

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
September 10, 2012

Preamble to Minutes read by Chairman Meltz: "Members of the County Board of Commissioners are advised, hereby, of their duty under the State 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 10th day of September, 2012 at 8:30 o'clock a.m.

The following Commissioners were present for the meeting: Lorraine Meltz, Chair; 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, County 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.

Public Hearing-NCDOT 2013 Secondary Road Program

A Motion was made by Commissioner Jordan to go into a public hearing concerning the North Carolina Department of Transportation's (NCDOT) 2013 Secondary Road Program. Motion seconded by Commissioner Meltz. Motion passed unanimously. The following NCDOT representatives were in attendance: Joel Setser, Mark Gibbs, Wesley Grindstaff, Andy Russell, Shane Garland, Adam Dockery, and NCDOT Board member, Larry Kernea. Joel Setser shared the opening remarks about the program, and Wesley Grindstaff presented the 2013 Secondary Road Program Plan. There were some questions from the public concerning a paving request for Nottley River Road, and those folks were told that Nottley River Road is on the anticipated schedule for 2014. There were many compliments and comments about the Highway 294 project, and the NCDOT's work, in general. After final comments, a Motion was made by Commissioner Wood to close the public hearing. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After returning to the regular meeting, a Motion was made by Commissioner Wood to approve the 2013 Secondary Road Program Resolution as presented. Motion seconded by Commissioner Jordan. Motion passed unanimously.

Finance Items/Budget Revisions:

- After discussion, a Motion was made by Commissioner Meltz to approve a budget revision for a Community Transformation Grant awarded to the Cherokee County Health Department. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for a Diabetes Grant awarded to the Cherokee County Health Department. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to approve a budget revision for a Medication Management Grant awarded to the Cherokee County Health Department. Motion seconded by Commissioner Wood. Motion passed unanimously.

- After discussion, a Motion was made by Commissioner Wood to approve a budget revision for Sales Tax Reallocation Services. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Jordan to approve a budget revision for the Mountain Folk Center Master Plan Grant. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by the Commissioner Wood to approve a Capital Projects Budget Ordinance. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion a Motion was made by Commissioner Wood to approve Timber Fund receipts. Motion seconded by Commissioner Meltz. Motion passed unanimously.

Approval of Minutes:

After discussion, a Motion was made by Commissioner Meltz to approve the amended meeting minutes of December 20, 2010 and the regular meeting minutes of August 20, 2012. Motion seconded by Commissioner Wood. Motion passed unanimously.

New Business:

- Sandy Goss, president of the Cherokee County 9-12 Project, presented a gift to Mr. Bobby Barton and Dr. Donna Tipton-Rogers for the Tri-County Community College Foundation's 9/11 Memorial Fund. Ms. Goss said that she was presenting the gift on behalf of the 9-12 group and the people of Cherokee County in honor and memory of all 1st responders. Ms. Goss reflected on that terrible day of September 11, 2001, and encouraged everyone to never forget. The college had a 9/11 artifact on display at the meeting that had been donated to the campus.
- Joan Stilwell came before the board to present an updated Language Access Plan, as required by the Division of Community Assistance for all Community Development Block Grant (CDBG) recipients. The Language Access Plan update was due to the change in county managers, since the last grant cycle. The Plan says that Cherokee County agrees to provide application and documents pertaining to the CDBG in whatever language it is requested in; so that persons with limited English proficiency will have an equal opportunity for benefits or services that they may qualify for. After discussion, a Motion was made by Commissioner Jordan to approve the updated plan. Motion seconded by Commissioner Meltz. Commissioner Wood voted "no".
- Phylis Blackmon, Cherokee County Tourism Development Authority (TDA) member, came before the board to discuss lack of river access in Cherokee County. Mrs. Blackmon said that the TDA requests, and is in support of, the county designating river access points from county-owned property. She also said that the TDA is working on a signage plan. There will be future discussion, once sites are identified.
- After discussion, a Motion was made by Commissioner Wood to table the request by Southern Appalachian Family Farms (SAFF) for a part-time coordinator. Motion seconded by Commissioner Meltz. Motion passed unanimously. Commissioner Meltz said that she would like to assist the local farmer's, because agriculture is an important part of our community. Commissioner Wood said that is also supportive of agriculture and that he would support the request if SAFF could get Clay County to provide half of the funding.
- Bill Vespasian, Finance Officer for Tri-County Community College and President Donna Tipton-Rogers came before the board to request additional county funding for the school's welding program. Mr. Vespasian and Dr. Tipton-Rogers, along with Gary Westmoreland, welding instructor, talked about non-compliance issues with OSHA; and safety equipment and needed facilities upgrades. After discussion, a Motion was made by Commissioner Wood to approve the additional funding request in the amount of \$140,000. Motion seconded by Commissioner Meltz. Motion passed unanimously. The county manager told Mr. Vespasian to submit paid invoices for the welding project upgrades, and that the county would reimburse as those invoices are received.
- Will Roberts, Tax Administrator, presented to the board the September tax releases and refunds. After discussion, a Motion was made by Commissioner Wood to approve all of the releases as presented, with the exception of the last two persons on the list (Shirley Adair and James Smith); who had requested the acceptance of late PUV applications.

These two persons will have to come before the board, and show that there was “good cause” for the late application, before consideration can be made. Motion seconded by Commissioner Meltz. Motion passed unanimously.

- After discussion, a Motion was made by Commissioner Wood to approve Hometown Events, Inc. to host the 2013 Fourth of July in the Park events. The Motion died for a lack of a second. Commissioner Wood then made a Motion to table the item until the next board meeting and encouraged Commissioner Meltz and Commissioner Jordan to be ready to make a decision at that time. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Paul Earwood, of Andrews Rescue Squad, was on the agenda but did not show. A Motion was made by Commissioner Wood to table until the next meeting. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Jeff Ledford, EMS director, came before the board to ask the board to consider contracting with Rick Huskey of Emergency Medical Services for county transports. Mr. Ledford said that this would be at no cost to the county, because Emergency Medical Services would handle their own patient billing. He said that by allowing another company to handle transports that it will reduce fuel costs, reduce wear and tear on county vehicles, reduce overtime costs, and free up our EMS personnel for county emergency services. The county attorney advised the board to consider a strict contract; saying that the county has tried this in the past and the companies have just up and moved. The board agreed to allow Mr. Ledford to move forward with the planning process, and to report back at a later date with specifics.
- Mr. Ledford also announced that Cherokee County EMS will soon be celebrating its 20th anniversary.

County Manager Items:

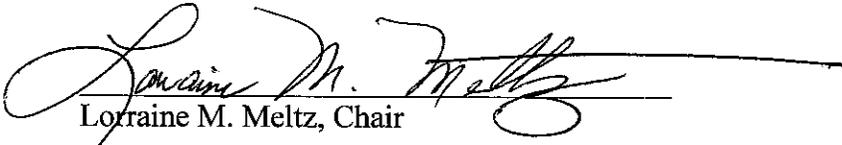
- The County Manager shared a resolution created by the Town of Andrews which expresses their intent to change the name of Wilson Street to Cover Street. The Town is required to send a copy of the resolution to all adjacent property owners, and that is why Cherokee County received the resolution. Mr. Wiggins said that the resolution was for informational purposes only and required no action.
- Mr. Wiggins said that staffed convenience site locations are still being researched for the Unaka, Joe Brown and Hwy 294 sites. He suggested a board worksession with GIS Mapping and Solid Waste soon to discuss practical locations, as well as, what would be considered a legitimate distance between staffed sites.
- Mr. Wiggins also discussed the lack of fire protection services in what is referred to as “No Man’s Land”. This is an area of communities that lie outside of a fire tax district. This area has been protected in the past by the Hiwassee Dam, Unaka, and Hanging Dog VFD’s; however, due to financial constraints and legal issues, these departments may not be able to continuing providing courtesy protection much longer. Chad McNabb, of the Hiwassee Dam VFD, said that his department will cease services on September 30th. Hanging Dog said that they would provide services through October 10th. Mr. Wiggins suggested that the board call a special meeting soon, to be held somewhere in the “No Man’s Land” area, to discuss fire protection services with these un-serviced communities. Mr. Wiggins said that there are 300-400 property owners and that each would be sent a postcard with the meeting information. A Motion was made by Commissioner Wood to hold a special meeting to be held on a date during the week of September 24th, and to send notice of meeting to every property owner in the un-serviced district. Motion seconded by Commissioner Jordan. Motion passed unanimously.

Public Forum:

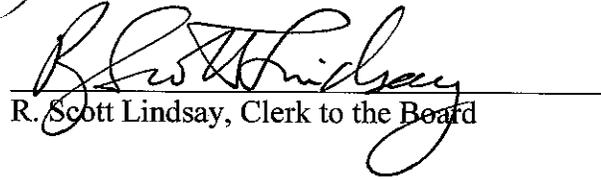
During public forum, someone asked where the 9/11 artifact will be displayed on the Tri-County Community College campus. Dr. Tipton-Rogers said that a place has not yet been designated, but it would be a location that is most visible. Mr. Barton said that the 9-12 money would be used for the purpose of displaying the artifact, and that it would be a lasting tribute to those who lost loved ones, and to remembering 9/11.

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

Meeting adjourned at 11:05 o'clock a.m.

A handwritten signature in cursive script, reading "Lorraine M. Meltz", written over a horizontal line.

Lorraine M. Meltz, Chair

A handwritten signature in cursive script, reading "R. Scott Lindsay", written over a horizontal line.

R. Scott Lindsay, Clerk to the Board