

Cherokee County Board of Commissioners
Meeting Agenda
January 8, 2024
6:30 P.M.

- I. Call to Order by Chairman Phillips**
- II. Invocation**
- III. Pledge**
- IV. 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”.
- V. Agenda Modifications**
 - Motion made by Commissioner Stiles and seconded by Commissioner Griggs to add the following items to the agenda: 1) Budget Revision to purchase laptops for Health Department with COVID funds; and 2) Capital Project Ordinance for Andrews Middle School Roof. Motion passed unanimously.
- VI. Adoption of Agenda**
 - Motion made by Commissioner Adams and seconded by Commissioner Griggs to adopt the agenda, as modified. Motion passed unanimously.
- VII. Public Hearing on Road Names**
 - Motion made by Commissioner Griggs and seconded by Commissioner Adams to open the Public Hearing. Motion passed unanimously.
 - Public comments period.
 - Motion made by Commissioner Stiles and seconded by Commissioner Griggs to close the Public Hearing. Motion passed unanimously.
- VIII. Adopt Road Names**
 - Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve the following road names: *Above the Clouds Lane; Big Pine Trail; Bungalow Way; Conestoga Loop Lane; De Oliveira Way; Grandmas Way; Holler Hideaway Trail; Karzon Place; Kozy Lane; Max Lane; Mountain Front Trail; Mulberry Creek Lane; Oak Top Drive; Odonovan Lane (Name change from Angus Lane, Single family owned); Owl Bluff (previously proposed as Artemis Crossing Hill); Peachtree East Hills Road; Rhodes Drive; Sanders Drive; Sol Lane; Trinity Ridge Circle; White Oak View Trail; Woodline Pass.* Motion passed unanimously.
- IX. Approval of Meeting Minutes**
 - Motion made by Commissioner Adams and seconded by Commissioner Eichenbaum to approve the following meeting minutes: 8/7/2023, 8/21/2023, 10/2/2023, 11/9/2023, 11/28/2023, and 12/4/2023. Motion passed unanimously.
- X. Public Comment Period**
- XI. Budget and Finance**
 - a) Motion made by Commissioner Stiles and seconded by Commissioner Eichenbaum to approve a Budget Revision in the amount of \$2,100 to purchase a multi-display for the upgraded self-serve fuel pumps at the airport. Motion passed unanimously.
 - b) Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to approve a Budget revision in the amount of \$103,668 for Cherokee County Schools request for use of Article 40/42 Sales Tax for various capital expenditures. Motion passed unanimously.

c) Motion made by Commissioner Eichenbaum and seconded by Commissioner Griggs to approve a Budget Revision in the amount of \$60,469 to accept CDC grant funds for local Public Health workforce development. Motion passed unanimously.

d) After discussion, a Motion was made by Commissioner Adams and seconded by Commissioner Phillips to make an exception to the Cherokee County Personnel Policy and approve the Sheriff's request to adjust the pay grade for recently appointed Investigator, Ryan Wilson. Mr. Wilson will be paid at the Sergeant pay grade, Grade 68, instead of the Investigator pay grade, Grade 67. Voting in favor of the Motion was Commissioners Adams, Phillips and Eichenbaum. Voting against the Motion of exception was Commissioners Griggs and Stiles. Motion passed 3-2.

e) Motion made by Commissioner Eichenbaum and seconded by Commissioner Griggs to approve a Budget Revision in the amount of \$454,720 for use of Article 46 Sales Tax Funds to replace the roof on the McSwain Building and the West Building at Tri-County Community College. Motion passed unanimously.

f) Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve a Budget Revision in the amount of \$10,200 for use of Covid vaccine funding to purchase laptops for the Health Department. Motion passed unanimously.

g) Motion made by Commissioner Eichenbaum and seconded by Commissioner Adams to approve a Capital Project Ordinance and a Budget Revision for use of lottery funds in the amount of \$1,188,700 for the previously approved Andrews Middle School roof project. Motion passed unanimously.

XII. New Business

a) Danna Pash and Rick Millett, of Cherokee Co. Veterans Services came before the Board to present a preview of the new Konehete Veterans Park sign and to ask for funding in the amount of \$550 to order the official sign. Commissioner Adams said donors had provided the funds for the cost of the sign and he just needed to turn the money into the finance office. The VA office will order the sign, and the donations, when received, will reimburse the VA office supply line for the cost of the sign.

b) Greg Kershaw, Engineer with W.K. Dickson, the airport's consulting firm, presented the Certified Bid Tabulation for the New Airfield Edge Lighting, Signage and NAVAIDS project. He said there were seven bids received. Mr. Kershaw said they had reviewed the bids and qualifications of the responsive bidders, and he recommended the County accept and award the bid to the lowest bidder, Walker & Whiteside, Inc. Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to accept the low bid of \$954,134 and award the bid to Walker & Whiteside, Inc. Motion passed unanimously.

c) After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Stiles to approve the Cycle NC request to use the Rock Gym for indoor camping and Konehete Park for RV parking, and to also utilize Cherokee County Transit services at no cost. The approval is contingent upon NC Cycle providing proof of Special Event Insurance in the amount of one million dollars (\$1,000,000) and naming Cherokee County as "Additional Insured", and approval of Transit Services is contingent upon allowability under grant assurance guidelines. Motion passed unanimously.

d) Jeanie Setser and Jordan Messer of the Peachtree Community Club presented a request for additional funding in the amount of \$19,000 for repairs and renovations to Peachtree Community Center. After discussion, a Motion was made by Commissioner Adams and seconded by Commissioner Eichenbaum to provide the funding on a reimbursement basis, after the Community Club has expended its funds and contingent upon receiving a project completion timeline. The Board also asked the Club to make the ADA bathroom renovations the top priority. Motion passed unanimously.

e) Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve the Tax Releases, Tax Refunds and NCVTS Report. Motion passed unanimously.

- f) After discussion, a Motion was made by Commissioner Stiles and seconded by Commissioner Eichenbaum to adopt a Resolution Establishing a Special Board of Equalization and Review for 2024. Motion passed unanimously. A new resolution will be drafted and approved by the Board of Commissioners in January of each year.
- g) After discussion, a Motion was made by Commissioner Adams and seconded by Commissioner Stiles to change the name of Fair Grounds Circle back to its original name, Folk Center Circle. Motion passed unanimously.
- h) After discussion, a Motion was made by Commissioner Eichenbaum and seconded by Commissioner Griggs to appoint the Sheriff as the County Animal Control Officer. Motion passed unanimously.

XIII. County Manager Items – None

XIV. Chairman/Commissioner Items

- Commissioner Griggs said she would like to thank all those involved with this year's Toys 4 Tots program. She also announced that the Manna food distribution at Hiwassee Dam Community Center is the 3rd Wednesday of every month. Commissioner Griggs also shared that Congressman Edwards was in town last week meeting with constituents. She also shared that a Cherokee County resident had donated 60 smoke detectors to Reach to distribute to the seniors in the community. Commissioner Griggs said she would like to have a worksession or talk about the recent NASA Committee Report and recently conducted Housing Study. The county manager said the company that performed the housing study is working with the Economic Development Director to determine how best to use the information to market Cherokee County to developers and builders to get more interest to bring housing development to Cherokee County. He said he hopes to have that information soon and will share it with the Board when it is received. Commissioner Griggs then shared concern that the recently purchased Pictometry program has not been launched to the public.

- Commissioner Adams announced that the roundabout is not happening on the four-lane. Note: NCDOT has paused the project to allow for further data over the next year, but has not abandoned the project.

Commissioner Adams said he would like to see departmental reports at board meetings. The county manager recommended if that is the pleasure of the Board, that the Board meet and determine what data points it wants to see and how it wants to receive the information (in a written report, presented in a board meeting, or posted on the website, etc.) and how often it wants to receive the information. Commissioner Adams also asked the Board to look at a fleet maintenance plan. The county manager told him that we have a points system that has been presented to the Board in the past and it is just a matter of the Board adopting it and budgeting for its implementation. Commissioner Adams said the Young Republicans had approached him about using the large courtroom on February 8th at 6 p.m. for a commissioner candidate forum. He said they are willing to reimburse the county for the cost of providing a deputy for the after-hours forum. The county manager suggested they check with the Clerk of Court to make sure there are no court conflicts. The Board agreed to allow use of the building for February 8th at 6 p.m. for the candidate forum. Commissioner Adams said he would like to add a 10-minute Question and Answer period at the end of each agenda. Motion made by Commissioner Adams and seconded by Commissioner Griggs to add a Q & A period to the end of each agenda, where questions could be asked about items on the agenda. Motion failed. Commissioner Stiles suggested developing or setting parameters before voting on the matter. Commissioner Eichenbaum agreed that there needs to be a set of parameters before presenting for vote. Commissioner Eichenbaum share that this had been implemented and tried by the Board in the past and wasn't successful.

- Commissioner Stiles said he would like Commissioner Adams to work with the county attorney on drafting some parameters for the suggested Q & A period before bringing it to the Board for consideration. Commissioner Eichenbaum agreed. Commissioner Stiles said NCDOT is submitting the roundabout project in the State Transportation Improvement Plan (STIP) program for scoring, and that there is still a possibility that the project could happen. Commissioner Stiles said the Board has approved an additional \$257,000 of recurring expenses since the budget was approved in July. He encouraged and cautioned Board members to hold off on approving unnecessary recurring expenses, in an attempt to hold the line on the property tax rate as we go into the upcoming budget.

-Commissioner Phillips shared the EMS Station 1 opening last month, and also mentioned the previously-awarded \$3.3 million-dollar award to the County for a new Senior Center and VA Center. He said he would like to see the Board share more good news and let people know that there are good things happening in the county. A Motion was made by Commissioner Phillips and seconded by Commissioner Eichenbaum to cancel the January 22nd meeting date and to move the March 4th meeting to March 11th and cancel the March 18th meeting. Voting in favor of the Motion was Commissioners Phillips, Eichenbaum and Stiles. Voting against the Motion was Commissioners Adams and Griggs. After discussion and much debate, the Board was advised, per Board Rules of Procedures, since the vote was not unanimous, it would have to be placed on the next agenda for consideration, and could then pass by simple majority.

XV. Closed Session

– Motion made by Commissioner Stiles and seconded by Commissioner Eichenbaum to go into closed session, pursuant to §143-318.11 (1) o prevent the disclosure of information that is privileged or confidential; and (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 the County’s legal counsel, Sean Perrin, to receive an update on the Kloefer case. The Board also discussed a personnel matter related to the Solid Waste department. Last, the Board discussed a piece real property on Hilton Street, adjacent to Cherokee County Health Department and Cherokee County Transit as a potential location for a new Senior and VA Center facility. The Board gave the county manager the authority to negotiate the purchase of real property up to the amount of \$300,000, and to execute any subsequent purchase contract and any necessary documents to complete and close the transaction. The Board further instructed the county manager to develop an RFQ for architects for the new facility, and to engage with those department heads, who will need to be involved in the process.

Motion made by Commissioner Adams and seconded by Commissioner Griggs to return to open session. Motion passed unanimously.

XVI. Open Session

– No further business discussed.

XVII. Adjournment

Motion made by Commissioner Phillips 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 JANUARY 22, 2024.**