

Cherokee County Board of Commissioners
Meeting Minutes
March 18, 2024

Board members present: Randy Phillips, Chairman; Dr. Dan Eichenbaum, Vice-Chairman; Cal Stiles, member; Jan Griggs, member; Ben Adams, member.

Others present: Randy Wiggins, County Manager; Maria Hass, Asst. County Manager/Clerk to Board; Candy Anderson, Chief Financial Officer; and, Darryl Brown, County Attorney.

Time: 6:30 p.m.

Location: Cherokee County Courthouse, Room 342.

Call to order by Chairman Phillips

Invocation

Pledge

Ethics Statement read by Clerk to Board “Members of the County Board of Commissioners are advised, hereby, of their duty under the Local Government Ethics Act and should 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 as may be allowed by law”.

Public Comment Period

Commissioner Comment Period

Commissioner Griggs – Announcements/comments

- *MANNA Food Distribution March 20th at Hiwassee Dam Community Center, distribution beginning at 11:30 a.m.*

- *Congratulations to Ranger VFD for recently obtaining Heavy Rescue Certification*

- *Congratulations to Murphy Mayor Tim Radford who became an Associate Member of Marine Corp League 1011 last week*

- *Participated in the 28th Annual Hiwassee Dam Community Easter Egg Hunt on March 17th*

Commissioner Adams – Announcements/comments

Personal Town Hall meeting on March 26th

County Manager Items

- The county manager announced the Fiscal Year 2022 audit has been approved by the Local Government Commission.

Modification of Agenda

Motion made by Commissioner Griggs and seconded by Commissioner Adams to add a discussion about suspending the Needs and Solutions Advisory Committee. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to add Marble Springs

Lodge to the agenda. Motion passed unanimously.

Motion made by Commissioner Griggs and seconded by Commissioner Adams to add the Sheriff's request to replace a part-time position with a newly created fulltime position and add the new position to the county pay plan at a pay grade 64. Motion passed unanimously.

Adoption of Agenda

Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to adopt the agenda, as modified. Motion passed unanimously.

Budget and Finance

Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve the Sheriff's request for additional travel and training funds in the amount of \$5,000.00. Motion passed unanimously.

Motion made by Commissioner Eichenbaum and seconded by Commissioner Phillips to approve the Sheriff's request for additional funding in the amount of \$35,000.00 for additional attorney fees for the remainder of this fiscal year. The approval is for the remainder of this fiscal year only. Motion passed unanimously.

Motion made by Commissioner Phillips and seconded by Commissioner Adams to approve the Sheriff's request for use of fund balance in the amount of \$129,789.00, contingency in the amount of \$10,783.00, and grant revenue in the amount of \$25,015.00 to order two new vehicles and equipment for two new patrol officers. During discussion, Commissioner Stiles asked the Sheriff if he is now fully staffed. Sheriff Smith said yes, he is fully staffed at the Sheriff's Office and the Detention Center. Commissioner Stiles then said since the commissioners budgeted for an animal control officer and there had been one in years past, could the Sheriff now dedicate one of the new positions specifically to animal control. Sheriff Smith said he doesn't want to pull a deputy off the road, and that deputies already answer a majority of the calls. Sheriff Smith said a part-time person could handle the paperwork related to vicious animal declarations. There being no further discussion, the Motion passed unanimously.

Note: Salaries for the two new patrol officers will be covered at 75% by a recent COPS grant for a period of three years. The expenses approved here are for the remainder of the fiscal year, ending June 30.

Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve the Sheriff's request to reclassify a Senior Admin Specialist part-time position to a Classification Specialist full-time position, and to increase the pay grade from a 61 to a pay grade 64. Motion passed unanimously.

Note: The new classification and pay grade will be added to the county pay plan, and the current employee will move from part-time to full-time and from a pay grade 61 to a pay grade 64.

Motion made by Commissioner Stiles and seconded by Commissioner Phillips to approve an updated EKG fee schedule for the Health Department. Motion passed unanimously. *Note: The updated EKG fee schedule was previously approved by the Board of Health on 3/11/2024.*

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve an updated family planning fee schedule for the Health Department. *Note: The updated fee schedule was approved by the Board of Health on 3/11/2024.*

Motion made by Commissioner Eichenbaum and seconded by Commissioner Griggs to table Cherokee County Schools request for use of sales tax in the amount of \$203,800.00 for multiple projects, until the two boards can hold a public work session to discuss school facility plans and allow for a public comment

period during the work session, as was requested previously by the Board of Commissioners at its March 7th meeting. Motion passed unanimously.

Old Business -Voluntary Agricultural District Ordinance Discussion

Ed Wood, Chairman of the Cherokee County Soil and Water Board introduced Ryan Manning, Farmland Preservation Program Coordinator for NC Foundation for Soil and Water. Also, in attendance was Cherokee County Soil and Water Board members, Bill Tipton, Keaton Killian, and Jamie Lance, and education coordinator Sheri Goodlet.

Mr. Manning came before the Board to discuss the recent statutory changes that triggered the need for an updated ordinance and explained the differences between a Voluntary Agricultural District Ordinance and an Enhanced Voluntary Agricultural District Ordinance. After a lengthy presentation and board discussion and debate, a Motion was made by Commissioner Griggs and seconded by Commissioner Stiles to adopt the newly present Enhanced Voluntary Agricultural District Ordinance. Commissioner Adams and Commissioner Eichenbaum shared concerns about the Enhanced Voluntary Agricultural District Ordinance, as written. Motion failed. Commissioner Griggs made a Motion for Cherokee County Soil and Water to come back to the board with a Voluntary Agricultural District Ordinance for review and consideration. Motion seconded by Commissioner Stiles. Motion passed unanimously. *Note: The previous Voluntary Agricultural District Ordinance was repealed on January 22, 2024, due to it no longer meeting the statutory language requirements.*

New Business

Fire Chief Eric Curtis, of Wolf Creek Volunteer Fire Department, and Secretary Keesha Curtis, came before the Board to present a request for a fire tax increase for FY 2025. The current fire tax rate for Wolf Creek is 3.5 cents per \$100 of property tax valuation. The Department is asking the Board to set a new fire tax of 9 cents. Mr. Curtis shared documentation of two public meetings, along with petitions from community members supporting the fire tax increase. The secretary shared current expenses and revenues. Mr. Curtis explained that the increase to revenues is necessary for the Department to be able to upgrade/replace equipment, purchase a new engine and tanker, and to purchase land to build a substation. He explained that making all of these improvements will help the Department lower its ISO rating, resulting in lower insurance premiums for homeowners. *Note: Board members explained that the fire tax increase could not be approved outside of the annual budget ordinance, but shared their support of the request and the Department.*

Theresa Creasman, 911 Telecommunication Manager, came before the Board to give an update on the completed Simulcast Radio System Project. The Board thanked Mrs. Creasman for all of her hard work on the project and for seeing it through to fruition, and shared their appreciation for the good job she is doing at 911 Communications.

Bruce Peck, of Valley River Picklers, came before the board to request funding in the amount of \$1,400.00 to complete a fence project at the pickleball court at Konehete Park. After discussion, a Motion was made by Commissioner Stiles and seconded by Commissioner Adams to approve the request. Motion passed unanimously. *Note: The request is for 50% of the cost of completing the fence project.*

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to appoint Alyssa Grace Brown as Deputy Tax Collector. Motion passed unanimously. Miss Brown was given the oath of office by the Clerk to the Board.

Motion was made by Commissioner Phillips and seconded by Commissioner Griggs to approve a proclamation recognizing April as Volunteer Appreciation Month in Cherokee County. Motion passed unanimously. *Note: The volunteer recognition proclamation was initiated several years ago by the late Gary Chamberlain, who was instrumental in launching the Cherokee County Anti-Litter Coalition.*

Motion was made by Commissioner Griggs and seconded by Commissioner Eichenbaum to approve the Year of the Youth Proclamation. Commissioner Phillips said he would like to revise the proclamation to add youth sports to the list of youth activities. Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to modify the Motion to include youth sports in the list of youth activities. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve the tax releases, as submitted, and the tax refund report, as modified. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Phillips to order the Tax Collector to advertise delinquent taxes, pursuant to §105-369. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Phillips to approve proposals from Architecture Unlimited to move forward with the new Senior Center and Veterans Services facility and Public Health facility. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Eichenbaum to revise the Agenda Order of Business by moving “Commissioner Items” and “County Manager Items” back to the end of the agenda. Voting in favor of the Motion was Commissioner Stiles, Eichenbaum and Phillips. Voting against the Motion was Commissioner Griggs and Adams. Motion passed 3-2. *Note: These items were previously placed at the end of the agenda, but moved to the beginning during the last revision of the Rules of Procedures.*

Motion made by Commissioner Phillips and seconded by Commissioner Adams to cancel the April 30th work session. Motion passed unanimously. *Note: Since the work session will be to discuss the High Impact Ordinance, it needs to be called by the Planning Board, not the Board of Commissioners.*

After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Adams to temporarily suspend the Needs and Solutions Advisory Committee, to allow the Board of Commissioners time to reassess the committee’s membership. Commissioner Stiles said he would like to see it continue, but to see some added guidelines. Voting in favor of the Motion to suspend the committee until further notice was Commissioner Griggs, Adams, Eichenbaum, and Phillips. Voting against the Motion was Commissioner Stiles. Motion passed 4-1.

Motion made by Commissioner Adams and seconded by Commissioner Stiles to approve the use of the county’s property in Marble for Marble Spring Masonic Lodge Easter Egg Hunt. Motion passed unanimously. *Note: Marble Springs Masonic Lodge provided a special event insurance policy naming Cherokee County as an additional insured, prior to this meeting.*

Adjournment

Motion made by Commissioner Adams and seconded by Commissioner Stiles to adjourn. Motion passed unanimously.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON MAY 6, 2024.