

A REGULAR MEETING  
OF THE  
CHEROKEE COUNTY  
BOARD OF COMMISSIONERS  
March 2, 2015

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 2<sup>nd</sup> day of March, 2015 at 6:30 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Cal Stiles, Vice-Chairman; Dan Eichenbaum, member; Gary Westmoreland, member; and Roy Dickey, member. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager/Clerk to the Board; R. Scott Lindsay, County Attorney/Assistant Clerk to the Board; and Candy Roberts Anderson, County Finance Director.

Present from the media was Matthew Osborne of the Cherokee Scout; and Ralph Robinson of Local TV4. DVD copies of commission meetings may be purchased at Local TV4.

Chairman McKinnon read the boards adopted ethics statement.

The invocation was given by Randy Wiggins.

The Pledge of Allegiance was led by all.

**Modification of Agenda:** None

**Agenda Adoption:**

A Motion was made by Commissioner Dickey to adopt the agenda. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Prior to public forum, Commissioner McKinnon stated that there was some misinformation concerning the recently submitted legislative goal by the Board of Commissioners, and that he wanted to clarify the goal and its intent. Commissioner McKinnon read the legislative goal: *Stop allowance of future land acquisition by federally recognized tribes, i.e. the Eastern Band of Cherokee Indians, to be held in trust by the federal government through the Secretary of the Interior, thereby allowing those lands and their associated values to be exempt from local property taxation, including individual personal property, business personal property, and motor vehicles registered to/located within or upon those lands, which results in a larger tax burden upon all remaining property owners. These lands should at a minimum be subject to the same PILT program as other federal lands.* He said the intent is not to prohibit land acquisition, but simply to prevent it from being exempted from the tax base, and thereby creating a greater tax burden on Cherokee County citizens. Commissioner Eichenbaum and Commissioner Stiles also commented on the proposed goal and explained the potential impact of the county's property tax base. Commissioner Eichenbaum commented on the headline of the Cherokee Scout in reporting the proposed goal and asked the newspaper to produce a headline that properly reflects the content of the story.

**Public Forum:**

- Walter Patterson came before the board to request use of the Mountain Folk Center for a farmers market and craft sales. Local crafter and artisan, Carolyn Dempsey also requested use of the Mountain Folk Center for artisan and crafters to sell their products.
- Al Hetzel discussed the effects of fracking, and shared his opposition of fracking.

**Approval of Minutes:**

A Motion was made by Commissioner Westmoreland to approve the regular meeting minutes of February 2, 2015. Motion seconded by Commissioner Dickey. Motion passed unanimously.

### **Finance and Budget Items:**

After discussion, a Motion was made by Commissioner Westmoreland to approve and accept a \$500 TVA economic development grant for Josh Carpenter for economic development related travel and training expenses. Motion seconded by Commissioner Dickey. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Stiles to approve a use of sales tax for grading of Martin's Creek ball field. Motion seconded by Commissioner Dickey. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Eichenbaum to approve a budget revision for an add-back to contingency funds in the amount of \$76,242.00, due to ambulance budget surplus. Motion seconded by Commissioner Dickey. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Stiles to approve a budget revision for the sheriff's department, for the payout of accrued vacation, comp, and other employee benefits of former employees of the sheriff's office and detention center. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. Chief Deputy Mark Thigpen was in attendance and explained the need for the budget revision.

After discussion, a Motion was made by Commissioner Stiles to approve a budget request by Sheriff Palmer to add two new deputies to his department and move a full-time detention center employee to a full-time administrative position in the sheriff's office. Motion seconded by Commissioner Dickey. Motion passed unanimously. Chief Deputy Mark Thigpen was in attendance and explained the need for the additional personnel in the sheriff's department.

After discussion, a Motion was made by Commissioner Stiles to table the budget revision for use of 911 funds to purchase new dispatcher chairs. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Eichenbaum to approve a request by the Cherokee County Board of Education to use sales tax dollars for multiple school projects. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Budget revisions are on file in the office of the finance director.

### **New Business:**

- After discussion, a Motion was made by Commissioner Stiles to approve the 2015 Senior Games Proclamation. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Eichenbaum to approve the 2015 National Day of Prayer Proclamation. Motion seconded by Commissioner Dickey. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Stiles to release the 2014 taxes for Vengeance Creek Baptist Church, due to an untimely application. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.
- After discussion, a Motion was made by Commissioner Westmoreland to approve releases and refunds as presented by Delenna Stiles. Motion seconded by Commissioner Stiles. Motion passed unanimously.

### **County Manager Items:**

The county manager presented a TVA Ag and Forestry grant opportunity for upgrades and expansion of the Mickens Branch recreation area on Hiwassee Lake. Mr. Wiggins explained that the county would be a flow-through for the grant funds, but there would be no cost to Cherokee County. The area will be maintained by TVA. A Motion was made by Commissioner Dickey to approve the grant application. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

The county manager asked the board to look at dates to reschedule their cancelled work session. The board scheduled a work session for Tuesday, March 10<sup>th</sup> at 6:30 p.m.

**Chairman/Commissioner Items:** None

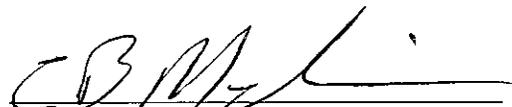
**Executive Session:**

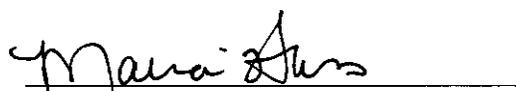
Pursuant to §143-318.11 (a) (3), a Motion was made by Commissioner Stiles to go into closed session to consult with the county attorney, concerning a legal matter. Motion seconded by Commissioner Dickey. Motion passed unanimously. While in closed session, the board consulted with the county's legal counsel, and discussed the recent lawsuit filed by former sheriff, Keith Lovin.

After returning to open session, the board took no action on items discussed in closed session.

**Adjourn:**

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Dickey. Motion passed unanimously. The meeting adjourned at 8:00 o'clock p.m.

  
C.B. McKinnon, Chairman

  
Maria Hass, Clerk to the Board