

Cherokee County Board of Commissioners
Meeting Minutes
April 21, 2025

Board members present: Dr. Dan Eichenbaum, Chairman; Cal Stiles, Vice-Chairman; Ben Adams, member; Alan Bryant, member; and Mark Stiles, member.

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

Time: 6:30 p.m.

Location: Cherokee County Courthouse, Room 342.

Call to Order by Chairman Eichenbaum

Invocation

Pledge

Ethics Statement

The Clerk to the Board read the Ethics statement.

Modification of Agenda

Motion made by Commissioner Cal Stiles and seconded by Commissioner Bryant to add a budget revision for additional airport personnel. Motion passed unanimously.

Adoption of Agenda

Motion made by Commissioner Mark Stiles and seconded by Commissioner Bryant to adopt the agenda, as modified. Motion passed unanimously.

Public Comment Period

During public forum, Chief Jordan Messer of Peachtree VFD came before the board to discuss concerns with lack of response from Brasstown Fire Department, stating Brasstown Fire Department is not responding to calls from 911 Dispatch for fire calls in the Cherokee County portion of Brasstown and that Cherokee County Dispatch is having to contact Clay County Dispatch to have Brasstown Fire Department paged in Clay County. He said this creates a 45-minute delay in response, and the fire tax in Brasstown from Cherokee County taxpayers is going for fire protection that has to go through Clay County. Mr. Messer said he wanted to make the board aware of the situation.

Mr. Tony Chifolo came before the board to complain of discharging of firearms, trash on road and in streams, and drug activity in his community. He said he decided that he would sell his house, but when he contacted a realtor, he was told no one will buy it because of these issues. Mr. Chifolo said he has contacted multiple departments and state agencies and no one can help him. He said he was told by the police, if a "No Littering" sign was placed on the road, then they could issue tickets. The board suggested Mr. Chifolo come in and speak with the county

manager.

Budget and Finance

Motion made by Commissioner Adams and seconded by Commissioner Mark Stiles to approve a budget revision for Cherokee County Board of Education request for use of Article 40/42 sales tax in the Amount of \$204,000 for MMS Bathroom Professional Services; and to table the \$75,000 request for MHS Mountain Property Feasibility Study. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Bryant to approve a budget revision in the amount of \$100 for a donation made to DSS for Scam Jam 2025. Motion passed unanimously.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Alan Bryant to approve a budget revision in the Amount of \$42,300 for the purchase of a new Chevrolet Traverse for the Health Department. Motion passed unanimously.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Alan Bryant to approve a budget revision in the amount of \$8,579 to fund a part-time seasonal employee at the airport for the remainder of FY25. Motion passed unanimously.

New Business

After presentation by Health Director, David Badger and Dr. Jillian Irwin, a Motion was made by Commissioner Adams and seconded by Chairman Eichenbaum to approve Integrated Care of Greater Hickory's proposal and plan to address substance use disorder in Cherokee County, and to approve a spending resolution to fund the plan and program with opioid settlement funds. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Chairman Eichenbaum to allow Cherokee County Emergency Management to apply for Duke Energy Grant to purchase a 4-passenger side by side. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Cal Stiles to accept a late property tax exemption application from Bates Creek Baptist Church. Motion passed unanimously.

Motion made by Commissioner Bryant and seconded by Commissioner Mark Stiles to accept a late property tax exemption application from Tammi Smith – Appalachian Lady Homesteaders. Motion passed unanimously.

Harry Hearne, of Valley River Picklers, came before the board to request the county cover the cost of installing permanent net posts and nets at the pickleball courts, and to also cover the cost of striping the newly converted pickleball court, at an estimated cost of \$19,000. Mr. Hearne also requested permission to use the courts for a regional pickleball tournament, and permission to place temporary sponsor banners on the fence. Mr. Hearne also asked for the last remaining tennis court be converted for dual use, between tennis and pickleball. Motion made by Commissioner Stiles and seconded by Commissioner Bryant to approve all requests, except for the conversion of the last tennis court. Motion passed unanimously.

Angela Clem, of Murphy Booster Club, came before the board to request use of the pickleball courts on May 10th, for a pickleball tournament fundraiser. Ms. Clem provided proof of insurance. Motion made by Chairman Eichenbaum and seconded by Commissioner Bryant to approve the request. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Bryant to cover one half of the cost (\$58,217) of replacing the roof on Nantahala Regional Library, contingent upon the Town of Murphy covering the other half. The lowest bid was \$116,434. Motion passed unanimously.

Motion made by Chairman Eichenbaum and seconded by Commissioner Adams to approve a funding request from the Cherokee County Saddle Club in the amount of \$25,000 to match the Saddle Clubs funds for repairs to the horse arena at the Mountain Folk Center, and to approve the Scope of Work. Motion passed unanimously. Commissioner Adams thanked Commissioner Bryant for making the connections and coordinating the repairs.

Brad Bailey, Assistant Chief of Peachtree VFD came before the board to request use of rescue funds in the amount of \$6,568.40 to purchase rescue apparatus. Motion made by Commissioner Mark Stiles and seconded by Commissioner Alan Bryant to approve the request. Motion passed unanimously.

Chad McNabb, Chief of Hiwassee Dam VFD came before the board to request use of rescue funds in the amount of \$7,500 to purchase a side scan sonar for the swift water boat. Motion made by Commissioner Adams and seconded by Chairman Eichenbaum to approve. Motion passed unanimously.

Motion made by Commissioner Mark Stiles and seconded by Commissioner Cal Stiles to approve a request from Cherokee County Parents Athletics Association for reimbursement of \$2,783.48 for the Association's annual insurance premium. Motion passed unanimously.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Adams to approve the 2025 Amateur Radio Proclamation. Motion passed unanimously.

Motion made by Commissioner Bryant and seconded by Chairman Eichenbaum to approve Agreement Addendum 2 to the Memorandum of Agreement between Eastern Band of Cherokee Indians and North Carolina Division of Public Health and Cherokee County Health Department. Motion passed unanimously.

Motion made by Commissioner Bryant and seconded by Commissioner Cal Stiles to approve the Sheriff's Request to use the pond at the Marble property for the 2025 Kids Fishing Derby. Motion passed unanimously. Proof of insurance was provided.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Bryant to approve a Resolution Authorizing Sale of Real Property by Electronic Public Auction for Parcel ID# 4542-

00-88-0093-000, Choctaw Ridge Trail .74 acres. Motion passed unanimously.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Bryant to approve a Resolution Authorizing Sale of Real Property by Electronic Public Auction for Parcel ID# 5576-00-82-8644-000, Granny Squirrel Dr .78 acres. Motion passed unanimously.

Motion made by Commissioner Cal Stiles and seconded by Commissioner Bryant to approve a Resolution Authorizing Sale of Real Property by Electronic Public Auction for Parcel ID# 4580 04 73 3154 000, Morris Ridge Drive .84 acres. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Bryant to approve the Tax Releases, Tax Refund Report and NCVTS Refund Report, as submitted. Motion passed unanimously.

Chairman Eichenbaum presented a "Petition for Redress of Grievances to US Government". After comments, Chairman Eichenbaum made a Motion to approve. Motion was seconded by Commissioner Cal Stiles. Motion passed unanimously. A Copy of the Resolution is attached to these minutes as Attachment A.

After discussion, a Motion was made by Commissioner Cal Stiles and seconded by Chairman Eichenbaum to remove funding for North Carolina Forest Service from the County Manager's FY26 recommended budget. Motion passed unanimously.

After discussion, the consensus of the board was to reschedule its May 19th meeting to May 20th.

County Manager Items

The County Manager updated the board on the EMS Station 2 project and Senior/VA facility project.

Closed Session

Motion made by Chairman Eichenbaum and seconded by Commissioner Adams to go into closed session, pursuant to §143-318.11 (a) (4) - to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body; and §143-318.11 (a) (3) - to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Motion passed unanimously.

During closed session, the board met with Paul Worley, Economic Development Director to discuss contract documents related to the expansion of a local business. The board also consulted with the county attorney concerning the recent closure of the evidence room at the Sheriff's Office.

Open Session

After returning to open session, a Motion was made by Commissioner Cal Stiles and seconded by Commissioner Bryant to approve a budget revision in the amount of \$50,000 for an audit of the evidence room. Motion passed unanimously.

The finance officer told the board there is a sales tax refund in the amount of \$462,453 from the Schools of Innovation and Technology project that could be used toward the MMS bathroom project, or applied to Cherokee County Schools operational cost, to reduce the local appropriation. After discussion, a Motion was made by Commissioner Adams and seconded by Chairman Eichenbaum to apply the sales tax refund from the Schools of Innovation and Technology and apply it toward operational costs to reduce the local appropriation. Motion passed unanimously.

Adjourn

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

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE
CHEROKEE COUNTY BOARD OF COMMISSIONERS ON JUNE 16, 2025.**

ATTACHMENT A



CHEROKEE COUNTY

75 Peachtree Street
Murphy, NC 28906
828-837-5527

County Administration

Randy Wiggins, County Manager
Maria Hass, Asst. County Manager/Clerk to Board
Candy R. Anderson, CPA, Chief Financial Officer
Darryl R. Brown, County Attorney

Board of Commissioners

Dr. Dan Eichenbaum, Chairman
Cal Stiles, Vice-Chairman
Ben Adams, Member
Alan Bryant, Member
Mark Stiles, Member

State of North Carolina
County of Cherokee

**PETITION FOR REDRESS OF GRIEVANCES TO THE GOVERNMENT
OF THE UNITED STATES OF AMERICA AND PARTICULARLY TO THE
US DEPARTMENT OF AGRICULTURE & THE US FOREST SERVICE.**

WHEREAS, the First Amendment of the Constitution of the United States of America and, indeed, all the way to the Magna Carta of 1215 A.D. guarantees the right of the people to petition the government for redress of grievances of wrongs or injustices, including, but not limited to, constitutional property rights and financial wellbeing of the citizens of Cherokee County.

Whereas, the Cherokee County Board of Commissioners is an elected body that represents the citizens and residents of Cherokee County, North Carolina, a body politic and political subdivision of the State of North Carolina.

Whereas, the established federal bureaucracy has, over the course of time and without offer of remedy to the people of Cherokee County, deprived the citizens of Cherokee County of their respective and collective rights to utilize property within the borders of the county.

The Cherokee County Board of Commissioners on behalf of the over 25,000 residents of the County shows and petitions as follows:

Cherokee County, NC, is a small county in the Appalachian Mountains in the southwestern corner of North Carolina, consisting of 298,482 acres of which the USFS owns 92,637 acres (31.036%).

HIWASSEE LAKE

Lake Hiwassee was formed by the TVA's Hiwassee Dam. The TVA took more land than necessary to build the dam and fill the lake. Instead of giving the land back to the original owners, the TVA



CHEROKEE COUNTY

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deeded the land to the USFS which now owns almost all the shoreline. The USFS actively restricts private and commercial development of the land. Lakefront land should be made available for private and commercial development such as private homes and commercial development to enhance the property tax base of Cherokee County and to support revenue generation for the benefit of the citizens of the county. TVA lakes in our neighboring counties allow such development putting our county at a disadvantage in terms of recreational facilities, property tax, and tourism dollars. There is no USFS campground in Cherokee County. A campground exists, but the USFS refuses to make the necessary investment to maintain the facility. As a result, the only campground on Lake Hiwassee in Cherokee County was closed by USFS.

FOREST MANAGEMENT

Restrictions on logging must be loosened to allow a resurgence of the logging industry in our county. Our last sawmill has now closed. Logging is an important source of income for our citizens and provides tax income for the county. The forest service is not capable of maintaining roads and property it now owns. This limits citizen access to forest areas for recreation and hampers wildfire control. USFS has been guilty of "windshield management", i.e., managing its property from the cab of a USFS truck.

STATE PARK

USFS should relinquish portions of its land to the State of NC for the sole purpose of the development of a State Park in Cherokee County. The State has indicated that it might be willing to take this on should the acreage be provided by USFS.

WILDERNESS DESIGNATIONS

All requests for Wilderness Designation must cease. The USFS cannot handle the land it now owns. Our citizens must have access to our forest land for all types of logging, recreation, hunting, and fishing.

The Cherokee County Board of Commissioners petitions and demands action by the Executive Office of the President and its cabinet departments as well as the United States Congress, without delay, to address and grant the relief herein above stated by the Petitioners.

So submitted on this the 21st day of April 2025.

Dr. Dan Eichenbaum, MD, Chairman
Cherokee County Board of Commissioners
DrDan.Commissioner@gmail.com
Cellphone: 828-361-2649



CHEROKEE COUNTY

75 Peachtree Street
Murphy, NC 28906
828-837-5527

Mark Stiles, Commissioner

Ben Adams, Commissioner

Alan Bryant, Commissioner

Cal Stiles, Commissioner

ATTEST:

Maria Hass, Clerk to the Board

Maria.hass@cherokee-county-nc.gov

75 Peachtree Street
Murphy, NC 28906
828-835-8578

