

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
March 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 March, 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; Maria Hass, Assistant County Manager and Assistant Clerk to the Board; Candy Roberts Anderson, County Finance Director; and, R. Scott Lindsay, County Attorney/Clerk to the Board.

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

The invocation was given by Commissioner Jordan.

The Pledge of Allegiance was led by all.

Modification of Agenda:

A Motion was made by Commissioner Meltz to modify the agenda to remove Agenda Item "A" titled Use of Lottery Funds for Debt Service Payment for classroom Additions. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Adoption of Agenda:

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

Approval of Minutes:

A Motion was made by Commissioner Meltz to approve the meeting minutes of January 16, 2014 and February 3, 2014. There was a requested correction of a typographical error on the January 16th minutes. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Public Forum:

- Mr. Red Wooten came before the board to make a complaint that the tax collector's office would not accept his tax payment all in quarters, because the coin was not rolled. Mr. Wooten also complained that he was not getting an elderly exemption on his taxes. Tax Assessor Will Roberts was in attendance and asked Mr. Wooten to come and see him, so he could try to help him with the exemption. Commissioner Wood also gave Mr. Wooten his card and offered to meet with him and the tax assessor. Mr. Wooten also complained that his property appraisal was too high.
- Andrews Town Mayor Nancy Curtis said that the Town of Andrews would like the Charters of Freedom monument, donated by Vance Patterson, to be located at the Andrews Welcome Center. The county manager told Ms. Curtis that Mr. Patterson was working with the Town of Murphy, so that the monument could be in a central location in the county and that could be easily accessible to students.
- Property owner Lisa Grant came before the board to ask for a waiver of penalties and fees

on her tax bill; due to what she said is a tax office error of failure to attach her doublewide mobile home to her tax bill with her land. A motion was made by Commissioner McKinnon to table the request until the board's next worksession to discuss further with the tax assessor and get more details. Motion seconded by Commissioner Meltz. Voting in favor of the Motion was Commissioners McKinnon, Meltz and Wood. Voting against the Motion was Commissioners Jordan and Stiles. Motion passed 3-2.

Budget Revisions/Finance Items:

- After discussion, a Motion was made by Commissioner Meltz to approve use of fund balance for the health department's prior year pharmacist contract. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to approve a budget revision for the Health Department's 430B Discount Drug contract. Motion seconded by Commissioner Wood. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Meltz to approve use of sheriff's designated funds to purchase a covert vehicle camera system. Motion seconded by Commissioner McKinnon. Voting in favor of the Motion was Commissioner's Meltz, McKinnon, Stiles and Jordan. Voting against the Motion was Commissioner Wood. Motion passed 4-1.
- After discussion, A Motion was made by Commissioner McKinnon to approve use of E911 funds to replace a failing voice logger and to update 911 equipment. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, A Motion was made by Commissioner Meltz to approve use of contingency to cover materials for the Notla River access project at Ranger Community Center property. Motion seconded by Commissioner Wood. Motion passed unanimously. This project was originally approved by the board on September 24, 2012.

Old Business:

- Sara Wilson, Cherokee County Health Educator, came before the board to request a public hearing for consideration of an ordinance to prohibit smoking at the entrances of all county-owned facilities. Commissioner McKinnon made a Motion to declare the courthouse steps smoke-free. Motion seconded by Commissioner Meltz. The assistant county manager asked if that Motion would also include the rear employee entrance. Commissioner McKinnon said "no"; only the front courthouse steps. Ms. Wilson asked the board to please consider the health of the employees and to also make the rear employee entrance smoke-free; saying that there are employees who have asthma and respiratory issues who are also being exposed to secondhand smoke. Commissioner McKinnon amended his Motion to prohibit smoking on the courthouse steps at the front entrance of the courthouse and to include the sidewalk in front of the steps. Motion seconded by Commissioner Stiles. Motion passed unanimously. A Motion was made by Commissioner Stiles to schedule a public hearing soon to discuss prohibiting smoking at the entrances of all county-owned facilities. Motion seconded by Commissioner Meltz. Voting in favor of the Motion was Commissioners Stiles, Meltz, Wood and Jordan. Voting against the Motion was Commissioner McKinnon. The vote passed 4-1. After discussion, the public hearing was scheduled for the next regularly scheduled meeting on March 17th.
- Town of Andrews Alderman Gary James came before the board again to request funding in the amount of \$4,800 annually to help cover the cost of the driver's license office in Andrews. Mr. James said that Graham County and Clay County have verbally committed and will be looking at funding in the 14-15 fiscal year. Commissioner McKinnon said that he would support relocating the driver's license office back to Murphy in a county-owned building, where there would be no additional expense. Mr. James said that the Town of Andrews is not interested in moving the driver's license out of the town; but simply asking for financial support. No action was taken on the request.

New Business:

- After discussion, a Motion was made by Commissioner Jordan to approve a 90th birthday

proclamation for Ms. Doris Mallett Kenney, as requested by her son Gary Kenney. Motion seconded by Commissioner Meltz. Motion passed unanimously. Ms. Kenney's son, Gary Kenney, was in attendance. Heartfelt expressions were expressed by the county attorney and Commissioner Meltz.

- After discussion, a Motion was made by Commissioner Stiles to approve a Local Government Opinion for ABC permit for Valley River Vineyards. Motion seconded by Commissioner Meltz. Motion passed unanimously.
 - After discussion, a Motion was made by Commissioner Stiles to approve tax releases and refunds, as presented by Delenna Stiles. Motion seconded by Commissioner McKinnon. Motion passed unanimously.
 - After discussion, A Motion was made by Commissioner Meltz to approve a proclamation supporting the 2014 Senior Games and Silver Arts Motion seconded by Commissioner Jordan. Motion passed unanimously.
 - Donna Tipton-Rogers, Bill Vespasian and Paul Worley of Tri-County Community College came before the board to request additional funding in the amount of \$163,417. Mrs. Tipton-Rogers began by thanking the board of commissioners for what they have done for the college. A Motion was made by Commissioner McKinnon to table the item and schedule a worksession to discuss further. Mrs. Tipton-Rogers said that the college cannot operate without these additional funds; and that the funds are needed now. She said that this is something that they need to continue to operate this year, and that it is not something that can wait. Mr. Vespasian said that the college revenue stream would cease to exist at the first of April, and that the college would be out of funds at that time and would no longer be able to operate. Commissioner Wood asked about the college day care rental income. Mr. Vespasian said that over the years the rental revenues equated to about \$328,000 and that the college has used rental income toward operational costs; and that the college no longer has any reserve of rental income. Commissioner McKinnon had several questions and comments about the originally requested budget; and asked if the college knew that there was going to be a shortfall in operational funds; and if so, why did the college request funding of a new hybrid car program, when those funds could have covered operational costs. Mrs. Tipton-Rogers said that the Hybrid Car Program was an additional request and a capital outlay request. Commissioner Meltz asked if the college received any funding from the schools to help support the early college. Mrs. Tipton-Rogers said "no". Commissioner Wood also asked about FTE for early college students. Mrs. Tipton-Rogers said that the college receives FTE based on college student enrollment, and said the FTE funds for college students come from the State budget. She said the college gets FTE for college courses that the early college students take through the college, but she is not sure how it works for the courses that the students take through the high school. Motion to table and schedule worksession seconded by Commissioner Stiles. Motion passed unanimously.
 - Josh Carpenter, Cherokee County Economic Development Director, came before the board to present "Project Tango". Project Tango is a grant funded project to assist Snap-On Tools with waterline upgrades and fiber optic connection, and the creation of 25 additional jobs. Mr. Carpenter said that the project will be funded by a State grant and an Appalachian Regional Commission. The project total is \$440,000. The county's match would be \$11,044. Mr. Carpenter said that there were several different documents that would need to be approved. Commissioner McKinnon expressed concern that the board was just presented with the request. Mr. Carpenter explained that because of proprietary information that he was unable to release the information prior to presentation. After discussion, a Motion was made by Commissioner Stiles to approve the capital budget ordinance for "Project Tango". Motion seconded by Commissioner Meltz. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve an Interlocal Agreement between Cherokee County and the Town of Murphy. Cherokee County would construct the waterline and the Town of Murphy would maintain it. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- A Motion was made by Commissioner Stiles to approve an agreement between Cherokee County and Blue Ridge Mountain Electric Corp for fiber optic infrastructure. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- A Motion was made by Commissioner Meltz to approve a resolution authorizing Cherokee County to apply for the grant project. Motion seconded by Commissioner Stiles. Motion passed unanimously.

A Motion was made by Commissioner Stiles to approve a Memorandum of Understanding outlining conditions and regulations for the North Carolina Rural Center grant. Motion seconded by Commissioner Meltz. Motion passed unanimously.

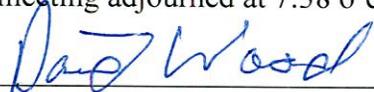
- After discussion, a Motion was made by Commissioner Stiles to approve the Veteran's Transportation Project for Cherokee County Transit, as presented by Cherokee County Transit Director Mike Catuto and Macon County Transit Director Kim Angel. The project is a multi-county project. Motion seconded by Commissioner Meltz. Motion passed unanimously.
- Mike Stevenson, CEO of Murphy Medical Center, came before the board to give an update on the upcoming Department of Defense Medical Mission that Murphy Medical Center is hosting.
- The county manager also discussed other departments that may be indirectly impacted by the event; such as, Emergency Medical Services and Sheriff's Office.
- After discussion, a Motion was made by Commissioner Meltz to approve a reduction in the Cherokee County transit rate for the medical mission. The normal rate would be \$10 per round trip, but Mr. Catuto would like to reduce the rate to \$5 per round trip, during the time of the medical mission. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner McKinnon to approve the Cherokee County Health Plan change for covering immunizations. Motion seconded by Commissioner Meltz. Motion passed unanimously.

County Manager Items:

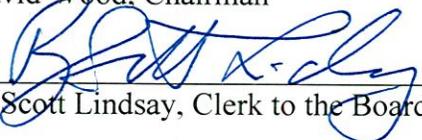
After discussion, a Motion was made by Commissioner Stiles to request the North Carolina Department of Transportation to look at the intersection of 294 and Candy Mountain Road, and determine if there is a need to adjust that intersection. If so, the county would request DOT to utilize Small Construction Funds for the project. Motion seconded by Commissioner Jordan. Voting in favor of the Motion was Commissioners Stiles, Meltz, Wood and Jordan. Voting against the Motion was Commissioner McKinnon. Motion passed 4-1.

- After discussion, a workession was scheduled for Thursday, March 12th at 5:30 p.m. to discuss the funding request by Tri-County Community College, consideration of release of tax penalties for Lisa Grant, and consideration of an Adult Entertainment Ordinance.

There being no further business to come before the Board, a Motion was made by Commissioner Wood to adjourn. Motion seconded by Commissioner Jordan. Motion passed unanimously. The meeting adjourned at 7:38 o'clock p.m.



David Wood, Chairman



R. Scott Lindsay, Clerk to the Board