

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
June 16, 2014

Preamble to Minutes read by Vice-Chair Meltz: "Members of the County Board of Commissioners are advised, hereby, of their duty under the Local Government Ethics Act to avoid conflicts of interest and the appearance of such conflict; and, further, are instructed to refrain from participating in any matter coming before this Board of County Commissioners with respect to which there is a conflict of interest or appearance of such conflict".

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 June, 2014 at 6:00 o'clock p.m.

The following Commissioners were present for the meeting: David Wood, Chairman; Lorraine M. Meltz, Vice-Chair; C.B. McKinnon, member; Cal Stiles, member; and Steve Jordan, member. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager and Assistant Clerk; R. Scott Lindsay, County Attorney/Clerk to the Board; and, Candy Roberts Anderson, County Finance Director.

Present from the media was Joe Martin of the Cherokee Scout.

The invocation was given by County Manager Randy Wiggins.

The Pledge of Allegiance was led by all.

The Chairman presided and the Assistant Clerk kept the Minutes.

Modification of Agenda:

A Motion was made by Commissioner McKinnon to modify the agenda to add an executive session for a personnel issue. Motion seconded by Commissioner Meltz. Motion passed unanimously.

A Motion was made by Commissioner Meltz to modify the agenda to add Toni Lovingood of Murphy Medical Center to the agenda to talk about recent Department of Defense Medical Mission. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Agenda Adoption:

A motion was made by Commissioner McKinnon to adopt the agenda. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Public Forum:

During public forum, Ed Figueroa asked about the status of the criminal case involving the boarding of several horses. He was told that the case had been settled. Mr. Figueroa also asked about the status of the draft adult entertainment ordinance. Commissioner Stiles told him that it had been put on hold due to budget preparation, but will now be revisited. He also shared his concerns about the State's recently passed fracking bill; and asked about the airport project manager for the obstruction removal project.

Others who spoke against the recent fracking bill were Denise Garbedian, Stephen Copeland, Callie Moore and Aurelia Stone. Commissioner Wood also shared his opposition of fracking.

Shannon Greathead shared her opinion on fracking and said that if folks are concerned about the environmental effects of fracking, that they should also be just as concerned about the radon levels in Cherokee County.

Will Lance spoke in opposition of Corridor K.

Approval of Minutes:

A Motion was made by Commissioner McKinnon to approve the meeting minutes of March 13, 2014; May 8, 2014; and May 19, 2014. Motion seconded by Commissioner Meltz. Motion passed unanimously.

Finance and Budget:

After discussion, a Motion was made by Commissioner Meltz to approve a budget revision for use of sales tax for Cherokee County Schools HVAC repairs and bleacher repairs. Motion seconded by Commissioner Stiles. Motion passed unanimously.

New Business:

Toni Lovingood of Murphy Medical Center came before the board to present plaques of appreciation to the health director, the sheriff, and social services director for their role and assistance in the recent Department of Defense Medical Mission, hosted by Murphy Medical Center (MMC). The board thanked Mrs. Lovingood for MMC hosting this mission.

After discussion, a Motion was made by Commissioner Meltz to approve tax releases and refunds as presented by Delenna Stiles. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Pam Cook of the North Carolina Department of Transportation Planning Branch came before the board to seek approval from the board to add an alternate route, as requested by Graham County board of commissioners, to the Corridor K project. Ms. Cook explained that the draft of Graham County's CTP highway map shows a different preferred alignment for Section A (Robbinsville to Cherokee County) of Corridor K. The alignment is farther to the east than the original proposed alignment, crossing the Snowbird Mountains by going up Jutts Creek in Graham County and tying in to the existing road in Cherokee County near the Brady Curve. Board members asked Mrs. Cook how this would affect the plan. She said that this is simply adding an alternate route to be considered. Some members of the public interrupted to make comments and ask questions. Commissioner Wood made a Motion to table. Motion died. Commissioner McKinnon asked Mrs. Cook about whether an environmental impact study had been conducted. Commissioner Wood interrupted and asked if DOT had any geology on the area. Commissioner Jordan told Commissioner Wood that Commissioner McKinnon was still speaking. Commissioner Wood said that Commissioner McKinnon had asked his question and that it was his turn. Commissioner Stiles made a Motion to allow Commissioner McKinnon to finish speaking. Commissioner Wood became upset and repeatedly banged the gavel, and made a Motion to adjourn. Commissioner Stiles stated that he had made a Motion on the floor to let Commissioner McKinnon finish speaking. Commissioner Wood again banged the gavel repeatedly. Commissioner Jordan took the gavel away from Commissioner Wood and laid it on the table. Commissioner Wood retrieved the gavel, made a Motion for a 20 minute recess, and got up and left the meeting. The county attorney stood and explained that public comment was not in proper order while the board is trying to conduct business. He explained that public forum was set aside for the purpose of public comment, and that the public comment period had passed. He stated that there is a Motion on the floor by Commissioner Stiles to allow Commissioner McKinnon to continue speaking, and asked if there was a second to the Motion. Commissioner Meltz seconded the Motion. Motion passed. After further discussion, a Motion was made by Commissioner Stiles to support Graham County's proposal to NCDOT for an alternate alignment of Section A of NCDOT A-9 project; which is a more eastward alignment, over Snowbird Mountains, running up by Jutts Creek in Graham County and tying into the existing road in Cherokee County near Brady curve. Motion seconded by Commissioner Meltz. Motion passed unanimously.

Commissioner Meltz, as Vice-Chair, presided over the meeting as the board continued conducting business.

County Manager Items:

The county manager announced that the NCACC annual conference was coming up in August and asked the board to let Mrs. Hass know if they wanted to attend.

The county manager also suggested a special called meeting on June 20th to adopt the FY14-15 budget, and approve year-end budget revision. A Motion was made by Commissioner Meltz to set a special called meeting for June 20th at 6 p.m. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Commissioner Items:

Commissioner Stiles updated the board on the NC Regional Council that he serves on. He talked about the NC Tomorrow plan, and said that North Carolina is the first state to do this type of plan. You can learn more about the NC Tomorrow plan at www.nctomorrow.org. Also during commissioner items, Commissioner Meltz shared her concerns about a tire business on Highway 64, saying that it was an eyesore and posed a health hazard. Commissioner McKinnon said that he had talked to the owner, and the owner said he would be removing some of the tires soon.

Commissioner McKinnon made a Motion to take a five minute recess before going into executive session. Motion seconded by Commissioner Stiles. Motion passed.

After returning from recess at 8 p.m., a Motion was made by Commissioner Jordan to go into executive session. Motion seconded by Commissioner Meltz. Motion passed.

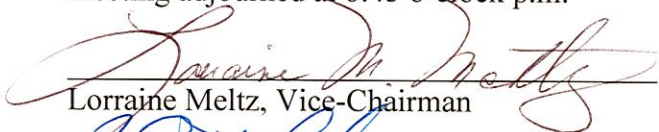
Executive Session:

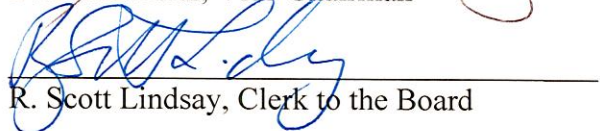
During executive session the board discussed personnel matters concerning the sheriff's staff attorney.

A Motion was made by Commissioner Jordan to return to open session. Motion seconded by Commissioner Stiles. Motion passed.

After returning to open session, the board discussed the conduct of the current Chairman. Board members shared concerns that Chairman Wood does not allow board members to fully discuss and debate certain issues, repeatedly interrupting, beating the gavel and calling other board members out of order, as a way to close debate and hurry through proceedings. Concerns were shared that Chairman Wood ignores Motions that are on the floor and calls for recesses or adjournment while a Motion is still on the floor. Concerns were also shared about Chairman Wood's handling of the gavel and safety concerns for those around him; as well as, abruptly leaving meetings, while not excused by the board. A Motion was made by Commissioner Stiles to replace Commissioner Wood with Commissioner McKinnon as the board chairman. Motion seconded by Commissioner McKinnon. Voting in favor of the Motion was Commissioner Stiles, McKinnon, and Jordan. Voting against the Motion was Commissioner Meltz. Motion passed.

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Jordan. Motion passed unanimously. The meeting adjourned at 8:45 o'clock p.m.


Lorraine Meltz, Vice-Chairman


R. Scott Lindsay, Clerk to the Board