

Cherokee County Board of Commissioners
Regular Meeting Minutes
September 16, 2019
6:30 P.M.
Cherokee County Courthouse

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; Maria Hass, Assistant County Manager and Clerk to the Board; 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

II. Ethics Statement

Ethics statement read by Chairman.

III. Invocation

IV. Pledge of Allegiance

V. Modification of Agenda

Motion made by Commissioner Eichenbaum to add a request from Cherokee County Schools for a budget revision for use of sales tax funds for multiple projects. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Stiles to add a budget revision for carry-forward of grant funds. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Stiles to move the airport lease discussion from closed session to open session. Motion received no second. Motion failed.

VI. Agenda Adoption

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

VII. Public Hearing Fiscal Year 2021 NCDOT Transit Grants

Motion made by Commissioner McKinnon to open the public hearing. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. Mike Catuto, Transit Director, discussed the NCDOT grant programs. There were no public comments or questions. Motion made by Commissioner McKinnon to close the public hearing. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve the FY2021 Local Share Certification for Funding, and the Public Transportation Program Resolution for FY2021 NCDOT Grant Funding. Motion seconded by Commissioner Dickey. Motion passed unanimously.

VIII. Public Forum-A resident of Cherokee Hills Golf Course asked for a time of 9PM to be made to Section II, Item C of the county's noise ordinance.

IX. Minutes

Motion made by Commissioner Stiles to approve the minutes of August 19, 2019. Motion seconded by Commissioner Dickey. Motion passed unanimously.

X. Finance and Budget

Motion made by Commissioner McKinnon to approve the list of uncollectable landfill accounts, as presented by the finance director. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve the write-off of landfill billing late fees less than \$2. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to add to the landfill billing policy to write-off late fees for landfill billing less than \$2. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to add to the landfill billing policy, that any person or business that has landfill tipping fees written off shall be on a permanent cash-only basis. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to add to the landfill billing policy, that any person or business that becomes ten (10) days late beyond their thirty (30) day landfill billing shall be cash-only, until the landfill bill is paid in full. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Dickey to approve a Health Department policy to write-off co-pays for county employees. Motion seconded by Commissioner McKinnon. Motion passed unanimously. This policy would encourage county employees to utilize services at the health department, since the county administers a self-insured health plan.

Motion made by Commissioner Stiles to approve the health department fee schedules, referenced as Attachment A, and incorporated as a part of these minutes. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Dickey to approve a budget revision for use of schools sales tax for Cherokee County Schools. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve a budget revision for carry forward of unexpended emergency management grant funds from prior fiscal year. Motion seconded by Commissioner Stiles. Motion passed unanimously.

XI. New Business

Shelly Foreman of VAYA Health came before to discuss the States proposed funding cuts to behavioral health, sharing that the state has cut behavioral health funds by \$458 million over the last four years, including more than \$48 million to Vaya alone, while still requiring Vaya and other local management entities and managed care organizations to continue offering the same level of State-funded services as before the funding cuts. After discussion, a Motion was made by Commissioner McKinnon to approve a resolution requesting the North Carolina General Assembly to stop cutting VAYA's funding for behavioral health services, and to allow VAYA to build up its Medicaid savings so that it can reinvest in services for our communities, rather than mandating that such funds be used to replace reduced State funding. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner Stiles to appoint Deborah Albert to the Nantahala Regional Library Board of Trustees for a six-year term. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Chad McNabb, of the Hiwassee Dam Fire Department, came before the Board to request the county provide a \$6,000 match for a North Carolina Department of Insurance Volunteer Rescue and EMS grant for the purchase of a 30 HP Jet Drive RescuePro outboard motor. Mr. McNabb explained that Hiwassee Dam VFD has been actively working to enhance the Departments ability to provide water rescue to the county. He said that this jet drive motor is the last piece of equipment that they need, and then they will have all of the required equipment to be typed by North Carolina Office of Emergency Management as a swift water rescue team. A Motion was made by Commissioner Dickey to approve the request. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner Dickey to approve tax releases, as presented. Motion seconded by Commissioner Stiles. Motion passed unanimously.

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

Motion made by Commissioner McKinnon to approve the NCVTS Report. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve the Facilities Use Agreement, as amended. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

The county manager shared the landfill update, as provided by the landfill director.

Motion made by Commissioner Stiles to approve the proposal for engineering services from McGill and Associates for EMS Station 1 at the new Jackson Street location. Motion seconded by Commissioner Westmoreland. Voting in favor of the Motion was Commissioners Westmoreland, Stiles, and Dickey. Voting against the Motion was Commissioners McKinnon and Eichenbaum. Motion passed. Commissioner McKinnon said that he thought it would be a good idea to wait until the county received the deed for the property before spending money on engineering services.

Motion made by Commissioner McKinnon to renew the agreement between Cherokee County and Eastern Band of Cherokee Indians for EMS services. Motion seconded by Commissioner Dickey. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve sending a letter of inquiry to NCDOT, asking what the Department's intent is for the future use of the Andrews-Murphy Branch Rail Line. Motion seconded by Commissioner Dickey. Motion passed unanimously.

XII. Closed Session

Motion made by Commissioner Dickey to go into closed session, pursuant to 143-318.11 (a) (3) to consult with the county attorney on legal matters, and pursuant to 143-318.11 (a) (5) to instruct county staff of the Board's position to be taken concerning negotiating the terms of a contract for acquisition of real property by exchange, option, or lease. Motion seconded by Commissioner Eichenbaum. Voting in favor of the Motion was Commissioners Dickey, Eichenbaum, McKinnon and Westmoreland. Voting against the Motion was Commissioner Stiles. Motion passed.

After returning to open session, there was no action taken on matters discussed in closed session.

XIII. Adjournment

There being no further business, a Motion was made by Commissioner Eichenbaum to adjourn. Motion seconded by Commissioner McKinnon. Motion passed unanimously. Meeting adjourned at 8:30 PM.

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE
CHEROKEE COUNTY BOARD OF COMMISSIONERS ON OCTOBER 21, 2019.**