

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
September 5, 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 5th 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 read the board's adopted ethics policy, and presided over the meeting.

The Clerk kept the minutes.

The invocation was given by Sheriff Palmer.

The Pledge of Allegiance was led by all.

Modification of Agenda

A Motion was made by Commissioner Dickey to add "Appointment of a Deputy Tax Collector" as item "q" under new business. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Westmoreland to add "Donations of Items to Cherokee County Schools" as item "f" under budget and finance. Motion seconded by Commissioner Dickey. Motion passed unanimously.

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

Public Forum

During Public Forum, two citizens spoke about animal control, and one citizen complained that the tax office coin policy.

Commissioner Eichenbaum announced that there would be a special public forum at the end of the next meeting to receive public input concerning animal control.

Budget and Finance

A Motion was made by Commissioner McKinnon to approve a budget revision for the repair of two damaged patrol cars. Motion seconded by Commissioner Stiles. Motion passed unanimously. \$11,492 will come from insurance proceeds, and \$2,000 will be paid from contingency.

A Motion was made by Commissioner Westmoreland to approve a budget revision for replacement of an HVAC unit at the detention center. Motion seconded by Commissioner Dickey. Motion passed unanimously.

A Motion was made by Commissioner Westmoreland to approve a budget revision for a camera system for Konehete Park. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

The finance director submitted the Declared Surplus Disposal Report to the board. No action needed.

A Motion was made by Commissioner McKinnon to write-off an EMS bill, as presented by the finance director. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Stiles to donate kitchen items from the Detention Center to Cherokee County Schools. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

New Business

A Motion was made by Commissioner Westmoreland to approve the NC Vehicle Tax Report. Motion seconded by Commissioner Dickey. Motion passed unanimously.

A Motion was made by Commissioner Stiles to approve the current tax releases. Motion seconded by Commissioner Dickey. Motion passed unanimously.

A Motion was made by Commissioner McKinnon to approve the current tax refund report. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Stiles to appoint Barbara Riling to the Area Agency on Aging Advisory Council. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

A Motion was made by Commissioner Westmoreland to appoint Clay County resident, Brian Hedden, to the Tri-County Community College Board of Trustees. Clay County Commissioner Clay Logan appeared before the board on behalf of Clay County, and spoke in support of Mr. Hedden. Motion seconded by Commissioner Dickey. Motion passed unanimously.

The board took no action on the Tri-County Community College Board of Trustees application from Dr. Vera Confer.

Sarah Thompson, Executive Director of Southwestern Commission, came before the board to share the 2016 Annual Report.

A Motion was made by Commissioner Dickey to approve a request from Lewis and Clark Circus to use Heritage Park in Andrews for a Circus on October 13th and 14th- Motion seconded by Commissioner Stiles. Motion passed unanimously. Lewis and Clark will provide proof of proper insurance and pay a use fee of \$600 for the two days.

A Motion was made by Commissioner McKinnon to approve the following airport leases:

- Hangar lease for Smokey Mountain Flyers
- Airport Office Lease Renewal for Andy Ernst
- Airport Office Lease Renewal for Don Jones
- New Hangar Lease for William Foy
- Hangar Lease Renewal for Willian Rohde
- Hangar Lease Renewal for Tom Sarvis

Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

A Motion was made by Commissioner McKinnon to approve sending a letter to NC Wildlife Resources Commission requesting paving and striping of the parking area at Hanging Dog Campground. Motion seconded by Commissioner Stiles. Motion passed unanimously.

The board took no action on the Wake Zone Request submitted by Mike and Mary Maul.

A Motion was made by Commissioner Stiles to appoint Joy Kephart as Deputy Tax Collector for a one-year term. Motion seconded by Commissioner Dickey. Motion passed unanimously.

County Manager Item

A Motion was made by Commissioner Dickey to allow free landfill dumping from September 16-30 for the NCDOT 2017 Litter Sweep. This is for the NCDOT roadside pickup only. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Chairman/Commissioner Items

Commissioner McKinnon said that the lake access agreement with TVA for the Caney Creek access point has not been finalized, because TVA is still waiting on required documentation from USFS.

Commissioner Eichenbaum said that the board would hold a public forum on animal control at their next board meeting of September 18th.

Commissioner Eichenbaum announced that the 2017 911 Benghazi Memorial ride would be held on September 9th, beginning at 9:00 a.m. at Journey Church in Murphy.

Commissioner Eichenbaum made a statement in response to Mrs. Nicci Aikey's claim at the previous board meeting claiming that the Cherokee County Aquatics Club presented a "fraudulent" insurance policy to Cherokee County. Commissioner Eichenbaum said that the county had investigated the matter and that the Aquatics Club did not provide a fraudulent document and that the insurance company had provided documentation on July 31st to Mrs. Aikey, prior to her attendance at the commissioners meeting on August 15th, proving that the Aquatics Club was insured and had a valid policy, and that there was no fraud committed. The insurance company provided valid policies for the previous four years.

Closed Session

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

The board consulted with the county attorney concerning the pending Leith/Chandler lawsuit.

After returning to open session, no action was taken on matters discussed in close session.

There being no further business, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Adjourn

Meeting adjourned at 8:15 p.m.

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