

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
December 5, 2016

The Cherokee County Board of Commissioners held an organizational meeting in the Commissioners Boardroom, also known as Multi-Purpose Room 342, of the Cherokee County Courthouse in Murphy, North Carolina on the 5th day of December, 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; 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.

Assistant Clerk, R. Scott Lindsay, called the meeting to order.

The invocation was given by Pastor Gerald Derreberry.

The Pledge of Allegiance was led by all.

Clerk of Court, Roger Gibson administered the oath of office to the newly elected commissioner, Roy Dickey and re-elected commissioner, C.B. McKinnon. Amber Dickey, daughter of Commissioner Dickey held the bible as he took his oath of office. Bennie Jo McKinnon, wife of Commissioner McKinnon held the bible as he took the oath of office.

The Assistant Clerk opened the floor for nominations for chairman. A Motion was made by Commissioner Dickey to appoint Commissioner Dr. Dan Eichenbaum as board chairman. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Chairman Eichenbaum took the Chairman's seat and called for nominations of vice-chair. A Motion was made by Commissioner McKinnon to appoint Gary "Hippie" Westmoreland as vice-chairman. Motion seconded by Commissioner Dickey. Motion passed unanimously.

**Agenda Modification:**

A Motion was made by Commissioner McKinnon to add a resolution drafted by Chairman Eichenbaum, concerning NCDOT Project # R-5735. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Dickey to add a budget revision for the purchase of a tractor for Parks and Recreation. Motion seconded by Commissioner Stiles. Motion passed unanimously.

**Agenda Adoption:**

A Motion was made by Commissioner McKinnon to adopt the agenda as amended. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

**Public Hearing:**

A Motion was made by Commissioner McKinnon to open the floor for public comments, concerning proposed revisions to the Cherokee County Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance. Motion seconded by Commissioner Stiles. Motion passed unanimously.

There were no comments from the public.

A Motion was made by Commissioner McKinnon to close the public hearing. Motion seconded

by Commissioner Stiles. Motion passed unanimously.

With all board members being present, a Motion was made by Commissioner Dickey to adopt the revised ordinance. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

**Public Forum:** There were no public comments.

**Finance and Budget:**

- A Motion was made by Commissioner Stiles to approve a budget revision for repairs to the pool and wellness center dome. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve the budget revision for the purchase of a tractor for the Parks and Recreation department. Motion seconded by Commissioner Dickey. Motion passed unanimously.

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

**New Business:**

- Mr. Jim Llewellyn, attorney for Johnson Solar Energy III, LLC, came before the board to appeal the tax office's denial of accepting a late application for exemption. After presentation and much discussion, the board took no action on the request for acceptance of the late application. A Motion was made by Commissioner Stiles to waive the late fee of \$265.00. Motion failed due to lack of a second. Commissioner McKinnon said he would instruct the county attorney to not attend a property tax commission hearing, if one is set.
- A Motion was made by Commissioner McKinnon to approve the tax releases. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to approve the Tax Refund Report. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to designate Commissioner McKinnon as the NCACC voting delegate for 2017 NCACC Legislative Conference. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve a resolution drafted by Chairman Eichenbaum, with suggestions to the NCDOT concerning Highway Project R-5735. Motion seconded by Commissioner Stiles. Motion passed unanimously. A copy of the resolution is attached to these minutes.

**County Manager Items:**

The county manager advised the board that he would not be in attendance at the December 19<sup>th</sup> meeting. A Motion was made by Commissioner Stiles to cancel the December 19<sup>th</sup> meeting. Motion seconded by Commissioner Dickey. Motion passed unanimously. The next meeting will be Tuesday, January 3<sup>rd</sup> at 6:30 p.m.

**Commissioner Items:**

Commissioner McKinnon said that he would like to get the bathrooms at Konahete Park repaired, and get new bathrooms constructed near the park and recreation office and playground area. The county manager said that the park director had requested the projects in the 16-17 budget, but that the board did not include it in the approved budget. Commissioner McKinnon said that he would like for the board to move forward with the projects, as two separate projects. The county manager said that he would get the information to the parks director.

Commissioner Westmoreland asked for an update on the courthouse lantern project. Commissioner Dickey said the contractors would be here December 13, 14, and 15<sup>th</sup>.

Commissioner Dickey and Commissioner McKinnon shared words of appreciation for being re-elected.

Chairman Eichenbaum expressed his gratitude that Commissioner Dickey and Commissioner McKinnon were re-elected. He also said that he was going to establish an active outreach program

for citizens and would be holding community meetings to hear from the citizens of Cherokee County. He encouraged citizens to communicate with him personally and with the board of commissioners. He said that he can be reached by phone, through Facebook, or through his website at [drdancommissioner.com](http://drdancommissioner.com). He said that the board was going to develop a two-year plan for what they think is important for Cherokee County, which would also include ideas from citizens. He said that the board has certain principles; those being, personal property rights, public safety, and education. He said that the board will do everything in its power to keep from raising taxes.

**Public Forum:** There were no public comments.

**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 7:12 o'clock p.m.

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS MEETING ON JANUARY 3, 2017.**

## RESOLUTION CONCERNING HIGHWAY IMPROVEMENTS TO US 19/74/64/129

The Cherokee County Commission has received notice from the NC DOT Division 14 of plans to make improvements to the above-referenced highway over a distance of approximately 1.25 miles from the end of the four-lane divided section about 0.75 – mile southwest of the Town of Murphy to Hiawassee Street/Valley River Avenue in Murphy.

Whereas the Cherokee County Commission is charged with maintaining the public safety of the citizens of the county while promoting and protecting the interests and private property rights of the business owners and private property owners along that stretch of highway.

The Cherokee County Commission, by vote of the commissioners, submits the following comments:

1. Alternative 2 (five-lanes with a center turn lane for dual left turns) is acceptable and preferable as long as it includes widening the roadway to the extent the right-of-way allows
2. Alternative 1 (a four-lane divided with a raised median) is unacceptable as it would adversely affect the businesses along the roadway and require U-Turns to access desired businesses and side roads
3. Alternative 3 (five-lanes with a center turn lane with lane delineations), as we understand it, also limit the ability for vehicles to turn directly into business and roads and is, therefore, undesirable
4. Any alternative that requires U-Turns would increase both driver frustration and the risk of accidents

In order to further reduce traffic congestion on the main bypass highway, the Commission proposes an additional plan as follows:

Improve and widen Old Ranger Road from where it originates as a left turn off the four lane highway by Cherokee Guns and Exit Realty to where it terminates behind McDonalds at Valley River Avenue and erect a traffic light at that intersection to allow vehicles to turn left towards downtown Murphy. With appropriate signage and the ability to turn left onto Valley River Avenue, many vehicles going downtown Murphy would chose this alternative to avoid the congestion on the main highway bypass.