

Cherokee County Board of Commissioners
Regular Meeting Minutes
March 16, 2020 Meeting Recessed to March 25, 2020
6:30 P.M.
Cherokee County Courthouse

Members present: Roy Dickey, Chairman; C.B. McKinnon, Vice-Chairman; Cal Stiles, member; Dr. Dan Eichenbaum, member; and Gary Westmoreland, member.

Staff present: Randy Wiggins, County Manager; Candy Anderson, Finance Officer; Maria Hass, Assistant County Manager and Clerk to the Board; and, Darryl Brown, County Attorney.

Meetings are recorded by Local TV 4 and WKRK Radio Facebook Live.

Call to Order

Ethics Statement

Ethics statement read by Chairman.

Invocation-Randy Wiggins

Pledge of Allegiance-Led by Dr. Dan Eichenbaum.

Modification of Agenda

Motion made by Commissioner Eichenbaum to accept an update to the Cherokee County Schools budget revision for boiler repairs. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner McKinnon to add an additional budget revision for payment to contractor for Cherokee County School of Innovation. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Westmoreland to add a budget revision for gutter replacement at Murphy Senior Center. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to remove item "a-NCACC report" under New Business. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner Eichenbaum to add "Approval of an additional income maintenance worker for DSS" to the agenda at the end of New Business. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner McKinnon to add "discussion of the 1986 State of Emergency Ordinance" as item "t" under New Business. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Agenda Adoption

Motion made by Commissioner Stiles to adopt the agenda as modified. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Public Forum

During public forum, Mrs. Brenda McMillan spoke against Unaka Fire Department's request to the county for transfer of the Unaka ball field to construct a new fire department. Mrs. McMillan said she owns property next to the ball field. She said that she has a special needs child and that construction of the new department on that property would create additional noise and negatively impact her child and her family. Mr. Wayne McMillan, adjacent property owner, spoke on the matter saying that he was concerned that the expansion would negatively impact his property values.

Minutes

Motion made by Commissioner Westmoreland to approve the February 3, 2020 board meeting minutes. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Finance and Budget

Motion made by Commissioner Stiles to approve a budget revision for Cherokee County Schools use of sales tax for boiler repairs. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner Westmoreland to approve a budget revision to pay Wells and West Pay App 1 and 2 for Cherokee County School of Innovation and Technology. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner Stiles to award the bid for the airport and communication towers clearing project to Marvin Guffey of J & S Bait. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Westmoreland to approve a budget revision for the airport and communication towers clearing project. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Dickey to table the water wheel repairs at Konahete Park. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve a budget revision for replacement of gutters at Murphy Senior Center. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

New Business

Motion made by Commissioner Westmoreland to approve the tax releases. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Eichenbaum to approve the tax refund report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve the NCVTS report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Dickey to adopt the 2020 Senior Games/Silver Arts Proclamation. Motion seconded by Commissioner Stiles. Motion passed unanimously.

After discussion, a Motion was made by Commissioner McKinnon to approve Hiwassee Dam VFD request for use of rescue funds to purchase a double-stack boat trailer for rescue operations, as presented by Chad McNabb. Motion seconded by Commissioner Dickey. Motion passed unanimously.

After discussion, a Motion was made by Commissioner McKinnon to table the Hiwassee Dam VFD facility plan until the April 6th commission meeting. Motion seconded by Commissioner Eichenbaum. Voting in favor of the Motion was Commissioners McKinnon, Eichenbaum, Dickey and Westmoreland. Voting against the Motion was Commissioner Stiles. Motion passed.

After discussion and presentation by Unaka VFD Fire Chief Tylor Dockery, a Motion was made by Commissioner Stiles to transfer the Unaka ball field property to the Unaka VFD for construction of a new fire station. Motion seconded by Commissioner Eichenbaum. Approval is contingent upon the ability to get water and sewer to the property and with the understanding that it is only for the purpose of a new fire station. Motion passed unanimously.

Motion made by Commissioner McKinnon to postpone the sewer system improvements for the EMS 1 Jackson Street site, but to move forward with adopting the interlocal agreement between the Town of Murphy and Cherokee County for the project. Motion seconded by Commissioner Stiles. Motion passed unanimously. The Board will revisit the project once we know the financial impact of COVID-19.

Motion made by Commissioner Eichenbaum to approve the McGill contract amendment for bidding and construction management of the EMS Station 1 project and approval of the plans to proceed. Motion seconded by Commissioner Westmoreland. Voting in favor of the Motion was Commissioners Eichenbaum, Westmoreland, Dickey and Stiles. Voting against the Motion was Commissioner McKinnon. Motion passed.

There was no action taken on the bids for the "Future Home of EMS Station 1" signs.

Motion made by Commissioner Eichenbaum to approve the revised Cherokee County Transit Policy. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner Stiles to renew the "Memorandum of Agreement between Eastern Band of Cherokee and Public Health Entities" for a term of five (5) years. Agreement to expire in 2025. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner McKinnon to table the Tourism Development Authority Applications until April 6th. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to reappoint Brett Nourrcier and Dr. Grady Hester to the Cherokee County Board of Health. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner McKinnon to reappoint the following persons to the Cherokee County Board of Equalization and Review for a three-year term: Alex Starks, Michelle Spies, and Jerry Decker. Motion seconded by Commissioner Stiles. Motion passed unanimously.

No action was taken on modifying the board meeting schedule during the COVID-19 pandemic.

Motion made by Commissioner Stiles to approve an additional income maintenance worker for DSS. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

The State of Emergency Ordinance was moved to after Closed Session.

County Manager Items

The county manager shared a request with the Board from Rodney Morris, lessee of the pool and wellness center. Mr. Morris requested that he be allowed to defer April and May rent payments, due to the Governor's closure of gyms as a result of the COVID-19 pandemic. Mr. Morris would pay April and May rent equally over the next seven (7) months. After discussion, a Motion was made by Commissioner McKinnon to deny the request. Motion failed. Motion made by Commissioner Stiles to approve the request. Motion seconded by Commissioner Westmoreland. Voting in favor of the Motion was Commissioners Stiles, Westmoreland, Eichenbaum and Dickey. Voting against the Motion was Commissioner McKinnon. Motion passed.

Commissioner Items

Commissioner McKinnon encouraged people to follow Covid-19 safety protocols and look out for one another.

Closed Session

Motion made by Commissioner Stiles to go into closed session pursuant to 143-318.11 (a) (3) to consult with the county attorney. Motion seconded by Commissioner Dickey. Motion passed unanimously.

During closed session the Board asked the county attorney to advise on the legal parameters of possible actions to be taken, due to the Covid-19 pandemic.

Open Session

After returning to open session, the county manager asked the Board to be thinking about the possibility of remote meetings, during the Covid-19 pandemic. Board members were not in favor of remote meetings at this time, but all members told the county manager that he had their support in structuring county offices as he determined necessary to prevent the spread of Covid-19 and to protect employees and the public.

The Board took no action on the 1986 State of Emergency Declaration Ordinance.

Adjournment

There being no further business, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Meeting adjourned at 8:30 p.m.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON JUNE 29, 2020.