

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
November 10, 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 10th day of November, 2016 at 6:30 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Dr. 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.

Invocation given.

The Pledge of Allegiance was led by all.

Agenda Modification:

A Motion was made by Commissioner Eichenbaum to add a Closed Session to the agenda. Motion seconded by Commissioner Dickey. Motion passed unanimously.

A Motion was made by Commissioner Dickey to add the NC Vehicle Tax System report to the agenda. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Gary Westmoreland to add an item to the agenda to name the terminal building at Western Carolina Regional Airport after Mr. Richard Parker. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Agenda Adoption:

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

Public Forum:

Mike Lalone, of the Cherokee County Arts Council, came before the board to encourage the commission to consider all of the positives that the arts bring to Cherokee County.

Finance and Budget:

- A Motion was made by Commissioner Stiles to approve a budget revision for schools use of sales tax for nine (9) different school projects. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to approve a budget revision for a carry-forward of the CAD 911 budget. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner Eichenbaum to approve a budget revision for a pay increase for an evidence tech at the sheriff's department. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Eichenbaum to approve a budget revision for matching funds for the Bullet Proof Vest Partnership Grant in the amount of \$4,000.00. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

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

New Business:

- Doris Gibby came before the board to request a refund of taxes that she had paid on a barn that was torn down between June and July of 2005, and a house that was burned in 2006. Tax Assessor, Eddie Allen, explained the responsibility of the taxpayer to notify the tax office of any changes to the taxpayer's property. He said that his office, legally, cannot refund taxes, unless it is a clerical error or an illegal tax. Commissioner McKinnon asked him if he disputed the timeframes given by Ms. Gibby. He said that he did not dispute them, but that he could not legally refund the taxes, without taking individual liability for the taxes. Commissioner Stiles asked what amount of taxes was in question. Mr. Allen said, "I don't know; worst case, a thousand or so". Commissioners Westmoreland and Dickey said that they didn't think Ms. Gibby should have to pay for property that isn't there. A Motion was made by Commissioner Eichenbaum to approve Ms. Gibby's request for a refund. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- Ed Wood, of Cherokee County Soil and Water came before the board to present requested changes to the Cherokee County Agricultural District Ordinance. A Motion was made by Commissioner Westmoreland to schedule a public hearing for the regular meeting of December 5th at 6:30 p.m., for comments from the public on the suggested changes to the ordinance. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- Sarah Henson, of the Cherokee County Saddle Club, came before the board to present a proposal for upgrades at the Mountain Folk Center arena. A Motion was made by Commissioner Eichenbaum to approve the following three (3) items from the proposal: 1) Completion of the warmup area, 2) Construction of a show office, and 3) Extension of Waterline. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to approve a lease between Ranger VFD and Cherokee County for the former rescue squad building on Hwy 294. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to appoint Michael Bradberry to the Board of Health to fill the remainder of Mike Davis' term. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to appoint Jerry Townson to the Board of Health to fill the remainder of Curtis Brown's term. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to approve the current tax releases. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve the Tax Refund Report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Eichenbaum to approve the NCVTS report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to deny a request by Total Renal Care of NC, LLC for submission of a late business personal property tax application. Motion seconded by Commissioner Westmoreland. Motion passed unanimously. No one from Total Renal Care of NC, LLC was present.
- There was no representative from Johnson Solar Energy in attendance; therefore, a Motion was made by Commissioner Eichenbaum to table their request for late filing of a tax exemption application. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to move forward with Phase 1 of the courthouse lantern removal project, without the dome ladder proposal. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to temporarily set aside the board of commissioner's current criteria-rule for naming property after citizens. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. After further discussion, a Motion was made by Commissioner McKinnon to name the terminal building at Western Carolina Regional Airport after Mr. Richard Parker, and place a plaque of such designation on the terminal building. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Commissioner Items:

Commissioner Westmoreland asked when the courthouse dome project was to commence. The county manager said that he would get an update, following the board meeting.

Public Forum: None

Closed Session:

Pursuant to §143-318.11(6), a Motion was made by Commissioner Eichenbaum to go into a closed session to discuss personnel. Motion seconded by Commissioner Stiles. Motion passed unanimously.

While in closed session, the board discussed personnel matters related to DSS employees.

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

After returning to open session, a Motion was made by Commissioner Eichenbaum to approve the following three (3) items: 1) pay out of accumulated compensatory time for employees who are unable, due to work load, to utilize it; 2) approve allowance of overtime for Child Protective Services (CPS) Unit; and 3) approve budget to add additional CPS Unit employee. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Adjourn:

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Westmoreland. Motion passed unanimously. The meeting adjourned at 8:00 o'clock p.m.

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