

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
February 03, 2014

*Preamble to Minutes read by Chairman Wood: "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 February, 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; and, R. Scott Lindsay, County Attorney/Clerk to the Board. Candy Roberts Anderson, County Finance Director was absent due to maternity leave; and, Maria Hass, Assistant County Manager/Assistant Clerk to the Board was absent due to a family emergency.

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

The invocation was given by C.B. McKinnon

The Pledge of Allegiance was led by all.

**Modification of Agenda:**

A Motion was made by Commissioner Jordan to modify the agenda to include at the beginning of new business, two items as follows: 1) Vance Patterson to share a proposal for bringing a replica of the Charters of Freedom to Cherokee County; and, 2) Ray Frazier of Andrews Rescue Squad and Andrews Fire Department to discuss a merge of departments. Motion seconded by Commissioner Meltz. Motion passed unanimously.

**Adoption of Agenda:**

A Motion was made by Commissioner McKinnon approve the agenda. Motion seconded by Commissioner Jordan. Motion passed unanimously.

**Budget Revisions/Finance Items:**

- After discussion, a Motion was made by Commissioner McKinnon to approve school use of lottery funds to cover bond interest shortfall. The shortfall was due to the sequestration. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to approve use of schools designated sales tax dollars to pay for HVAC repairs. Motion seconded by Commissioner Meltz. Motion passed unanimously. This approval is contingent upon approval of the school board.
- After discussion, a Motion was made by Commissioner McKinnon to approve use of contingency funds to cover landfill equipment repairs and maintenance. Motion seconded by Commissioner Jordan. Motion passed unanimously.

**Public Forum:**

- Dana Luther, of Equine Second Chance, came before the board to give an update on the horses that she is boarding from the sheriff's seizure. She shared photos showing improving health of the horses. Ms. Luther also said that she is still getting several calls a day about the horses on Mission Road and she has been referring those to the sheriff. Ms.

Luther said that there is not an after-hours veterinarian in Cherokee County, and suggested that the county talk to local veterinarians to fill this void in animal care; as well as, work toward a better animal control plan.

#### **New Business:**

- Vance Patterson came before the board to propose placing a replica of the Charters of Freedom in Cherokee County. Mr. Patterson gave a detailed presentation, and said that this vision came from a trip that he and his wife, Mary Jo, took to Washington, D.C.; and following a visit to the National Archives. Mr. Patterson said that he lives in Burke County and the project is currently underway there. He said that he also wanted to bring the Charters of Freedom to Cherokee County; because Cherokee County is a place that he frequented and loved while he was campaigning for Congress in 2012. Mr. Patterson said that his and his wife's vision is for this to be an educational project and also a celebration of our history. He said that the display would be an actual replica of the Charters of Freedom that are on display in the National Archives. Mr. Patterson said that the center display would measure 12 feet and the two side displays will measure four feet. The foundation will be poured concrete, and the structure will be reinforced, poured concrete covered by granite to match the existing structures. The center panel will display the Seal of the United States of America, and each of the documents will be etched in bronze. When asked about the cost of the project, Mr. Patterson said that the cost would be between \$65,000 and \$75,000, and would be a gift from him and his wife. He only requested that it be in a good central location, where there is high foot traffic and easy access to students. He envisions school field trips and community celebrations around the display. A Motion was made by Commissioner McKinnon to send a letter of intent to Mr. Patterson of the county's interest in receiving the gift. Motion seconded by Commissioner Jordan. Motion passed unanimously. The board thanked Mr. Patterson for his generous offer.
- Ray Frazier came before the board to request a worksession between the Andrews Rescue Squad, Andrews Volunteer Fire Department, Town of Andrews and Cherokee County to begin discussion about a merger between the Andrews Rescue Squad and Andrews Volunteer Fire Department. Commissioner Wood said that he would like to schedule a worksession and that it may take two or three work sessions to talk through the issues of a merger. Commissioner Jordan expressed concern of areas being left uncovered. Mr. Frazier told him that mutual aid agreements would remain in place. Commissioner Stiles suggested setting a work session to address several different issues, but Commissioner Wood said that he felt this issue needed to be a separate worksession. The board agreed to look at dates for work sessions.
- After discussion, a Motion was made by Commissioner Meltz to approve the tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to declare Cherokee County a Purple Heart County. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to approve the revised EMS rates, as presented by Derrick Moody, EMS Director. Mr. Moody said that these revised rates will make us comparable to surrounding counties. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Cherokee County Fire Marshall, W.C. King came before the board to present the new Fire Department Response District Map. A Motion was made by Commissioner McKinnon to approve the map as presented. Motion seconded by Commissioner Meltz. The Motion passed unanimously.
- Dr. Dave Ackerman, Chairman of the Board of Director's for the Valley River Humane Society (VRHS), came before the board to request use of county landfill equipment and personnel, for road maintenance at the shelter. Dr. Ackerman said that VRHS would need gravel delivered to the shelter, and assistance with grading the driveway to the shelter. He said that VRHS would purchase the gravel. Commissioner Jordan had concerns about using the county dump truck. Ray Frazier of the Town of Andrews said that the Town of Andrews has a dump truck and could possibly haul the gravel. After discussion, a Motion was made by Commissioner Jordan to allow VRHS to use the landfill tractor and excavator to spread the gravel. Motion seconded by Commissioner Meltz. Motion passed

unanimously.

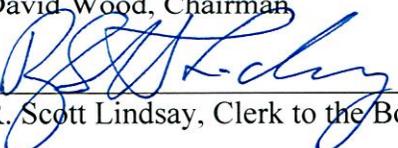
- Commissioner Stiles said that the VRHS is applying for a \$2,000.00 grant, and asked the board to endorse the VRHS by a letter of support. A motion was made by Commissioner Stiles to send a letter of endorsement/support for the grant application. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Dr. Ackerman also provided copies of the VRHS adoption policy and financial reports to the board; and informed the board and members of the public that VRHS would have an adoption event at Cold Nose College on February 15th. Sheriff Lovin suggested waiving the landfill fees for the county's clean up. A Motion was made by Commissioner Wood to waive the landfill fees for sheriff's clean up at VRHS. Motion seconded by Commissioner Jordan. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Jordan to grant right-of-way access to Marvin Adams for access across the Bellview Community Center property. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Ed Wood, Chairman of the Cherokee County Volunteer Agricultural Advisory Board, came before the board to present a revised Volunteer Agricultural District Ordinance. Mr. Wood said that the ordinance was revised to reflect current state law changes. After discussion and questions, the board made some suggested changes and asked Mr. Wood to re-present the ordinance at a future meeting; following the changes and after looking further into the new laws.
- Sara Wilson, Health Educator of the Cherokee County Health Department, came back before the board, following a work session where the smoking and tobacco use issues, surrounding the health concerns were discussed. Ms. Wilson presented maps of suggested designated sites around county buildings and requested that the board move forward in scheduling a public hearing and adopting an ordinance to designate certain areas as smoke-free areas to protect public health. The item was postponed until the next meeting.
- The county attorney had previously submitted a draft ordinance relating to adult-oriented businesses. He said that this is a short version, but that he does have a longer version that he would share with the board and asked the board to share with him any comments. Commissioner Stiles said that he felt like a more detailed ordinance would be better, and said that he felt the business license fee in this ordinance is too low. He suggested higher license fees, and said that he would also like alcohol banned. He suggested more stringent requirements to make it harder for adult establishments to locate here.

#### County Manager Items:

- A Motion was made by Commissioner Jordan to cancel the February 17<sup>th</sup> meeting. Motion seconded by Commissioner Wood. Voting in favor of the Motion was Commissioners Jordan, Wood and McKinnon. Voting against the Motion was Commissioners Meltz and Stiles. Motion passed.
- The county manager announced that Commissioner Cal Stiles had been appointed to the State Water Infrastructure Authority by Speaker of the House, Thom Tillis. Commissioner McKinnon and Commissioner Jordan congratulated Commissioner Stiles. Commissioner Stiles shared the purpose of the authority.

There being no further business to come before the Board, a Motion was made by Commissioner Meltz to adjourn. Motion seconded by Commissioner Jordan. Motion passed unanimously. The meeting adjourned at 7:40 o'clock p.m.

  
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David Wood, Chairman

  
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R. Scott Lindsay, Clerk to the Board