

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
May 19, 2014

*Preamble to Minutes read by Chairman Wood: "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 19<sup>th</sup> day of May, 2014 at 6:00 o'clock p.m.

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

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

The invocation was given by Commissioner Jordan.

The Pledge of Allegiance was led by all.

**Modification of Agenda:**

A Motion was made by Commissioner Stiles to add two budget revisions to the agenda: 1) Cherokee County Schools request for use of sales tax, and 2) Resolution Opposing USFS Wilderness Designation in Graham County. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

April 7<sup>th</sup> meeting minutes were postponed to next meeting.

**Public Forum:**

Ed Figueroa came before the board to ask if Commissioner McKinnon had been able to meet with the sheriff concerning an alternative boarding site for the horses being held due to a criminal case. Commissioner McKinnon said that he has not met with Sheriff Lovin yet. Mr. Figueroa then asked about the status of the draft adult entertainment ordinance. The county attorney said he is waiting on suggestions from board members, before finalizing. Last, Mr. Figueroa asked if the county had made a decision on the expiring airport grant funds. Commissioner McKinnon told him that a decision was made at a prior meeting to move forward with the obstruction removal, but the fencing project was not approved.

Shannon Greathead asked Mr. Figueroa if any of the board members had given him permission to talk to property owners around the airport on behalf of the county. Commissioner Wood called the question out of order and told Mrs. Greathead that any citizen can talk to another citizen and does not need permission. Mrs. Greathead then questioned Commissioner Wood, concerning his remarks to the Cherokee Scout following the recent primary election, where he said that he was glad the election was over, because he was tired of working with a three-ring circus. Mrs. Greathead questioned why Commissioner Wood was still sitting on the commission board if he felt that way. Commissioner Wood commented that he was still a commissioner until December. Commissioner Wood called the question out of order. Mrs. Greathead then asked if the Public Forum could be moved to the end of the meeting, instead of the beginning of the meeting. Commissioner McKinnon said that the purpose of the public forum being moved to the beginning of the meeting was so that the public could speak about items coming up on the agenda, before the board takes action on it. Last, Mrs. Greathead said that she had went to the

Cherokee Scout and talked to David Brown about his comments and personal opinions in the Scout about each individual commissioner, and especially when Mr. Brown said that Commissioner Jordan was an inefficient commissioner. Commissioner Wood called Mrs. Greathead out of order. Commissioner Jordan spoke saying that he would still work for the people of Cherokee County, even after leaving office in December.

Andrews Mayor Nancy Curtis came before the board to request the board approve a resolution requesting the NCDOT name a bridge in Andrews after Joseph El-Khoury. The board told Ms. Curtis that the bridge-naming resolution was on the agenda for consideration. Ms. Curtis then asked for a waiver of landfill fees for a town cleanup day. The board took no action on the request for the waiver of landfill fees.

#### **Budget Revisions/Finance Items:**

- After discussion, a Motion was made by Commissioner Stiles to approve a Honey Bee Loss Prevention grant as requested by Keith Wood of NC Cooperative Extension. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to table the budget revision for the use of restricted sales tax funds for multiple school projects. Motion died due to lack of second.
- After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for use of restricted sales tax funds by Cherokee County Schools for Andrews High School, HVAC repairs at multiple schools. Motion seconded by Commissioner Stiles. Motion passed unanimously.

#### **Old Business:**

- After discussion, a Motion was made by Commissioner Wood to approve the revised Cherokee County Voluntary Agricultural District ordinance. Motion seconded by Commissioner Meltz. Voting in favor of the Motion was Commissioners Wood, Meltz, Stiles and McKinnon. Voting against the Motion was Commissioner Jordan. Since the Motion was not unanimous on the first reading, the ordinance will have to be voted upon at the next meeting. After receiving a majority vote on second reading, it can be adopted.
- After discussion, a Motion was made by Commissioner Meltz to grant a right-of-way to Duke Power for placing a 30 foot power pole with light at the end of Milton Mashburn Drive in Andrews, at the Industrial Park. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

#### **New Business:**

- After discussion, a Motion was made by Commissioner Stiles to approve the Juvenile Crime Prevention Council Annual Plan, as presented by Brandi Watkins and June Ward. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve the amended certification of the Juvenile Crime Prevention Council membership. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, the board took no action on a request by Calvin Mashburn for the use of the Mountain Folk Center sale barn, for a one-day animal and produce show. The county manager asked Mr. Mashburn to get a finalized plan for the event and then bring his request back to the board for consideration.
- After discussion, a motion was made by Commissioner Meltz to approve the tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- The following persons submitted applications for consideration of appointment to the nursing position on the Board of Health: Kim Williams, RN; and Audrey Carroll Hughes, RN. The following persons submitted applications for consideration of appointment to the general public member position on the Board of Health: Chris Dickey; Jack Robert; and Gary Kilpatrick. Appointments for the Registered Nurse position and the General Public position will be made at the June 2<sup>nd</sup> meeting.
- The board discussed a lease agreement between the county and Dr. Randall Castor of Andrews Urgent Care Center. The county attorney said that he had given the board

members a copy of a draft lease agreement to review on May 1<sup>st</sup>, and asked them to follow up with him with any comments or suggestions that they may have. The county manager, along with the county building director and county code enforcement director will schedule a meeting with Dr. Castor at the Andrews Urgent Care Center to discuss any additional items or concerns.

- Andrews Mayor Nancy Curtis presented a request for a bridge-naming resolution in memory of Joseph El-Khoury. There were several family members of Mr. El-Khoury in attendance. After discussion, a Motion was made by Commissioner Jordan to approve the request. Motion seconded by Commissioner Stiles. Voting in favor of the Motion was Commissioners Jordan, Stiles, McKinnon and Meltz. Voting against the Motion was Commissioner Wood. Motion passed 4-1. Commissioner Jordan shared fond childhood memories of Mr. El-Khoury.
- After much discussion and debate, a Motion was made by Commissioner McKinnon to approve a resolution to support Graham County in their opposition of additional USFS wilderness designation areas in Graham County. Motion seconded by Commissioner Stiles. Voting in favor of the Motion was Commissioners McKinnon, Stiles and Jordan. Voting against the Motion was Commissioners Wood and Meltz. Motion passed 3-1.

**Chairman/Commissioner Items:**

- Commissioners Stiles said that he had one item that he would like to share. Commissioner Wood opposed allowing Commissioner Stiles' time to speak. A Motion was made by Commissioner McKinnon to allow Commissioner Stiles time to speak. Motion seconded by Commissioner Jordan. Voting in favor of the Motion was Commissioners McKinnon, Jordan, Stiles and Meltz. Voting against the Motion was Commissioner Wood. Commissioner Stiles shared information concerning the upcoming Department of Defense Medical Mission, which is being hosted by Murphy Medical Center. Commissioner Stiles said that he wanted to get the word out and encouraged folks to participate, saying that the medical mission will provide a broad range of medical services to those who could not otherwise afford it; even providing veterinary care for pets.

After discussion, a Motion was made by Commissioner Wood to go into executive session to discuss a personnel issue. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

During closed session, the board discussed hiring Scott Lindsay full-time as county attorney with duties also as attorney for the Department of Social Services.

After returning to open session, a Motion was made by Commissioner Stiles to hire Scott Lindsay full-time as county attorney with duties also as attorney for the Cherokee County Department of Social Services at a salary of \$125,000.00, the starting date being July 1, 2014. Motion seconded by Commissioner Meltz. Motion passed unanimously.

There being no further business to come before the Board, a Motion was made by Commissioner Wood to adjourn. Motion seconded by Commissioner Jordan. Motion passed unanimously. The meeting adjourned at 7: 40 o'clock p.m.

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David Wood, Chairman

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R. Scott Lindsay, Clerk to the Board