

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
December 17, 2012

*Preamble to Minutes read by Chairperson Meltz: "Members of the County Board of Commissioners are advised, hereby, of their duty under the Local Government Ethics Act to avoid conflicts of interest and the appearance of such conflict; and, further, are instructed to refrain from participating in any matter coming before this Board of County Commissioners with respect to which there is a conflict of interest or appearance of such conflict".*

A Regular Meeting of the Cherokee County Board of Commissioners was held in the Commissioners Boardroom, also known as Multi-Purpose Room 342, of the Cherokee County Courthouse in Murphy, North Carolina on the 17th day of December, 2012 at 6:00 o'clock p.m.

The following Commissioners were present for the meeting: Cal Stiles, Chairman, David Wood, and C.B. McKinnon. Vice-Chair Lorraine Meltz and Commissioner Steve Jordan were out of town. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager/Assistant Clerk to the Board; R. Scott Lindsay, County Attorney/Clerk to the Board; and, Candy Roberts, County Finance Director.

Present from the media was Joe Martin of the Cherokee Scout.

The invocation was given by the Commissioner McKinnon.

The Pledge of Allegiance was led by Commissioner Wood.

The Chairman presided and the Clerk kept the Minutes.

**Budget Revisions/Finance Items:**

- Finance Officer Candy Roberts and Interim Health Director Monica Holley gave an update on the health department renovation and a revised budget. After discussion, a Motion was made by Commissioner McKinnon to approve as submitted. Motion seconded by Commissioner Wood. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Wood to approve a budget revision for the previously approved Tri-County Community College Capital Improvements. The capital improvements were initially approved on September 9, 2012. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

**Approval of Minutes:**

A Motion was made by Commissioner Wood to approve the Meeting Minutes of December 3, 2012. Motion seconded by Commissioner McKinnon. The Motion passed unanimously. Commissioner Meeting Minutes are available for public inspection on the county website at [www.cherokeecounty-nc.gov](http://www.cherokeecounty-nc.gov), or in the office of the Clerk to the Board.

**Old Business:**

- Ray Frazier with the Andrews Rescue Squad came before the board to request for financial assistance with purchasing an HVAC unit for their station. Mr. Frazier submitted several quotes for different types and different sizes of systems. Commissioner Stiles commended the rescue squad for their good work and efforts and suggested that the Board assist the squad. Commissioner Stiles suggested a compromise in the amount of \$10,080.00, and contingent upon a reimbursement basis. After discussion, a Motion was made by Commissioner Wood to approve funding for the rescue squad in the amount of \$10,080.00. Motion seconded by Commissioner McKinnon. Motion passed unanimously. Mr. Frazier thanked the Board for their assistance.

### **New Business:**

- After discussion, a Motion was made by Commissioner Wood to appoint Commissioner McKinnon as the North Carolina Association of County Commissioners Legislative Goals Voting Delegate for 2013. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- Will Roberts, Tax Administrator, came before the Board to present the current tax releases and refunds. After discussion, a Motion was made by Commissioner McKinnon to accept as presented. Motion seconded by Commissioner Stiles. Commissioner Wood opposed. Motion passed.
- After discussion, a Motion was made by Commissioner Wood to approve the Clean Water Management Trust Fund resolution to request the continuance of the fund in the State's budget for 2013-2015. Motion seconded by Commissioner Stiles. Commissioner McKinnon voted "Nay". Motion passed.
- Callie Moore with the Cherokee County Tourism Development Authority came before the board to request that the Board name the river access at the entrance of Pacesetters in honor of Gil Hargett. After discussion, a Motion was made by Commissioner Wood to approve this request. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

### **County Managers Items:**

- Presented a letter of intent from the Town of Murphy to permanently close Alpine Street.
- Informed Board that the waterproofing project is now complete, and the roofing project has begun.
- Informed Board that the county has been donated flooring for the old Rock Gym.
- Reminded Board of the December 19<sup>th</sup> public hearing for the proposed Tipton Creek fire service district.
- Informed Board of placement of new eagle atop courthouse. The replacement is an exact replica of old eagle. The old eagle is now displayed at the museum.
- Shared the dates of the public meetings for the Mountain Folk Center Committee.
- Informed the Board of court ruling on internet sweepstake business. They are now illegal. The county attorney all talked about the history and the legal issues surrounding these businesses.

### **Chairman's Items:**

The chairman had no items for discussion.

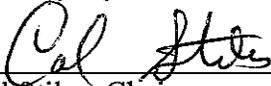
### **Public Forum:**

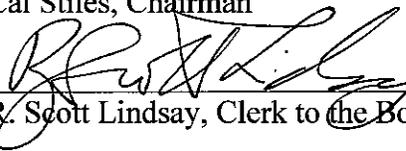
- Mr. Tom Bennett asked if the Board has already discussed the legislative goals, and also if the Board would be attending ethics training as required by law. The Board has not started the legislative goals process yet, but will be independently working on goals and then coming together collectively to discuss them. The new Board members will be attending ethics training in January. Mr. Bennett also inquired about the process of PUV requests and asked if those folks are required to come before the Board to make their case. Anyone requesting a PUV exemption should come before the Board and present their case. Commissioner Wood added that he does support PUV, but that he voted against the release on Smithmont Farm, due to a late submission of their PUV application. Commissioner McKinnon tried to clarify the issue concerning the Smithmont Farms, and said that all heirs believed that they were being represented by their sibling, Audra Ware, who appeared before the Board at an earlier date. At the December 03, 2012 meeting, Steve Whitmire, another sibling, came before the Board on behalf of the Smith Family heirs and the denial of PUV valuation for property owned by three members of the Smith Family. At that meeting, a Motion was made by Commissioner McKinnon that

the PUV valuation be allowed for all members of the Smith Family heirs effective for the 2012 tax year. The Motion was seconded by Commissioner Jordan. Voting in favor of the Motion were Chairman Stiles; Commissioner McKinnon; and Commissioner Jordan.

- Richard Billheimer told the Board that he would be interested in sitting on the Clean Water Management Trust Fund Board; however, the board of county commissioners do not appoint to that board. Mr. Billheimer also inquired about environmental health issues and the flag being flown at half-staff.
- Vicky Dumford came before the board and asked the board to reduce the millage rate by 50 percent. It was explained to Ms. Dumford that it was not possible to do so.
- Ray Frazier asked if Steve Bias had ever provided credentials for the Valleytown Fire Department. The county manager informed Mr. Frazier that Mr. Bias has not provided anything to date.

There being no further business to come before the Board, a Motion was made by Chairman Stiles to adjourn. Motion seconded by Commissioner Wood. Motion passed unanimously. The meeting adjourned at 7:25 o'clock p.m.

  
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Cal Stiles, Chairman

  
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R. Scott Lindsay, Clerk to the Board