

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
September 18, 2017

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 17th day of September, 2017 at 6:30 o'clock p.m.

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

Present from the media was the Cherokee Scout and Local TV4.

The Chairman presided, and Clerk kept the minutes.

The invocation was given by Sheriff Palmer.

The Pledge of Allegiance was led by all.

**Agenda Modification**

A Motion was made by Commissioner Westmoreland to add "Park hours at Konehete Park" as item "k" under new business, as requested by Commissioner McKinnon. Motion seconded by Commissioner Dickey. Motion passed unanimously.

**Agenda Adoption**

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

**Public Forum**

Meredith Jorgensen, of the Cherokee County Chamber of Commerce, gave an invitation to the board to attend the Chambers 48<sup>th</sup> annual membership dinner.

**Minutes**

A Motion was made by Commissioner Dickey to approve the August 15, 2017 meeting minutes. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

A Motion was made by Commissioner Stiles to approve the August 18, 2017 meeting minutes. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

## **Finance and Budget**

- The finance director shared the August 31, 2017 financial report for the Hiwassee Valley Pool and Wellness Center. The Center has a net balance of \$6,388.05 after deferred memberships. No action required.
- A Motion was made by Commissioner Dickey to approve a budget revision for a special event insurance policy for the Veteran's Appreciation Day and Vietnam Memorial Moving Wall. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to approve a budget revision for the detention center to replenish items expended from contingency and to purchase and equip a new transport van. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to approve a budget revision for EMS Station 4 for the purchase of a generator. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve a budget revision for a carry-forward of 2016-17 budgeted funds. Motion seconded by Commissioner Stiles. Motion passed unanimously.

## **New Business**

- A request was submitted by Jeremiah Smith of Doyle's Cedarhill Restaurant for release of taxes, due to the restaurant burning on January 3, 2017. The item failed due to lack of Motion.
- 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 Stiles to approve the Tax Refund Report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve an agreement between Cherokee County EMS and the Eastern Band of Cherokee Indians (EBCI) for EMS services. Motion seconded by Commissioner Westmoreland. Motion passed unanimously. The board will require EBCI to pay the annual payment of \$75,000 upfront, due to difficulty collecting payment in the past. Any calls over the contracted sixty, will be paid per call and billed accordingly.
- A Motion Commissioner McKinnon to approve a resolution to setting the minimum tax for GAP billing at \$5.00. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve a resolution conveying a Lift King, Model LK6SLP to Cherokee County Schools. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve health department fees of \$25 each for the 2017 Flu Shot and Telemedicine Site Facility Fee. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve a policy prohibiting consumption of alcoholic beverages on county-owned property. Motion seconded by Commissioner Stiles. Motion passed unanimously.

- A Motion was made by Commissioner Dickey to reappoint the following persons to the Board of Equalization and Review: Michelle Spies, Alex Starks, and Jerry Decker. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- The Tri-County Community College Board of Trustees application was tabled, as applicant was not in attendance.
- A Motion was made by Commissioner McKinnon to close Konehete Park at 9:00 p.m., due to recent and recurring vandalism. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to recess the regular meeting, until later in the evening, so that the board could hear from the public on animal control issues and concerns. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

### **Public Forum on Animal Control**

Commissioner Eichenbaum announced that the board would listen to comments concerning animal control and asked those present to share comments concerning the following four points:

- 1) What does animal control look like in Cherokee County?
- 2) What action do you want Cherokee County to take?
- 3) If there was a county animal control officer, what tasks should they perform?
- 4) Once an animal is picked up, what should Cherokee County do with that animal?

Sheriff Palmer spoke about the legalities surrounding animal issues from a county standpoint. He also shared his concerns with the current animal control ordinance and the difficulties in enforcing it.

The finance director gave an estimate of cost for providing animal control officers and outfitting those positions.

The following persons signed up to speak and shared various opinions; including, the need for animal control officers, an enforceable ordinance, rabies control, dangerous dogs, leash law, and addressing nuisance animals and strays: Jonathan Hart, of Valley River Humane Society; Waylon Hill, of Logan's Run; Tomora Phillips; Kathryn Wassel; Carol O'Grady; R.J. Thomas; Karen Browell; Robin Cline; Cheryl Malone; and, Aurelia Stone. The Board listened to each the comment and concern, and took the comments into consideration.

### **Regular Session**

A Motion was made by Commissioner McKinnon to reconvene the regular meeting. Motion seconded by Commissioner Dickey. Motion passed unanimously.

### **County Manager Items**

A Motion was made by Commissioner McKinnon to move \$10,000 from the facilities budget to the parks and recreation budget to address parks and recreation needs. Motion seconded by

**Closed Session:**

A Motion was made by Commissioner McKinnon to go into closed session, pursuant to §143-318.11 to consult with the county attorney regarding Leith vs. Cherokee County. Motion seconded by Commissioner Stiles. Motion passed unanimously.

After returning to open session, the board took no action on matters discussed in closed session.

**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.

Meeting adjourned at 8:40 p.m.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD COMMISSIONERS ON OCTOBER 2, 2017.

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