

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
July 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 July, 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, 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 Sheriff Derrick Palmer.

The Pledge of Allegiance was led by all.

Agenda Adoption:

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

Public Forum: None

Finance and Budget:

- A Motion was made by Commissioner Stiles to approve a budget revision for use of sales tax for multiple school projects, as requested by Cherokee County Schools. Motion seconded by Commissioner Eichenbaum. Motion passed.

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

New Business:

- The Nantahala Library Board appointment was tabled.
- David Badger, health director, came before the board to request that a part-time nurse position be changed to a full-time position. A Motion was made by Commissioner Westmoreland to approve the request. Motion seconded by Commissioner Stiles. Motion passed.
- A Motion was made by Commissioner Dickey to approve Settlement for Current Real Estate and Personal Property Taxes for fiscal year 15-16, as presented by the Cherokee County tax collector. Motion seconded by Commissioner Eichenbaum. Motion passed.
- A Motion was made by Commissioner Stiles to approve a directive ordering the county tax collector to collect the taxes charged in the tax records. Motion seconded by Commissioner Westmoreland. Motion passed.
- A Motion was made by Commissioner Dickey to approve the NCVTS Report. Motion seconded by Commissioner Eichenbaum. Motion passed.
- A Motion was made by Commissioner Westmoreland to approve the current tax releases. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Eichenbaum to approve the current tax refund report. Motion seconded by Commissioner Dickey. Motion passed.

County Manager Items:

- A Motion was made by Commissioner Dickey to allow Ronnie and Marcia Clontz a 60 day extension on vacating their former residence at the airport. Motion seconded by Commissioner Stiles. Motion passed.
- The board discussed possibly moving their August 15th meeting to August 22nd.

Closed Session:

Pursuant to §143-318.11, a Motion was made by Commissioner Stiles to enter into closed session to consult with Ben Greenberg, counsel for Cherokee County in the Lena Martin Office of Administrative Hearing (OAH) case involving the Cherokee County Health Department. Motion seconded by Commissioner Dickey. Motion passed.

While in closed session, the Board discussed with Mr. Greenberg the procedures for a hearing with OAH, the strengths and weaknesses of the case from the County's point of view and a potential settlement, as opposed to the cost of legal fees for continuing to challenge the case. The Board discussed potential settlement amounts.

After returning to open session, a Motion was made by Commissioner Westmoreland to authorize Mr. Greenberg to negotiate a settlement up to \$41,500.00 Motion seconded by Commissioner Eichenbaum. Voting in favor of the Motion was Commissioners McKinnon, Westmoreland, Eichenbaum and Dickey. Voting against the Motion was Commissioner Stiles, who felt the County had a strong case for moving forward. Motion passed.

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

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON AUGUST 22, 2016.