use permit. There are additional regulations in the approval process for this use, that are somewhat different from other uses, that will mimic the conditional district zoning; public information meetings are required with this particular use due to the potential project size and involvement. Unlike other sections in the ordinance, where enforcement can be found in Chapter 18, this particular use has its own subsection with enforcement that deals directly with this use. She also noted this section has definitions that are unique to this specific use and there is a section devoted to development standards, operations, approval process for mining operations and enforcement.

In conclusion, she noted the individual chapters were available to pull up should the Board have any questions; that link was also provided to the Board; Building and Development Services Director was also present to answer any questions; Attorney Tom Terrell, who specializes in land use law, assisted staff with a lot of the Ordinance changes.

Acting Chairman Brown thanked the Building and Development Services staff for the presentation.

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

Commissioner Hovis asked if there was any property in the County, specifically in the northwestern portion, zoned I-3 currently; if there are any huge tracts of land in the area in question zoned I-3.

Mrs. Penley advised the I-3 zoning district is not new, or unique to mining - this is the only district that would allow mining operations (as a use with supplemental regulations) and other uses. She further responded there are some I-3 property on the edges of Cherryville's ETJ, but she is not aware of any huge tracts of land zoned I-3 in the area in question; any tracts not zoned I-3 would be subject to the two-step process.

Mr. Brian Sciba, Planning and Development Services Director, clarified that even if there was a large tract of land zoned I-3, a Special Use Permit must still be requested for mining to take place.

Commissioner Hovis responded that specific scenario would then be a one-step versus a two-step process.

Mr. Sciba concurred.

Commissioner Philbeck inquired if the one-step process, for a tract that was already zoned I-3, would involve the BOC.

Mr. Sciba responded that typically a Special Use Permit would go before the Board of Adjustments; however, the mining language in this Ordinance is written so that a Special Use Permit for mining would have to come before the BOC.

Commissioner Philbeck referenced the language in **Enforcement, B. Other Violations:** "*revocation of the Special Use Permit is the discretion of the Manager or their designee*" and suggested that revocation should instead be at the discretion of the Board of Commissioners. He also inquired who would be the Manager's designee.

Mr. Sciba clarified that staff was looking for expedient enforcement tools that did not involve bringing the process back to the Board; this language would allow the County Manager to make a determination if established rules have been broken and proceed with enforcement.

Commissioner Philbeck reiterated that a decision of that magnitude, involving hundreds of millions of dollars, should come from the BOC; a Special Meeting can occur within a couple days. This is not authority the Board should give up; it would ensure transparency in the process.

Mr. Sciba responded that is a very valid point and an easy change for staff to make.

Commissioner Worley agreed any permit revocation should be discussed amongst the BOC. He suggested that in certain situations the Manager/Designee could be granted authority to suspend operations for any violations that may require quick action (i.e. weekend); revocation decision would come back to the BOC.

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Mr. Sciba advised once an operation has opened, staff does not have a lot of recourse; this was an attempt to build some in; the goal was to ensure there were consequences for breaking the rules.

Commissioner Philbeck stated he would have no issue authorizing the Manager to suspend operations in dire situations, but revocation would be up to the BOC.

Mr. Sciba advised a decision would need to be made tonight in order for the language to be incorporated.

Commissioner Hovis suggested adding a caveat that the Manager/Designee has the authority to temporarily suspend the Special Use Permit and then call a Special Meeting in a public hearing environment within 10 days from that temporary suspension

Mr. Sciba advised that staff would make that adjustment.

Commissioner Johnson noted agreement with the BOC on this issue; had no further comment.

Acting Chairman Brown referenced the language "fencing after decommissioning" and noted he did not see anything about the responsible party ensuring the fence is always maintained for safety; suggested a text amendment to that effect be introduced later.

Commissioner Philbeck clarified that voting for this Ordinance is not a vote for any mining operations; it is a vote to regulate a mining operation if that should occur.

Mr. Sciba advised the County has no applications currently for any mining operations.

Acting Chairman Brown advised citizens were provided an opportunity to provide written comments by September 27<sup>th</sup> at 6 pm and none were received.

Commissioner Philbeck advised the BOC needed to see or hear the wording before voting.

Acting Chairman Brown called for a five minutes recess at 6:36 pm.

Acting Chairman Brown reconvened the meeting at 6:41 pm; hearing no additional comments, declared the public hearing closed.

Acting Chairman Brown asked the County Attorney to provide the Planning Board's recommendation.

The County Attorney advised the Planning Board voted unanimously to approve the proposed zoning text amendments based on the following statement of consistency: the proposed text amendments, as presented, are consistent with staff recommendation, the Comprehensive Land Use Plan and in compliance with North Carolina State laws, specifically N.C.G.S 160D.

Acting Chairman Brown called for a motion to approve.

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**2021-236 Commissioner Keigher - Building & Development Services - Zoning Text Amendments: To Repeal and Replace the Gaston County Unified Development Ordinance in its Entirety, to Incorporate All Necessary Modifications in Order to: 1) Bring the Ordinance into Compliance with North Carolina General Statute 160D; 2) Make Minor Modifications to Existing Chapters and Text; and 3) to Incorporate Mining Operations as a Use with Supplemental Regulations**

Commissioner Philbeck introduced a motion to Approve the Repeal and Replacement of the UDO in its entirety with the exception of the recommended revisions to Chapter 14 (Manufactured Home Park), which will remain as currently written, until time for an in-depth review; and to revise the recommended Mining Enforcement section to allow the County Manager to temporarily suspend a mining permit until a special meeting can be convened by the Board of Commissioners within 10 days, to consider the permit revocation. Commissioner Worley, provided the second.

Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved 2021-236 as follows:

WHEREAS, the Gaston County Board of Commissioners adopted a zoning ordinance on April 24, 2008, (Resolution 2008-096); and,

WHEREAS, the State of North Carolina has granted counties general ordinance-making authority in North Carolina Gen. Stat. §153A-121; and,

WHEREAS, Gaston County has undertaken a significant rewrite of the zoning ordinance in accordance with North Carolina Gen. Stat. §160D; and,

WHEREAS, a public hearing was held on September 28, 2021 by the Gaston County Board of Commissioners, to receive citizen comment on the proposed amendments (comments are on file in the Office of the Clerk to the Board of Commissioners as part of the minutes of the meetings); and,

WHEREAS, the North Carolina General Assembly has modified portions of Chapters 153A (Counties), and 160A (Cities and Towns) of the North Carolina General Statutes into a new Chapter 160D, entitled "Local Planning and Development Regulation;" and,

WHEREAS, citations to Chapters 153A and 160A of the North Carolina General Statutes contained in the Gaston County Unified Development Ordinance must be updated to reflect the relevant portions of the new Chapter 160D; and,

WHEREAS, numerous technical errors and omissions were identified and amended as part of Gaston County staff's review of the Ordinance; and,

WHEREAS, County staff also incorporated changes to Chapter 14 (Manufactured Home Park); while also adding a section on mining operations as a use with supplemental regulations in Chapter 8 (Sec.8.3.21); and,

WHEREAS, at its Special Meeting on September 21, 2021, the Gaston County Planning Board recommended approval of the Zoning Text Amendments and the recommendation to repeal and replace the Gaston County Unified Development Ordinance in its entirety, in order to incorporate the necessary modifications to bring the ordinance into compliance with North Carolina General Statute 160D; to make modifications to existing chapters and text; to make modifications to Chapter 14 (Manufactured Home Park) in order to update standards; and, to incorporate mining operations as a use with supplemental regulations, based on County staff recommendation. The



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Planning Board finds the request is reasonable and in the public interest and is in accordance with the County's Comprehensive Land Use Plan. The proposed zoning text amendments, as presented, are consistent with staff recommendation, the Comprehensive Land Use Plan, and in compliance with North Carolina State laws, specifically NCGS 160D.

Motion: Hurst

Second: Fallon

Vote: Unanimous

Ayes: Ally, Brooks, Fallon, Hurst, Harris, Hollar, Horne

Nay: None

Absent: Houchard, Vinson

Abstain: None

NOW, THEREFORE, BE IT RESOLVED that after consideration of the proposed amendments to the Unified Development Ordinance (as filed with the Clerk to the Board), 9/28/2021 BOC Public Hearing comment, and recommendations from both County staff and the Gaston County Planning Board, the Gaston County Board of Commissioners approves the recommended amendments to the Ordinance, ***with the following modifications:***

- 1) Chapter 14 Amendments Removed: Chapter 14 (Manufactured Home Park) will remain as currently written, until time for an in-depth review; and,
- 2) Mining Enforcement section in Chapter 8 REVISED to allow the County Manager, or the Manager's designee, to temporarily suspend a mining permit until a special meeting can be convened by the Board of Commissioners, within 10 days, to consider the permit revocation.

BE IT FURTHER RESOLVED that the Gaston County Board of Commissioners considers this action to be reasonable and in the public interest and finds the proposed amendments to be consistent with the Comprehensive Land Use Plan and in compliance with North Carolina State laws, specifically NCGS 160D.

BE IT FURTHER RESOLVED that the Gaston County Board of Commissioners hereby adopts the amended Unified Development Ordinance (with above modifications), in its entirety, effective with the passage of this Resolution.

BE IT FURTHER RESOLVED the Gaston County Board of Commissioners hereby repeals Resolution 2008-098, effective with the passage of this Resolution.

BE IT FURTHER RESOLVED that the County Manager is authorized to notify any and all necessary parties about this Resolution and changes resulting therefrom.

Public Hearing - RE: Commissioner Keigher - EDC - To Approve a Gaston County Level Four Incentive Grant Pursuant to N.C. Gen. Stat. 158-7.1 and To Authorize Gaston County to Enter into an Economic Development Agreement (EDA) with Trinity Capital Partners

Acting Chairman Brown recognized Mr. Donny Hicks, Economic Development Commission Director, for comments.

Mr. Hicks advised the County is requested to authorize a Level Four Grant for a spec building project; Trinity Capital Partners (TCP) would like an Economic Development Agreement (EDA) from the County to satisfy their investors and lenders; TCP based in Charlotte, NC, is considering building a 860,000SF spec building at The Delta Business Park and may expand in the future to 1,200,000SF if needed; the site is partially in the County and City of Gastonia; staff worked with a developer to clean the site up over a period of time; a Resolution is forthcoming next month to allow the County to inspect it until the shell is complete; the County gave up its right at Gateway 85 so that Planning & Development Services can continue reviewing those plans and Mr. Joseph Alm (Gaston Natural Resources Stormwater Administrator) can do the Soil Sedimentation Erosion

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Control Plan; staff will ask the City to do the same thing on October 5; the City will attach an Annexation Agreement to theirs, so that it can be inside the City.

Acting Chairman Brown called for citizen comment; none were heard.

Acting Chairman Brown called for questions from the BOC.

Commissioner Worley asked how many jobs it would create.

Mr. Hicks responded this will be a pure spec building that will be built with no tenant in mind; have pursued a couple of projects (everything from 200 to 1,000 employees); it is very hard to estimate the number of employees per square foot in warehouse product today.

Acting Chairman Brown announced that no written comments were received and declared the Public Hearing closed.

Acting Chairman Brown called for a motion to approve.

Commissioner Hovis introduced a motion to approve and Commissioner Philbeck provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and **2021-237** carried unanimously as follows:

WHEREAS, Trinity Capital Partners is considering a total investment of \$44,000,000 to establish an 876,000 square foot warehouse and distribution facility in the Delta Business Park, with the expectation to complete this investment on or before December 31, 2022; and,

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

WHEREAS, Gaston County developed an economic grant policy to provide global advanced manufacturing companies and distribution facilities with high quality industrial park locations; and,

WHEREAS, it is anticipated that the Company's capital investment in and at the Property and its operations thereat will generate significant ad valorem tax, sales tax and other revenues to the County and will qualify for a Level Four Grant; and,

WHEREAS, the County will prepare a detailed Economic Development Agreement (EDA), between Trinity Capital Partners and the County, so as to induce the company to provide good job opportunities and capital investment which will enhance the County's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners approves a Level Four Grant and authorizes the Chairman, Vice-Chairman or the County Manager to execute any documents necessary to complete an Economic Development Agreement for Trinity Capital Partners.

Public Hearing - RE: Commissioner Keigher - EDC - To Approve a Gaston County Level Four Incentive Grant Pursuant to N.C. Gen. Stat. 158-7.1 and To Authorize Gaston County to Enter into an Economic Development Agreement (EDA) with Project Keith Corporation

Acting Chairman Brown recognized Mr. Hicks for comments.



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Mr. Hicks advised this is very similar to the previous item. The Keith Corporation and their partners, based in Charlotte, want to build a spec building around 1,250,000SF in the City of Kings Mountain on the Gaston County side; want same assurance that an incentive package will be available to them, their investors and equity partners; the BOC is requested to offer the company a Level Four Grant; they clearly exceed the \$50M threshold; the \$62M in the Resolution is the estimated tax value based on a current valuation.

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

Acting Chairman Brown advised no written comments were received and declared the Public Hearing closed.

Acting Chairman Brown called for a motion to approve.

Commissioner Hovis introduced a motion to approve and Commissioner Philbeck provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and **2021-238** carried unanimously as follows:

WHEREAS, Project Keith Corporation is considering a total investment of \$62,500,000 to establish a 1.25 million square foot warehouse and distribution facility in Kings Mountain Corporate Park, with the expectation to complete this investment on or before December 31, 2022; and,

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

WHEREAS, Gaston County developed an economic grant policy to provide global advanced manufacturing companies and distribution facilities with high quality industrial park locations; and,

WHEREAS, it is anticipated that the Company's capital investment in and at the Property and its operations thereat will generate significant ad valorem tax, sales tax and other revenues to the County and will qualify for a Level Four Grant; and,

WHEREAS, the County will prepare a detailed Economic Development Agreement (EDA), between Project Keith Corporation and the County, so as to induce the company to provide good job opportunities and capital investment which will enhance the County's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners approves a Level Four Grant and authorizes the Chairman, Vice-Chairman or the County Manager to execute any documents necessary to complete an Economic Development Agreement for Project Keith Corporation.

Public Hearing - RE: Commissioner Keigher - EDC - To Approve the Application for a NCDOC Rural Economic Development Division Building Reuse Grant in Support of Project REPEL and to Provide the Required 5% Local Match in an Amount Not to Exceed \$3,250

Acting Chairman Brown recognized Mr. Hicks for comments.

Mr. Hicks advised a Kings Mountain based company would like to expand; staff has been working with the company a number of years trying to get additional real estate to operate; they agreed to an \$7.7M expansion and to hire 14 employees; the Department of Commerce Rural Development

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Division has a Building Reuse Grant which allows an owner, as the operator, to receive monies based on the number of jobs created to help expand the building; there are grant limitations but if the guidelines are met and the 14 employees are hired you can keep the grant; if they fail to meet those obligations, the County has to get the money back from them (via property repossession, etc.); the \$65k grant requires that the County provide a 5% match (\$3,250) which will be paid upon completion of the employment.

Acting Chairman Brown called for citizen comment; none was heard.

Acting Chairman Brown called for questions from the BOC.

Commissioner Philbeck asked if the grant was to hire 14 people.

Mr. Hicks responded the State collects most of their money on income tax that people pay after determining how much income tax will be paid over a period of time.

Commissioner Philbeck asked if anyone could apply for the grant.

Mr. Hicks responded it typically has to be a manufacturing and warehouse operation and be approved by the Rural Development Authority.

Acting Chairman Brown advised no written comments were received and declared the Public Hearing closed.

Acting Chairman Brown called for a motion to approve.

Commissioner Worley introduced a motion to approve and Commissioner Hovis provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and **2021-239** carried unanimously as follows:

WHEREAS, Project Repel, which has operated in Gaston County since 2001, is proposing a total investment of \$7.7 million in renovations to their manufacturing facility in Gaston County and in an expansion of their warehousing space; and,

WHEREAS, the firm intends to create fourteen (14) new jobs over five (5) years, of which ten (10) jobs are to be created in the first two (2) years; and,

WHEREAS, the average annual wage of these jobs are projected to be \$43,856 with the current annual average wage for Gaston County being \$42,018; and,

WHEREAS, the General Statutes of North Carolina authorize a County to accept grants from the State of North Carolina for the expansion of industry; and,

WHEREAS, the Gaston County Board of Commissioners finds that it is in the best interest of the County to assist Project Repel in obtaining a NCDOT Rural Economic Development Division Building Reuse Grant and commits to provide the required five percent local match in an amount not to exceed \$3,250; and,

WHEREAS, this will potentially increase property and sales tax revenue based upon Project Repel committing to the renovation of the manufacturing facility and the expansion of their warehouse space in Gaston County; and,

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WHEREAS, the Gaston County Board of Commissioners desires to support this upgrade and expansion project so as to induce the company to continue to provide good job opportunities and capital investment which will enhance the County's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners authorizes the Chairman of the Gaston County Board of Commissioners to execute any documents necessary to submit a NCDOC Rural Economic Development Division Building Reuse Grant and commits to provide the required five percent local match in an amount not to exceed \$3,250.

Public Hearing - RE: Commissioner Brown - DHHS (ACCESS) - To Request Permission to Apply for NCDOT/PTD FY23 Community Transportation Program (5311) Grant to Provide Rural Public Transportation Services; Enter into an Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and Required Local Match

Acting Chairman Brown recognized Mr. Michael Coone, Department of Health & Human Services (Social Services Division) Adult & Aging Services Administrator, for comments.

Mr. Coone requested permission to apply for the NCDOT/PTD FY23 Community Transportation Program Grant to support public and Human Services transportation in rural areas where residents rely on public transportation to reach their destinations. The grant includes Capital, Planning and Operating Assistance funding; the administrative portion of the grant is \$199,888 with a 15% local match or \$29,984 and includes technology, utilities, telephone services, training and travel, office supplies, janitorial supplies, alcohol and drug testing for staff, and salaries and fringe benefits for a Transportation Coordinator and Administrative Support Professional for that program; the Operating portion of grant is \$300,000 with a 50% local match or \$150k which goes towards transporting clients; the Capital portion of the grant is \$80,250 with a 10% local match or \$8,025, which will be used to purchase one 25' LTV (Light Transit Vehicle) to replace a current vehicle that is aging out; the project's total is \$580,138 with a local match of \$188,009.

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

Commissioner Philbeck asked who pays for the grant when it runs out.

Mr. Coone noted the County has received this grant for many years; the County used CARES Act funds to cover transports last year when NCDOT declined to approve the requested \$300,000; this year NCDOT reinstated ROAP (Rural Operating Services Grant) funds that the County used for the coming year; currently Social Services has around \$473k left in CARES Act funds that will be applied to transports this year; Human Services has been able to pull down funds through other grants offered by the State and have contracted some local Human Services providers and draw down funds through those to help reimburse some of the services; Social Services would have to limit some rural trips and other things provided if all of the funds are not there.

Commissioner Philbeck encouraged the BOC to be mindful when grant monies run out that the County is providing a service that citizens will still expect; when that happens the County will end up picking up the tab.

The County Manager advised staff has that conversation with every grant internally as part of the internal grant process and work policy; if grant funds are ending, staff would have to discuss

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continued service delivery or other mechanisms; that cost ending with the taxpayers is always a concern.

Commissioner Worley stated it is helpful to know how many trips are provided weekly, monthly and yearly to understand the trip cost/day; County may be better off contracting it out completely; noted support for the grant.

Mr. Coone advised due to impact of Covid-19, many people did not want to take public transportation; 34,691 trips were provided in FY21; Social Services has divested out all Medicaid trips to the private sector.

Commissioner Hovis advised the cost is \$14.57/transport.

Mr. Coone advised the cost is higher than that due to outside funding; average length of a trip is 7 to 8 miles in County; per mile trip is a couple of dollars/mile.

Acting Chairman Brown advised he had been engaged on both sides of the issue; commended Mr. Coone on the work he has done to improve this program.

Acting Chairman Brown advised that no written comments were received and declared the Public Hearing closed.

Acting Chairman Brown called for a motion to approve.

Commissioner Worley introduced a motion to approve and Commissioner Hovis provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and **2021-240** carried unanimously.

Acting Chairman Brown announced that the Public Hearings were concluded.

**Agenda Revision/Approval**

- **ADDED/** Commissioner Hovis - County Manager - Proclamation - To Proclaim September 15 - October 15, 2021 as National Hispanic Heritage Month –

Commissioner Philbeck introduced a motion to approve the Agenda of September 28, 2021 with changes as noted above. Commissioner Johnson provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

**Approval of Minutes**

Commissioner Hovis introduced a motion to approve the Minutes of the Regular Meeting of August 24, 2021 and the Closed Session of September 14, 2021. Commissioner Philbeck provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) which carried unanimously.

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**Citizen Recognition**

None.

**Consent Agenda**

Commissioner Hovis introduced the motion to approve the Consent Agenda and Commissioner Brown provided the second. Acting Chairman Brown called for Commissioner Johnson's voice vote and called for the vote from the remaining members (via show of hands) and the BOC unanimously approved the Consent Agenda as follows:

**2021-241 Commissioner Worley - BOC - Proclamation - To Commemorate the Events of September 11, 2001**

**2021-242 Commissioner Brown - BOC - Proclamation - To Proclaim September 17-23, 2021 as Constitution Week**

**2021-243 Commissioner Keigher - BOC - Commendation - Governor's Volunteer Service Award**

**2021-244 Commissioner Keigher - BOC - To Set Forth the Names of the 2021 Students of the Senator James S. Forrester Commissioners' School of Excellence in the Board of Commissioners' Minutes as follows:**

**Week One**

|                     |                       |                   |                 |                      |
|---------------------|-----------------------|-------------------|-----------------|----------------------|
| Candice Abernathy   | Payton Cook           | Claire Hayes      | Amelia Matzke   | Ja'Leah Thomas       |
| Emma Aldridge       | James Crawford        | Skylar Hernandez  | Ian McGinnis    | Camryn Tuttle        |
| Kenedi Armstrong    | William Current       | Sarah Herzberg    | Amy Okonkwo     | Ainsley Vandermeer   |
| Lauren Arthurs      | Avery Davis           | Caleb Hovis       | Keya Patel      | Alexander Villarreal |
| Emilee Barker       | Zoe Deo               | Mary Hurst        | Eliana Phadke   | Katie Walker         |
| Allison Beam        | Aissatou Diouf        | Kameron Kee       | Abigail Ratte   | Lydia Walls          |
| Quinnlyn Beam       | Jocelyn Doorley       | Luke Kelly        | Lilly Riley     | Madison Waugh        |
| Evan Black          | Jacob Echevarria      | Benjamin Kimmel   | Mason Robinson  | Mary Whatley         |
| Kendal Boone        | Sacari' Forney        | Charles Langford  | Riley Rouse     | Keira Wilcox         |
| Trinity Brown       | Hala Freeman          | Paige Laroche     | Kiersten Sadler | Jacey Williams       |
| Chandler Brown      | Malasia Friday-Scates | Zaniya Littlejohn | Michael Scott   | Kieran Wood          |
| Jerome Butler III   | Johnathan Green       | Rachel Long       | Kamrin Sharpe   |                      |
| Chandandeep Chahill | James Gunter          | Madelyn Ludwig    | John Snipes     |                      |
| Sheldon Clark       | Skylar Harris         | Camryn Massey     | Alfredo Tario   |                      |

**Week 2**

|                  |                   |                   |                       |                |
|------------------|-------------------|-------------------|-----------------------|----------------|
| Nicole Allen     | Peyton Davis      | George Keel       | Kimberly Ramirez      | Jessica Tejada |
| Marya Beam       | Lauren Downey     | Riley Lavinder    | Sherry Ramos Martinez | Merrily Tew    |
| Jersey Beattie   | Sarah Eaker       | Annemarie Lawing  | Kylie Reynolds        | Laura Thomas   |
| Avery Boyd       | Henry Eisenhuth   | John Ledbetter    | Kaitlyn Russell       | Anna Townsend  |
| Tymon Childs     | Kale Franks       | Joycelyn Marlowe  | Meredith Russell      | Michelle Tracy |
| Jordan Coffey    | Kiara Gonzalez    | Mason McBride     | Ashlee Shedd          | Monica Velasco |
| Gabryele Collins | Lillian Griffin   | Carter McLaughlin | Jackson Sheehan       | Jacob Washam   |
| Samuel Cook      | Savannah Griffin  | Abby Michael      | Sarah Shiflet         | Sarah Younan   |
| Ava Cooper       | Ajah Harris       | Lauren Moonie     | Jade Skipper          |                |
| Joseph Dattoli   | Josefina Houchard | Sydney Newton     | Blake Splawn          |                |
| Kaylan Davis     | Lyndie Humphrey   | Abigail Osborne   | Isabel Suarez         |                |
| Parker Davis     | Makenzie Karr     | Matthew Pineda    | Trinity Swann         |                |

**2021-245 Commissioner Worley - Budget & Strategy - To Accept and Appropriate State Grant Funds from the NC Council for Women for the Cathy Mabry Cloninger Center (Domestic Violence Funds - \$48,126; Marriage License Fees - \$17,500; Divorce Filing Fees - \$19,000) per Budget Change Request:**

## COMMISSIONER'S COURT

SEPTEMBER 28, 2021

## GASTON COUNTY, NORTH CAROLINA

| Account Description            | Account Number                | Amount     |
|--------------------------------|-------------------------------|------------|
| NCC4W: Domestic Violence Grt   | 010-05-5810-5582-425104-22511 | (\$48,126) |
| Salaries: C4W DV Grant         | 010-05-5810-5582-510001-22511 | \$44,892   |
| Other Pay: C4W/DV Grant        | 010-05-5810-5582-510007-22511 | \$2,000    |
| Retire: C4W/DV Grant           | 010-05-5810-5582-510101-22511 | \$281      |
| Health: C4W/DV Grant           | 010-05-5810-5582-510103-22511 | \$706      |
| Dental: C4W/DV Grant           | 010-05-5810-5582-510108-22511 | \$242      |
| NCC4W: Domestic Violence Grt   | 010-05-5810-5582-560000-22511 | \$5        |
| NCC4W: Marriage License Grant  | 010-05-5810-5582-425081-22509 | (\$17,500) |
| PT>1000: C4W Marriage License  | 010-05-5810-5582-510006-22509 | \$10,500   |
| Temp Svc: C4W Marriage License | 010-05-5810-5582-530013-22509 | \$7,000    |
| NCC4W: Divorce Fees Grant      | 010-05-5810-5582-425101-22510 | (\$19,000) |
| NCC4W: Divorce Fees Grant      | 010-05-5810-5582-560000-22510 | \$19,000   |

**2021-246 Commissioner Worley - Budget & Strategy - To Accept and Appropriate a 21st Century Community Learning Center Award for an Afterschool Program at Woodhill Elementary School (\$400,000/Yr.). The Award Provides Continuation Funding for Years 2 and 3 for a Total of \$1.2M per Budget Change Request:**

| Account Description           | Account Number                | Amount      |
|-------------------------------|-------------------------------|-------------|
| 21st Cent: Woodhill/Cohort 15 | 010-01-4130-4134-420000-22513 | (\$400,000) |
| 21st Cent: Woodhill/Cohort 15 | 010-01-4130-4134-560000-22513 | \$400,000   |

**2021-247 Commissioner Worley - Budget & Strategy - To Accept and Appropriate a Family Violence Prevention Services Act Grant to Support the Partial Salary and Benefits for the Domestic Violence Public Outreach Specialist (\$45,000 with a \$9,000 Match) per Budget Change Request:**

| Account Description      | Account Number                | Amount     |
|--------------------------|-------------------------------|------------|
| FVPSA Grant              | 010-05-5810-5582-425009-22514 | (\$45,000) |
| Salaries: FVPSA Grant    | 010-05-5810-5582-510001-22514 | \$32,350   |
| FICA: FVPSA Grant        | 010-05-5810-5582-510100-22514 | \$2,225    |
| Retire: FVPSA Grant      | 010-05-5810-5582-510101-22514 | \$3,590    |
| Health Ins: FVPSA Grant  | 010-05-5810-5582-510103-22514 | \$6,325    |
| Dental Ins.: FVPSA Grant | 010-05-5810-5582-510108-22514 | \$140      |
| Life Ins.: FVPSA Grant   | 010-05-5810-5582-510109-22514 | \$120      |
| Training: FVPSA Grant    | 010-05-5810-5582-520011-22514 | \$250      |

**2021-248 Commissioner Worley - Budget & Strategy - To Approve the 2021 Edward Byrne Memorial Justice Assistance Grant Interlocal Agreement Between Gaston County and the City of Gastonia and to Appropriate the County's Portion of the Funding (\$30,168) per Budget Change Request:**

| Account Description | Account Number                | Amount     |
|---------------------|-------------------------------|------------|
| 2021:JAG: Police    | 010-02-4310-4310-425042-22515 | (\$12,416) |
| 2021 JAG: Police    | 010-02-4310-4310-560000-22515 | \$12,416   |
| 2021 JAG: Sheriff   | 010-02-4315-4315-425042-22516 | (\$17,752) |
| 2021 JAG: Sheriff   | 010-02-4315-4315-560000-22516 | \$17,752   |

**2021-249 Commissioner Hovis - Building & Development Services - To Adopt an Interlocal Agreement with the City of Bessemer City for County Administration of Inspections and Enforcement Responsibility for State Building Codes and for Portions of Bessemer City's Land Use Ordinances**

COMMISSIONER'S COURT

SEPTEMBER 28, 2021

GASTON COUNTY, NORTH CAROLINA

**2021-250 Commissioner Brown and Commissioner Fraley - County Attorney - To Submit a Request for a Public Hearing to the North Carolina Mining Commission for the Purpose of Openly Discussing Piedmont Lithium's Proposed Mining Activities in Gaston County as Detailed in the Company's State Mining Application as follows:**

WHEREAS, Chapter 8 of the Gaston County Code of Ordinances concerns the health and safety of the citizens of Gaston County; and,

WHEREAS, Piedmont Lithium, Inc. submitted a mining application to the State of North Carolina on August 30, 2021 proposing an array of open-pit mining operations in the northwestern part of Gaston County; and,

WHEREAS, citizens throughout Gaston County have voiced and continue to voice significant interest in Piedmont Lithium's proposed mining activities in the County; and,

WHEREAS, Gaston County wants its citizens to have a thorough opportunity to be heard, respected, and informed as to the potential risks and benefits of a project of this size and scope; and,

WHEREAS, North Carolina's Mining Act of 1971 provides, in pertinent part, that the North Carolina Department of Environmental Quality (the "Department") shall hold a public hearing whenever the Department determines that significant public interest exists regarding any new mining application.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby requests that the North Carolina Department of Environmental Quality schedule and notice a public hearing on Piedmont Lithium, Inc.'s North Carolina Mining Application submitted August 30, 2021.

**2021-251 Commissioner Philbeck - County Attorney - To Decline the County's Right to Purchase Property Located at 425 South Ridge Street in Dallas, North Carolina in Accordance with North Carolina Gen. Stat. 115C-518 as follows:**

WHEREAS, North Carolina Gen. Stat. § 115C-518 affords boards of county commissioners the first opportunity to obtain property owned by a local school board which is no longer suitable for school purposes; and,

WHEREAS, Gaston County Public Schools has determined that the property located at 425 South Ridge Street, Dallas, North Carolina 28034 is unsuitable for school purposes; and,

WHEREAS, Gaston County tax records show that a sum of twenty-three thousand twenty-eight dollars and eighty-four cents (\$23,028.84) is owed to the County as back-taxes as of September 28, 2021; and,

WHEREAS, Gaston County acknowledges that it has the right to purchase said property from the local Board of Education; and,

WHEREAS, Gaston County fundamentally desires to recoup the back-taxes owned on said property without owning the parcel; and,

WHEREAS, Gaston County Public Schools' legal counsel has communicated that the school board intends to sell the property upon the County declining to purchase it; and,

WHEREAS, the County anticipates receiving at least \$23,028.84 in back-taxes owed upon the fair market sale of the property by the school system.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby declines to purchase the property located at 425 South Ridge Street in Dallas, North Carolina with the intention of recouping back-taxes owed via the sale of said property by the Gaston County Board of Education.

**2021-252 Commissioner Philbeck - County Manager - To Accept Departmental Budget Change Requests as Information as follows:**



## COMMISSIONER'S COURT

SEPTEMBER 28, 2021

## GASTON COUNTY, NORTH CAROLINA

| ENTRY DATE | DEPT NAME            | ACCOUNT                       | DR/CR | AMOUNT    |
|------------|----------------------|-------------------------------|-------|-----------|
| 08/02/2021 | DSS                  | 020-05-4790-0000-520001-      | C     | \$ 3,000  |
| 08/02/2021 |                      | 020-05-4790-0000-530015-18046 | D     | \$ 3,000  |
| 08/02/2021 |                      | 020-05-4800-4813-530013-      | C     | \$ 2,000  |
| 08/02/2021 |                      | 020-05-4800-4813-530029-      | D     | \$ 2,000  |
| 08/05/2021 | HOPE UNITED          | 010-05-5810-4121-530029-21574 | C     | \$ 1,500  |
| 08/05/2021 |                      | 010-05-5810-4121-520013-21574 | D     | \$ 1,500  |
| 08/05/2021 |                      | 010-05-5810-4121-530029-21574 | C     | \$ 2,800  |
| 08/05/2021 |                      | 010-05-5810-4121-530010-21574 | D     | \$ 2,800  |
| 08/05/2021 |                      | 010-05-5810-4121-530027-21574 | C     | \$ 5,000  |
| 08/05/2021 |                      | 010-05-5810-4121-520002-21574 | D     | \$ 5,000  |
| 08/05/2021 |                      | 010-05-5810-4121-530027-21574 | C     | \$ 9,000  |
| 08/05/2021 |                      | 010-05-5810-4121-530010-21574 | D     | \$ 9,000  |
| 08/05/2021 |                      | 010-05-5810-4121-520011-21574 | C     | \$ 5,774  |
| 08/05/2021 |                      | 010-05-5810-4121-530010-21574 | D     | \$ 5,774  |
| 08/05/2021 |                      | 010-05-5810-4121-530023-21574 | C     | \$ 2,500  |
| 08/05/2021 |                      | 010-05-5810-4121-530010-21574 | D     | \$ 2,500  |
| 08/05/2021 |                      | 010-05-5810-4121-530020-21574 | C     | \$ 1,968  |
| 08/05/2021 |                      | 010-05-5810-4121-530010-21574 | D     | \$ 1,968  |
| 08/05/2021 | Emer Mgmt.           | 010-02-4330-0000-540002-      | C     | \$ 2,000  |
| 08/05/2021 |                      | 010-02-4330-0000-520007-      | D     | \$ 2,000  |
| 08/05/2021 | TAX                  | 010-01-4140-0000-530013-      | C     | \$ 3,210  |
| 08/05/2021 |                      | 010-01-4140-0000-530028-      | D     | \$ 3,210  |
| 08/09/2021 | NAT. RESOURCES       | 010-07-4960-0000-520001-      | C     | \$ 1,000  |
| 08/09/2021 |                      | 010-07-4960-0000-540001-      | D     | \$ 1,000  |
| 08/10/2021 | COUNTY MGR           | 010-01-4124-0000-540002-      | C     | \$ 10,000 |
| 08/10/2021 |                      | 010-01-4124-0000-520007-      | C     | \$ 5,000  |
| 08/10/2021 |                      | 010-01-4124-0000-530015-      | C     | \$ 10,957 |
| 08/10/2021 |                      | 010-01-4124-0000-530010-      | D     | \$ 25,957 |
| 08/18/2021 | Parks & Rec          | 010-04-6120-0000-530010-      | C     | \$ 4,392  |
| 08/18/2021 |                      | 010-04-6120-0000-530003-      | D     | \$ 4,392  |
| 08/18/2021 | Landfill             | 060-08-4720-0000-540002-      | C     | \$ 200    |
| 08/18/2021 |                      | 060-08-4720-0000-520005-      | D     | \$ 200    |
| 08/23/2021 | Public Works         | 040-01-4265-4260-540005-09241 | C     | \$ 27,522 |
| 08/23/2021 |                      | 040-01-4265-4260-540005-09182 | D     | \$ 27,522 |
| 08/23/2021 | Building Inspections | 012-02-4350-4351-520001-22027 | D     | \$ 1,500  |
| 08/23/2021 |                      | 012-02-4350-4351-520002-22027 | D     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520006-22027 | D     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520010-22027 | D     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520011-22027 | D     | \$ 3,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520012-22027 | D     | \$ 750    |
| 08/23/2021 |                      | 012-02-4350-4351-520013-22027 | D     | \$ 500    |
| 08/23/2021 |                      | 012-02-4350-4351-520014-22027 | D     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520015-22027 | D     | \$ 1,000  |
| 08/23/2021 | Building Inspections | 012-02-4350-4351-530010-22027 | D     | \$ 20,000 |
| 08/23/2021 |                      | 012-02-4350-4351-530029-22027 | D     | \$ 13,000 |
| 08/23/2021 |                      | 012-02-4350-4351-540001-22027 | D     | \$ 2,000  |
| 08/23/2021 |                      | 012-02-4350-4351-540001-      | C     | \$ 2,000  |
| 08/23/2021 |                      | 012-02-4350-4351-530029-      | C     | \$ 13,000 |
| 08/23/2021 |                      | 012-02-4350-4351-520013-      | C     | \$ 500    |
| 08/23/2021 |                      | 012-02-4350-4351-520011-      | C     | \$ 3,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520015-      | C     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520014-      | C     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520010-      | C     | \$ 1,000  |
| 08/23/2021 |                      | 012-02-4350-4351-520012-      | C     | \$ 750    |
| 08/23/2021 |                      | 012-02-4350-4351-520001-      | C     | \$ 1,500  |

## COMMISSIONER'S COURT

SEPTEMBER 28, 2021

## GASTON COUNTY, NORTH CAROLINA

|            |                  |                               |   |            |
|------------|------------------|-------------------------------|---|------------|
| 08/23/2021 |                  | 012-02-4350-4351-530010-      | C | \$ 20,000  |
| 08/23/2021 |                  | 012-02-4350-4351-520002-      | C | \$ 1,000   |
| 08/23/2021 |                  | 012-02-4350-4351-520006-      | C | \$ 1,000   |
| 08/24/2021 | Sheriff          | 010-02-4315-4315-510001-      | C | \$ 286,758 |
| 08/24/2021 |                  | 010-02-4315-4315-560000-22026 | D | \$ 286,758 |
| 08/24/2021 | Senior Center    | 010-04-6130-0000-520007-21539 | C | \$ 5,404   |
| 08/24/2021 |                  | 010-04-6130-0000-540001-21539 | D | \$ 5,404   |
| 08/25/2021 | Information Tech | 010-01-4210-0000-520001-      | C | \$ 4,000   |
| 08/25/2021 |                  | 010-01-4210-0000-520007-      | D | \$ 4,000   |
| 08/25/2021 | Museum           | 010-04-6141-0000-530005-      | D | \$ 6,552   |
| 08/25/2021 |                  | 010-04-6141-0000-520001-      | C | \$ 750     |
| 08/25/2021 |                  | 010-04-6141-0000-520007-      | C | \$ 1,600   |
| 08/25/2021 |                  | 010-04-6141-0000-530010-      | C | \$ 1,000   |
| 08/25/2021 |                  | 010-04-6141-0000-520002-      | C | \$ 500     |
| 08/25/2021 |                  | 010-04-6141-0000-540001-      | C | \$ 2,702   |
| 08/25/2021 | Bldg Inspections | 012-02-4350-4911-530010-TallG | D | \$ 5,000   |
| 08/25/2021 |                  | 012-02-4350-4911-530010-BrdWD | C | \$ 5,000   |
| 08/26/2021 | DSS              | 020-05-4790-0000-540005-      | C | \$ 35,000  |
| 08/26/2021 |                  | 020-05-4790-0000-530010-      | D | \$ 35,000  |
| 08/27/2021 | Museum           | 010-04-6141-0000-520012-      | C | \$ 1,500   |
| 08/27/2021 |                  | 010-04-6141-0000-530003-      | D | \$ 1,500   |
| 08/27/2021 | Sheriff          | 010-02-4315-4315-530015-20557 | C | \$ 6,000   |
| 08/27/2021 |                  | 010-02-4315-4315-520002-20557 | D | \$ 6,000   |
| 08/27/2021 |                  | 010-02-4315-4315-530015-20557 | C | \$ 29,000  |
| 08/27/2021 |                  | 010-02-4315-4315-520015-20557 | D | \$ 29,000  |
| 08/30/2021 | Emer Mgmt.       | 010-02-4330-0000-520002-      | C | \$ 84,818  |
| 08/30/2021 |                  | 010-02-4330-0000-560000-EMPGO | D | \$ 84,818  |
| 08/31/2021 | Police           | 010-02-4310-4310-540002-      | C | \$ 18,075  |
| 08/31/2021 |                  | 010-02-4310-4310-530029-      | D | \$ 18,075  |
| 08/31/2021 | Social Services  | 020-05-5622-0000-530015-      | C | \$ 4,100   |
| 08/31/2021 |                  | 020-05-5622-0000-530029-      | D | \$ 4,100   |

**2021-253 Commissioner Brown - DHHS (Health Division) - To Accept and Appropriate Additional State Grant Funds Received from the NC Division of Public Health for the School Health Liaison (\$115,000) per Budget Change Request:**

| Account Description   | Account Number                | Amount      |
|-----------------------|-------------------------------|-------------|
| School Health Liaison | 011-05-5116-5132-425059-22508 | (\$115,000) |
| School Health Liaison | 011-05-5116-5132-560000-22508 | \$115,000   |

**2021-254 Commissioner Brown - DHHS (Health Division) - To Accept and Appropriate State Grant Funds Received from the NC Division of Public Health for Advancing Equity (\$39,900) per Budget Change Request:**

| Account Description | Account Number                | Amount     |
|---------------------|-------------------------------|------------|
| Advancing Equity    | 011-05-5112-5115-425059-22512 | (\$39,900) |
| Advancing Equity    | 011-05-5112-5115-560000-22512 | \$39,900   |

**2021-255 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate First Quarter Donations for Various Programs within Social Services in the Amount of \$19,829 per Budget Change Request:**

| Account Description            | Account Number                | Amount   |
|--------------------------------|-------------------------------|----------|
| Employee Activities: Donations | 020-05-4790-0000-415001-18142 | (321)    |
| Adult Services: Donations      | 020-05-5600-0000-415001-      | (2,142)  |
| Nutrition: Donations           | 020-05-5622-0000-415003-      | (931)    |
| PSNC Energy: Donations         | 020-05-5490-0000-415001-20036 | (16,435) |

COMMISSIONER'S COURT

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GASTON COUNTY, NORTH CAROLINA

|  |                               |        |
|--|-------------------------------|--------|
| Employee Activities Donations          | 020-05-4790-0000-560000-18142 | 321    |
| Special Programs:Donations- Adult Serv | 020-05-5600-0000-560000-08159 | 2,142  |
| Special Programs:Donations- Nutrition  | 020-05-5600-0000-560000-15259 | 931    |
| PSNC Energy Donations                  | 020-05-5490-0000-560000-20036 | 16,435 |

- 2021-256 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate the Health Promotion Disease Prevention Grant from Centralina Council of Governments Area Agency on Aging (Grant Funds \$4,500 - Required County Match Funds \$500) per Budget Change Request:**

| Account Description         | Account Number                | Amount    |
|-----------------------------|-------------------------------|-----------|
| FY22 Health Promotion Grant | 020-05-5620-0000-425020-22517 | (\$4,500) |
| Fund Balance Appropriated   | 020-99-9900-0000-490000-      | (\$500)   |
| FY22 Health Promotion Grant | 020-05-5620-0000-560000-22517 | \$5,000   |

- 2021-257 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate Emergency Rental Assistance Funds from the US Department of Treasury in the Amount of \$2,143,378 per Budget Change Request:**

| Account Description                    | Account Number                | Amount      |
|--|-------------------------------|-------------|
| Emergency Rental Assistance Grant 2    | 020-05-4790-0000-420000-22506 | (2,143,378) |
| Salaries: ERA 2                        | 020-05-4790-0000-510001-22506 | 175,000     |
| FICA: ERA 2                            | 020-05-4790-0000-510100-22506 | 13,400      |
| Retirement: ERA 2                      | 020-05-4790-0000-510101-22506 | 20,000      |
| Health Insurance: ERA 2                | 020-05-4790-0000-510103-22506 | 25,000      |
| Unemployment Ins: ERA 2                | 020-05-4790-0000-510104-22506 | 3,000       |
| Dental Ins: ERA 2                      | 020-05-4790-0000-510108-22506 | 3,000       |
| Life ins: ERA 2                        | 020-05-4790-0000-510109-22506 | 2,000       |
| Temporary Help Services: ERA 2         | 020-05-4790-0000-530013-22506 | 80,106      |
| Emergency Rent Asst 2: Direct Payments | 020-05-4790-0000-560000-22506 | 1,821,872   |

- 2021-258 Commissioner Brown - DHHS (Social Services Division) - To Accept and Appropriate Federal Funds from the Consolidated Appropriations Act for One-Time Supplemental Funds for the John H. Chafee Foster Care Program for Successful Transition to Adulthood in the Amount of \$264,592 per Budget Change Request:**

| Account Description              | Account Number                | Amount      |
|----------------------------------|-------------------------------|-------------|
| Chafee Supplemental Funds(LINKS) | 020-05-5867-5868-420000-22519 | (\$264,592) |
| Chafee Supplemental Funds(LINKS) | 020-05-5867-5868-560000-22519 | \$264,592   |

- 2021-259 Commissioner Brown - DHHS (Social Services Division) - To Authorize Bid Award for Temporary Staffing Services to 22nd Century Technologies**

- 2021-260 Commissioner Brown - DHHS (Social Services Division) - Proclamation - To Recognize September 19-25, 2021 as National Adult Day Services Week in Gaston County**

- 2021-261 Commissioner Keigher - EDC - To Authorize an Interlocal Agreement Between the City of Gastonia, City of Lowell, Gaston County and Northpoint Development for the City of Gastonia to be the Lead Agency for Inspection Services for the Gateway85 Project**

COMMISSIONER'S COURT

SEPTEMBER 28, 2021

GASTON COUNTY, NORTH CAROLINA

**2021-262 Commissioner Brown - EDC - Proclamation - To Proclaim the Week of October 4-8, 2021 as Gaston County Manufacturing Week**

**2021-263 Commissioner Brown - Emergency Management/Fire Services - Proclamation - To Proclaim the Week of October 3-9, 2021 as Fire Prevention Week and Adopt the Theme: "Learn the Sounds of Fire Safety!"**

**2021-264 Commissioner Worley - Finance - To Establish a Budget for a Project to be Funded by the Coronavirus State and Local Fiscal Recovery Funds for H.R.1319 American Rescue Plan Act of 2021**

BE IT ORDAINED by the County Commissioners of Gaston County, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF). The Gaston County has received the first tranche in the amount of \$21,806,063 of CSLRF funds. The total allocation is \$43,612,126, with the remainder to be distributed to the County within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The following amounts are appropriated for the project and authorized for expenditure:

CSLRF Project \$43,612,126\*

Project Allocations

- FJC Program Project \$ 616,366 (BCR Attached)

Remaining Available CSLRF Project \$42,995,760

[\*Once it is determined how we will spend all or a portion of the ARP funds, the governing board will amend this section to authorize appropriations for specific programs, services, projects, and activities. The board may also appropriate some or all of these funds to an enterprise fund in an annual budget ordinance for a water, wastewater, or stormwater infrastructure project.]

**Section 3:** The following revenues are anticipated to be available to complete the project:

CSLRF Funds \$43,612,126

- ARPA: Family Justice Center \$ 616,366

Remaining Available CSLRF Project \$42,995,760

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**Section 4:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

**Section 5:** The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

**Section 6:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to County Commissioners.

**Section 7:** This grant project ordinance expires on December 31, 2026, or when all the CSLRF funds have been obligated and expended by the County, whichever occurs sooner.

| Account Description            | Account Number                | Amount     |
|--------------------------------|-------------------------------|------------|
| ARPA: Family Justice Center    | 010-05-5810-4135-420000-22520 | ( 616,366) |
| Salaries: ARPA FJC             | 010-05-5810-4135-510001-22520 | 232,992    |
| FICA: ARPA FJC                 | 010-05-5810-4135-510100-22520 | 17,824     |
| Retirement: ARPA FJC           | 010-05-5810-4135-510101-22520 | 26,445     |
| Health Insurance: APRA FJC     | 010-05-5810-4135-510103-22520 | 11,650     |
| Dental Insurance: ARPA FJC     | 010-05-5810-4135-510108-22520 | 38,386     |
| Life Insurance: ARPA FJC       | 010-05-5810-4135-510109-22520 | 1,001      |
| 401K Contrib: ARPA FJC         | 010-05-5810-4135-510110-22520 | 668        |
| Office Supplies: ARPA FJC      | 010-05-5810-4135-520001-22520 | 3,500      |
| Program Supplies: ARPA FJC     | 010-05-5810-4135-520002-22520 | 2,500      |
| Medical Supplies: ARPA FJC     | 010-05-5810-4135-520004-22520 | 2,000      |
| Mileage Reimb: ARPA FJC        | 010-05-5810-4135-520010-22520 | 500        |
| Employee Training: ARPA FJC    | 010-05-5810-4135-520011-22520 | 7,000      |
| Printing: ARPA FJC             | 010-05-5810-4135-520013-22520 | 2,500      |
| Postage: ARPA FJC              | 010-05-5810-4135-520014-22520 | 500        |
| Other Communicat:ARPA FJC      | 010-05-5810-4135-530003-22520 | 6,400      |
| Janitorial Svcs: ARPA FJC      | 010-05-5810-4135-530005-22520 | 5,000      |
| Temp Services: ARPA FJC        | 010-05-5810-4135-530013-22520 | 70,000     |
| Parts: ARPA FJC                | 010-05-5810-4135-530020-22520 | 2,000      |
| Fuel: ARPA FJC                 | 010-05-5810-4135-530021-22520 | 3,500      |
| Repairs & M'tnce: ARPA FJC     | 010-05-5810-4135-530023-22520 | 500        |
| Building Rental: ARPA FJC      | 010-05-5810-4135-530027-22520 | 20,000     |
| Equipment Rental: ARPA FJC     | 010-05-5810-4135-530030-22520 | 1,500      |
| Furn/Equip<\$5,000: ARPA FJC   | 010-05-5810-4135-540001-22520 | 10,000     |
| Transitional Housing: ARPA FJC | 010-05-5810-4135-560007-22520 | 150,000    |
|                                |                               | 616,366    |

**2021-265 Commissioner Worley - Finance - To Accept as Information the Attached Property Tax Refunds Less than \$100. These Tax Refunds Should Be Recorded in the Board's Minutes (Total NCVTS Refunds - \$2,546.13) as follows:**

Gaston County, North Carolina - Listing of Property Tax Refunds Less Than \$100.00 for Vehicles  
To Be Reported at the September 28, 2021 Board Meeting

| TAXPAYER NAME             | AMOUNT | TAXPAYER NAME            | AMOUNT |
|---------------------------|--------|--------------------------|--------|
| ABERCROMBIE, MEREDITH KAY | 30.57  | MILLAR, JULIA CRAWFORD   | 79.23  |
| ALEXANDER, TOMMY          | 83.92  | MOLBY, MICHAEL ROBERT    | 81.65  |
| BECKER, LYNN CHRISTIANA   | 20.45  | MOORE, MICHAEL CRAIG     | 73.31  |
| CANTEY, FELICIA ANN       | 98.64  | PAINTER, JOE DANIEL      | 42.30  |
| CAREY, BRITTANY RENEE     | 37.91  | PARR, JONATHAN LEE       | 44.46  |
| CARPENTER, LINDSEY ANNE   | 39.54  | PAULLEY, RONALD JAMES    | 13.19  |
| CARROLL, CYNTHIA SNOW     | 66.68  | PEELER, ROGER ALLEN      | 6.21   |
| DEGREE, VERNON DEVON      | 20.17  | PETREE, JOSEPH ANDREW IV | 82.89  |
| DRANSFIELD, TERRY JOHN    | 10.46  | RANDOLPH, JIMMY BRIAN    | 48.40  |
| DRANSFIELD, TERRY JOHN    | 65.56  | RILEY, THOMAS JASON      | 75.29  |
| DUARTE, ANTHONY CLEMENT   | 59.89  | RISHA, JOSEPH EDWARD     | 45.79  |
| ESTRADA, ROSARIO E        | 64.88  | ROLAND, ALAN EUGENE      | 90.52  |

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|                                    |       |  |                    |
|------------------------------------|-------|--|--------------------|
| ESTRADA, ROSARIO ELIZABETH LECAROS | 62.65 | SANCHEZ HERNANDEZ, GUSTAVO             | 17.88              |
| GOINS, LARRY DEAN                  | 19.53 | SETTLES, KYLE DEAN                     | 17.08              |
| GORDON, SARAH MULLINAX             | 20.69 | SIGN WITH ANDERSON LLC                 | 9.26               |
| HARLEY, ALEXANDREW JOSEPH          | 80.93 | SIGN WITH ANDERSON LLC                 | 50.45              |
| HARVELL, AUSTIN IVY                | 13.61 | SIGN WITH ANDERSON LLC                 | 25.60              |
| HERNANDEZ, RENE OVIDIO             | 25.66 | SLENTZ, SHERRY LYNN                    | 64.23              |
| JOHNSON, CHARLOTTE DURRENCE        | 18.43 | STEELE, ELONDA WASHINGTON              | 8.49               |
| KUMKE, BRUCE JOHN                  | 37.87 | STEWART, BARRY DENNIS                  | 51.34              |
| LAJEUNESSE, DIANE                  | 16.71 | THOMAS, JERRY LEE                      | 47.26              |
| LANE, DOUGLAS RAY                  | 59.78 | TRENT, HASSON                          | 43.26              |
| MARDER, MARISA SHVED               | 61.76 | ULIBARRI, MARCO PAULO                  | 38.00              |
| MARTIN, PATRICIA ANN               | 83.08 | UNDERDOWN, DUSTIN ALAN                 | 38.06              |
| MASSEY, JAMES ALAN                 | 32.61 | WILLEY, MARLENA SHAWNA                 | 57.75              |
| MCENTIRE, HARLAN WARREN            | 74.73 | WILLIAMS, ANGELA MARIE                 | 66.15              |
| MEENACHAN, JEFFREY MATHEW          | 38.63 | WORTMAN, KIM RENEE                     | 82.74              |
|                                    |       | <b>TOTAL NCVTS REFUNDS (Aug. 2021)</b> | <b>\$ 2,546.13</b> |

**2021-266 Commissioner Fraley - Police Department - Retirement Commendation - To Recognize the Retirement of Police Records Specialist Lynette R. Nixon**

**2021-267 Commissioner Brown - Police Department - Appropriation of Funds from the Federal (Treasury/Justice) Drug Asset Forfeiture and Equitable Sharing Program for the Purpose of Purchasing Department Equipment (\$96,000) per Budget Change Request:**

| Account Description              | Account Number                | Amount        |
|----------------------------------|-------------------------------|---------------|
| Fund Balance Appropriated        | 025-99-9900-0000-490000       | [ 96,000.00 ] |
| Drug Asset Forfeiture - Treasury | 025-02-4310-4310-530043-10002 | 76,000.00     |
| Drug Asset Forfeiture - Justice  | 025-02-4310-4310-530044-50113 | 20,000.00     |

**2021-268 Commissioner Philbeck - Police Department - Retirement Commendation - To Award the Service Side Arm and Badge to Retired Police Captain Ronald S. Dover**

**2021-269 Commissioner Johnson - Police Department - Retirement Commendation - To Recognize the Retirement of Police E-911 Telecommunicator Karen M. Foster**

**2021-270 Commissioner Johnson - Public Works - To Award a Construction Contract for ADA Renovations at the Main Library to Hostetter & Sons Construction, Inc. Totaling \$669,890 and Authorize the County Manager or Her Designee to Execute Any Necessary Contract Documents**

**2021-271 Commissioner Johnson - Sheriff's Office - To Accept a K-9 Ballistic Vest Donation from Vested Interest in K9s, Inc.**

**2021-272 Commissioner Fraley - Tax Collections - Pursuant to G.S. 105-381, the Tax Collector Requests that the Listed Tax Refunds be Made. (Releases and Refunds - \$5,284.72; Overpayments - \$102,795.77; VTS Refunds - \$11,298.78; Grand Total - \$119,379.27) as follows:**

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| TAXPAYER NAME                               | AMOUNT            |
|---|-------------------|
| <b>AUGUST 2021 RELEASES AND REFUNDS</b>     |                   |
| Bumgarner, Barney A                         | \$863.83          |
| Cass, Jeffrey James                         | \$1,690.79        |
| DFD INC                                     | \$1,130.86        |
| Jawm Holdings LLC                           | \$1,352.22        |
| May, Gary A                                 | \$247.02          |
| <b>TOTAL</b>                                | <b>\$5,284.72</b> |
| <b>AUGUST 2021 OVERPAYMENTS</b>             |                   |
| Advantage Title, LLC                        | \$212.76          |
| Advantage Title, LLC                        | \$482.89          |
| Alden, Kay McNamara                         | \$100.00          |
| America's Settlement Company                | \$165.40          |
| America's Settlement Company                | \$191.56          |
| America's Settlement Company                | \$470.61          |
| Andrew M. Adams, P.A.                       | \$173.33          |
| Branch, A. K.                               | \$360.00          |
| Bright, Walter Gene                         | \$268.91          |
| Dellinger, Clayton S.                       | \$204.82          |
| Dobbins, John A                             | \$192.00          |
| First American Title Insurance Company      | \$114.75          |
| Freedom Properties & Investments LLC        | \$605.61          |
| Gates, Jerry B.                             | \$100.00          |
| GM Homes INC                                | \$142.00          |
| Harmony Homes Properties LLC                | \$1,200.00        |
| Hillius, Jacob Joseph                       | \$211.77          |
| Holland, William D                          | \$120.00          |
| Hosch, Bernice R                            | \$202.27          |
| James D. Doster, Inc.                       | \$1,014.63        |
| Kirkland, Brenda K                          | \$121.00          |
| Lay, Woodrow Franklin                       | \$353.00          |
| Lee, Pearley S                              | \$106.00          |
| Ludwig, Phillip                             | \$100.00          |
| McCombs, Charles William II                 | \$197.42          |
| Merritt Law PLLC                            | \$345.58          |
| Outreach Management Services                | \$143.00          |
| Palmer E. Huffstetler, Jr. Attorney         | \$260.52          |
| Pickard, Rachel                             | \$270.00          |
| Progressive Land Title Agency, Ltd.         | \$128.85          |
| Ramsey, Austin David                        | \$634.83          |
| Roechling Engineered Plastics               | \$86,806.65       |
| Shoaf Law Firm, P.A.                        | \$497.20          |
| Shoaf Law Firm, P.A.                        | \$711.91          |
| Silk Abstract Company                       | \$204.31          |
| Silk Abstract Company                       | \$2,622.50        |
| Smith, Dennis                               | \$575.00          |
| Swanson, Brian                              | \$105.00          |
| Unisource National Lender Services, LLC     | \$285.82          |
| United States Treasury                      | \$112.43          |
| Valerie Holmes Waddell DDS PA               | \$200.00          |
| Valerie Holmes Waddell DDS PA               | \$200.00          |
| W. Porter Rhoton III, Attorney At Law, P.A. | \$1,173.10        |
| Wagenknight, Michelle                       | \$108.34          |



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|                                |                     |
|--------------------------------|---------------------|
| <b>TOTAL</b>                   | <b>\$102,795.77</b> |
| <b>AUGUST 2021 VTS REFUNDS</b> |                     |
| Arminio, Cheryl Ann            | \$175.39            |
| Barnes, Janice Morrison        | \$149.47            |
| Bernard, Brian William         | \$199.97            |
| Bernard, Brian William         | \$214.26            |
| Carpenter, Brenda Kay          | \$147.39            |
| Cleveland County Tax           | \$117.48            |
| Davis, Charles Zachary         | \$211.69            |
| Hatley, Jeffrey Eugene         | \$224.40            |
| Henry, Bradley Brendan         | \$194.66            |
| Hubbard, Breanna Marie         | \$153.37            |
| Hudspeth, Paige Cahoon         | \$181.91            |
| Jarrell, Nelson Scott          | \$728.87            |
| Kendrick, Jah Tez Latwane      | \$134.98            |
| Lajeunesse, Diane              | \$117.04            |
| Lanier, Mark Quinn             | \$117.55            |
| Lee, John Michael              | \$188.63            |
| Lincoln County Tax Office      | \$195.38            |
| Lincoln County Tax Office      | \$912.41            |
| Massey, Theresa Marie Reiner   | \$152.99            |
| Meares, Juanita Wilkins        | \$110.70            |
| Morgan, Richard Paul           | \$229.03            |
| Nelson, Steven Alan            | \$224.85            |
| Ortiz, Marisol                 | \$423.10            |
| Parker, Tristan Briana         | \$190.03            |
| Pearson, Robert Grier          | \$162.90            |
| Petree, Joseph Andrew IV       | \$187.77            |
| Puckett, Joseph Herman III     | \$297.02            |
| Roman, Michael                 | \$204.53            |
| Sanchez Hernandez, Gustavo     | \$931.25            |
| Savage, Dwayne Michael         | \$1,263.34          |
| Steele, Diana Jean             | \$114.98            |
| Surratt, Kevin Jermall         | \$102.71            |
| Taylor, Karen Ann              | \$200.91            |
| Tedder, Daniel William         | \$170.41            |
| Wallen, Cody Lee               | \$262.03            |
| Watts, John Nathaniel          | \$421.24            |
| Wells, Barry Lewis             | \$877.47            |
| Wells, Elizabeth Chambers      | \$160.42            |
| Wright, Gregory Wayne          | \$124.93            |
| Young, Danny William           | \$121.32            |
| <b>TOTAL</b>                   | <b>\$11,298.78</b>  |
| <b>GRAND TOTAL</b>             | <b>\$119,379.27</b> |

**2021-273 Commissioner Hovis - County Manager - Proclamation - To Proclaim September 15 - October 15, 2021 as National Hispanic Heritage Month**

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**Appointments**

On motion introduced by Commissioner Hovis and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Garry Williams to the ***Child Fatality Prevention Team (CFPT)*** to an unexpired term ending January 31, 2024.

On motion introduced by Commissioner Hovis and seconded by Commissioner Philbeck, the BOC unanimously appointed Mr. Garry Williams to the ***Community Child Protection Team (CCPT)*** to an unexpired term ending January 31, 2024.

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

| <u>Motion Introduced</u> | <u>Seconded</u>       | <u>Appointee</u>        | <u>Term Ending</u>             |
|--------------------------|-----------------------|-------------------------|--------------------------------|
| Commissioner Hovis       | Commissioner Philbeck | Mr. Travis Page         | June 30, 2023 (Unexpired Term) |
| Commissioner Worley      | Commissioner Hovis    | Ms. Veronika Monteleone | June 30, 2023 (Unexpired Term) |

On motion introduced by Commissioner Brown and seconded by Commissioner Hovis, the BOC appointed Mr. Troy Traversie to the ***Dallas Planning Board/Board of Adjustments*** to an unexpired term ending May 31, 2024.

On motion introduced by Commissioner Brown and seconded by Commissioner Philbeck, the BOC unanimously reappointed Mr. Paul Hartley to the ***Lake Wylie Marine Commission*** to a term ending September 30, 2024.

**Commissioners Committee Reports**

No reports.

**County Manager's Report**

The County Manager advised Mr. David Williams, Community Affairs and Development Administrator, will provide an update on the Census and noted the BOC was provided some township specific information; after Mr. Williams' presentation, Mr. Ron Lewis and Dr. David Streeter, representatives from The Charters of Freedom, will make a presentation.

**Re: Census Update:** Mr. David Williams, Community Affairs and Development Administrator, advised the County established a Complete Count Committee in 2018 to increase citizen participation response rates; the response rate was 68% in 2000 and 78% in 2010; information has not been received for 2020; the County is experiencing its fastest growth rate since the 1950s and 1960s (close to 21,000 as of April 2020) and is probably larger than 227,943 now.

Mr. Williams stated that many NC counties experienced growth in rural areas; rural areas are losing growth to metropolitan areas (21,857 people from 2010 through 2020) and that number will continue to grow; the information packet includes data gains across the board regarding demographic changes, housing and different populations throughout the County.

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He further advised that the pie chart indicates breakdowns per township; all townships/cities in the County are growing; the City of Gastonia has the largest township (92,000) and the City of Cherryville has the smallest township (16,714); project that those numbers will continue to increase through the 2030 Census.

On behalf of the BOC, Acting Chairman Brown thanked Mr. Williams and his staff for their work with the Census.

Acting Chairman Brown called for questions from the BOC; none was heard.

The County Manager invited The Charters of Freedom representatives to the podium; advised that BOC had some information at their seats and that the Manager was seeking feedback to continue any discussions.

**Re: Foundation Forward, Inc.:** Mr. David Streeter, Director of Education for Foundation Forward, advised his colleague/friend, Mr. Ron Lewis, is the Facilitator and Treasurer; collectively the Declaration of Independence, US Constitution and Bill of Rights are known as The Charters of Freedom; Foundation Forward builds (Charters of Freedom) replicas of the founding documents, (not monuments) in communities across the country; those documents allow everyone to have all of the freedoms and liberties that they enjoy and practice daily, including assembly; a monument is something you pay homage to or honor when it is no longer with us; The Charters of Freedom is not affiliated with any political or religious organization.

Mr. Streeter deferred to Mr. Ron Lewis for comments.

Mr. Ron Lewis, Facilitator and Treasurer of Foundation Forward Inc., (and retired County Manager) presented slides and noted the Foundation Forward takes experiences from the National Archives Building and builds Charters of Freedom exteriors. The Charters of Freedom documents, housed in the National Archives Building Rotunda, are barely legible due to age, climate, document material and current writing instruments. Two of the Founding Fathers (Benjamin Franklin and Thomas Jefferson) were advocates of education; Thomas Jefferson wrote much of the Constitution; today's education system is similar to what Benjamin Franklin and Thomas Jefferson created in the 1700s, with a primary, secondary and third level; the Founding Fathers were huge on culture of virtue.

He advised that the concept came forth at the old courthouse in Burke County after Vance and Mary Jo (Patterson), Foundation Forward Inc. Founders, had visited the National Archives Building in Washington, DC; during a National Day of Prayer event, Vance and Mary Jo decided to build the Charters of Freedom (replica) so that students and others could have that same experience.

Foundation Forward, Inc. was created and established as an educational, non-profit organization; realized it would involve large amounts of monies to design and build replicas (exterior settings) of the Charters of Freedom that are designed to last 300-500 years in open settings that are centrally located with 24/7 access, high visibility and good foot traffic.

He advised the replicas are constructed by digging a hole 3.5' sub-surface and pouring 19 tons of concrete in it; the (both sides) displays are 4'x4' and consist of solid concrete; the middle display is 4'x16'; reinforced or molded concrete or Indiana limestone trays are placed on top to hold the documents; the back shelves are quarter inch etched bronze; the documents weigh 60 pounds

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each; Foundation Forward dedicated the first replica, outside of Washington, DC, in 2012 at the historical (Court) House in Morganton, NC.

Foundation Forward asked some artists to provide an emblem; the eagle represents the Declaration of Independence - bold, strong and defiant; the stars above represent The Articles of the Constitution; the stars below represent the original proposed Bill of Rights; a time capsule was placed in back of the center setting.

Foundation Forward would like letters from the BOC, Schools Superintendent, Mayor, Dignitaries and County Historians (to place inside the time capsule) so that when it is opened on Constitution Day (September 17, 2087), the citizens can experience what the County was like when the time capsule was sealed (in 2021 or 2022).

He shared various pictures of Foundation Forward settings in Burnsville, NC (brick setting), Asheville, NC (granite setting), and Indiana (Indiana limestone setting); hopes that the proposed County setting is used for multiple events; Foundation Forward envisions teachers bringing classrooms to the Charters of Freedom to teach them about the Founding Fathers and founding documents; as society changed, the Founding Fathers knew there would be a time to make major amendments to the Constitution (13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup> and 24<sup>th</sup> Civil Rights Amendments); he looks forward to when public school students are enthusiastic about the Charters of Freedom and founding of our Country as home-schooled students that embrace and love the Charters of Freedom.

He advised there are 3,143 counties, Burroughs (Districts) and Parishes in the country; Foundation Forward's goal is to build as many replicas it can in the next 10 years; it is all about education, access and community; Foundation Forward is currently building a park at its national headquarters in Valdese, NC that will have five of the Founding Fathers' statues.

He advised Foundation Forward has not spent any local, state or federal tax dollars to date but that may change due to some things in the works currently; Foundation Forward will take in-kind services but not direct County contributions.

Acting Chairman Brown asked if the County Manager had any comments.

The County Manager advised she wanted BOC to have an opportunity to hear directly from The Charters of Freedom to discuss having further dialogue and the County potentially hosting this.

Acting Chairman Brown called for questions from the BOC.

Commissioner Philbeck stated he is 100% supportive. He noted that until 1776, every nation was ruled by Dictators; more excitement will come when people start losing freedoms; sometimes you do not cherish something until it is gone; thanked them for the presentation and stated he will gladly make a donation.

Commissioner Worley thanked the representatives for the presentation and stated he supports it 100% and has an excellent idea for a location.

Acting Chairman Brown thanked the representatives for the presentation.

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The County Manager advised this concluded her report and staff will continue conversations and update the BOC.

**County Attorney's Report**

No report.

**Other Matters**

None.

**Adjournment**

Acting Chairman Brown adjourned the Regular Meeting of September 28, 2021 at 7:30 pm.

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

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Chad Brown, Acting Chairman  
Gaston County Board of Commissioners

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Donna S. Buff  
Clerk to the Board

SEAL

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GASTON COUNTY, NORTH CAROLINA

Gaston County  
Board of Commissioners  
[www.gastongov.com](http://www.gastongov.com)



Tom Keigher  
Chairman  
Gastonia Township

Allen R. Fraley  
Vice-Chairman  
Cherryville Township

Chad Brown  
Riverbend Township

Bob Hovis  
Crowders Mtn. Township

Kim Johnson  
Gastonia Township

Tracy L. Philbeck  
Dallas Township

Ronnie Worley  
South Point Township

Dr. Kim S. Eagle  
County Manager

Jonathan L. Sink  
County Attorney

Donna S. Buff  
Clerk to the Board

*"Providing excellent  
public service  
every day."*

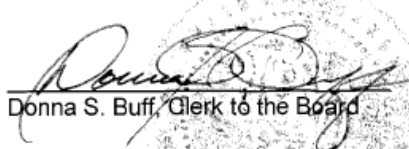
## GASTON COUNTY, NORTH CAROLINA

### CERTIFICATION

September 28, 2021

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that, pursuant to Chapter 166A of the NC General Statutes, no written comment was received for the public hearing scheduled for the Regular Session on Tuesday, September 28, 2021. The written comment submission period expired at 6:00 p.m. on Monday, September 27, 2021.

- Public Hearing Purpose: Commissioner Keigher - Building & Development Services - Zoning Text Amendments: To Repeal and Replace the Gaston County Unified Development Ordinance in its Entirety, to Incorporate All Necessary Modifications in Order to: 1) Bring the Ordinance into Compliance with North Carolina General Statute 160D; 2) Make Minor Modifications to Existing Chapters and Text; 3) Make Modifications to Chapter 14 (Manufactured Home Park) in Order to Update Standards; and, 4) to Incorporate Mining Operations as a Use with Supplemental Regulations
- Public Hearing Purpose: Commissioner Keigher - EDC - To Approve a Gaston County Level Four Incentive Grant Pursuant to N.C. Gen. Stat. 158-7.1 and To Authorize Gaston County to Enter into an Economic Development Agreement (EDA) with Trinity Capital Partners
- Public Hearing Purpose: Commissioner Keigher - EDC - To Approve a Gaston County Level Four Incentive Grant Pursuant to N.C. Gen. Stat. 158-7.1 and To Authorize Gaston County to Enter into an Economic Development Agreement (EDA) with Project Keith Corporation
- Public Hearing Purpose: Commissioner Keigher - EDC - To Approve the Application for a NCDOT Rural Economic Development Division Building Reuse Grant in Support of Project REPEL and to Provide the Required 5% Local Match in an Amount Not to Exceed \$3,250
- Public Hearing Purpose: Commissioner Brown - DHHS (ACCESS) - To Request Permission to Apply for NCDOT/PTD FY23 Community Transportation Program (5311) Grant to Provide Rural Public Transportation Services; Enter into an Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and Required Local Match

  
Donna S. Buff, Clerk to the Board

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