

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
August 18, 2014

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 18th day of August, 2014 at 6:00 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Lorraine Meltz, Vice-Chair; Cal Stiles, member; and, Steve Jordan, member. Commissioner David Wood was absent. 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 Anderson, County Finance Director.

Present from the media was Matthew Osborne of the Cherokee Scout; and Ralph Robinson of Local TV4. DVD copies of commission meetings may be purchased at Local TV4.

Chairman McKinnon read the boards adopted ethics statement.

The invocation was given by Randy Wiggins.

The Pledge of Allegiance was led by all.

Modification of Agenda: None

Agenda Adoption:

A Motion was made by Commissioner Meltz to adopt the agenda. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Adoption of Minutes:

A Motion was made by Commissioner Meltz to approve the minutes of June 2, June 16, June 20, July 7, and July 21. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Public Forum:

During public forum the following items were discussed:

- Need for lights at Andrews ball field
- Fracking
- Vendor for Sheriff's tracking and drug dogs

Finance and Budget Items:

After discussion, a Motion was made by Commissioner Meltz to reclassify a vacant bailiff position within the sheriff's department to a narcotics officer position, as requested by Sheriff Lovin. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for the purchase of two lawn mowers for inmate welfare activities. Motion seconded by Commissioner Meltz. Motion passed unanimously. Sheriff Lovin said if there is any money left over after the purchase of mowers, that they would look at buying a couple of weed eaters.

After discussion, a Motion was made by Commissioner Stiles to approve a use of Restricted Sales Tax funds for various school capital expenses. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for

the purchase of three computers and nine monitors for 911 Dispatch. Motion seconded by Commissioner Stiles. Motion passed unanimously.

The finance director submitted the Smoky Mountain Center Quarterly Fiscal Monitoring Report to the Board.

The finance director submitted the 2012 and 2013 financial statements for the Tourism Development Authority to the Board.

Old Business:

Mrs. Hass explained that she had made an error in reporting an additional vacancy on the pool and wellness center board at the previous meeting; and that there were actually only two vacancies to be filled, not three. Ms. Hass said since that meeting there has been a resignation on the pool and wellness center board by Mr. Jack Robert. Ms. Hass asked that the board appoint Ms. Sara Wilson to Mr. Roberts recently vacated position. A Motion was made by Commissioner Stiles to appoint Sara Wilson to the Hiwassee Valley Pool and Wellness Center Board to complete the remainder of Mr. Robert's term. Motion seconded by Commissioner Meltz. Motion passed unanimously. Ms. Wilson's term will expire June 30, 2016.

New Business:

After discussion and presentation by Doug and Janet Drew, a Motion was made by Commissioner Jordan to approve the placement of a sign at the Nora Starks Horse Arena at the Mountain Folk Center, in honor and memory of Nora Starks. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Stiles to grant a property tax exemption to Mountain View Church, and refund their 2013 tax payment. A portion of the refund will be applied to the 2012 taxes, which were owed by the previous property owners. Motion seconded by Commissioner Jordan. Motion passed unanimously. Pastor Jeff Owens represented Mountain View Church in this request.

Cherokee County Tax Clerk Amy Davis presented a late application for an elderly exemption for Ms. Mary Cunningham. Ms. Cunningham was not aware that she had to reapply for the exemption, following her husband's death. Mrs. Davis said that Ms. Cunningham met all of the exemption requirements. After discussion, a Motion was made by Commissioner Stiles to accept a late application for an elderly exemption from Ms. Mary Cunningham, and to grant the exemption. Motion seconded by Commissioner Jordan. Motion passed unanimously.

A Motion was made by Commissioner Jordan to waive code inspection fees for Four Square Community Action's Weatherization Assistance Program, since the program assists low-income persons/families. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to approve the current tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner Stiles. Motion passed unanimously. Commissioner McKinnon said that he is working with the North Carolina Association of County Commissioners (NCACC) to lobby for legislation for a "title block" for unpaid vehicle taxes.

After discussion and presentation by Transit Director, Mike Catuto, a Motion was made by Commissioner Meltz to approve a resolution concerning the entry and execution of an interlocal agreement and contract concerning the Southern NC One-Call One-Click Center for the Veteran's Transportation Project. The interlocal agreement includes the counties of Cherokee, Clay, Macon, and Jackson, and the State of Franklin Health Council, Inc. Motion seconded by Commissioner Stiles. Motion passed unanimously.

After discussion and a presentation by Teresa Goley of NC Cooperative Extension, a Motion was made by Commissioner Stiles to adopt a proclamation celebrating 100 years of NC Cooperative Extension. Motion seconded by Commissioner Meltz. Motion passed unanimously. Shannon Coleman and Cindy Chastain, extension employees, were also present.

At 7:30 o'clock p.m., the chairman called for a five minute recess.

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

The Board heard from Shannon Helton, board of health member, who has applied for re-appointment to the Board of Health. Mr. Mike Davis also submitted an application for consideration of appointment to the Board of Health, but had a previously scheduled out of town trip and was unable to attend. The Board will make the appointment at their next regularly scheduled meeting.

A Motion was made by Commissioner Jordan to table item (i) under New Business, which is for reversal of action concerning the previous adoption of Appendix D of the NC Fire Code. Motion to table seconded by Commissioner Meltz. Motion passed unanimously.

Upon request and recommendation by the county manager, a Motion was made by Commissioner Meltz to table item (j)-TVA lease, and item (k)-Saddle Club lease, under New Business until the next regular meeting. Motion seconded by Commissioner Jordan. Motion passed unanimously.

County Manger Items:

The county manager gave copies of the Jail Medical Plan to the Board for review and consideration of adoption at their next regular meeting.

The county manager also gave the Board a NCACC Legislative Goals handout for review and suggestions for any new legislation that they would like the NCACC to lobby for.

The county manager read a certificate of recognition from the UNC School of Government "Local Elected Leaders Academy", granting Vice-Chair Lorraine Meltz "Master" status for her dedication and commitment to local government learning. Commission members and staff congratulated Commissioner Meltz on her achievement.

The county manager told the Board that he had received a request by Alderman Ray Frazier of the Town of Andrews for a joint work session with the board of commissioners. Mrs. Hass told the Board that she had talked to Mr. Frazier about his meeting request, and that he said that it was to discuss the projects and funding requests that he and Alderman Jerry Pullium previously presented to the Board at the commissioner's budget work session on May 21, 2014. A Motion was made by Commissioner Jordan to schedule a joint work session with the Town of Andrews. Motion seconded by Commissioner Stiles. Commissioner Jordan said that he would like to look at helping with the ball field lights, as was mentioned in public forum earlier in the meeting. Commissioner McKinnon talked about the hard decisions that had to be made this budget year and last budget year; due to, funding the Cherokee County Schools budget shortfall and also the replacement of four ambulances. He said that the budget is only going to get tighter and talked about the need to build additional landfill space in the near future. He said, at this time, unless the Town has a *new* budget request to present or an emergency need, that he is not interested in a meeting. He said that he does agree with partnering with both towns, but said that the towns have the same ability that the commissioners have, and *that* is the ability to increase taxes to meet their needs if their current tax base isn't enough. Commissioner Meltz questioned the Town of Andrews financial situation, and commented that the Town of Murphy does not come to the Board asking for financial help. Commissioner McKinnon and Commissioner Meltz opposed the Motion. Motion failed for lack of majority vote.

The county manager told the Board that he had received complaints from Earl McCullough and Dawn Colbert about the proximity of the Texana Dumpsters to their home. He said that Mr. McCullough and Ms. Colbert want them moved. He said that the dumpsters currently sit on a piece of property owned by a non-profit that no longer exists. The county manager suggested scheduling a public meeting with the residents of Texana to hear from all community members about re-locating the dumpsters or removing them from the community completely. Mr. McCullough and Ms. Colbert were in attendance and expressed their frustration about the location of the dumpsters. After much discussion, a Motion was made by Commissioner Stiles to move the dumpsters to a location on the lower portion of the property on the following day (August 19th), until a meeting could be held with community members. Motion seconded by

Commissioner Jordan. Motion passed unanimously. The solid waste director was in attendance and was instructed to move the dumpsters to a location at the lower end of the current property.

The county manager told the Board that it needed to set a worksession date to review applications for the vacant tax assessor position. A Motion was made by Commissioner Stiles to hold an executive worksession on Thursday, September 11th at 6 p.m. to review the applications. Motion seconded by Commissioner Jordan. Motion passed unanimously. The September 11th worksession will be in lieu of the regularly scheduled meeting on September 2nd, and the board agreed to forego any special meeting pay for the September 11th meeting.

Commissioner Stiles announced that there would be a public meeting at Franklin High School on September 2nd at 6 p.m. to discuss fracking. He said that Senator Jim Davis will be moderating.

Commissioner Stiles announced that there will also be a public meeting at Western Carolina University on September 12th from 5-9 p.m. concerning fracking.

Chairman Items: None.

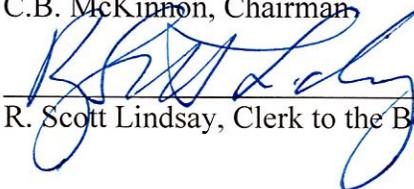
Commissioner Items: None

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 8:10 o'clock p.m.



C.B. McKinnon, Chairman



R. Scott Lindsay, Clerk to the Board