

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
January 17, 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 regularly scheduled meeting of the Cherokee County Board of Commissioners was held in the Meeting Room on the first floor of the Courthouse Annex Building in Murphy, North Carolina on the 17th day of January, 2012 at 5:30 o'clock p.m.

The following Commissioners were present for the meeting: Lorraine M. 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 Commissioner Jordan.

The Pledge of Allegiance was led by Scott Lindsay.

The Chairman presided and the Clerk kept the Minutes.

Budget Revision/Finance Items:

After discussion a Motion was made by Commissioner Jordan to approve the budget revision for Meth Lab Cleanup. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Wood to approve a contribution to the Hiwassee Valley Pool and Wellness Center. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Wood to allow county finance officer to delay a Debt Setoff action concerning a billing dispute; due to a Veteran's Affair issue. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to allow county finance officer to delay a Debt Setoff; and allow debtor to set up a payment plan. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Wood to allow county finance officer to file balance owed against estate, or write-off any balance owed by a deceased person. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to allow county finance officer to file Debt Setoff; although patient says worker's compensation lawsuit has been filed. Motion seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to allow county finance officer to file Debt Setoff against a patient, who argued that they were dissatisfied with the services provided. Motion seconded by Commissioner Wood. Motion passed unanimously.

Approval of Minutes:

After discussion, a Motion was made by Commissioner Wood to approve the September 26, 2011 Minutes. Motion seconded by Commissioner Meltz. Motion passed unanimously.

New Business:

Senator Jim Davis was in the audience and recognized by the Board. Senator Davis said that he was pleased to attend the meeting.

Shelly Lackey and Brian Ingram of Smoky Mountain Center came before the Board to give an update on the happenings and activities of Smoky Mountain Center. Ms. Lackey said that Smoky Mountain Center serves fifteen (15) counties. Mr. Ingram talked about the Medicaid waiver, and said that mental health reform has been hard to follow. He said that Smoky Mountain Center is working hard to provide services with current resources.

Jeff Kirby, of Michael Baker Engineering, Inc. came before the Board to discuss the change order request from Higdon Construction Company in the amount of \$92,607.55 for the halt in construction of the parallel taxiway project at Western Carolina Regional Airport; due to archaeological study. A Motion was made by commissioner Meltz to approve the change order. Motion seconded by Commissioner Jordan. Commissioner Wood voted no.

After discussion, a Motion was made by Commissioner Wood to approve the Statewide Misdemeanor Program for Cherokee County, as presented by Sheriff Keith Lovin. Motion seconded by Commissioner Meltz. Motion passed unanimously.

Jim Higgins, Cherokee County Health Director, came before the Board to request support for two grants applications for the Cherokee County Health Department. The first grant was from the Office of Rural Health and had been previously approved by the Board, but Mr. Higgins said now there is an additional \$10,000 county match required; which would make the total county match \$25,000. After discussion, a Motion was made by Commissioner Wood to approve. Motion seconded by Commissioner Meltz. Commissioner Jordan voted no; saying that he was not happy that the money was not going to Andrews. The second grant was from the Kate B. Reynolds Foundation to assist the Andrews Health Department, and school based health center. A Motion was made by Commissioner Wood to approve. Seconded by Commissioner Meltz. Commissioner Jordan voted no.

After discussion, a Motion was made by Commissioner Jordan to appoint Debbie Weatherly to the Hiwassee River Watershed Coalition. Motion seconded by Commissioner Meltz. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to support a request by Anthony Livingston, State Field Director with Coalition Against Bigger Trucks (CABT), to send letters to Congressman Shuler, Senator Burr, and Senator Hagan opposing proposed House Bill 763 and Senate Bill 747, known as the Safe and Efficient Transportation Act (SETA); which would allow for increased truck weights from 80,000 pounds to 97,000 pounds. The Motion would also include opposing Senate Bill 1450, known as the Commercial Truck Safety Act (CTSA). CTSA would raise federal truck weight limits up to 100,000 pounds for any state that applied for a three-year pilot program to operate heavier trucks on their Interstates. The Motion to oppose both of these Bills was seconded by Commissioner Jordan. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Meltz to approve a resolution in support and agreement with SL2011-263; which requires all counties and cities within the state to use the Federal Homeland Security E-Verify Program as part of their screening process for newly hired employees to insure that new employees are legally eligible to work in the United States. Motion seconded by Commissioner Wood. Motion passed unanimously.

County Manager Items:

The county manager announced that all Board members had previously been given a copy of a draft subdivision ordinance to read and review; and that a worksession would need to be held to discuss the draft in its entirety. A special called meeting for the worksession was scheduled for

February 17th at 9:00 a.m.

Chairman Items:

During Chairman Items, a Motion was made by Commissioner Jordan to cancel the February 6th meeting, as he will be out of town. Motion seconded by Commissioner Wood. Motion passed unanimously.

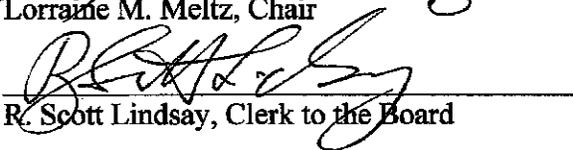
Public Forum:

During public forum, Erika Wood told the Board that when approving monies for grant matches that they should consider what the people would want. Another member of the public commented that property owners should have to pay half the cost for meth lab cleanups. Scott Lindsay, county attorney, announced that there would be a malt beverage and mixed beverage referendum on the ballot for the May Primary.

There being no further business to come before the Board, a Motion was made by Commissioner Meltz to adjourn the meeting at 7:29 p.m. Motion seconded by Commissioner Jordan.



Lorraine M. Meltz, Chair



R. Scott Lindsay, Clerk to the Board

April 15, 2013 amendment to these minutes:

It was discovered that there was an action item missing from these minutes of January 17, 2012, due to a clerk error.

During the discussion and presentation of two additional grants by Health Director Jim Higgins, it was also discussed by Mr. Higgins and Callie Moore of the Hiwassee River Watershed Coalition that there was also a grant opportunity from the Clean Water Management Trust Fund (CWMTF) to help clean up the Valley River Watershed by repairing and replacing failing septic systems within the watershed. Mrs. Moore said that the deadline to apply for the grant was February 1st, and that it required a grant match of in-kind services ~~and~~ county funds. They recommended at least a 20%-30% match, and stated that the amount of the grant match would be a factor in the CWMTF's decision. A larger grant match would increase the likelihood of being awarded the grant. The total project is estimated to cost \$330,960. Mrs. Moore said that the watershed may be able to get a matching grant. Based on this information a county in-kind and cash match not to exceed 40% was recommended. After discussion, a Motion was made by Commissioner Wood to allow the county to apply for the CWMTF grant. Motion seconded by Commissioner Meltz. Commissioner Jordan voted "No".

Amendment approved 04-15-13