A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS April 15, 2013

Preamble to Minutes read by Chairman Stiles: "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 15th day of April, 2013 at 6:00 o'clock p.m.

The following Commissioners were present for the meeting: Cal Stiles, Chairman; Lorraine M. Meltz, Vice-Chair; C.B. McKinnon, member; David Wood, member; and Steve Jordan, member. 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 Dwight Otwell of the Cherokee Scout.

The invocation was given by the R. Scott Lindsay.

The Pledge of Allegiance was led by Chairman Stiles.

The Chairman presided and the Clerk kept the Minutes.

Budget Revisions/Finance Items:

 After discussion, a Motion was made by Commissioner Stiles to approve the use of the Sheriff's designated funds to repair a blown engine in a patrol car, replace two faulty tasers, and purchase hands-free radio microphones for radios. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Approval of Minutes:

- After discussion, a Motion was made by Commissioner Stiles to approve the amended minutes of January 17, 2012. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- After discussion, the March 18, 2013 minutes were tabled due to Commissioner Wood's claim of a discrepancy in what he said concerning the restructure of the Cherokee County Tourism Development Authority in April 2011.
- After discussion, a Motion was made by Commissioner McKinnon to approve the minutes of April 1, 2013. Motion seconded by Commissioner Wood. Motion passed unanimously.

Old Business:

• After much discussion, a Motion was made by Commissioner McKinnon to allow Bart O'Sullivan, Executive Director of the Hurlburt-Johnson Friendship House, Inc. (local homeless shelter) to move forward in seeking out sponsorship for an air show proposed to be held at Western Carolina Regional Airport in October to benefit the homeless shelter and the Veteran's Restoration Quarters of Asheville (homeless shelter for veterans). The Motion was contingent upon Mr. O'Sullivan speaking with the county attorney to see what type of legal contract and liability issues need to be resolved and Mr. O'Sullivan providing proof of sufficient insurance and proof of sponsorship commitment, so that there is no liability or financial responsibility for Cherokee County. Motion seconded by Commissioner Meltz. Motion passed unanimously. The Board asked Mr. O'Sullivan to

report back to them, no later than August 1st, and at that time the board would consider final approval. Commissioner McKinnon said that he would like Mr. O'Sullivan to come back around the 1st of July to give the Board an update. The county manager suggested that Mr. O'Sullivan report back to the board in six weeks. Commissioner Wood made a Motion to require Mr. O'Sullivan to submit a letter of support from the airport advisory board. Motion seconded by Commissioner Jordan. Motion passed unanimously.

New Business:

- Donna Tipton-Rogers, president of Tri-County Community College (TCCC), came before the board to give an update on the college's welding program and to publicly thank the board for their support. Also attending and speaking on behalf of the program was TCCC welding instructor Gary Westmoreland; TCCC welding instructor and head, Jason Penley; David Cagle, Local Union 72 Atlanta; Lance McCravey, Local Union 72 Atlanta; John Brown, Business Development Representative Tennessee Pipes Trade, Local Union 43 Chattanooga; and Cajun Seeger, Local Union 72 Atlanta. Also attending but not speaking was Cory Killian, student; and Adam Burgess, student.
- Jeff Ledford, Cherokee County EMS Director presented a draft Standard Operating Policies and Procedures that he would like the board to consider adopting for his department. Mr. Ledford said that the policy also addresses annual physical fitness testing; something that Commissioner Meltz has been pushing for since taking office. Mr. Ledford said that the medical director and county EMS employees weighed in on the policies and he thinks that it is a positive move for his department. The board will review and take action at a future meeting.
- After discussion, a Motion was made by Commissioner McKinnon to reappoint Dr. Donald Ambler to a third term on the Cherokee County Board of Health for another three-year term. Dr. Ambler will serve as the dentist appointee. The term will begin on April 19, 2013 and end on April 18, 2016. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- Prior to appointing new members to the Cherokee County Tourism Development Authority (TDA), the Board asked each applicant to stand and share why they would be a good member of the TDA. Applicants speaking were: Reed Caldwell, John C. Campbell Folk School; Steve Dickey, owner of Hampton Inn and Captain D's; Margaret Deluna, Andrews Chamber of Commerce and owner of Birdsong Beads; Robin Sargent of Olde Town Brokers and co-owner of Valleytown Insurance. The TDA had sent a recommendation to the board to appoint Reed Caldwell and Margaret Deluna. After discussion, a Motion was made by Commissioner Jordan to appoint Margaret Deluna and Robin Sargent. Motion seconded by Commissioner McKinnon. Voting in favor of the Motion was Commissioners Jordan, McKinnon, Meltz and Stiles. Voting against the Motion was Commissioner Wood. Motion carried. After discussion, a Motion was made by Commissioner McKinnon to appoint Steve Dickey for the third vacant position. Motion seconded by Commissioner Jordan. Voting in favor of the Motion were Commissioners McKinnon, Jordan and Stiles. Voting against the Motion was Commissioners Wood and Meltz. Motion carried. Commissioner Wood stated that he would have like Reed Caldwell reappointed to the TDA. Commissioner Wood also said that the board of commissioners should have considered the recommendations from the TDA. Mr. Caldwell said it was inconsiderate of board not to consider TDA recommendations. Commissioner Stiles said that the commissioners need to appoint members to boards and committees to prevent cronyism.
- After discussion, a Motion was made by Commissioner Stiles to appoint Margaret Deluna as the chairperson for the TDA. Motion seconded by Commissioner Wood. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to table the Nursing and Adult Care Home Advisory Committee appointment until the May 6th meeting, since the only applicant was unable to attend this meeting. Motion seconded by Commissioner Wood. Motion passed unanimously.

County Manager Items:

Mr. Wiggins shared Senate Bill 287 which would allow counties the option to publish
electronic notices. Commissioner Stiles and Commissioner McKinnon said that they
would like electronic publishing to be an option, but were in agreement to continue

- advertising in a local newspaper. Commissioner McKinnon made a motion to support the bill as long as counties are allowed the option to do both. Motion seconded by Commissioner Stiles. Voting in favor of the bill were Commissioners Stiles, McKinnon and Meltz, saying that they would support the option to publish electronically, but they would still require publishing notices in a local newspaper also, since many residents do not have web access. Voting against the bill was Commissioners Wood and Jordan.
- Mr. Wiggins reminded those in attendance about the public hearing set for April 25th at 6:00 p.m. at the Hiwassee Dam Community Center, for the purpose of receiving public comments related to the proposed establishment of a fire service district for residents living in the upper northwest portion of Cherokee County that is not currently served by a fire service district.
- Mr. Wiggins told the Board that the tax administrator needs the Board's approval to advertise tax liens. After discussion, a Motion was made by Commissioner Meltz to allow the tax administrator to advertise tax liens. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- Mr. Wiggins said that the board has been given a copy of the draft animal control
 ordinance to review and that progress is being made. He said that we will be having some
 meetings probably in May or June and moving forward.

Chairman Items:

 Commissioner Jordan questioned having to pull a building permit for metal buildings and asked if it is required by State law or a local policy. Mr. Wiggins told Commissioner Jordan that it is State law. Commissioner Jordan said he opposes building permit fees for metal buildings. Commissioner Wood agreed and said if no electricity is needed, then a metal building should not require a permit.

Public Forum:

- Rick Carter asked about the county's budget procedure. Mr. Wiggins told him that he would be presenting the recommended budget to the board on May 6th for their review, and that there would be budget worksessions and budget hearings with various departments/agencies. He said that the recommended budget would also be available at both local libraries and the county manager office for public inspection. Mr. Wiggins said that he is looking at June 1st to hold a public hearing on the budget and that the board can adopt the budget anytime thereafter, but prior to July 1st. Commissioner Stiles talked about the 1.5 million dollar shortfall in school funds and that the county will certainly be impacted by it.
- Callie Moore, Executive Director of the Hiwassee River Watershed Coalition announced a public outdoor meeting at the Marble EBCI center on the 26th at 5:30 p.m.
- Steve Higdon asked if it is a common procedure for more than one nomination or motion to be on the floor at one time. The county attorney said that more than one nomination can be made at the same time, but only one motion can be on the floor at any given time.
- Ron Smith said that he appreciated Commissioners Jordan and Wood for their stance on Senate Bill 287.
- Commissioner Jordan shared his regret with Reed Caldwell for not being reappointed to the TDA.

Adjourn:

There being no further business to come before the board, a Motion was made by Commissioner Meltz to adjourn. Motion seconded by Commissioner Jordan. Motion passed unanimously.

The meeting adjourned at 7:35 o'clock p.m.

Cal Stiles, Chairman

R. Scott Lindsay