

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
March 5, 2012

Preamble to Minutes read by Chairwoman 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 Meeting Room on the first floor boardroom of the Courthouse Annex Building in Murphy, North Carolina on the 5th day of March, 2012 at 8:30 o'clock a.m.

The following Commissioners were present for the meeting: Lorraine M. Meltz, Chairwoman; David Wood, Vice-Chairman; and, Steve Jordan, Commissioner. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager/Assistant Clerk to the Board; Candy Roberts, Finance Officer; and R. Scott Lindsay, County Attorney/Clerk to the Board.

Present from the media was Dwight Otwell, of the Cherokee Scout.

The invocation was given by Randy Wiggins.

The pledge of allegiance was led by R. Scott Lindsay.

The Chairman presided and the Clerk kept the Minutes.

Robin Caldwell, Emergency Management Director, came before the Board to give an update on the aftermath of the EF2 tornado that hit parts of Cherokee County on Friday, March 3rd. Areas hit the hardest included the Shoal Creek Township, Hiwassee Dam community, Texana, Peachtree, and east Murphy business district. There were no reported fatalities or injuries. Mrs. Caldwell said that assessments were taking place, and resources are in place to assist those affected by the tornado. She said that the American Red Cross and the N.C. Baptist Men have been and will continue providing relief efforts to victims. She said that folks from all over the State, and surrounding Tri-County area have reached out to help, and that the response has been humbling. Sheriff Lovin said that the American Red Cross has been provided office space at the Sheriff's Office, so people can contact his office for assistance also. Commissioner Jordan recognized Mrs. Caldwell and Sheriff Lovin for their service.

Budget Revisions/Finance Items:

After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for the design phase of the runway safety area at Western Carolina Regional Airport. Motion seconded by Commissioner Meltz. Commissioner Wood voted against Motion.

After discussion, a Motion was made by Commissioner Wood to approve a budget revision for the purchase of a landfill dozer. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to approve a budget revision to use Sheriff's Designated Fund Balance to pay for the annual maintenance on finger-printing machine. Motion seconded by Commissioner Wood. Motion passed unanimously.

After Discussion, a Motion was made by Commissioner Meltz to approve a budget revision for the purpose of hiring a building inspector; due to the upcoming retirement of Silas Allen. Motion seconded by Commissioner Jordan. Commissioner Wood voted against Motion.

After discussion, a Motion was made by Commissioner Meltz to approve a resolution

authorizing the finance officer to submit an application to the Local Government Commission for the refinancing of the Sheriff's Office and Detention Center. Motion seconded by Commissioner Jordan. Motion passed unanimously.

Approval of Minutes:

After discussion, a Motion was made by Commissioner Wood to table the minutes of January 12, 2012. Motion seconded by Commissioner Meltz. Motion passed unanimously.

New Business:

- Sandy Goss, President of the 9/12 project, came before the Board to recognize Cherokee Counties first responders, and present them with a plaque of appreciation. Paul Earwood from the Andrews Rescue Squad accepted the plaque.
- Joan Stilwell came before the Board to request that the Board allow the County Manager to sign off on bid awards for the Community Development Block Grant for the Scattered Sites Housing Program. A Motion was made by Commissioner Meltz authorizing the County Manager to sign off on bid awards. Motion seconded by Commissioner Jordan. Motion passed unanimously. Ms. Stilwell said that there were two bids received on February 29, 2012 for the demolition and clearance of the Rowland Hill Road home. The bids were as follows: Jimmy Nelson \$2,710.00; and Cornwell Construction \$8,250.00. Ms. Stilwell also said that there were three bids for the construction of the Rowland Hill Road home. The bids were as follows: SIB General Contractors \$86,580.00; Tighe White Construction \$84,800.00; and America's Home Place \$79,112.00.
- After discussion, a Motion was made by Commissioner Jordan to appoint the following persons to the Mountain Folk Center Planning Committee: Jan Griggs; Mike Stiles, Sr.; Alex Whitlock; David Wood; Erika Wood; Mary McNabb; Preston Mashburn; and Calvin Mashburn. Motion seconded by Commissioner Meltz. Motion passed unanimously. Term limits will be set at a future meeting.
- Gil Hargett, Executive Director of Western Carolina Pacesetters, Inc. came before the Board to share a progress report; and, to request an extension on Pacesetter's, Inc. lease of county property located at the old landfill in Marble, NC. After discussion, a Motion was made by Commissioner Wood to approve a lease extension for Pacesetters, Inc. for an additional 10 years, past its current lease expiration of 2015. The lease will expire March 30, 2025. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- Audry Parker, with North Carolina Vocational Rehabilitation came before the Board to present the NC Vocational Rehabilitation Program, and to ask for permission to contact county offices to present the program. Ms. Parker said that the program provides services to persons who may have impairments or disabilities that impact their ability to obtain employment. The Board told Ms. Parker that she had permission to contact county departments.
- After discussion, a Motion was made by Commissioner Meltz to adopt a proclamation, proclaiming March 11-17, 2012 as Cherokee County Sunshine Week; which spotlights open government and open records week. Motion seconded by Commissioner Wood. Motion passed unanimously.
- Chad McNabb and W.C. King came before the Board to discuss the future of a Hiwassee Dam Volunteer Fire Department (HDVFD) substation in the Bear Paw community at Hiwassee Dam. Mr. McNabb said that this will benefit property owners, by reducing their insurance rates. He also said that if the property owners in the Violet community, across the dam, wanted fire protection, that a fire district would have to be created; and the county would have to contract with the HDVFD. Discussions also included options for statutorily creating a district.
- After discussion, the Board asked the Assistant Clerk to advertise for the upcoming expirations on the Cherokee County Board of Equalization and Review.

- After discussion, a Motion was made by Commissioner Wood to award Page Trucking as the lowest bidder for demolition of White Church School. Motion seconded by Commissioner Jordan. Motion passed unanimously.

County Manager Items:

During county manager items, Mr. Wiggins told the Board that the Coalition Against Bigger Trucks had succeeded against HB763.

Public Forum:

During public comments, someone asked about the status of the previously proposed subdivision ordinance. The Board members said that they are still reviewing the document.

Closed Session:

Pursuant to §143-318.11, a Motion was made by Commissioner Meltz to go into closed session to consult with the county attorney concerning the Swanson lawsuit. A Motion was made by Commissioner Wood to return to open session. Motion seconded by Commissioner Jordan. Motion passed unanimously.

Open Session:

After returning to open session, there was no action taken on items discussed in closed session.

After discussion, a Motion was made by Commissioner Jordan to deed county property at Hiwassee Dam School back to the Board of Education. Motion seconded by Commissioner Wood. Motion passed unanimously.

There being no further business to come before the Board, a Motion was made by Commissioner Meltz to adjourn. Motion seconded by Commissioner Wood. Motion passed unanimously.

Meeting adjourned at 11:25 a.m.


Lorraine M. Meltz, Chair

R. Scott Lindsay, Clerk to the Board