

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
April 6, 2015

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 6th day of April, 2015 at 6:30 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Cal Stiles, Vice-Chairman; Dan Eichenbaum, member; Gary Westmoreland, member; and Roy Dickey, member. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager/Clerk to the Board; and Candy Roberts Anderson, County Finance Director. R. Scott Lindsay, County Attorney/Assistant Clerk to the Board was out of town for a county attorney conference at the School of Government.

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 Mr. Terry Jones.

The Pledge of Allegiance was led by all.

Modification of Agenda: None

Agenda Adoption:

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

Public Forum:

- Steve Jordan came before the board to request that the board forgive the legal advertising fees on his mother's account. The board told Mr. Jordan that they would talk with the tax office to get all of the information and make a decision at their next board meeting.
- Aurelia Stone came before the board to request that the board edit the definition of an "Adult Motel" in the proposed draft adult entertainment ordinance. The suggested changes are as follows:

Under the section "Adult Motel" on page 2 of draft:

Bullet points 1 and 2 should be combined, in that both conditions must be met in order for the facility to be considered an "adult motel". The changes would be to replace the word "or" at the end of bullet 1 with the word "and" – and omit the semi-colon and the word "or" at the end of bullet 2, and replace with a period.

The board thanked Mrs. Stone for her suggestion and agreed that they would make the change to the draft following the upcoming public hearing and before final adoption.

Approval of Minutes:

A Motion was made by Commissioner Westmoreland to approve the regular meeting minutes of February 2, 2015. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Finance and Budget Items:

- James Jallah, chairman of Cherokee County Juvenile Crime Prevention Council (JCPC)

came before the board to request approval of the FY15-16 JCPC Budget. The Department of Juvenile Justice will fund the program at \$83,645, and the required county match is \$16,345. Mr. Jallah explained that this is the same funding as last budget year and asked for approval of the same for FY15-16. After discussion, a Motion was made by Commissioner Stiles to approve the Juvenile Crime Prevention Council FY15-16 budget in the amount of \$16,345.00. Motion seconded by Commissioner Westmoreland. Motion passed unanimously. Mr. Jallah thanked Commissioner Stiles for his attendance of the meetings and his past service to the council and welcomed Commissioner Eichenbaum as the new commission board member on the Council.

- After discussion, a Motion was made by Commissioner Eichenbaum to approve a budget revision for use of contingency funds in the amount of \$11,044.00 for the Snap-On water and fiber grant match. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to approve a budget revision for use of contingency in the amount of \$22.00 to revise the airport tower grant. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- Dr. Brian Mitchell of the Hiwassee Valley Recreation Foundation Board and interim pool director and operating board member, Barbara Vicknair, came before the board to request additional county funding in the amount of \$24,000.00. Dr. Mitchell said that the Foundation would contribute the other \$25,000.00 that is needed to keep the pool operational through June 30th. Commissioner McKinnon said that since he has been in office, he has approved \$1,099,000.00 for the pool. This included paying off the pool debt. He said that he has tried to give every opportunity for the facility to work and be successful. He said he is opposed to funding the facility with additional tax dollars. Commissioner Eichenbaum said that with the facility running a deficit that the operating board must raise fees, or cut expenditures. He also told Dr. Mitchell and Ms. Vicknair that the operating board needs a proper business model, because the model they are using is not working. He said that revenues are trending down, not up; and added, that when the facility was initially planned and discussed that it was promised to be self-sufficient and not require use of any county tax dollars. Commissioner Westmoreland asked Ms. Vicknair what their biggest expense is. She said payroll and propane. Commissioner Dickey asked how many directors the pool has had over the last seven years. Ms. Vicknair said five. Dr. Mitchell told the board that a \$250,000 Parks and Recreation Trust Fund (PARTF) grant had been secured for construction of the facility, and that the property had to be used for recreation purposes for at least 25 years, or the county would be ineligible for any future PARTF grants. After much discussion, a Motion was made by Commissioner Stiles to approve use of contingency funds in the amount of \$24,000.00 to help fund the Hiwassee Valley Pool and Wellness Center through June 30th. Motion seconded by Commissioner Westmoreland. Commissioners McKinnon, Dickey and Eichenbaum voted “no”. Motion failed.
- After discussion, a Motion was made by Commissioner Eichenbaum to approve a budget revision to reflect the sale of a health department truck to the department of social services. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Budget revisions are on file in the office of the finance director.

At 7:20 p.m., the chairman called a five minute recess.

Meeting reconvened at 7:25 p.m.

Old Business:

- Doug Clement, Cherokee County Extension Director, came before the board to give an update on the Mountain Folk Center and to present quotes for repairs to the livestock barn and the horse arena fencing. After discussion, a Motion was made by Commissioner Stiles to approve funding for repairs to the livestock barn at the Mountain Folk Center. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to approve funding

for repairs to the fence around the horse arena at the Mountain Folk Center. Motion seconded by Commissioner Dickey. Motion passed unanimously.

New Business:

- Pursuant to §105-369, a Motion was made by Commissioner Stiles to order the Tax Collector to advertise delinquent tax liens. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Westmoreland to approve tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- Walter Patterson, Don Dempsey and Ms. Carolyn, representing the farmers, artisans and crafters of the Mountain Folk Center, along with Doug Clement, came before the board to present the Rules and Regulations” and “Application to Sell” for the Mountain Folk Center. The board instructed the county manager to submit the documents to the county attorney for review. The board will revisit the matter at their next board meeting.
- After discussion, a Motion was made by Commissioner Westmoreland to appoint Paige Brinke to the Hiwassee Valley Pool and Wellness Center Operating Board. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to appoint the following persons to the Cherokee County Tourism Development Authority for a two-year term: Margaret Deluna, reappointed; Steve Dickey, reappointed; and new member Sandra Daley. Margaret Deluna was appointed as Chairperson. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously
- After discussion, a Motion was made by Commissioner McKinnon to appoint the following persons to the Cherokee County Board of Equalization and Review for the following terms: Bob Gibson, one-year term; Alex Starks and Jerry Decker, two-year term; Richard McPherson and Darrell McClure, three-year term; and Michelle Spies, alternate. Richard McPherson was appointed as Chairman. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to appoint Curtis Brown to the Board of Health for a second term. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to approve the revised technology and internet use policy. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

County Manager Items:

The county manager announced that the board would hold a public hearing on the proposed adult entertainment ordinance at their April 20th meeting at 6:30 p.m.

Chairman/Commissioner Items: None

Adjourn:

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Dickey. Motion passed unanimously. The meeting adjourned at 8:05 o'clock p.m.



C.B. McKinnon, Chairman



Maria Hass, Clerk to the Board