

# ADOPTED

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## Gaston County Board of Commissioners

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

DECEMBER 5, 2022

The Gaston County Board of Commissioners (BOC) met on December 5, 2022 at 10:10 am following the Swearing In Ceremony in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse, for the purpose of reorganization of the County Commission.

Commissioners Chad Brown, Cathy Cloninger, Allen R. Fraley, Bob Hovis, Kim Johnson, Tom Keigher and Ronnie Worley were in attendance.

Others present included Dr. Kim S. Eagle, County Manager; William T. Stetzer, County Attorney; and Donna S. Buff, Clerk to the Board.

### Election of the Chairman

The County Attorney entertained nominations for the Chairman of the Board as follows:

Commissioner Hovis nominated Commissioner Chad Brown to serve as Chair of the Gaston County Board of Commissioners and Commissioner Johnson provided the second.

The County Attorney asked if there were any other nominations; none was heard.

The County Attorney declared the nominations closed and called for the vote to elect Commissioner Chad Brown as Chairman of the County Commission and the motion carried unanimously as follows:

**2022-363 Commissioner Chad Brown** is hereby elected to serve as **Chairman of the Gaston County Board of Commissioners.**

### Election of the Vice-Chairman

Chairman Brown entertained nominations for the Vice-Chairman of the County Commission.

Commissioner Johnson nominated Commissioner Bob Hovis to serve as Vice-Chairman of the County Commission and Commissioner Worley provided the second.

Chairman Brown asked if there were any other nominations; none was heard.

Chairman Brown declared the nominations closed and called for the vote to elect Commissioner Bob Hovis as Vice-Chairman of the County Commission and the motion carried unanimously as follows:

**2022-364 Commissioner Bob Hovis** is hereby elected to serve as **Vice-Chairman of the Gaston County Board of Commissioners.**

Chairman Brown asked if the Vice-Chair had any comments.

Vice-Chairman Hovis noted appreciation in continuing to serve the citizens with the new Board; advised 2023 is going to be a "momentous" year; the County is emerging from the effects of

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previous concerns, including Covid; the County is resilient and will continue to move forward and provide all of the great services to the citizens.

#### **Appointment of County Manager**

On motion introduced by Commissioner Hovis and seconded by Commissioner Fraley, the BOC unanimously approved Resolution **2022-365** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County, North Carolina, appoints Dr. Kim S. Eagle to the position of County Manager.

#### **Appointment of County Attorney**

On motion introduced by Commissioner Worley and seconded by Commissioner Hovis, the BOC unanimously approved Resolution **2022-366** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County, North Carolina, appoints William T. Stetzer to the position of County Attorney.

#### **Appointment of County Clerk**

On motion introduced by Commissioner Keigher and seconded by Commissioner Worley, the BOC unanimously approved Resolution **2022-367** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County, North Carolina, appoints Donna S. Buff as Clerk to the Board of Commissioners.

#### **Resolution of Meetings**

On motion introduced by Commissioner Keigher and seconded by Commissioner Hovis, the BOC unanimously approved Resolution **2022-368** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County, North Carolina sets forth the time and place of its required meetings at 6:00 pm, The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse, 325 Dr. Martin Luther King Jr. Way, Gastonia, North Carolina as follows:

- ***Work Sessions to be held on the 2<sup>nd</sup> Tuesday each month***
- ***Regular Meetings to be held on the 4<sup>th</sup> Tuesday each month, with exception of the following meetings in 2023:***

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- **November 28<sup>th</sup> BOC Regular Meeting to be Combined with November 14<sup>th</sup> Work Session – 6:00 PM**
- **December 26<sup>th</sup> BOC Regular Meeting to be Combined with December 12<sup>th</sup> Work Session – 6:00 PM**

BE IT FURTHER RESOLVED that when the Board of Commissioners sets a location with date and time of a meeting away from the Courthouse, the location for the meeting will be designated by the Commissioner representing the township where such meeting is to be held. The Clerk shall cause the place of the meeting to be published as required by law.

#### **Resolution of Approval of Bonds**

On motion introduced by Commissioner Hovis and seconded by Commissioner Keigher, the BOC unanimously approved Resolution **2022-369** as follows:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gaston County, that in accordance with North Carolina General Statutes, bonds are hereby set and approved as follows:

Sheriff, Chad Hawkins \$25,000 (*As set forth in Attachment A of these Minutes*)  
 Register of Deeds, Susan S. Lockridge \$10,000  
 Finance Director, Tiffany Murray \$1,000,000  
 Tax Collector, Chelsea Tarbush \$100,000  
 Faithful Performance Blanket Bond \$500,000

#### **Resolution of Meeting with Legislative Delegation**

On motion introduced by Commissioner Hovis and seconded by Commissioner Worley, the BOC unanimously approved Resolution **2022-370** as follows:

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gaston County will meet with the aforementioned legislative delegation as required during the year.

BE IT FURTHER RESOLVED that the time and place of the aforementioned meetings are to be scheduled by the Chair after consultation with the members of the legislative delegation.

#### **Resolution for Annual Planning Session**

On motion introduced by Commissioner Hovis and seconded by Commissioner Brown, the BOC unanimously approved Resolution **2022-371** as follows:

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NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners that the policy of the Board of Commissioners shall be to have one major annual Planning Session with said date being December 13<sup>th</sup>, 1:00 PM - 4:00 PM.

**Swearing-in of Chad E. Hawkins, Gaston County Sheriff**

Chairman Brown invited the Honorable David A. Phillips, Senior Resident Superior Court Judge, and Sheriff-Elect Chad E. Hawkins and family to the podium.

Judge Phillips advised it is a pleasure and honor to swear Sheriff-Elect Hawkins into office as Sheriff of Gaston County; he is a life-long resident of the County; has a Bachelor's Degree from Gardner Webb University and Master's Degree from Methodist University; he began working in law enforcement in 1994 and has worked in Cramerton, Lowell, Gastonia as a Sergeant and in Cherryville and Belmont as Chief of Police.

Judge Phillips administered the Oath of Office and Sheriff Hawkins assumed the position of Sheriff of Gaston County.

Sheriff Hawkins asked Chief Conner from the Gastonia Police Department, who was his former training officer, roommate and friend, to pin his Stars.

Former Sheriff Alan Cloninger congratulated Sheriff Hawkins and stated it was his honor to present Sheriff Hawkins the keys to the Sheriff's Office and Jail; more sacredly, the Sheriff's Badge that former Sheriff Leroy Russell handed him when he was sworn in, with all of the history and commitment of taking care of the citizens.

Sheriff Hawkins thanked Sheriff Cloninger for his years of service and for his friendship; advised he will carry out the mission and services that uphold the Constitution.

Sheriff Hawkins introduced his wife (Abbey), son (Christian), daughter (Kayla) and daughter-in-law (Brooke). He noted that many of his friends and family were in attendance; recognized his mother-in-law (Patty), father-in-law (Steve), sister-in-law (Stephanie) and Janice Hovis. He thanked the citizens for putting their faith in him; advised he has been in public safety for 32 years and is excited to start this next chapter; thanked the Belmont Police Department noting that his success is because of them; thanked everyone he worked with, those that worked for him, and the leaders that mentored him over the years; looks forward to serving and building relationships.

Chairman Brown stated that the County entrusted Sheriff Hawkins with their vote and now his skills; the BOC thanks him for his past service as a Patrol Officer and Chief of any municipalities.

Sheriff Hawkins responded he looks forward to working with the BOC and staff.

Chairman Brown announced the BOC will hold a combined Work Session/Regular Meeting on December 13<sup>th</sup>, Harley B. Gaston, Jr. Public Forum – Courthouse; has scheduled a Special Meeting (Policy & Strategy Planning Session) for December 13, Room 3A – Administration Office at 1 pm.

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**Other Matters**

None.

**Adjournment**

Chairman Brown called for a motion to adjourn the Organizational Meeting.

On motion introduced by Commissioner Hovis and seconded by Commissioner Johnson, the BOC unanimously adjourned the Organizational Meeting of December 5, 2022 at 10:23 am.

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

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Chad Brown, Chairman  
Gaston County Board of Commissioners

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Donna S. Buff  
Clerk to the Board

SEAL

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SHERIFF'S BOND – ATTACHMENT A:

Public  
Official  
Bond

**Westfield Insurance Company**

Bond Number: BND279372Q

Westfield Insurance®  
1 Park Circle, Westfield Center, Ohio 44251-5001

FILED

KNOW ALL MEN BY THESE PRESENTS, That we, Chad Everett Hawkins of  
192 Carolina Dr. Cherryville, NC 28021 in  
the State of NC as Principal, and Westfield Insurance Company  
incorporated under the laws of the State of Ohio, and authorized to become sole surety on bonds in the State of  
North Carolina as Surety, are held and firmly bound to Gaston County, NC in  
the State of North Carolina in the penal sum of Twenty Five Thousand (\$ 25,000.00) Dollars  
lawful money of the United States, for the payment of which well and truly to be made, we bind ourselves, our heirs,  
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED AND SEALED this 28th day of November, 2022.

WHEREAS, the said Chad Everett Hawkins  
has been duly elected to the office of Sheriff for a definite term, beginning on  
12/05/2022, and ending on 12/08/2025.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden  
Chad Everett Hawkins shall, during the aforesaid term, faithfully and  
truly perform all duties of their office and shall pay over and account for all funds coming into their hands by  
virtue of their said office of Sheriff as required by law, then this obligation to be  
void; otherwise to be and remain in full force and virtue.

THIS BOND is executed and delivered to be effective only upon the following express conditions, which shall be  
conditions precedent to the right of recovery hereunder:

If the Surety shall so elect this bond may be canceled by giving thirty (30) days notice in writing to the  
Gaston County PO Box 1578 Gastonia, NC 28053 and this bond shall be  
deemed canceled at the expiration of said thirty (30) days, the Surety remaining liable for all or any act or acts covered by  
this bond, which may have been committed by the Principal up to the effective date of such cancellation, subject to the terms,  
conditions and provisions of this bond.

IN WITNESS WHEREOF, the said Principal has hereunto set their hand and seal, and the said  
Westfield Insurance Company has executed these presents to be signed by its  
Attorney-in-Fact, the day and year first above written.

Signed and sealed in the presence of

[Signature]  
[Signature]

ss:

Chad Everett Hawkins Principal  
Westfield Insurance Company  
By Lisa Francis Attorney-in-Fact  
Lisa Francis



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COUNTY OF Gaston  
 STATE OF North Carolina }

Before me, this 28<sup>th</sup> day of November  
2022, personally appeared the  
 said LISA FRANKS, to me known and known to  
 me to be the individual described in and who executed the foregoing bond, and she acknowledged to me that she  
 executed the same.

Krista Cooper  
 Notary Public END 8.13.2023

## APPROVAL

The within bond is approved by Gaston County  
 as to the amount and sureties thereof, this 5<sup>th</sup> day of December 2022  
Dan B. Bly Chad Brown

## OATH

THE STATE OF North Carolina  
 COUNTY OF Gaston ss:

Before me The Hon David A. Phillips  
 within and for the county aforesaid, on this 5<sup>th</sup> day of December  
2022, personally appeared CHAD EVERETTE HAWKINS  
 and made solemn oath that he will support the constitution of the United States and the constitution of the  
 State of NC, and that he will faithfully discharge the duties of his office as Sheriff

Witness Dan B. Bly Signed David A. Phillips

Clerk to the Board, do hereby certify that the  
 above is a true and correct copy of action taken  
 by the Board of Commissioners on

December 5, 2022  
 (Date)

Dan B. Bly  
 Clerk to the Board of Commissioners

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**POWER NO: 32-1000**  
**Power of Attorney**

**Westfield Insurance Company**

**CERTIFIED COPY**

1 Park Circle, PO Box 5001, Westfield Center, Ohio 44251-5001

*Know All Men by These Presents*, That **Westfield Insurance Company**, a corporation, hereinafter referred to individually as a "Company" duly organized and existing under the laws of the State of Ohio, and having their principal offices in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint **Lisa Francis** of **Gastonia** and State of **NC** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in their name, place and stead, to execute, acknowledge and deliver

Bond Number: **BND 279372Q**  
Principal Name: **Clad Everette Hawkins**  
Obligee Name: **Gaston County**  
Bond Penalty: \$ **25,000.00**

and to bind the Company thereby as fully and to the same extent as if such bond was signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the **Westfield Insurance Company**

"**BE IT RESOLVED**, that the President, any Senior Executive, any Secretary or any Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon The Company as if signed by the President and sealed and attested by the Corporate Secretary."

"**BE IT FURTHER RESOLVED**, that the signature of any such designated person and the seal of the Company hereofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000.)

*In Witness Whereof*, **Westfield Insurance Company** has caused these presents to be signed by their Senior Executive and their corporate seal to be hereto affixed this 17th day of December 2019.

By: **Gary W. Stumper, National Surety Leader and Senior Executive**

Affixed  
Corporate  
Seal



State of Ohio  
County of Medina ss:

**CERTIFICATE**

I, **Frank Carrino**, Secretary of the **Westfield Insurance Company**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

*In Witness Whereof*, I have hereunto set my hand and affixed the seal of said Company at Westfield Center, Ohio, this **28th** day of **November**, A.D. **2022**

*Frank Carrino*  
By: **Frank Carrino, Secretary**

On this 17th day of December, A.D., 2019, before me personally came **Gary W. Stumper**, to me known, who, being by me duly sworn, did depose and say, that he resides in **Hartford, CT**; that he is **National Surety Leader and Senior Executive** of **Westfield Insurance Company** the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

Notarial  
Seal  
Affixed



State of Ohio  
County of Medina ss.:

By: *David A. Kotsnik*  
**David A. Kotsnik, Attorney at Law, Notary Public**  
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

**BPOAC4A (combined) (12-19)**