

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
April 18, 2016

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 April, 2016 at 6:30 o'clock p.m.

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

Media present were the Cherokee Scout and Local TV4. DVD copies of commission meetings may be purchased at Local TV4.

The Chairman read the boards adopted ethics statement.

The invocation was given by Scott Lindsay.

The Pledge of Allegiance was led by all.

**Agenda Modification:**

A Motion was made by Commissioner Dickey to add an executive session to the agenda to consult with the county attorney on the Lovin vs. Cherokee County case. Motion seconded by Westmoreland. Motion passed.

**Agenda Adoption:**

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

**Public Forum:**

There were no comments during public forum.

**Finance and Budget:**

- The finance director gave a report for the month ending March 31st for the Hiwassee Valley Pool and Wellness Center. The Center had a negative cash flow balance of \$367.91, which

is to be covered by upcoming spring profits and the Hiwassee Valley Recreation Foundation.

- The finance director, along with TDA chair, Margaret Deluna, gave a quarterly report on the Cherokee County Tourism Development Authority.
- Al Lovingood, EMS director, came before the board to request establishing a Medic-5 to serve the growing need of EMS services within the county. After discussion, a Motion was made by Commissioner Stiles to approve a budget revision in the amount of \$3,800.00 to change 4 budgeted part-time paramedics to 2 full-time paramedic positions. This amount reflects the necessary budget for the remainder of this fiscal year. Motion seconded by Commissioner Eichenbaum. Motion passed.
- A Motion was made by Commissioner Westmoreland to approve a budget revision in the amount of \$5,145.00 to cover an invoice from the Asheville Citizen Times for legal advertisement of the airport's 5-year consultant selection process. Motion seconded by Commissioner Dickey. Motion passed.

Budget revisions are available for public inspection, in the office of the Finance Director.

#### **New Business:**

- A Motion was made by Commissioner Eichenbaum to approve a proclamation for recognizing May as Foster Care Awareness month. Motion seconded by Commissioner Westmoreland. Motion passed.
- David Vowell was on the agenda to request funding for the Cherokee County Arts Council. The item was moved to the May 2<sup>nd</sup> agenda.
- Roddy Alt, with the Cherokee County Soccer League, came before the board to submit a proposal, and request \$25,000.00 in funding, for developing a soccer complex at the Heritage Park in Andrews. No action was taken. The board will discuss this item during their upcoming budget worksession.
- A Motion was made by Commissioner Stiles to approve a "Confirmation and Indemnity Agreement" from John Glenn for the Peachtree Manor waterline project; for which the county secured grant funding from the NC Department of Commerce. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Dickey to approve tax releases. Motion seconded by Commissioner Westmoreland. Motion passed.
- A Motion was made by Commissioner Stiles to approve the tax refund report. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Westmoreland to approve the NCVTS Report. Motion seconded by Commissioner Dickey. Motion passed.
- After discussion, and a Motion was made by Commissioner Stiles to approve a resolution for a disposition of minimal refunds policy. Motion seconded by Commissioner Dickey. Motion passed.
- After discussion, a Motion was made by Commissioner Dickey to approve a light contract with Duke Energy for TCCC Center for Applied Technology building. Motion seconded by Commissioner Eichenbaum. Motion passed.
- A Motion was made by Commissioner McKinnon to appoint Brett Nourcier to the Board of Health to serve in the professional engineer position. Motion seconded by Commissioner

Eichenbaum. Commissioner Stiles made a Motion to appoint Robert Hay, saying that Mr. Hay has been a county resident for many years and he also submitted a timely application. Commissioner Eichenbaum said that he had seconded Commissioner McKinnon's Motion and called for a vote. Voting in favor of appointing Mr. Nourrcier was Commissioners McKinnon, Eichenbaum and Westmoreland. Voting against the Motion was Commissioners Stiles and Dickey. Motion passed.

- After discussion, a Motion was made by Commissioner Stiles to require release of liability waivers from county fair vendors; as well as, pass an inspection by the county health department. Motion seconded by Commissioner Dickey. Motion passed.

#### **County Manager Items:**

- The county manager presented his recommended budget for FY16-17. The county manager also asked the board to schedule departmental budget worksessions. The board scheduled worksessions for April 28<sup>th</sup> and 29<sup>th</sup>.
- A Motion was made by Commissioner Eichenbaum to schedule a public hearing on May 2<sup>nd</sup>, during the regular commission meeting to hear public comments on the proposed budget. Motion seconded by Commissioner Dickey. Motion passed.

#### **Chairman/Commissioner Items:**

- The board asked the Clerk to e-mail microphone quotes, one again, out to board members, and to add the item to the next meeting agenda.
- Commissioner Westmoreland said that he would schedule another drone flyover for the courthouse dome project.

#### **Closed Session:**

A Motion was made by Commissioner Dickey to go into closed session to consult with the county attorney on legal matters. Motion seconded by Commissioner Westmoreland. Motion passed.

While in closed session, the county attorney updated the board on the Keith Lovin case and the Loren Leith case. The board also asked the county attorney for an update on the 120 day letters for the residents of the properties at the airport.

After returning to open session, the county attorney told the board that he would mail out the 120-day letters tomorrow, April 19th. There was no other action taken.

#### **Adjourn:**

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Westmorland. Motion passed. The meeting adjourned at 8:18 o'clock p.m.

**THESE MINUTES WERE APPROVED JULY 5, 2016**