

Cherokee County Board of Commissioners
Meeting Minutes
August 19, 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; 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 Phillips

Invocation

Pledge

Ethics Statement “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”.

Modification of Agenda

Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to remove Valley River Humane Society from the agenda at the request of Mr. Don Reynolds. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Eichenbaum to add discussion of airport AWOS re-location project. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Phillips to add two budget revisions for Cherokee County Schools. Motion failed. The budget revisions did not meet the agenda cut-off deadline and will be added to the next regular meeting agenda on September 3rd.

Adoption of Agenda

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

Public Comment Period

Following public comments, a Motion was made by Commissioner Stiles and seconded by Commissioner Adams to schedule a worksession on September 30th at 6:30 p.m. to discuss animal control. Motion passed unanimously.

Budget and Finance

- Motion made by Commissioner Stiles and seconded by Commissioner Phillips to approve a budget revision in the amount of \$1,200 to purchase a new desk for the District Attorney's Office. Motion passed unanimously.

- Motion made by Commissioner Eichenbaum and seconded by Commissioner Griggs to approve a budget revision for the carry-forward of unexpended, prior fiscal year budgeted funds. Motion passed unanimously.

- Motion made by Commissioner Eichenbaum and seconded by Commissioner Stiles to approve a budget revision in the amount of \$3,011.85 for printers and mobile mounts for the Sheriff's Office vehicles. Motion passed unanimously.

- Motion made by Commissioner Griggs and seconded by Commissioner Stiles to approve a budget revision in the amount of \$14,000 for the county's match to an airport grant to re-locate the automated weather observation station (AWOS). Motion passed unanimously.

Note: The AWOS currently sits on private property. Re-locating the AWOS to county property will allow for better service, and will also eliminate the annual rental fee. Total project cost is \$161,719.

New Business

- Kevin Carter, Fire Marshal, came before the Board requesting authorization to require key boxes be installed on commercial buildings within Murphy Fire Department's primary response district.

After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Adams to approve, with the caveat that it is voluntary and not mandatory for commercial property owners. Motion passed unanimously.

- Motion made by Commissioner Griggs and seconded by Commissioner Adams to approve the DHHS Memorandum of Understanding with Cherokee County DSS for fiscal years 2024-2025 and 2025-2026. Motion passed unanimously.

Note: MOU is required by N.C.G.S. 108A-74.

- After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Eichenbaum to approve updates to the Cherokee County Facility Use Policy, making an exception to the policy for the rec league program. Voting in favor of the Motion was Commissioner Griggs, Eichenbaum, Phillips and Stiles. Voting against the Motion was Commissioner Adams. Motion passed 4-1.

Note: The update includes the following: 1) Added statutory language concerning use of county-owned facilities for political meetings (pg. 1); 2) Prohibits "for-profit" use of county facilities (Pg. 2); 3) Includes use of county facilities for organized sports events, insurance requirement (pg. 4) and a participant waiver (Pg. 9); and 4) Adds the Rock Gym to the Facility-Use application (pg. 11).

- Motion made by Commissioner Adams and seconded by Commissioner Griggs to adopt a new

Code of Ethics resolution for the Cherokee County Board of Commissioners. Motion passed unanimously.

Note: The old resolution included only those items listed in the state statute.

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

Commissioner Comment Period

Commissioner Griggs

- Announced upcoming MANNA food distribution at Hiwassee Dam Nutrition Site.
- Announced Hiwassee Dam VFD upcoming 50th anniversary.
- Shared concerns about personal attacks against sitting commissioners during public forum

Commissioner Adams

- Said he would like to get a meeting scheduled with Valley River Humane Society to discuss the budget.
- Asked Board to support asking NCDOT to place three “Hidden Drive” safety signs on Texana Road.
- *After discussion, a Motion was made by Commissioner Adams and seconded by Commissioner Griggs to make the request to NCDOT. Motion passed unanimously.

Commissioner Phillips

- Announced next regular commissioners meeting is Tuesday, September 3rd, due to the holiday on Monday.
- Announced joint worksession with the Cherokee County Board of Education on September 16th at Tri-County Community College at 6:00 p.m.

Closed Session

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to go into closed session pursuant to §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 received an update from Attorney Sean Perrin on the Jason Kloepfer case.

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

Open Session

After discussion, no action was taken on matters discussed in closed session.

Adjournment

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

THESE MINUTES WERE APPROVED BY THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON OCTOBER 7, 2024.