

GASTON COUNTY
NORTH CAROLINA

COMMISSIONER'S COURT
MARCH 25, 2010

The Gaston County Board of Commissioners (BOC) met in Regular Session on March 25, 2010 at 6:00 pm in the Commissioners Room, Gaston County Courthouse.

Chairman Mickey Price presided with Commissioners Tom Keigher, Tracy L. Philbeck and John A. Torbett in attendance. *Commissioner Donnie Loftis joined the meeting via telephone.

Commissioners Joe D. Carpenter and Allen R. Fraley were not in attendance.

Others present included Phillip Ponder, Assistant County Manager; Charles L. Moore, County Attorney; and Martha M. Jordan, Clerk to the Board.

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

Public Hearings Re: Historic Properties Designation of the 1917 First National Bank (Lawyers Building) and the 1923 Third National Bank (Commercial Building)

Chairman Price announced that during the BOC December 10 meeting, the Historic Preservation Commission Chairman, Mr. John Russell, requested the BOC to reschedule two Public Hearings regarding historic properties designation of the 1917 First National Bank (Lawyers Building) and the 1923 Third National Bank (Commercial Building) to the March 25 agenda to allow the City of Gastonia time to acquire more information from property owners. On March 9 the City of Gastonia held its two public hearings on the historic designations, but continued the hearings until June 1. In view of the City's delay until June 1, the County will move its consideration of those two items to its June 24 Public Hearing Agenda.

2010-079 - Public Hearing - Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Certain Facilities to Collect and Convert Landfill Gas to Electricity

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

On motion introduced by Commissioner Philbeck and seconded by Commissioner Keigher, the BOC unanimously entered into Public Hearings.

The County Attorney advised that subject related to the Energy Park project at the landfill which involved taking methane gas and converting it to electricity to be sold to Rutherford Electric Membership Corporation; project bids have been received; advised that Mr. Ray Maxwell and Mr. Bill Bradley were in attendance to answer any questions. Prior to taking citizen comment, the County Attorney requested a motion to adopt findings in Section I of the financing documents which was rendered by Commissioner Torbett as set forth in the document below.

GASTON COUNTY, NORTH CAROLINA

Chairman Price called for citizen comments and with none being received, called for questions from the BOC.

The County Attorney further advised that the financing bid received from Bank of America was approximately 3.75%; that \$5.8M was being requested.

Responding to Commissioner Keigher regarding the amount, Mr. Bradley responded that three bids were received for the project's financing; Bank of America's bid was the lowest tax exempt rate of 3.7669.

With comments being concluded, Chairman Price called for a motion and action was taken as set forth herewith and therein as follows:

A regular meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in the Commissioners' Room in the Gaston County Courthouse at 325 North Marietta Street, in Gastonia, North Carolina, at 6:00 P.M. on March 25, 2010.

Present: Chairman Mickey Price, presiding, and Commissioners: Tom Keigher, Tracy L. Philbeck, and John A. Torbett.

Absent: Commissioners Joe D. Carpenter, Allen R. Fraley, and Donnie Loftis.

* * * * *

Commissioner Torbett introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF CERTAIN FACILITIES TO COLLECT AND CONVERT LANDFILL GAS TO ELECTRICITY.

WHEREAS, the County of Gaston, North Carolina (the "County") is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, under which the County would obtain financing of a portion of the cost of a project consisting of the acquisition, construction and installation of facilities with which to collect methane gas from the Gaston County Landfill and to convert such gas to electricity for sale to a utility (the "Project"), which financing is not expected to exceed \$5,800,000, and it is necessary to take certain related actions at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. The Board of Commissioners for the County hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the Project to meet an urgent need for improved facilities to collect and dispose of methane gas that is produced in connection with the operation of such landfill and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not adequate time to hold a bond referendum, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon construction bids received by the County with respect to the Project, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that the County will be able to pay such sums from revenues derived from the Project and that it will not be necessary to increase taxes for such purpose, and (f) the County is not in default regarding any of its debt service obligations.

Section 2. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Price, Philbeck, Torbett and Keigher.

Noes: None.

Thereupon, the Chairman of the Board of Commissioners for the County of Gaston, North Carolina (the "County") announced that this was the hour, day and place fixed for the rescheduled public hearing for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$5,800,000, with other available funds, for the

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

construction and other accomplishment of the project hereinafter described (the "Project"). The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in all or a portion of the Project and certain related property.

The Project consists of the acquisition, construction and installation of facilities with which to collect methane gas from the Gaston County Landfill and to convert such gas to electricity for sale to a utility. The Project is located at the Gaston County Landfill, 3155 Philadelphia Church Road, Dallas, North Carolina 28034, and includes a landfill methane gas power generation plant consisting of a building housing internal combustion engines and related switchgear, controls and other equipment that will be connected to the utility grid of the Rutherford Electric Membership Corporation. The County will be the initial owner and operator of the Project.

This public hearing was to be held on February 25, 2010 but was rescheduled to this hour, day and place. Notice of this public hearing was published in The Gaston Gazette not less than 14 days before the date of this public hearing.

The Finance Director of the County then described the Project as currently proposed and the current plan of the County to finance a portion of the cost of the Project.

The Finance Director of the County then presented and described a proposal to finance a portion of the cost of the Project, dated March 3, 2010, which the County had received from Bank of America, N.A. in response to the County's request for such a proposal that it had sent to a number of financial institutions. Such proposal (the "Proposal") appears to be the most appropriate of the proposals received by the County to meet its needs under existing circumstances and constitutes the proposed agreement that is the subject of this public hearing.

The Chairman of the Board then announced that the Board would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter and the Finance Director of the County announced that no written statement relating to such matter had been received.

Thereupon, upon motion of Commissioner Torbett, seconded by Commissioner Keigher, the Board determined to proceed with the proposed financing of a portion of the cost of the Project and approve on a preliminary basis the Proposal to finance a portion of the cost of the Project in an amount not to exceed \$5,800,000 substantially as presented. Such motion was approved by the following vote:

Ayes: Commissioners Price, Philbeck, Torbett and Keigher.

Noes: None.

Thereupon, the Chairman of the Board announced that the public hearing was closed.

* * * * *

I, Martha M. Jordan, Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing is an accurate copy of so much of the recorded minutes of a regular meeting of said Board held on March 25, 2010, said minutes having been recorded in Minute Book No. 30 beginning at page and ending at page , as relates in any way to the matters described therein.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Commissioners' Room in the Gaston County Courthouse at 325 North Marietta Street, in Gastonia, North Carolina on the second and fourth Thursdays of each month at 6:00 P.M., has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the corporate seal of said County, this 26th day of March 2010.

Martha M. Jordan
Clerk to the Board of Commissioners

Public Hearing and Adoption: Road Name Changes: Rename Mauney Ave (SR 1431) to Mauney Farm Rd (off Tryon Courthouse Rd), Rename Mauney St (SR 1420) to Abbey Road St (off Tryon Courthouse Rd) and Rename Ross Rd (SR 1123) to Peaceful Leaf Rd.

Re: Mauney Avenue to Mauney Farm Road - Mr. Willie King, Senior Planner, explained that Mauney Avenue, Cherryville Township, was requested to be changed to Mauney Farm Road in order to avoid name duplication; property owners were notified; a petition was received; an out-of-state property owner submitted a letter in favor of the change; 18 property owners favored; three were opposed; 10 did not respond; the Planning Board unanimously approved the change on 2/25/2010.

GASTON COUNTY, NORTH CAROLINA

Mr. King read the following letter for the record:

Sarah E. Carpenter
Gaston County GIS Specialist III
P. O. Box 1578
Gastonia, NC 28033-1578

RE: Duplicate Road Name (Mauney Ave., SR 1431)

Dear Ms. Carpenter

In reference to your letter of Jan. 15, 2010 to Lula Mauney, my Mother, we would like to propose for the Gaston County Commissioners consideration on the above reference road name to be change to Mauney Farm Road.

To give you a little history, Eli Mauney, my great grandfather, settled his family with wife Eliza and four children in 1869 on this property of some 130 plus acres. My grandfather, Philip Mauney, was eleven years old at the time. They made their living by farming the land with the primary crops being cotton along with corn, wheat, oats, and milk. They had all the farm animals and also supplemented the farm income by selling milk, butter and eggs. Philip and his wife Huldah, my grandfather and grandmother, after marriage, continued living on this land raising nine children. One of which was my father Floyd L. Mauney. Floyd later married Lula Beam and they lived at the home place and continued to farm the land. After some five or six years Floyd and Lula built a house on the front of the property, in 1925, and that house and land is now the address of 134 Mauney Ave. They had six children on this land and continued the farming. By this time Dad had started building some houses to supplement the family income. He found a man and his wife to come and live up stairs in our house to help Mother farm the land with the children. Mother also continued to sell milk, butter and eggs along with some vegetables and tubers from the garden. Most of the farming stopped in late 1950. Dad passed away in 1975 and Mother continued to live on the property.

Mother will be 107 years old on March 18, 2010. She has been in Cleveland Place Nursing Center in Shelby, after a fall in her house, about a year ago. She has hopes of going back home, after all she has lived on this land for 91 years.

Beginning with my great grandfather, Eli Mauney, there have been some 34 member of the Mauney family who have been born, lived or are still living on this property. At the present time my Mother, Lula, lives at 134 Mauney Ave. My first cousin, Christine Mauney Kiser lives at 146 Mauney Ave. My second cousin, Susette Kiser James, lives at 165 Mauney Ave.

I trust you will find our brief family's history of the last 141 years living on this property, worthy of having the Mauney name in the new road name.

Sincerely

Lula B. Mauney, by POA Ray O. Mauney, Sr.

Lula B Mauney,
By POA Ray O. Mauney, Sr.
January 26, 2010

NOTE: MRS. LULA MAUNEY PASSED AWAY AT THE AGE OF 106 - JUST TWO WEEKS SHY OF HER 107th BIRTHDAY

Re: Changing Abbey Road to Abbey Road Street - Citing citizen contacts regarding the proposed change, Commissioner Keigher the proposed naming of Abbey Road Street would create difficulties with the County's CAD System; suggested that the issue not be addressed.

Responding to Commissioner Torbett as to the CAD issue, Chairman Price advised that the Chief of Police had requested that the issue be tabled to allow a meeting with the petitioner.

Chairman Price called for citizen comment and questions from the BOC and with none being heard,

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

called for the motion which was received as follows:

- 2010-080** On motion introduced by Commissioner Torbett and seconded by Commissioner Keigher, the BOC took the following action:
- Approved: Changing Mauney Ave (SR 1431) to Mauney Farm Rd.
 - *Tabled: Mauney St. (SR 1420) to Abbey Road St.*
 - Approved: Changing Ross Rd (SR 1123) to Peaceful Leaf Rd.
 - Authorized the County Manager to make necessary notifications to appropriate State and local officials.

Public Hearing and Adoption - Re: Proposed 2011 Community Transportation Program Application to be Submitted to NC Department of Transportation No Later Than March 31, 2010

Mrs. Margaret Darby-Taylor, ACCESS Director, advised that annually NC-DOT, Public Transportation Division, provides an opportunity to apply for grant funding; this years application will be for \$310,933 in administrative grant funding and \$328,800 in capital funding for a total of \$639,733, if approved by the BOC.

Chairman Price called for citizen or BOC comments and with none being heard, called for a motion.

- 2010-081** On motion introduced by Commissioner Torbett and seconded by Commissioner Philbeck, the BOC unanimously granted permission to apply for FY 2011 Community Transportation Program Funding (2010-2011), to enter into Agreement with the NC Department of Transportation and to provide the necessary assurances.

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

On motion introduced by Commissioner Torbett and seconded by Commissioner Keigher, the BOC unanimously closed the Public Hearings.

Agenda Revision/Approval

- Inserted/ Commissioner Price - County Attorney - *Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Certain Facilities to Collect and Convert Landfill Gas to Electricity* - II., A., 2.
- Moved/ Commissioners Loftis & Keigher - BOC - To Support the City of Gastonia's May 4, 2010 General Obligation Bond Referendum Seeking Issuance of \$32,000,000 in Debt Financing for Transportation and Parks Improvements - VI.
- Added/ Commissioner Carpenter - Criminal Justice - Authorization of Grant Applications for 100% State Funding for the Gaston County Criminal Justice Partnership Programs (\$154,439) - V., U.
- Added/ Commissioner Torbett - IT - To Support Submitting a Response to Google's Fiber for Communities Request for Information - V., V.
- Added/Commissioner Keigher - Proclamation - County Government Month - V., W.
- Added/Commissioner Torbett - County Attorney - To Approve a One-year Lease of a Building Located at 1305-1 Dallas-Cherryville Highway to Alliance For Children & Youth, Inc. - V., X.
- Added/ Commissioners Torbett and Philbeck - Code Enforcement - Farm Building Designation - V., Y
- Revised Page 94/ Commissioner Price - County Manager - Budget Transfers - X., 1., a.

On motion introduced by Commissioner Torbett and seconded by Commissioner Philbeck, the BOC unanimously approved the Agenda of March 25, 2010 with changes as noted above.

173

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

Approval of Minutes

On motion introduced by Commissioner Torbett and seconded by Commissioner Keigher, the BOC unanimously approved the Minutes of the Regular Meeting of January 28, 2010 and the Minutes of the Regular Meeting of February 25, 2010.

Citizen Recognition

Mr. Ken Grant, Cherryville, supported returning lottery money to the State to retain teachers jobs; encouraged providing for students; supported decreased spending and transparency in government.

Mr. Wayne Massagee, Crowders Mountain Rescue Squad, advised that paid personnel were added at the north and south stations in January; Squad was taking in less money at the \$45/call level than was taken in on the tier system; encouraged the BOC to restore the payment to \$75/call.

Chairman Price directed the Assistant County Manager to schedule a meeting with the County Manager, Assistant County Manager, Commissioner Loftis and the GEMS Director to go over the figures for Crowders Mountain and report back to the BOC.

Mr. Don Barkley, Gastonia, spoke in opposition to a proposed City of Gastonia Bond Referendum that would allow the City to pave State roads; opposed the closing of the Marietta Street bridge for the Carolina Thread Trail; presented BOC resolution regarding the Thread Trail; asked the BOC to reconsider supporting the City's bond referendum to avoid setting precedent.

On motion introduced by Commissioner Torbett and seconded by Commissioner Keigher, the BOC unanimously accepted the resolution submitted by Mr. Barkley as information.

Commissioner Keigher clarified that he favored giving citizens the opportunity to vote on the bond rather than the government taking an alternative funding route.

Consent Agenda

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

2010-082 Commissioner Carpenter - County Attorney - Removed Mauney Lane from the State Maintained Road System.

2010-083 Commissioner Carpenter - Budget/Purchasing - Awarded a Rehabilitation Contract Plus a 10% Change Order Allowance for the 2009 NC Housing Finance Agency Single Family Housing Rehabilitation Grant as follows:

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

<u>Name</u>	<u>Bid Amount</u>
D & L Remodeling	\$45,886
Pat Smith Builders	\$50,385
Guilsyth Construction	\$51,000
CD Concepts	\$53,860

2010-084 Commissioner Carpenter - BOC - Approved an Interlocal Agreement with the City of Bessemer City for the Distribution of Local Option Sales Taxes.

2010-085 Commissioner Fraley - Tax Collections - Tax Refunds authorized to said persons and/or firms in the amounts stated with such funds coming from Account 10- - - 2301- 01 pursuant to GS 105-381 (b) as follows:

TAXPAYER NAME	OWNER NAME	AMOUNT
March 15, 2010 (Real Estate)		
Adams Homes AEC LLC		\$537.18
Alliance Bank & Trust		\$675.61
Arthurs & Foltz Attorneys		\$765.02
Beverly Knits		\$624.95
Beverly Knits		304.06
Beverly Knits		\$205.32
Centers, Katherine Lee		\$692.48
Cloninger, Beth Henderson		\$239.81
Cobb, William B.		\$147.68
Creekside Community Church		\$929.28
Curry, Rebecca K.		\$111.29
Dale's Superette		\$121.24
Dalpiatz, Julius A.		\$933.51
First American R/E Tax		\$643.61
First United Insurance Group		\$371.12
First United Methodist Church		6831.29
Gibson, Janet C.		\$272.38
Grant, Charles L. Jr.		\$146.59
Green, Donna L.		\$899.24
Hall, Charles Peterson		\$115.90
Harrison Realty Company		\$311.41
Honbaier, Ruby Diane		\$145.36
Houser, Dorothy C.		\$173.46
Hyde, Don Marion		\$348.00
J & J MHP		\$243.12
Kiser's Dairy Farm		\$860.43
Knight, Sharon Durham		\$110.04
Kuykendall, Dennis Walter		\$170.18
Lowe, Karen Cloninger		\$1,875.00
Lynch, Jerry		\$144.46
Mackins, Sharon D.		\$123.23
Mackins, Sharon D.		\$125.77
Maynor, Marvin M.		\$1,091.34
McAferly, Thomas Graham		\$366.44
McClelland, Scott		\$183.28
Nichols, James P.		\$194.97
Ogu, Chinwe		\$141.82
Osborne, Melvin Lee Jr.		\$118.00
Packer, William C.		\$370.26
Palmer, Carolyn Adams		\$101.54
Parham, Linda L.		\$141.21
Parnell, Herman Eldred		\$177.49
Peeler, Carrol Alvin		\$195.40
Peterson, John R.		\$114.16
R & N Fabric House		\$656.03
Rabb, Marvin Dewey, Jr.		\$195.37

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

Ragin, Michael Doug	\$200.00
Shifflet, Kevin W.	\$205.52
Sisters of Our Lady of Mercy	\$5,694.58
Soto Properties, LLC	\$564.78
Soto Properties, LLC	\$494.87
Spearman, Joel C.	\$119.04
State Employee Credit Union	\$158.98
Tolbert, Thomas Ray	\$290.75
Walker, Brenda L.	\$100.00
Webber, Bobby James	\$345.84
	\$32,419.69
March 15, 2010 (Vehicles)	
Abermathy, Michael Calvin	\$123.78
Adams, Kenneth Neal	\$204.54
Aldridge, William Thomas	\$184.95
Anderson, Jessica Danielle	\$130.20
Barnes, Wendy Taylor	\$208.20
Barrino, Cathy Webber	\$398.38
Bartlett, Scott M.	\$104.32
Belt Shop, Inc.	\$194.05
Benson, Don Edward	\$154.49
Black, Sam Dwight, Jr.	\$121.21
Black, Tracy Carl	\$130.31
Bolynn, Anita Diane	\$174.70
Bowyer, Pamela Connor	\$138.67
Brooks, Alice Wilson	\$130.87
Brown, Shonda Lavette	\$213.17
Bryson, Carolyn Bumgardner	\$118.26
Buchanan, Sonda Howell	\$166.96
Byrd, Sharon Patterson	\$137.73
Cab East, LLC	\$120.15
Causby, Billy Lee	\$182.00
Chaffey, Jeff Howard	\$127.17
Chaney, Steve Michael	\$216.29
Connor, Delton Keith	\$191.37
Craig, Robert Clyde, Jr.	\$163.65
Crank, Carlos Miquel	\$201.23
Crooks, Marie Elaine	\$158.46
Cunningham, Linda Jean	\$105.45
Dacus, Trina Marie Wilson	\$123.02
Davis, Sandra Marie	\$143.42
Dellinger, Van Glenn	\$246.16
Dickson, David Watt	\$111.64
Diegert, Carroll Donald	\$401.53
Driggers, Roger Wilson	\$135.62
Dutoit, Christine Aimee	\$102.03
Edmond, Trevor Marie	\$110.29
Eldridge, Timothy Nathan	\$147.11
Farr, Bobby Lee	\$111.35
Faulks, Angela Johnson	\$161.61
Fifth Third Auto Leasing	\$162.38
Fifth Third Auto Leasing	\$126.46
Fifth Third Auto Leasing	\$192.49
Fifth Third Auto Leasing	\$101.76
Fifth Third Auto Leasing	\$125.34
Fisher, Jeffrey Wayne	\$200.09
Frye, Jacob Loren	\$151.37
Garner, Sherri Dawn	\$100.39
Gaston County EMS	\$139.91
Gates, Michael Keith	\$166.41
Gillenwater, Robert Chad	\$182.98
Gladden, Matthew Lee	\$156.36
Glenn, Kenneth Earl	\$296.67
McCorkle, Barbara Lynn	

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

Glenn, Kenneth Earl	\$193.11
Grundza, Theresa Ann	\$240.45
Guffey, Gail Jackson	\$120.98
Guillot, Rockie Joseph, Jr.	\$137.00
Hagan, Rosa Lugo	\$108.19
Hagans, Michelle Elizabeth	\$142.60
Hagans, Michelle Elizabeth	\$157.62
Halk, David Wayne	\$103.28
Hamrick, John Robert	\$139.36
Harris, Lavasha Antonio	\$103.30
Harris, Tony James	\$107.04
Haubert, Michael Venard	\$233.18
Hayes, Aron Eugene	\$104.54
Helton, Kevin Lamar	\$261.74
Herrera, Cesar Augusto	\$100.12
Herring, Tonya Hall	\$284.00
Hester, Terry Gene	\$123.56
Hill, Cherrita Ann	\$436.00
Hines, Lou Cudd	\$121.91
Hodge, John C. Sr.	\$121.19
Hoell, William Stephen	\$172.93
Holcombe, Mark Eugene	\$102.15
Humphries, Jason Daniel	\$143.16
Jenkins, Holly Christina	\$366.69
Jeter, Gail W.	\$236.35
Johnson, Kevin Dwayne	\$141.64
Kiser, Joseph David	\$149.00
Lail, Brandy Nichole	\$122.62
Lindo, Richard Wayne	\$147.66
Love, Doris Deane	\$166.83
Love, Mary Hunt	\$123.08
Lutz, Bryan Keith	\$146.29
Mahamut, Khamla Ma	\$158.38
Maher, Edward T.	\$168.30
Maitra, Ranjan Simon	\$219.63
Massey, Ricky Stephen	\$135.00
Massingale, Wanda Norton	\$195.96
McGill, Tanisha Lynette	\$104.25
McKnight, Marie Williams	\$111.78
McSwain, Traivis Lebar	\$141.57
Monk, Paul Douglas	\$130.87
Moose, Donna Hibberts	\$152.08
Morgan, James Willard III	\$132.21
Morgan, Joseph Daniel	\$191.70
Moss, Gena Denise	\$253.99
Mullis, Wendy Nicole	\$173.19
Myers, Isaac Dean Jr.	\$107.16
Neely, Rodney	\$120.50
Nicholas, Robin Knight	\$113.93
Oliver, Roger Wayne	\$100.00
Owens, Martha Price	\$145.00
Pablo, Nicolas Alexis	\$244.77
Parham, Rodney Allen	\$140.89
Parker, Lorie Hartness	\$101.31
Parker, Rodney Lamont	\$139.98
Pearson, Elmer Phifer	\$116.06
Pearson, Elmer Phifer	\$215.75
Phillips, Sandra Cruise	\$164.54
Piedmont Pump & Valve Serv	\$267.52
Plyler, Karen Loyd	\$127.10
Powell, Nathan Shawn	\$107.15
Quann, Lloyd Jr.	\$158.46
Reeves, Thomas Calvin	\$121.00

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

Rhyne, Joshua Caleb	\$107.44
Rickert, Laurie M.	\$104.09
Rios, Reba Elizabeth	\$179.74
Rolland, Jerry Dale	\$184.96
Rolland, Jerry Dale	\$156.04
Sanders, Jawanda	\$408.32
Santiago, Christine	\$146.00
Setzer, Clara Taylor	\$211.80
Shubert, Lanny Glenn Jr.	\$131.00
Smith, Francesca Jo-Nell	\$104.50
Solid Rock Properties LLC	\$267.94
Spidel, Gerald Leon	\$104.07
Steve Addington Insurance	\$280.93
Stevenson, Candace Lynette	\$252.00
Sumner, Michael Deguire	\$133.89
Teague, Gregory Dean	\$171.48
Thomas, Tony James	\$132.66
Thrower, John William	\$249.78
Tiny Tot Child Development	\$311.05
Tompkins, James Duane Jr.	\$191.98
Tompkins, Tracy Nichole	\$176.03
Turner, Joseph Glenn	\$148.82
Underwood, James David	\$103.86
Vongmalaythong, Narong	\$180.04
Vongphakdy, Thongphin	\$109.18
Wall, Hubert Chatham, Jr.	\$103.00
Wallace, Marilyn Louise	\$123.24
Wambach, Joseph Cameron	\$265.19
Warlick, Anderson David	\$182.71
Waters, Clarissa Joy	\$151.64
Webber, Lougene	\$149.22
Wilson, Christina Annette	\$147.79
Worthy, Sheila	\$130.36
Wright, Lisa Hogan	\$119.10
	\$24,434.40

2010-086 Commissioner Keigher - DSS - Accepted and Appropriated \$200,000 in Contingency Funding for Dislocated Worker Services Granted to the Workforce Investment Act Program (WIA) per Budget Change Request:

Dislocated Worker	20-5520-4800--230-527	(200,000)
Dislocated Wkr CI Part Expense	20-5520-4800-4827-699-006	200,000

2010-087 Commissioner Keigher - DSS - Accepted and Appropriated \$92,350 in Additional Energy Assistance (Crisis Intervention Program) Administrative Funding per Budget Change Request:

Emergency Assistance (LIEAP) - Federal	20-5300-5310-228-500	(92,350)
Temporary Help Services	20-5300-5310-393-000	92,350

2010-088 Commissioner Keigher - DSS - Transferred \$50,000 within the Residential Child Care Portion of the Children and Family Services/DSS Budget per Budget Change Request:

State Foster Home Funds	20-5867-5861-699-000	(50,000)
Adoption Assistance	20-5867-5471-475-001	50,000

2010-089 Commissioner Loftis - GEMS - Accepted and Appropriated Grant from the NC Office of Emergency Medical Services per Budget Change Request:

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

	ASPR-Federal-GEMS	10-4370-220-533		(6,000)
	2010 ASPR Grant (SMAT III)	10-4370-298-000	10342-0001	6,000
2010-090	Commissioner Loftis - BOC - Supported Bipartisan, Comprehensive, Accessible, and Affordable Health Care.			
2010-091	Commissioner Philbeck - County Police - Approved Allocation of Funds and Purchase of Seized 2005 Dodge Durango per Budget Change Request:			
	Fund Balance	25 - 9900	991 - 500	[7,500.00]
	Drug Forfeiture/Treasury	25 - 4310 - 4310	511 - 000 10002 - 0001	7,500.00
2010-092	Commissioner Philbeck - Register of Deeds - Appropriated Funds from the Register of Deeds Automation Enhancement & Preservation Fund Balance Account into the Special Programs Account per Budget Change Request:			
	ROD Automation Fund balance	10-9900-991-500		(\$140,091)
	Special Programs	10-4180-298-000	10343-0001	\$140,091
2010-093	Commissioner Philbeck - Board of Education - Approved Project Application for Public School Building Capital Funds for the Systemwide Asbestos Three-Year Inspection.			
2010-094	Commissioner Price - Health - Accepted and Appropriated Additional Federal Funding Administered through the State of North Carolina for the WIC Breastfeeding Peer Counselor Program per Budget Change Request:			
	Health - State Grant	11-5100-5140-5141-320-505		(\$7,752)
	Salary	11-5100-5140-5141-121-000		\$5,222
	FICA	11-5100-5140-5141-181-000		\$399
	Retirement	11-5100-5140-5141-182-000		\$256
	Insurance	11-5100-5140-5141-183-000		\$1,875
2010-095	Commissioner Price - Cooperative Extension - Approved Quality of Natural Resources Committee (QNRC) By-laws as filed with the Clerk to BOC.			
2010-096	Commissioner Price - Health - Accepted and Appropriated Additional State Grant Funds from the Division of Public Health for the Family Planning Clinic per Budget Change Request:			
	Health- State Grants	11-5100-5130-320-505		(\$19,804)
	Drugs	11-5100-5130-238-000		\$19,804
2010-097	Commissioner Price - Health - Approved Bid Award for the Purchase of an X-Ray System from the Lowest Responsible Bidder, Blue Ridge X-Ray Company, Arden, NC (\$94,800 in 2010 Budget) as follows:			
	<u>VENDOR</u>		<u>TOTAL BID</u>	
	Blue Ridge X-Ray Company (option #1)		\$ 94,800.00	
	Imaging Systems of the Carolinas (option #1)		\$ 96,500.00	
	Imaging Systems of the Carolinas (option #2)		\$105,656.00	
	Blue Ridge X-Ray Company (option #2)		\$110,100.00	
	Merry X-Ray Corporation		\$119,800.00	

GASTON COUNTY, NORTH CAROLINA

- 2010-098 Commissioner Torbett - Commended W. C. Friday "Cavaliers" Wrestling Team** for winning the 2009 County Wrestling Championship.
- 2010-099 Commissioner Carpenter - Criminal Justice - Authorized Grant Applications for 100% State Funding for the Gaston County Criminal Justice Partnership Programs (\$154,439).**
- 2010-100 Commissioner Torbett - IT - Supported Submitting a Response to Google's Fiber for Communities Request for Information** and authorized the County Manager and his appointed staff to respond to that RFI as follows:
1. The County Manager of Gaston County is authorized to submit the Request for Information to Google to qualify for the ultra high-speed broadband experiment.
 2. Gaston County fully supports participation in Google's ultra high-speed broadband experiment.
 3. The County Manager is authorized to appoint a staff member as a single point of contact to coordinate the program with The City of Gastonia and Google.
- 2010-101 Commissioner Keigher - Proclaimed County Government Month** for April 2010.
- 2010-102 Commissioner Torbett - County Attorney - Approved a One-year Lease of a Building Located at 1305-1 Dallas-Cherryville Highway to Alliance For Children & Youth, Inc.**
- 2010-103 Commissioners Torbett and Philbeck - Code Enforcement - Approved the Farm Building Designation.**

Pathways MH/DD/SA Issues Update - Mr. Rhett Melton, Pathways Director

Mr. Melton recognized attendees Mrs. Pam Poteat, Pathways member, and Mrs. Nancy Paschall, Pathway's legal counsel, and advised that Mental Health reform legislation separated management (Pathways) from service delivery providers; Pathways now contracts with over 100 private organizations to deliver services in the Gaston-Lincoln-Cleveland service area; a community safety net for services is needed when providers discontinue service with short or no notice. He stated that to meet NCGS requirements, Pathways received special permission from the NC Secretary of Human Resources to serve as a community safety net to provide seamless service for consumers in the event of service interruptions; adoption of the proposed Interlocal Agreement, allowed by NCGS 160A, makes sure that Pathways remains divested from services; current State changes prohibit Pathways participation due to the special permission exemption necessitating creation of a vehicle for a community service safety net; Pathways, under the special exemption, currently provides critical needs services for the detox unit; mental health crisis stabilization unit, mobile crisis team, and psychiatric services.

Further, Mr. Melton explained the organizational structure for the safety net service provider as a twelve member appointed board consisting of three members from each of the three counties with the remaining three being appointed by the Pathways Board of Directors with one person coming from

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

each of the three counties; critical service delivery functions now provided by Pathways may remain together and move to the new entity to serve as the safety net; the Interlocal Agreement contains takeover and re-divestiture processes; the entity would have to be nationally accredited, endorsed, and must abide by and be in compliance with State Statutes, etc.; the entity would hire its own employees; the annual budget would be adopted by the entity's board of directors and be presented to the three county commissions involved. Mr. Melton concluded stating that no additional county funds were involved and requested BOC approval of the Interlocal Agreement.

Responding to Chairman Price, Mr. Melton explained that legally service providers do not have to advise Pathways of service discontinuation; providers sign a State mandated agreement and contract which does not contain a required notice; Pathways meets with providers monthly and impresses that if they are considering going out of business that Pathways will be there to help them.

Mr. Melton responded to Commissioner Torbett regarding funding; indicated that State Statute sets forth a clearly defined line that it must be a new entity; Pathways would still oversee but it could not be Pathways staffed or use the Pathways Tax ID number.

Mrs. Paschall advised that when the new entity is created (160A joint agency) it will have a contract with Pathways for critical services; State requirements are very clear that a separate entity must provide services; Pathways as a local management entity cannot provide those services.

Responding to Chairman Price, Mr. Melton advised that both Lincoln and Cleveland Boards of Commission had approved the agreement unanimously.

Commissioner Loftis called the question and a second was received from Commissioner Keigher.

Chairman Price called for a motion and the Interlocal Agreement was approved as follows:

2010-104 Commissioner Philbeck - County Attorney - To Approve an Interlocal Agreement Between Gaston County, Cleveland County, Lincoln County and Pathways to Provide Behavioral Healthcare Services in the Pathways Service Area

On motion introduced by Commissioner Torbett and seconded by Commissioner Philbeck, the BOC unanimously approved an Interlocal Agreement between Gaston County, Cleveland County, Lincoln County and Pathways to provide behavioral healthcare services in the Pathways Service Area.

Mrs. Paschall advised that the budget for the coming fiscal year would be presented to the BOC.

Commissioner Torbett requested Mr. Melton to keep the BOC informed as to the formation of the entity; asked the Assistant County Manager to provide the differential between the Pathways and the new entity's budgets.

The Assistant County Manager confirmed.

2010-000 Commissioners Loftis & Keigher - BOC - To Support the City of Gastonia's May 4, 2010 General Obligation Bond Referendum Seeking Issuance of \$32,000,000 in Debt Financing for Transportation and Parks Improvements.

Commissioner Loftis asked that subject resolution be moved to the April 22 Agenda and the Chairman so ordered.

2010-105 Commissioners Philbeck & Loftis - BOC - Policy: To Remove the Abortion Clause from the County Health Benefits Plan

Commissioner Philbeck introduced the motion to approve, Commissioner Loftis provided the second, and the motion to approve 2010-105 carried unanimously.

2010-106 Commissioner Philbeck - Board of Education - In Accordance with NC Statute 115C-426(f) Provide Purchase Price Approval of Four (4) Residential Properties: 97 Hubbard Street, 99 Hubbard Street, 101 Hubbard Street and 107 Hubbard Street for the New High School in Cramerton (\$413,000)

Commissioner Keigher introduced the motion to approve, Commissioner Philbeck provided the second, and the motion to approve 2010-106 carried unanimously.

Appointments

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 Torbett	Commissioner Price	Mr. Chris Dobbins	July 2011
Commissioner Price on behalf of Commissioner Loftis	Commissioner Torbett	Rev. Chris Howell	July 2010

On motion introduced by Commissioner Philbeck and seconded by Commissioner Price, the BOC unanimously reappointed Mr. Mike Cox to the **Animal Control Task Force Advisory Board** to a term ending March 2014.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Price, the BOC unanimously reappointed Mr. Eric Hendrix to the **Fire Advisory Board** to a term ending December 2010.

On behalf of Commissioner Loftis and on motion introduced by Commissioner Price and seconded by Commissioner Torbett, the BOC unanimously appointed Mr. Tracy Lyles to the **Criminal Justice Partnership Act Advisory Board** to serve until the task of making recommendations to the BOC has been completed.

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

On behalf of Commissioner Loftis and on motion introduced by Commissioner Price and seconded by Commissioner Torbett, the BOC unanimously appointed Ms. Jane Collins to the **Workforce Development Board** to a term ending June 2011.

On motion introduced by Commissioner Keigher and seconded by Commissioner Torbett, the BOC unanimously appointed Mr. J.A. Dalpiaz to the **Economic Development Board** to a term ending January 2013.

Commissioners Committee Reports

Commissioner Torbett reported March 25 meetings with the U.S. Departments of Commerce, Energy, Transportation, Labor, House Intergovernmental Affairs Office, Senators Burr and Hagan and Representative Sue Myrick; made all aware of the Gaston economy and the unemployment rate of 14.5% in January; requested directions in seeking relief via the federal government; plan to followup regarding access to grants, etc.

Commissioner Price reported 3/17 meeting attendance as follows: *GFHS*: advised of Highland Health Center opening in July; retirement of Charlotte Lynch; health savings account for employees; loss of Adult Pain Center grant on 6/30/2010. *Health Board*: \$15.7M budget adopted; \$790k health insurance included; Environmental Health permit fees decreased 22%; projecting \$206,000 increase in State funding for various departments. *CaroMont Board of Directors*: Sponsoring an Easter Egg Hunt, Saturday, 10:00 am, Courtland Terrace, weather permitting.

Commissioner Keigher reported meeting attendance as follows: *Gaston College Board of Trustees*: Will request a 4% budget increase; two new positions for maintenance/housekeeping due to increased square footage; Law and Ethics Seminar scheduled. *DSS*: Will request eleven positions for 2011 with one being a translator to serve the Hispanic population; total County increase would be \$250k+/- with out-takes removed; filed DSS proposed budget with BOC Clerk.

County Manager's Report

The Assistant County Manager advised that Mr. Joe Dixon, Gaston Community Action, Inc. Executive Director, was in attendance to answer any questions regarding the Community Services Block Grant Program Funding Application with said document and the Budget Transfers to be accepted as information.

Chairman Price called for any questions with none being received.

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

2010-107 Commissioner Price - Budget Transfers accepted as information as follows:

<u>Department</u>	<u>Account Number</u>	<u>Project #</u>	<u>Amount</u>
#4180 Register of Deeds			
Employee training	10-4180-395-000		(30.00)
Mileage	10-4180-311-000		30.00
#4261 Grounds Maintenance			
Repairs & Maintenance: Buildings	10-4261-351-000		(1,500)
Program Supplies	10-4261-237-000		1500
Public Works – Facilities Division			
Miscellaneous Expense	10-4265-4260-499-000		(500)
Dues and Subscriptions	10-4265-4260-491-000		500
#4311 911 Telecommunications			
Employee Development	10-4311-395-000		(8,000)
Professional Services	10-4311-199-000		8000
#4350 Building Inspections			
Software Rental and License Fees	10-4350-422-000		(300)
Professional Services – Other (Engineering)	10-4350-199-000		300
#5100 Health			
Lab Supplies	11-5100-5113-5120-234-000		(4,200)
Temporary Help Services	11-5100-5113-5120-393-000		4200
#5100 Health			
Special Programs	10-5100-5140-5141-298-000	10205-0001	(1,071)
Salaries – Overtime	10-5100-5140-5141-122-000		877
Salaries – Longevity	11-5100-5140-5141-127-000		194
#5100 Health			
Employee Development/Training	11-5100-5112-5119-395-000		(1,200)
Mileage Reimbursement	11-5100-5112-5119-311-000		800
Mileage Reimbursement	11-5100-5112-5115-311-000		400
#4800-4810 DSS			
Dues & Subscriptions	20-5520-4800-4810-491-000		(827)
Employee Development/Training	20-5520-4800-4810-395-000		827
#5582 – DSS			
Special Programs/Donations	20-5582-298-000	08162-0001	(500)
Dues & Subscriptions	20-5582-491-000		500
#6141 Museum of Art & History			
Mileage Reimbursement	10-6141-311-000		(150)
Office Supplies	10-6141-260-000		150
Rent of Equipment	10-6141-432-000		(400)
Telephone Service	10-6141-321-010		100
Janitorial Services	10-6141-211-000		300
#5300/5400 DSS			
E & T Food Stamps	20-5400-5383-186-000		(10,000)
Aid to the Blind	20-5400-5840-475-000		10,000
Office Furniture/Shelving and Storage	20-5300-5310-510-000	10195-0001	(9,600)
Office Furniture/Replacement Furniture	20-5300-5310-510-000	10196-0001	(2,000)
Equipment & Furniture \$250-\$4,999	20-5300-5310-530-000		11,600
#4520 – ACCESS			
Professional Services: Other	10-4520-4520-199-000		(767)
Wellness Clinic	10-4520-4521-183-003		(139)
Wellness Clinic	10-4520-4520-183-003		303
Salaries – Longevity	10-4520-4520-127-000		112
Postage	10-4520-4520-325-000		340
Salaries – Longevity Pay	10-4520-4521-127-000		151
#4110 - Commissioners			
Advertising	10-4110-370-000		(\$6,000)
Employee Dev./Training	10-4110-395-000		\$6,000

COMMISSIONER'S COURT

MARCH 25, 2010

GASTON COUNTY, NORTH CAROLINA

2010-108 Commissioner Price - DSS/Gaston Community Action, Inc. - Accepted the FY2010-2011 Community Services Block Grant Program Funding Application as Information (\$805,836).

County Attorney's Report

No report.

Adjournment

Chairman Price adjourned the Regular Meeting of March 25, 2010.

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

Mickey Price, Chairman
Gaston County Board of Commissioners

Martha M. Jordan
Clerk to the Board

SEAL