

Cherokee County Board of Commissioners
Meeting Minutes
October 28, 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 –Ethics Statement read by the Clerk to the Board.

Modification of Agenda

Motion made by Commissioner Griggs and seconded by Commissioner Stiles to add to the agenda, discussion of cancellation of the Cherokee County Transit One-Call contract. Motion passed unanimously.

Motion made by Commissioner Eichenbaum and seconded by Adams to add to the agenda, a Motion made by Commissioner Adams and seconded by Commissioner Griggs to add to the agenda, discussion of convenience site and landfill green box hours. Motion passed unanimously.

Adoption of Agenda

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

Meeting Minutes

Motion made by Commissioner Adams and seconded by Commissioner Eichenbaum to approve the Meeting Minutes of September 16, 2024, September 30, 2024, and October 7, 2024. Motion passed unanimously.

Public Comment Period

Budget and Finance

- Motion made by Commissioner Stiles and seconded by Commissioner Adams to approve a budget revision in the amount of \$8,857.00 for use of contingency, to cover the cost of a required archaeological survey for Marble Industrial Park. Motion passed unanimously.

- Motion made by Commissioner Adams and seconded by Commissioner Stiles to approve a Capital Project Ordinance for the Rock Gym ADA Bathroom Project. Motion passed unanimously.

- Motion made by Commissioner Adams and seconded by Commissioner Eichenbaum to approve a budget revision to receive grant funds from N.C. Emergency Management in the amount of \$22,000.00 for a mobile roadside sign board. Motion passed unanimously.

New Business

- Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to reject Cherokee County Board of Education's offer to sell surplus property, located at 43 Stoney Hill Lane to Cherokee County. Motion passed unanimously.

- Pursuant to §58-84.30, a Motion was made by Commissioner Griggs and seconded by Commissioner Stiles to appoint Helen Harris to replace Charlie Guhman on the Unaka VFD Firefighters Relief Fund Board of Trustees, as recommended by Unaka VFD Board of Directors. Motion passed unanimously.

- Robin Caldwell came before the Board to ask the Board to approve a policy that would waive the EMS Treat No Transport fees for first responders during fire rehab events. Commissioner Stiles suggested filing with the respective fire department's workman's comp insurance first and then waiving any fees not paid by workman's comp. Mrs. Caldwell said in all her years, she can only remember a couple of times that this was even an issue, and that the paperwork and reporting for workman's comp is cumbersome for VFD's. Motion made by Commissioner Griggs and seconded by Commissioner Adams to approve the policy on a trial basis for one year, and then revisit the matter to determine whether there is a need to revise the policy. Motion passed unanimously.

- After discussion, a Motion was made by Commissioner Stiles and seconded by Commissioner Eichenbaum to approve sending a resolution to N.C. Parks and Recreation Trust Fund requesting withdrawal of a recently awarded Hiwassee Dam Park Grant, due to the overall cost of the project, and the county's funding obligation of \$650,000.00 if it accepts the \$500,000.00 grant. Motion passed unanimously.

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

- Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to approve the Tax Insolvents Releases Report, as submitted. Motion passed unanimously.

- Motion made by Commissioner Griggs and seconded by Commissioner Phillips to appoint Commissioner Adams as the NCACC Legislative Goals voting delegate for the annual Legislative Goals Conference on November 15th. Motion passed unanimously. The Board will review the NCACC Proposed Legislative Goals prior to the November 12th board meeting and will inform Commissioner Adams at that meeting of any goals they do not support.

-After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner

Phillips to approve the Voluntary Agricultural District Ordinance. Ed Wood, local farmer and member of Cherokee County Soil and Water spoke in support of the ordinance. Commissioner Eichenbaum spoke against the ordinance and his comments are incorporated in these Minutes as "Attachment A". Voting in favor of the ordinance was Commissioner Griggs, Phillips, Stiles and Adams. Voting against the ordinance was Commissioner Eichenbaum. Motion passed 4-1.

- Motion made by Commissioner Stiles and seconded by Commissioner Griggs to cancel the Cherokee County Transit and One-Call/Medicaid Managed Care Provider Agreement by providing a 60-day notice of termination. Motion passed unanimously.

- The Board discussed the recently changed convenience site/green box site hours. Commissioner Adams said he would like all green box sites to be open 24/7. After further discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Adams to change the Granny Squirrel convenience site hours back to the pre-July 1st hours by November 1st, or as soon as reasonably possible; and, to add discussion to the November 12th meeting agenda to discuss all sites with the Solid Waste Director. Motion passed unanimously. Commissioner Stiles suggested implementing the change for 90 days and reevaluating. He said if there is no change in usage, then the change is not justified.

Commissioner Comment Period

Commissioner Griggs

- Commissioner Griggs thanked Marlana Baker of Cherokee Clay Food Alliance for helping secure a food delivery to the Hiwassee Dam Senior Center and thanked high school and middle school students for helping distribute it.
- Announced donations and volunteers are needed for the upcoming Toys 4 Tots program.

Commissioner Phillips

- Commissioner Phillips gave an update on the Welcome Home Veterans Event at Western Carolina Regional Airport this past weekend.
- Encouraged citizens to get out and vote.

Adjournment

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

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE
CHEROKEE COUNTY BOARD OF COMMISSIONERS ON NOVEMBER 12, 2024.**

ATTACHMENT A

Commissioner Eichenbaum Comments

Re: Voluntary Agricultural District Ordinance

- Conservation easements were created by Liberal Democrats as a tool to sequester and take private property away from individuals using restrictions and regulations as part of the 30 x 30 land theft program
- Creates another county “advisory board” i.e., another layer of regulatory bureaucracy with rules, regulations, suggestions, requirements, etc.
- GIS mapping updates of easement areas required at least twice a year
- Land within half mile of easement borders included in GIS mapping overlays of the easement area; why is that?
- The “voluntary” claim is an illusion as the easement automatically renews so that the party must contest the renewal; lots of luck with that
- Imposes obligations of record-keeping and reporting on the County which costs time and taxpayer dollars
- Provides no benefit to individuals who already have the “Right to Farm” under NC law
- Results in potential decreased property taxes to the county