

GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

JANUARY 27, 2011

The Gaston County Board of Commissioners (BOC) met in Regular Session on January 27, 2011 at 7:30 pm, immediately following the Rescheduled Work Session, in the Commissioners Room, Gaston County Courthouse.

Chairman Donnie Loftis presided with Commissioners Tracy L. Philbeck, Vice-Chair; Chad Brown, Joe D. Carpenter, Tom Keigher and Mickey Price in attendance.

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

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

#### Judge William Gaston Award Presentation

Chairman Loftis presented:

- A very important part of this Board's mission is to encourage citizen participation in county government and community involvement
- In 1998, the County Commission established an annual award bearing the name of the county's namesake, Judge William Gaston (1778-1844), to recognize those volunteers who have demonstrated exemplary commitment, dedication, and leadership. Since its establishment, the County Commission has honored 38 recipient volunteers for their services to the Gaston County community
- Tonight, the Board of Commissioners has the privilege of recognizing the last of four 2010 outstanding individuals as a William Gaston Award Winner: Mr. W. Alex Hall
- At this time, I would ask Mr. Hall to come to the podium along with any family and friends he has with him to receive the William Gaston Award for 2010
- Commissioner Carpenter will be making the presentation.

#### **Mr. W. Alex Hall**

Commissioner Carpenter presented:

- Mr. Alex Hall would you please join me at the podium and have wife, Virginia, and anyone who would like to stand in your support to come forward with you
- Alex Hall arrived in Gaston County in 1972 as an employee of the banking industry and since that date has solidly entrenched himself in the workforce and volunteer work of the greater Gaston Community. On January 24, 1985, the County Commission appointed Alex to the Industrial Facilities and Pollution Control Authority and in 1994 he was elected Chairman, a post that he has held since that date. The Authority is charged with the review, approval or denial of industrial revenue bond applications and makes its recommendations to the County Commission. Many new businesses, millions of dollars, and hundreds of jobs have been brought into the Gaston Community as a result of this work. Alex has also been a long time member of the Gaston County Economic Development Commission which recruits and seeks new business ventures to relocate to the County to supply jobs for area citizens. His skills in the financial arena and his knowledge of corporations and how they work have been extremely valuable assets to both of these appointed bodies
- His community outreach and volunteer work is just as outstanding as his work on the Commission's advisory boards and committees. Alex has served as President of the Gastonia Rotary Club, Boy Scouts of America Piedmont Council, Gastonia Airport Authority, Hospice of Gaston County, Gaston Chamber of Commerce, Chamber's Economic Development Council, the Carrie E. & Lena V. Glenn Foundation, the Gaston Arts Council, and the Community Foundation
- A friend of his replied that when he thought about Alex two things came to mind: "First, he is dedicated to improving - whether it is a process or a relationship - that he would find a way to make it better; second, that he is a remarkably honest man and one that you will always clearly understand his answers to questions and where he stands on issues - a trait which has served him well."
- Alex the entire Gaston Community is indebted to you for so generously giving of yourself, your time and your expertise in making Gaston County a better place!
- On behalf of the County Commission, it is my pleasure to present you with the William Gaston Award and to thank you for your immeasurable contributions to our County.

Stating that he felt like a Gaston County native, Mr. Hall related that it had been a great pleasure

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to serve; that the County had been good to him and what he had tried to give back probably did not stand up to what the County had done for him; that it was a great pleasure meeting people and raising his children here and having his wife, Virginia, taking care of him for fifty years right here in Gaston County.

**Agenda Revision/Approval**

- Added/ Commissioner Keigher - Finance - *Appropriation of Accumulated Investment Earnings from October 1, 2010 through December 31, 2010* - III., CC.
- Added/ Commissioners Keigher & Philbeck - BOC - *To Support the State of Missouri's Pursuit to Test Welfare Recipients for Drug Use* - III., DD.
- Added/ 2011 Legislative Requests:
  - *Legislative Request: To Support the Preservation and Extension of the North Carolina 3J Tax Credits* - VI., A.
  - *Legislative Request: To Fund Workforce Development for Gaston College* - VI., B.
  - *Legislative Request: Modification of N.C.G.S. §159-8(b) to Allow Change in Local Government Fiscal Year* - VI., C.
  - *Legislative Request: To Support an Act to Protect the Freedom to Choose Health Care and Health Insurance (House Bill 2)* - VI., D.
  - *Legislative Request: To Support State Funding for the Mountain Island Educational State Forest* - VI. E.
  - *Legislative Request: To Support the Defense of Marriage Act* - VI., F.
  - *Legislative Request: To Oppose Transfer of Secondary Road Program to Counties* - VI., G.
  - *Legislative Request: To Support E-Verify Program* - VI., H.
  - *Legislative Request: To Use Electronic Message Boards to Alert Motorist to be More Acutely Aware of the Dangers of Motorcyclists and to "Look Twice and Save a Life"* - VI., I.
  - *Legislative Request: To Encourage the State of North Carolina to Acquire Two Inholdings of 43.23 Acres for Inclusion within Crowders Mountain State Park* - VI., J.
  - *Legislative Request: To Establish a Pilot Program in Gaston County to Require Those Persons Appearing Before a Magistrate for the Purpose of Marriage to Have Premarital Counseling* - VI., K.
  - *Legislative Request: To Support House Bill 1679 - An Act to Disapprove a Rule Adopted by the State Board of Community Colleges and to Prohibit Future Adoption of Similar Rules* - VI., L.
  - *Legislative Request: To Support Senate Joint Resolution 1349, and To Support "A Bill to be Entitled an Act to Create the Crime of Willful Failure to Carry or Complete an Alien Registration Document" that may be Introduced and Considered in the North Carolina General Assembly* - VI., M.
  - *Legislative Request: In Support of Arizona Senate Bill 1070* - VI., N.
  - *Legislative Request: To Support the 2011-12 North Carolina Association of County Commissioners Legislative Goals* - VI., O.
- Deleted to acquire more information from VFDs/ Commissioner Loftis - Finance - *To Appropriate Funds to Contract with Martin Starnes & Associates CPA's to Assist Gaston County VFDs by Performing "Agreed Upon Procedures" to Review their Accounting Procedures and Bookkeeping (\$40,000 Fund Balance Appropriated)* III., S.
- Deleted/ *Legislative Request: To Establish a Pilot Program in Gaston County to Require Those Persons Appearing Before a Magistrate for the Purpose of Marriage to Have Premarital Counseling* - VI., K.
- Deleted: *Additional work needed/ Legislative Request: To Establish a Pilot Program in Gaston County to Require Those Persons Appearing Before a Magistrate for the Purpose of Marriage to Have Premarital Counseling*

Commissioner Price questioned the end project of Item "D", *To Approve Up to \$20,000 as a Local Match to a Federal Transportation Planning Grant*.

Commissioner Carpenter responded that it was to gather information to make a request to the local Legislative Delegation to approve a program similar to the York County Pennies for Progress initiative; City of Gastonia's Transportation Planner, Mr. Hank Graham, has already requested Requests for Qualifications; plan is to move rapidly.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Keigher, the BOC unanimously approved the Agenda of January 27, 2011 with changes as noted above.

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**Approval of Minutes**

On motion introduced by Commissioner Brown and seconded by Commissioner Price, the BOC unanimously approved the Minutes of the Rescheduled Meeting of December 16, 2010 and the Minutes of the Special Meeting of January 13, 2011.

**Citizen Recognition**

No requests heard.

**Consent Agenda**

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

**2011-001 Commissioner Carpenter - Library - Approved the Appropriation of Additional FY 2010-11 State Aid to Public Libraries Funds per Budget Change Request:**

Gaston-Lincoln Regional Library – State Aid Funds	21 – 6111 - - 320 – 506	(\$19,901)
Audio-Visual Supplies	21 – 6111 - - 232 – 000	\$9,901
Resource Materials	21 – 6111 - - 292 - 000	\$10,000

**2011-002 Commissioner Carpenter - Library - Accepted Akers Foundation Grant to the Gaston County Public Library and Appropriated Funds as Designated per Budget Change Request:**

Library Special Gifts	10 - 6110 - - 840 - 502	( \$ 5,000 )
Special Gifts	10 - 6110 - 6110 - 621 - 000	98323 - 0001 \$ 5,000

**2011-003 Commissioner Carpenter - Library - Approved the Appropriation of FY 2010-11 LSTA NC STARS Grant Funds to the Gaston-Lincoln Regional Library per Budget Change Request:**

LSTA Grant NC STARS (Fed)	21 – 6111- - 224 - 514	(\$1,030)
Employee Development & Training	21 – 6111 - - 395 - 000	\$1,030

**2011-004 Commissioner Carpenter - County Manager - Approved Up to \$20,000 as a Local Match to a Federal Transportation Planning Grant per Budget Change Request:**

Postage – BOC	10-4110-325-000	\$(1,500)
Advertising – BOC	10-4110-370-000	\$(2,500)
Training – BOC	10-4110-395-000	\$(1,000)
Other Services – BOC	10-4110-399-000	\$(5,000)
Other Services – Manager	10-4120-399-000	\$(2,500)
Training – Manager	10-4120-395-000	\$(2,500)
Professional Services – PW	10-4265-4265-199-000	\$(5,000)
Professional Services – BOC	10-4110-199-000	\$20,000

**2011-005 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:**

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TAXPAYER NAME	OWNER NAME	AMOUNT
January 3, 2011 (Real Estate)		
Alexander, Clyde L.		\$862.82
BAC Tax Services Corp.		\$419.40
BAC Tax Services Corp.		\$614.25
BAC Tax Services Corp.		\$457.24
BAC Tax Services Corp.		\$614.25
BAC Tax Services Corp.		\$736.17
Bailey, Simon Darrell		\$464.74
Beam, Edward Vincent		\$218.60
Beam, Edward Vincent		\$980.03
Black, Doug		\$808.63
Brittian, David		\$314.45
Brittian, David		\$314.45
Brittian, David		\$303.19
Brittian, David		\$301.51
Brittian, David		\$303.47
Bullington, James E.		\$911.14
Burrell, Jeffrey Glenn		\$340.86
Burrell, Jeffrey Glenn		\$337.77
Burrell, Jeffrey Glenn		\$474.40
Burrell, Jeffrey Glenn		\$489.07
Burrell, Jeffrey Glenn		\$472.67
Carolina Tree Service		\$578.46
Carolina Trust Bank		\$305.76
Community One Bank NA		\$163.80
Community One Bank NA		\$876.51
Community One Bank NA		\$1,637.50
CW Smith & Peggy C. Smith		\$2,113.50
Davis, Jerome		\$335.82
Day, Robert Joseph		\$196.66
Faison Westland Farm LLC		\$112.64
Finchum, Demorris J.		\$100.00
First American R/E Tax Service		\$394.21
First American Tax Service		\$592.97
First American Tax Service		\$327.48
First American Tax Service		\$1,006.67
First American Tax Service		\$465.15
First American Tax Service		\$569.25
Furrow, John Mark		\$732.32
Gaston, Edith H.		\$610.37
Gault, Judy S.		\$737.10
Gehle, Randall D.		\$3,724.07
Hullander, Christopher J.		\$1,655.39
I-85 Flea Market		\$765.22
James W. Stancil		\$900.00
Joyner, Edith Sosebee		\$614.25
K Hovanian Homes of Va.		\$9,734.86
Kelly, James Houston		\$2,676.26
L.D.A.C. Luvis		\$6,690.41
Lennar Carolinas LLC		\$648.46
Lennar Carolinas LLC		\$648.46
Lennar Carolinas LLC		\$648.46
Lennar Carolinas LLC		\$648.46
Litton Loan Servicing		\$1,896.29
Marsh Associates		\$476.20
Mattamy Homesnd Farm LLC		\$253.84
Mooring Capital Fund LLC		\$1,728.03
Mooring Capital Fund LLC		\$844.80
Mooring Capital Fund LLC		\$8,819.28
NC Local Government Employee		\$612.47
NC Local Government Employee		\$896.08

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Pendleton, Pendleton & Deaton	\$563.63
Porter, Rebecca S.	\$118.30
Porter, Rebecca S.	\$118.21
Porter, Rebecca S.	\$118.21
R.L. Price Co., Inc.	\$2,324.13
Ramseur, Freida Ann	\$1,096.52
Regions Bank	\$563.63
Regions Bank	\$563.63
Regions Bank	\$563.63
Rhim, Roosevelt	\$253.84
Rhyne, Walter A., Jr.	\$891.13
Robinson Law Firm	\$4,143.06
Rolen, Michael S.	\$611.80
Saldana, Vidal	\$397.55
Simpson, Annie L.	\$571.77
State Employees' Credit Union	\$1,882.21
State Employees' Credit Union	\$193.42
State Employees' Credit Union	\$1,761.31
State Employees' Credit Union	\$409.50
Sterling National Property Tax	\$1,081.99
Taylor Martha G.	\$3,333.96
Watkins, Betty H.	\$547.72
	\$89,585.72
January 3, 2011 (Vehicles)	
Adair, Jenny Lynn	\$120.78
Ballard, Kristy Howington	\$310.36
Barnett, Adrian Vico	\$250.39
Barnhill, Edward Franklin	\$148.25
Bartlett, Scott Matthew	\$140.07
Branch, Thomas Craig	\$124.66
Dawkins, Macon Aubrey Jr.	\$131.08
Day, Robert Joseph	\$196.66
Dericke, David Allen	\$162.96
Giglio, Kimberly Ann	\$163.10
Graham, Celina Hall	\$158.46
Graham, Celina Hall	\$158.46
Hall, Barbara Willard	\$123.30
Johnson, Elizabeth Hardie	\$151.29
Kaylor, Beverly Nicole	\$103.92
Metcalf, Charles George	\$111.05
Muse, Michelle Annette	\$226.55
Setzer, Giles Grady	\$135.85
Sims, Carl Hood Jr.	\$320.24
Stellato, Kimberly Siebent	\$122.92
Swing, jeffrey Bruce	\$147.02
Tar Heel Leasing Co.	\$123.27
	\$3,630.64

**2011-006 Commissioner Fraley - Finance - Appropriated \$501,624 from Fund Balance to Pay the City of Gastonia for the 4th Quarter FY 10 Consolidated Public Safety Charges per Budget Change Request:**

Telecommunications-Communication Equip. Maint.	10-4311-356-000	\$67,340
Manager-Communication Equip. Maint.	10-4120-356-000	\$23
Human Resources-Communication Equip. Maint.	10-4122-356-000	\$23
Public Information-Communication Equip. Maint.	10-4124-4125-356-000	\$35
Tax-Communication Equip. Maint.	10-4140-356-000	\$225
Grounds Maintenance-Communication Equip. Maint.	10-4261-356-000	\$412
Public Works-Communication Equip. Maint.	10-4265-4265-356-000	\$281
Police-Communication Equip. Maint.	10-4310-4310-356-000	\$144,086
Police - Bessemer City-Communication Equip. Maint.	10-4310-4328-356-000	\$3,370

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Sheriff-Communication Equip. Maint.	10-4315-4315-356-000	\$89,219
Emergency Management-Communication Equip. Maint.	10-4330-356-000	\$3,087
Fire Marshall-Communication Equip. Maint.	10-4340-356-000	\$92,920
Medical Examiner-Communication Equip. Maint.	10-4360-356-000	\$206
GEMS-Communication Equip. Maint.	10-4370-356-000	\$72,436
Rescue Squads-Communication Equip. Maint.	10-4372-356-000	\$15,131
Animal Control-Communication Equip. Maint.	10-4380-356-000	\$2,724
ACCESS-Communication Equip. Maint.	10-4520-4520-356-000	\$3,511
Cooperative Extension-Communication Equip. Maint.	10-4950-4950-356-000	\$12
Natural Resources-Communication Equip. Maint.	10-4960-356-000	\$70
Mental Health-Communication Equip. Maint.	10-5210-356-000	\$1,678
Library Administration-Communication Equip. Maint.	10-6110-6110-356-000	\$24
Recreation-Communication Equip. Maint.	10-6120-356-000	\$150
General Fund - Fund Balance Appropriated	10-9900-991-500	\$(496,963)
Health Administration-Communication Equip. Maint.	11-5100-5110-356-000	\$1,221
Environmental Health-Communication Equip. Maint.	11-5100-5114-5125-356-000	\$1,169
Family Planning-Communication Equip. Maint.	11-5100-5130-356-000	\$23
Health Department - Fund Balance Appropriated	11-9900-991-500	\$(2,413)
DSS Administration-Communication Equip. Maint.	20-5300-5310-356-000	\$2,060
DSS Fund - Fund Balance Appropriated	20-9900-991-500	\$(2,060)
Solid Waste-Communication Equip. Maint.	60-4270-356-000	\$188
Solid Waste - Fund Balance Appropriated	60-9900-991-500	\$(188)

**2011-007 Commissioner Keigher - Commended Gaston County Art & History Museum upon being named the recipient of the Albert Ray Newsome Award.**

**2011-008 Commissioner Keigher - DSS - Commended Ms. Norma J. Carroll for 29 years of dedicated service to the Gaston County Department of Social Services.**

**2011-009 Commissioner Keigher - DSS - Commended Ms. Kay W. Atchley for 20 years of dedicated service to the Gaston County Department of Social Services.**

**2011-010 Commissioner Keigher - DSS - Commended Ms. Anna A. Martin for 21 years of dedicated service to the Gaston County Department of Social Services.**

**2011-011 Commissioner Keigher - DSS - Accepted and Appropriated a \$132,000 Funding Award to Gaston County for the Work First Job Boost Program per Budget Change Request:**

TANF Job Boost - ARRA	20-5300-5310-221-528	(132,000)
Job Boost Subsidy	20-5521-5523-699-037	132,000

**2011-012 Commissioner Keigher - DSS - Accepted and Appropriated a \$27,141 Funding Award to Gaston County Workforce Development (WIA) from the NC Department of Commerce for Youth Employment per Budget Change Request:**

WIA Incentive	20-5520-4800-230-523	(27,141)
Other Contracts & Subsidies	20-5520-4800-4842-699-000	27,141

**2011-013 Commissioner Keigher - DSS - Accepted and Appropriated a \$100,000 Funding Award to Gaston County Workforce Development (WIA) from the NC Department of Commerce for Employment of Dislocated Workers Enrolled in the WIA Program per Budget Change Request:**



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Earl Tindol Ford's bid for the Sheriff's cars does not include the sign/graphic package. Pro Cal will provide that service at a cost of **\$550** for each of the five cars, totaling **\$2,750**. The bid price for the Sheriff's cars does not include light bars (**\$1,700** each), consoles and trays (**\$400** each), siren speakers (**\$150** each), window bars (**\$250** each), computer stands (**\$250** each), trunk trays (**\$300** each), switch controls (**\$200** each), other lights and switches (**\$400** each), miscellaneous inside items (**\$250** each) and taxes, titles and tags (**\$653.21** each), these additional items for the Sheriff's cars total **\$25,516.05**.

Earl Tindol Ford's bid for the Police ¾ ton work vans does not include the sign/graphic package. Pro Cal will provide that service at a cost of **\$725** for each of the two work vans, totaling **\$1450**. The bid price for the Police Work Vans does not include light bars (**\$1,700** each), consoles and trays (**\$400** each), siren speakers (**\$150** each), window bars (**\$250** each), computer stands (**\$250** each), trunk trays (**\$300** each), switch controls (**\$200** each), other lights and switches (**\$400** each), miscellaneous inside items (**\$250** each) and taxes, titles and tags (**\$533.44** each). These additional items total **\$10,316.88**.

The total bid price for these County vehicles is **\$365,601.82**.

**2011-020 Commissioner Loftis - Finance - Awarded the Bid for Financing of \$365,602 for Rolling Stock and Equipment to Branch Banking and Trust (BB&T) and Approved the Attached Budget Change Request (to appropriate funds) and Resolution Approving Financing Terms**, authorized the execution of such contract, and if any of the equipment or other items on the list are received before the financing documents are fully executed, the County staff is authorized, if necessary, and to make payment directly to the appropriate vendor and obtain subsequent reimbursement from the financial institution providing the financing, as follows, per Budget Change Request:

<u>Bidder</u>	<u>36 months Rate</u>	
<b>BB&amp;T</b>	<b>1.94 %</b>	
SunTrust	2.265%	
RBC Bank	2.67 %	
Fidelity Bank	3.15 %	
Government Capital	4.471%	
Installment Purchase	10-8300-912-500	(\$365,602)
Motor Vehicles	10-4310-4310-540-000	\$232,218
Motor Vehicles	10-4315-4315-540-000	\$133,384

**2011-021 Commissioner Loftis - Human Resources - Appropriated \$17,904 from Fund Balance to Remove Handicap Lift and Replace with ADA Compliant Ramp per Budget Change Request:**

Fund Balance Appropriated	10-9900-991-500	\$ (17,904)
Office Equipment/Furniture	10-4265-4260-510-000	\$17,904

**2011-022 Commissioner Philbeck - Parks & Recreation - Appropriated Additional Funds for Purchase and Installation of a Sign for the Entrance to the Dallas Park per Budget Change Request:**

Other Improv. & Capital Outlay	40-6120-590-000	08277-0001	\$(16,068)
Transfer to General Fund	40-9800-980-010		\$16,068
Transfers from Capital Improv	10-9800-980-540		\$(16,068)
Fund Balance Appropriated	10-9900-991-500		\$(13,915)
Other Improv. & Capital Outlay	10-6120-590-000		\$29,983

**2011-023 Commissioner Philbeck - County Police - Appropriated Additional Funds from the Dedicated 911 Surcharge Account for the Purchase of Emergency 911 Equipment per Budget Change Request:**

Fund Balance Appropriated	24-9900-991-500	(\$365,000)
Capital Outlay	24-4311-510-000	\$365,000



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**2011-024 Commissioner Philbeck - Public Works - Approved the High Shoals Sewer Interconnect Interlocal Agreement in Concept and Authorized Staff to Finalize and Execute said Document.**

**2011-025 Commissioner Philbeck - Public Works - Authorized Transferring Available Funds from the Other Improvements: Capital Outlay "Rock Crushing" Account to the Correct Project Titled "Purchase Rock Crusher" and Approved the Purchase of a Used Rock Crusher and Hammer Attachment as follows per Budget Change Request:**

Vendor	Equipment	Price	
*Powerscreen Mid Atlantic, Inc - Kernersville, NC	Terex Pegson XA400	\$225,000	
*Carolina CAT, Charlotte, NC	CAT H130S Hydraulic Hammer	\$48,570.47	
Other Improv & Cap Outlay "Rock Crushing"	60-4720-590-000	11140-0001	(300,000.00)
Other Improv & Cap Outlay "Purchase Rock Crusher"	60-4720-590-000	11247-0001	300,000.00

**2011-026 Commissioner Price - Health - Accepted and Appropriated Additional State Funds from the Division of Public Health for the Immunization Program per Budget Change Request:**

Health - State Grant	11-5100-5113-5123-320-505	(\$5,995)
Drugs	11-5100-5113-5123-238-000	\$5,995

**2011-027 Commissioner Price - Finance - Appropriated a Portion of the Additional Sales Tax Revenues in the First Half of F/Y 2010/11 as a Result of Audits Performed by Robert Segal, CPA on City of Gastonia, Gaston County Schools and Gaston County (Net Additional Revenues - \$130,728) per Budget Change Request:**

One Cent Sales Tax	10-3200-3231-120-501	(\$57,509)
Professional Services	10-4130-199-000	\$57,509

**2011-028 Commissioner Keigher - Finance - Appropriated Accumulated Investment Earnings from October 1, 2010 through December 31, 2010 per Budget Change Request:**

Interest : Installment Purchase - Arlington			
Elementary	40-8300-491-506		(14)
Arlington Replacement	40-5911-580-003	03239-0001	14
Investment Earnings - CDBG Income	40-8300-491-518		(3)
CDBG Program Income	40-4932-4932-590-000	08315-0001	3
Gaston College Bond Interest	40-8300-493-505		(2,661)
Gaston College 2007 Bonds	40-5921-580-001	08252-0001	2,661
Interest: 3/08/06 GO Public Improvement Bonds	40-8300-491-516		(18)
Buildings, Structures, Improvement	40-4920-4922-580-000	01344-0001	16
EDC: Tech Park Road	40-4920-4923-580-000	06262-0001	2
Interest on Investments	10-8300-491-500		(40)
Special Grants	10-4310-4310-620-000	10303-0001	19
Special Grants	10-4310-4310-620-000	10327-0001	3
Special Grants	10-4315-4315-620-000	10308-0001	12
Special Grants	10-4315-4315-620-000	10308-0003	3
Special Grants	10-4315-4315-620-000	10328-0001	3
Interest: USUB Police	26-8300-491-513		(71)
Controlled Substance Abuse Tax	26-4310-4310-511-002	50112-0001	70
Controlled Substance Abuse Tax	26-4310-4310-298-000	07300-0001	1
Interest: USUB Sheriff	26-8300-491-514		(3)
Controlled Substance Abuse Tax	26-4315-4315-511-002	02192-0001	3
Interest - Police Treasury / Justice	25-8300-491-502		(81)

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Drug Forfeitures – US Treasury	25-4310-4310-511-000	10002-0001	78
Drug Forfeitures – Justice	25-4310-4310-511-001	50113-0001	2
Drug Lab Supplies	25-4310-4310-238-001		1
Interest – Sheriff Treasury	25-8300-491-505		(26)
Drug Forfeitures – US Treasury	25-4315-4315-511-000	04243-0001	26
Interest: ROAP \$ (Access)	10-8300-491-510		(324)
Transportation of Clients	10-4520-4521-315-000		324
Interest: ROAP \$ (Work First)	20-8300-491-511		(139)
Work First Transportation	20-5521-5523-315-008		139
Interest: Tourism – Visitor Center	22-8300-491-504		(9)
Visitor Information Center – Construction	22-4921-580-000	02154-0001	9
Investment Earnings – School Bonds	40-8300-493-501		(8,591)
Investment Earnings – School BAB 09	40-8300-493-506		(15,093)
School Bonds – 06/01/01	40-5911-580-001	01452-0001	40
School Bonds – 06/01/02	40-5911-580-001	02205-0001	16
School Bonds – 03/01/04	40-5911-580-001	04277-0001	94
School Bonds – 10/01/06	40-5911-580-001	07269-0001	3,624
School Bonds – 08/18/09	40-5911-580-001	10294-0001	4,817
School Bonds – 08/08/09	40-5911-580-001	10296-0001	15,093

**2011 Legislative Requests**

On motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the following Legislative Requests were prioritized as set forth herewith. Chairman Loftis called for the vote and the 2011 Legislative Requests were unanimously adopted as follows:

- 2011-029 Legislative Request: To Support the Preservation and Extension of the North Carolina 3J Tax Credits.**
- 2011-030 Legislative Request: To Fund Workforce Development for Gaston College.**
- 2011-031 Legislative Request: Modification of N.C.G.S. §159-8(b) to Allow Change in Local Government Fiscal Year.**
- 2011-032 Legislative Request: To Support an Act to Protect the Freedom to Choose Health Care and Health Insurance (House Bill 2).**
- 2011-033 Legislative Request: To Support State Funding for the Mountain Island Educational State Forest.**
- 2011-034 Legislative Request: To Support the Defense of Marriage Act.**
- 2011-035 Legislative Request: To Oppose Transfer of Secondary Road Program to Counties.**
- 2011-036 Legislative Request: To Support E-Verify Program.**

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- 2011-037 Legislative Request: To Use Electronic Message Boards to Alert Motorist to be More Acutely Aware of the Dangers of Motorcyclists and to "Look Twice and Save a Life".**
- 2011-038 Legislative Request: To Encourage the State of North Carolina to Acquire Two Inholdings of 43.23 Acres for Inclusion within Crowders Mountain State Park.**
- 2011-039 Legislative Request: To Support House Bill 11 - An Act to Disapprove a Rule Adopted by the State Board of Community Colleges and to Prohibit Future Adoption of Similar Rules.**
- 2011-040 Legislative Request: To Support Senate Joint Resolution 1349, and To Support "A Bill to be Entitled an Act to Create the Crime of Willful Failure to Carry or Complete an Alien Registration Document" that may be Introduced and Considered in the North Carolina General Assembly.**
- 2011-041 Legislative Request: In Support of Arizona Senate Bill 1070.**
- 2011-042 Legislative Request: To Support the 2011-12 North Carolina Association of County Commissioners Legislative Goals.**

Regarding the NCACC goals, Commissioner Carpenter reported meeting last week across the State to finalize the goals; theme was to ask the State to do counties no harm; not to pass any mandates down or take any revenue away that the counties currently receives; also requested reinstatement of the ADM and lottery funds for the schools.

#### **Items Pulled From the Consent Agenda**

Commissioner Keigher stated that Missouri was seeking legislative approval and Tennessee was looking at a proposal to test TANF welfare recipients for drug use although constitutionality was not known as yet; about 500 families in Gaston County receive TANF emergency cash assistance funds; social workers would report drugs/drug paraphernalia in homes.

Agreeing Commissioner Philbeck stated that Representative Torbett was also looking at a bill in Raleigh.

#### **2011-043 Commissioners Keigher & Philbeck - BOC - To Support the State of Missouri's Pursuit to Test Welfare Recipients for Drug Use**

On motion introduced by Commissioner Keigher and seconded by Commissioner Philbeck, the BOC unanimously approved 2011-043 supporting the state of Missouri's pursuit to test welfare recipients for drug use with copies being forwarded to State of Missouri Senate Leader and Speaker of the House of Representatives, and to the

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local Legislative Delegation to the N.C. General Assembly with the request that a similar bill be filed, and to the North Carolina Association of County Commissioners.

**Removed Commissioner Loftis - To Appropriate Funds to Contract with Martin Starnes & Associates CPA's to Assist Gaston County VFDs by Performing "Agreed Upon Procedures" to Review their Accounting Procedures and Bookkeeping (\$40,000 Fund Balance Appropriated)**

Chairman Loftis stated that last year the BOC voted and accepted an offer from the County's accountant to do some procedural checks and balances for volunteer fire departments; County/VFD contracts require an annual audit; when it was rolled into the County's procedures it became more cost effective and VFD accountability was resolved; communications may not have been as clear this year in verifying that the County would set up the process and share funding with the VFDs; some smaller departments may struggle to come up with those funds this late in the budget year; larger VFDs may be okay; would prefer to remove this item from the agenda in order to get feedback from the VFDs and insert it into next year's budget that the VFDs would share in the funding of the audits as an accountability measure to the citizens. The Chairman further suggested that Rescue Squads be included and ordered removal of the item from the Agenda in order to allow issues to be worked out with VFDs and Rescue Squads.

Commissioner Carpenter stated that the BOC taxes citizens in each of the fire districts to pay for expenses of VFDs; many in the County do not live within those districts and pay municipal taxes; would like to see that each district is eventually paying for all services provided.

Commissioner Keigher requested a comparison of the amount paid by city and county residents.

**Appointments**

On motion introduced by Commissioner Brown and seconded by Commissioner Price, the BOC unanimously appointed Ms. Teresa Harris to the **Animal Control Task Force Advisory Board** to a term ending December 2014.

On motions introduced and seconded, the following individuals were unanimously appointed/reappointed to the **Health Board**:

<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Brown	Commissioner Price	Ms. Anne Heilig	January 2012
Commissioner Carpenter	Commissioner Price	Dr. Mike Scott	January 2014

On motion introduced by Commissioner Brown and seconded by Commissioner Price, the BOC unanimously appointed Mr. Edgar Bogle to the **Juvenile Crime Prevention Council (JCPC)** to a term ending July 2011.

On motions introduced and seconded, the following individuals were unanimously appointed/reappointed to the **Planning Board**:

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<u>Motion Introduced</u>	<u>Seconded</u>	<u>Appointee</u>	<u>Term Ending</u>
Commissioner Brown	Commissioner Price	Mr. John Bailey	February 2014
Commissioner Price	Commissioner Keigher	Mr. Bill Farley	February 2014
Commissioner Keigher	Commissioner Price	Mr. Jerry Campbell	February 2014

On motion introduced by Commissioner Brown and seconded by Commissioner Price, the BOC unanimously appointed Mr. Robert Becker to the **Workforce Development Board** to a term ending June 2011.

On motion introduced by Commissioner Price and seconded by Commissioner Keigher, the BOC unanimously appointed Ms. Ruth Murphy to the **Transportation Advisory Board (TAB)** to a term ending November 2012.

On motion introduced by Commissioner Philbeck and seconded by Commissioner Brown, the BOC unanimously appointed Mr. John James to the **Work First Block Grant Plan Committee** to serve until the task of making recommendations to the BOC has been completed.

On behalf of Commissioner Fraley and on motion introduced by Commissioner Keigher and seconded by Commissioner Carpenter, the BOC unanimously reappointed Ms. Jane Patrick to the **Adult Care Home Community Advisory Committee** to a term ending February 2014.

On motion introduced by Commissioner Keigher and seconded by Commissioner Price, the BOC unanimously reappointed Mr. Thomas Gillespie to the **Housing Appeal Advisory Board** to a term ending February 2014.

On motion introduced by Commissioner Keigher and seconded by Commissioner Price, the BOC unanimously appointed Mr. Jeff Funderburk to the **Library - Gaston/Lincoln Regional Board** to a term ending December 2012.

On motion introduced by Commissioner Keigher and seconded by Commissioner Price, the BOC unanimously reaffirmed the appointment of Ms. Nancy Moore to the **Library Board of Trustees** to a term ending December 2016.

On motion introduced by Commissioner Keigher and seconded by Commissioner Price, the BOC unanimously appointed Mr. Steve Hall to the **Parks & Recreation Advisory Board** to a term ending June 2013.

On motion introduced by Commissioner Loftis and seconded by Commissioner Brown, the BOC unanimously reappointed Mr. Charles Moore to the **Fire Advisory Board** to a term ending December 2011.

#### Commissioners Committee Reports

Commissioner Price reported meeting attendance to GFHS and advised of the successful move to the Summit Building; to CaroMont/GMH Board of Directors where Mrs. Rutledge advised of new

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hires including Dr. Jerry Levine from NJ; plan to appoint him to the Health Board; he will work ½ day/week in the Health Department or GFHS to fulfill his public service commitment.

Commissioner Philbeck reported travel to Raleigh along with Commissioner Brown; met with the Speaker of the House, also Senators Forrester and Harrington, Representatives Torbett and Hastings. The 2011 Session was just getting underway; spoke about County issues.

Commissioner Keigher reported attendance, along with Commissioners Loftis and Price, to the Health Board; expressed appreciation for appointees service; to Museum of Art & History Board and related that reconstruction was underway on building front; Blues Out Back will start in May; City of Dallas will block off streets; to DSS 1/27 where food stamps and Medicaid are at an all time high at 20% of the population in both areas.

Commissioner Carpenter reported meeting attendance to the Charlotte Regional Partnership where concerns were expressed about the State budget and how increased enrollment would be affected with less dollars; UNC-C has moved the Entrepreneur Center onto campus; patents developed at the University are used to spin off businesses in the community; private dollars to the Partnership are substantial; reviewed new businesses moving to the Charlotte area; have a lot of projects underway; the global industry is being embraced.

Chairman Loftis reported meeting attendance to the Belmont City Council, along with Commissioners Price and Philbeck, for the purpose of talking about the ETJ and adoption of the UDO; met the next day with Mayor Boyce, Councilman Toole, Commissioner Philbeck, City and County Managers and Planning Staff to discuss Belmont's future growth and how the County could accommodate; a tentative agreement was reached with Belmont that they would adopt the UDO and the County would enforce via an overlay district that will protect their future and orderly growth; Belmont will relinquish the ETJ; Memorandum of Understanding will be forthcoming to BOC.

Chairman Loftis reported traveling to the NACo 2011 Justice and Public Safety Steering Committee Retreat, New Orleans, LA where the agenda consisted of looking at national policy impacting public safety and jails, who gets locked up and at what cost, the possibility of working toward criminal summons rather than lock up; this would allow the district attorney to move through cases faster. The group toured New Orleans wards, burros and the Kings Street Canal and learned that the extensive hurricane damage was caused by a tidal wave that pushed water back into canals resulting in some 3,000 casualties; some counties had not updated Flood Mitigation Plans in 21 years.

Chairman Loftis also reported traveling to Los Angeles on an economic development junket; visited Dole Foods Headquarters; Dole has 800 employees in its Gaston facility; they are looking at expanding by adding an additional line or building another facility. The Chairman related visiting other potential businesses in the area that are interested in the County locations.

Commissioner Price advised that the State was talking about letting counties hold inmates up to 120 days rather than the current 30 days which would reduce prison costs in Raleigh.

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Chairman Loftis advised that the County gets \$17-19/day for State inmate cost.

The County Manager stated that was insufficient to cover cost.

**County Manager's Report**

*Re: Economic Development* - The County is working closely with four major prospects; do expect some encouraging news in the near term; signals are that there is a keen interest in the Technology Park.

*Re: Revenues* - Recently sent out a report that the County was \$4.9M ahead of revenue projections; expenses are within 1%; on track with last year.

**County Attorney's Report**

No report.

**Other Matters**

*Re: FY2011-12 Budget* - Chairman Loftis recalled previous discussions about commissioners working on certain areas of the budget; asked for commissioners to let him know which areas they preferred.

**Adjournment**

Chairman Loftis adjourned the Regular Meeting of January 27, 2011 at 8:15 pm.

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

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Donnie Loftis, Chairman  
Gaston County Board of Commissioners

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Martha M. Jordan  
Clerk to the Board

SEAL