

Cherokee County Board of Commissioners Meeting
Held on March 18, 2019 at 6:30 P.M.
Cherokee County Courthouse
Board Meeting Minutes

Members present: Gary Westmoreland, Chairman; Roy Dickey, Vice-Chairman; Cal Stiles, member; Dr. Dan Eichenbaum, Member; and C.B. McKinnon, member.

Staff present: Randy Wiggins, County Manager; Candy Anderson, Finance Officer; and Darryl Brown, County Attorney.

Meetings can be viewed on the website of Local TV 4 and WKRK Radio's Facebook page.

I. Call to order by Chairman

The Chairman reminded the Board of their duty under the Local Government Ethics Act.

II. Invocation

III. Pledge of Allegiance

IV. Modification of Agenda to add Budget Revision for Schools Use of Sales Tax.

V. Agenda Adoption

Motion made by Commissioner Stiles to adopt the agenda as modified. Motion seconded by Commissioner Dickey. Motion passed unanimously.

VI. Public Forum

Henry Ristorcelli questioned the closed session and asked if the public would have an opportunity to comment after the closed session.

VII. Finance and Budget Items

Motion made by Commissioner Dickey to approve a budget revision for Cherokee County Schools request for use of designated Article 46 sales tax for bus garage camera system and Ranger School bus camera system. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve Cherokee County Schools request for use of Article 46 sales tax for the Martins Creek School septic system repairs. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to table Cherokee County Schools request for use of sales tax for network equipment upgrades. Motion seconded by Commissioner

Eichenbaum. Voting in favor of the Motion was Commissioners McKinnon, Eichenbaum, Dickey and Westmoreland. Voting against the Motion to table was Commissioner Stiles. Motion passed 4-1.

Motion made by Commissioner Eichenbaum to approve the Health Department fee schedules as submitted. Motion seconded by Commissioner Stiles. Motion passed unanimously.

VIII. New Business

Cherokee County Schools presented a Declaration of Surplus Property to Cherokee County, and in accordance with State law must first offer any such property to Cherokee County for purchase or exchange. After discussion, a Motion made by Commissioner McKinnon to reject the schools offer of the following three parcels of real property:

- *112 West Memorial Drive, Andrew, NC
- * 4533 Martins Creek Road, Murphy, NC (Old Martins Creek/Mtn.Youth School)
- * Unimproved Real Property at 74/129 across from Murphy High School

Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

The following individuals, came before the board on behalf of their respective organizations supporting efforts to prevent child abuse and declaring April as Child Abuse Prevention Month in Cherokee County: Amanda McGee, DSS Director; Andria Duncan, DSS Attorney; Tonya Steiert, Guardian Ad Litem Supervisor; Jeana Conley, Cherokee County Schools Superintendent; John Higdon, Assistant Superintendent; Roseanne Handford, Cherokee County DSS; Lisa Wells, Cherokee County DSS; and Lieutenant Joe Wood, Cherokee County Sheriff's Office.

Motion made by Commissioner Eichenbaum to adopt the proclamation observing April 2019 as Child Abuse Prevention Month in Cherokee County. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Stiles to approve the tax releases. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Dickey to approve the tax refund report. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner Stiles to approve the NCVTS Report. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Dickey to appoint Donna Ware to the Cherokee County Jury Commission for a two-year term. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner McKinnon to appoint Aurelia Stone to the Cherokee

County Tourism Development Authority for a two-year term. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner Dickey to re-appoint Phylis Blackmon to the Cherokee County Tourism Development Authority for a two-year term. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Cherokee County Board of Equalization and Review Applicants Christie Standish and Shannon Greathead came before the board for introductions.

Motion made by Commissioner Eichenbaum to approve the 2019 Spring Litter Sweep for Roadside Litter Pickup in Cherokee County for the dates of April 13-27. Motion seconded by Commissioner McKinnon. Motion passed unanimously. Roadside litter must be collected and disposed of in designated NCDOT litter sweep bags.

After discussion, no action was taken on the offer by Murphy Health and Fitness for an employee fitness savings plan.

IX. County Manager Items

The County Manager informed the board that the county had received a bid of \$5,161.00 on the tax foreclosure property (Lot 16, Bear Creek Subdivision in Shoal Creek) that had been re-advertised. After discussion, a Motion was made by Commissioner McKinnon to accept the bid. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Stiles to award the bid to the second highest bidder on the Bear Creek property if the high bidder fails to complete the purchase. Motion seconded by Commissioner Dickey. Motion passed unanimously.

X. Chairman/Commissioner Items

Commissioner Stiles said that he would like the commissioners to appoint a new and separate DSS board.

Commissioner McKinnon and Commissioner Eichenbaum talked about the responses of the recently passed gun sanctuary resolution.

XI. Closed Session

Motion was made by Commissioner Stiles to go into closed session, pursuant to 143-318.11 (3) to preserve attorney-client privilege between the attorney and the board; and, pursuant to 143-318.11 (5) to establish the position to be taken by the board concerning acquisition of real property. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Matters discussed during closed session were, 1) Hill vs. Palmer; 2) Shields vs. Cherokee County; and 3) Acquisition of real property for EMS station.

Motion made by Commissioner Stiles to return to open session. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

XII. Open Session

Motion made by Commissioner Stiles to approve sending a letter to NCDOT requesting a donation of land at Jackson Street and Peachtree Street for construction of a new Emergency Medical Services station. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

XIII. Adjournment at 8:39 P.M.

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE
CHEROKEE COUNTY BOARD OF COMMISSIONERS ON APRIL 1, 2019.**