

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
September 03, 2013

Preamble to Minutes read by Chairperson Stiles: "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 3rd day of September, 2013 at 6:00 o'clock p.m.

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

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

The invocation was given by Randy Wiggins.

The Pledge of Allegiance was led by all.

The Chairman presided and the Clerk kept the Minutes.

Public Hearing:

A Motion was made by Commissioner McKinnon to open the public hearing for the NCDOT Rural Operating Assistance Program Grant. Motion seconded by Commissioner Meltz. Motion passed unanimously. Cherokee County Transit Director Mike Catuto presented the program. There were no questions from members of the public. A Motion was made by Commissioner Stiles to close the public hearing. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

A Motion was made by Commissioner Meltz to approve the NCDOT Rural Operating Assistance Program Plan. Motion seconded by Commissioner Wood. Motion passed unanimously.

Budget Revisions/Finance Items:

- After discussion, a Motion was made by Commissioner Meltz to table the budget revision that would allow for the use of fund balance to cover the additional road at the airport. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- After discussion a Motion was made by Commissioner Wood to approve a budget revision to use \$2,100.00 of fund balance for the 10% grant match; and to establish a budget for the recently approved airport projects, which includes obstruction removal, Sherwood tower replacement, and Rotating Beacon tower repair. Motion seconded by Commissioner Meltz. Voting in favor of the Motion was Commissioners Meltz, Stiles, Wood and Jordan. Voting against the Motion was Commissioner McKinnon. Commissioner McKinnon said that he would like to use contingency funds, instead of fund balance.
- A Motion was made by Commissioner McKinnon that going forward the county use contingency funds for these grants, instead of fund balance. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to approve a budget revision for the purpose of carrying forward approved grants and restricted funds from fiscal year 12-13. Motion seconded by Commissioner Jordan. Motion passed unanimously.

- After discussion, a Motion was made by Commissioner Wood to approve a budget revision for the purchase of credit card machines for various county departments. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to approve a budget revision for the use of restricted sales tax for School Capital Outlay. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to waive an occupancy taxpayer's penalties as presented by the finance officer. Motion seconded by Commissioner Jordan. Motion passed unanimously.

Approval of Minutes:

After discussion, a Motion was made by Commissioner Meltz to approve the meeting minutes of August 5, 2013. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

New Business:

- After discussion, a Motion was made by Commissioner Stiles to approve the 2013 Juvenile Crime Prevention Council Membership Certification. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to approve the tax releases and refunds, as presented by Will Roberts. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- The Cherokee County Rescue Squad agenda item was rescheduled until the September 16th meeting.
- After discussion, a Motion was made by Commissioner Jordan to approve a request by the Unaka Community Center Club to perform some upgrades to the Unaka Community Center. No county tax dollars will be used. The club has funds to cover all of the costs. Motion seconded by Commissioner Wood. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Wood to purchase cardiac monitors for EMS, as presented by EMS Director Al Lovingood. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Wood to approve funding for monitoring the integrity of dispatch radio circuits for the Fain Mountain fire repeater system, as presented by EMS Director Al Lovingood. Motion seconded by Commissioner Meltz. Motion passed unanimously.

County Manager Items:

- A Motion was made by Commissioner Meltz to approve waiving the landfill fees for NCDOT Fall Litter Sweep Roadside Cleanup for the dates of September 21st through October 5th. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- The county manager informed the board that there were no sealed bids received on the Bear Paw Property that the county attained by tax foreclosure. After discussion, a Motion was made by Commissioner McKinnon to place the .240 acres on GovDeals for 30 days at a minimum bid of 10% less tax appraisal value. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- The county manager presented a request made by Crystal Defalco for the county to assist in obtaining a No Wake Buoy for a cove on Lake Hiwassee. Commissioner Wood made a Motion to table until he could get further information. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
- The county manager notified the board that the county had received a Demand Letter from the Collins Law Firm on behalf of the Wood family requesting that the Andrews Broadband equipment be removed from the tower, no later than September 19, 2013 at 5:00 p.m. The equipment was placed on the county's tower at an unknown time and without FAA, county, or Wood family approval. This was one of the recent findings during the airport property assessment. The county attorney said that he had met with the Wood family's attorney last week and that there are some on-going negotiations between the Wood family and the Town of Andrews. He said that there is nothing that the county needs to do at this time.

Commissioner Items:

- Commissioner McKinnon gave an update on Smoky Mountain Center Board and shared that the Cherokee and Graham County would be losing representation on that board, due to the new LME law.

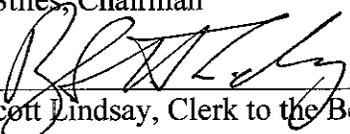
Public Forum:

- Commissioner Wood made a Motion to appoint Chuck Grant as a pilot liaison for the airport and Sam Davis to be a second liaison. Motion died for a lack of second.
- A Motion was made by Commissioner Jordan to reinstate the airport advisory board. Motion seconded by Commissioner McKinnon. Commissioner McKinnon said that he felt like the initial action to abolish the board was a mistake and that he would vote to reinstate the airport advisory board and inform them of what was expected from them as a board. Voting in favor of the Motion was Commissioner Jordan and McKinnon. Voting against the Motion was Commissioners Wood, Meltz and Stiles. The county attorney said that there is nothing preventing the pilots from appointing their own liaison and bringing their suggestions to the board of commissioners.
- There were comments from Chuck Grant, former advisory board to Chairman Stiles concerning the recent dissolution of the airport advisory board.
- Pete Miles, Robert Wheeler and Kathy Vetten came before the board again to share their concerns and the concerns of the citizens of the Big Rock Community about the proposed location of the Hwy 294 Convenience site.
- Richard Parker, former airport advisory board member, asked the board for a key to the airport. A Motion was made by Commissioner Jordan to give Mr. Parker a key. Motion seconded by Commissioner Wood. Voting in favor of the Motion was Commissioners Jordan, Wood, Stiles and McKinnon. Voting against the Motion was Commissioner Meltz.
- Steven Higdon talked about the public meeting a couple of years ago at Hiwassee Dam High School concerning the Hwy 294 Convenience Site. He said that the board of commissioners appointed a committee to work on the issue; and he asked the board to please listen to what the citizens of Hiwassee Dam had to say about the issue.
- Sheriff Lovin emphasized the importance of the airport and said that he would encourage the board of commissioners to get involvement from the community.
- Jack Lewis again shared his views on the recent airport issues.

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. The meeting adjourned at 7:44 o'clock p.m.



 Cal Stiles, Chairman



 R. Scott Lindsay, Clerk to the Board