

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
December 17, 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 17th day of December, 2014 at 6:00 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Cal Stiles, Vice-Chairman; Dan Eichenbaum, member; and Gary Westmoreland, 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 Anderson, County Finance Director.

Present from the media was Matthew Osborne of the Cherokee Scout; and 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:

A Motion was made by Commissioner Eichenbaum to modify the agenda to add "Change of Regular Meeting Schedule as Item J". Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Agenda Adoption:

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

Recommendation of the Republican Executive Committee for the Vacant At-Large Seat:

Steve Coleman, Chairman of the Republican Executive Committee read a letter of recommendation, unanimously approved at a meeting on December 16, 2014 with eight of the nine members present of the Republican Executive Committee, for Mr. Roy Dickey to fill the remaining two-year term of the vacant at-large seat.

A Motion was made by Commissioner McKinnon to approve the recommendation for Mr. Roy Dickey. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Mr. Dickey was given the Oath of Office by the Clerk to the Board, and his wife Christine held the bible. After taking his oath, Commissioner Dickey took his seat at the Commission table. He expressed his appreciation for the confidence that has been placed in him by the Executive Committee and the other commission members, and said with God's help that he would do it.

Approval of Minutes:

A Motion was made by Commissioner Stiles to approve the regular and special meeting minutes of September 8, September 11, October 6, October 20, November 5, and December 1. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Finance and Budget Items:

After discussion, a Motion was made by Commissioner Stiles to approve a budget revision for use of sales tax for boiler repairs at Andrews Elementary, Andrews Middle, Murphy High, and Hiwassee Dam; and, to replace the generator at Murphy Middle School. Motion seconded by Commissioner Dickey. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Eichenbaum to reclassify Software Expense from Tax Assessor budget to Tax Collector budget. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Stiles to waive occupancy tax penalties in the amount of \$258.38 for Hawksdene. The penalties were due to late reporting and payment. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. Board members agreed that all waiver considerations will be considered on a case-by-case basis.

New Business:

- After discussion, a Motion was made by Commissioner Westmoreland to approve the current tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- Mr. David Liden came before the board to present a resolution in opposition of forced pooling. After discussion, a Motion was made by Commissioner Eichenbaum as follows:

Effective today and continuing for six months, the Cherokee County Board of Commissioners institute a moratorium on board discussions and actions on any item concerning or related to the Energy Modernization Act of 2014, and/or the process of fracking, to allow the following:

- 1) The State of NC to complete and publish its final rule on fracking
- 2) Allow the commissioners to study all aspects of the issue; including, safety risks, economic impacts, and state regulations
- 3) Allow the NCACC to lobby legislature for a county opt-out provision to the law.

The Board of Commissioners may rescind the moratorium prior to six months if new facts become available that would require immediate action that falls within the boundaries of applicable law.

Motion seconded by Commissioner Westmoreland. Motion passed unanimously. This Motion does not apply to, nor prohibits, members of the public from commenting on, or expressing their opposition or support of this issue during public forums.

- After discussion, a Motion was made by Commissioner Stiles to approve a twelve (12) month lease with Four Square Community Action for an office space in the County Annex. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to appoint John Hyer to the Board of Health to serve in the vacant pharmacist position. Mr. Hyer was in attendance. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Westmoreland to approve the Juvenile Crime prevention Council certification and revised member list. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to re-appoint Jane Stiles, Diane Blakemore and Judith Davis to the Southwestern Commission Joint Community Advisory Committee for a three-year term. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to approve the state mandated 911 backup plan, as presented by the finance director. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to appoint Chairman McKinnon as the voting designee at the North Carolina Association of County Commissioners Legislative Goals Conference. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to change the regular meeting time from 6:00 p.m. to 6:30 p.m. Motion seconded by Commissioner Dickey. Motion passed unanimously.

County Manager Items:

After discussion, a Motion was made by Commissioner Stiles to hold a board work session on December 29th at 6:30 p.m. to discuss various county business items. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Executive Session:

A Motion was made by Commissioner Stiles to go into executive session, pursuant to §143-318.11 (a) (5) to discuss negotiations for lease of real property for airport tower. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

While in closed session, the board met with Ms. Loren Leith, joint property owner for property located in Andrews, N.C.

A Motion was made by Commissioner Stiles to return to open session. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

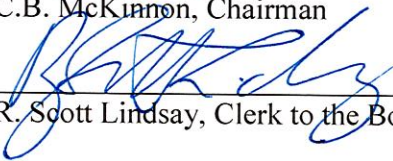
After returning to open session, there was no action taking on matters discussed in closed session.

Adjourn:

There being no further business to come before the Board, a Motion was made by Commissioner Stiles. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. The meeting adjourned at 7:50 o'clock p.m.



C.B. McKinnon, Chairman



R. Scott Lindsay, Clerk to the Board