

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
October 16, 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 16th day of October, 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 McKinnon to add discussion of the solid waste ordinance as item "h" under new business. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Agenda Adoption

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

Public Hearing for 5310 and 5311 NCDOT Transit Grants

A Motion was made by Commissioner Stiles to open the public hearing for public input of the 5310 and 5311 NCDOT grants for Cherokee County Transit. Motion seconded by Commissioner Dickey. Motion passed unanimously.

The County Manager gave an overview of the transportation grants. There were no public comments.

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

A Motion was made by Commissioner Stiles to approve the NCDOT 5310 and 5311 grant

resolution. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Public Forum

During public forum, John Porter and Joe Cordell came before the board to request the boards help in getting NC Wildlife to allow year-round trapping. No action was taken.

Minutes

A Motion was made by Commissioner Dickey to approve the October 2, 2017 meeting minutes. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Finance and Budget

- The finance director shared the September 30, 2017 financial report for the Hiwassee Valley Pool and Wellness Center. The cash balance is \$26,593.88. The net balance after deferred memberships is \$2,760.14, after deferred revenue.
- A Motion was made by Commissioner McKinnon to approve a budget revision for the use of fund balance to pay for landfill dozer repairs. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to approve a budget revision for the carry-forward of grant funds for the hazard mitigation plan update. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

New Business

- A Motion was made by Commissioner Stiles to table the Aarons Inc. business personal property appeal. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to approve the tax releases. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to approve the Tax Refund Report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Westmoreland to table the Tri-County Community College Board of Trustees appointment. Motion seconded by Commissioner McKinnon. Commissioner Stiles asked why the board would not just appoint applicant David Williams, who appeared at the last meeting. Commissioner Eichenbaum and Commissioner McKinnon said they would like to talk to other applicants. Motion to table passed unanimously.
- Board of Equalization and Review applicant, Dana Jones, came before the board for a brief introduction.
- A Motion was made by Commissioner McKinnon to adopt a revised ethics resolution. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- A Motion was made by Commissioner Dickey to approve the bid from Midwest Maintenance for the courthouse dome repairs. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- A Motion was made by Commissioner McKinnon to set a public hearing for the November 6th board meeting to discuss and receive public input on revisions to the current solid waste ordinance. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Commissioner Items:

Commissioner Westmoreland said that he would like the county manager's office to research the cost per square foot for building a 600 student school building.

Commissioner Stiles said that the chief of the Eastern Band of Cherokee would be coming to a future meeting to meet the board.

Commissioner Stiles said that he had sent an e-mail to board members concerning the lease of the pool and wellness center and said that he feels like the public has a right to know that the county is considering leasing a county-owned facility. Commissioner Eichenbaum cited General Statute 143-318.00 (a) (5), as justification for the closed session, and said he felt Commissioner Stiles was out of line. Commissioner Eichenbaum asked for the county attorney's legal opinion. Mr. Lindsay said that the closed session is allowable, but that the board could also appoint a subcommittee of the county manager and a couple of board members to discuss the matter, which would not require an open meeting.

Closed Session:

A Motion was made by Commissioner Westmoreland to go into closed session, pursuant to §143-318.11(a) (3) to consult with the county attorney on a legal matter; and (5), to establish the price and other terms of a proposed contract for the lease of real property. Motion seconded by Commissioner Dickey. Motion passed unanimously.

While in closed session the board discussed terms of negotiations with a potential lessee for lease of the Hiwassee Valley Pool and Wellness Center.

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 8:30 p.m.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON NOVEMBER 6, 2017.