

Cherokee County Board of Commissioners
Regular Meeting Minutes
January 6, 2020
6:30 P.M.
Cherokee County Courthouse

Members present: Roy Dickey, Chairman; C.B. McKinnon, Vice-Chairman; Cal Stiles, member; Dr. Dan Eichenbaum, member; and Gary Westmoreland, member.

Staff present: Randy Wiggins, County Manager; Maria Hass, Asst. County Manager and Clerk to the Board; Candy Anderson, Finance Officer; and Darryl Brown, County Attorney.

Meetings are recorded by Local TV 4 and WKRK Radio Facebook Live.

I. Call to Order

II. Ethics Statement

Ethics statement read by Chairman.

III. Invocation

IV. Pledge of Allegiance

V. Modification of Agenda

Motion made by Commissioner Stiles to move Airport Discussion as Item "h" under New Business. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to add a Closed Session to the agenda for the purpose of discussing economic development projects with Mr. Paul Worley. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Stiles to move Airport Discussion as Item "h" under New Business. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

Motion made by Commissioner McKinnon to add a resolution in support of Harbor Cove Marina as Item "I" under New Business. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

VI. Agenda Adoption

Motion made by Commissioner Eichenbaum to adopt the agenda as modified. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

VII. Public Forum-There were no public comments.

VIII. Minutes

Motion made by Commissioner McKinnon to approve the minutes of November 18, 2019. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Westmoreland to approve the minutes of December 2, 2019. Motion seconded by Commissioner Stiles. Motion passed unanimously.

IX. Finance and Budget

Motion made by Commissioner McKinnon to approve a budget revision for use of contingency to repair tables and benches at Konehete Park. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Westmoreland to approve a budget revision for use of designated sales tax for Cherokee County Schools for multiple school projects. Motion seconded by Commissioner Stiles. Motion passed unanimously.

Motion made by Commissioner Stiles to approve an amendment to the audit contract to modify the due date, per the request of the audit firm, due to unforeseen sickness and personal staff emergencies. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Eichenbaum to approve a budget revision for use of contingency to replace computers at the Health Department. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner Stiles to approve an amended Capital Project Ordinance for landfill Phase 5. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Eichenbaum to approve a budget revision for use of fund balance to purchase new voting machines. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

X. New Business

Motion made by Commissioner McKinnon to approve the tax releases. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Eichenbaum to approve the tax refund report. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

Motion made by Commissioner Stiles to approve the NCVTS report. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Stiles to approve the purchase of a new QRV (quick response vehicle) for EMS. Motion seconded by Commissioner Eichenbaum. Motion was

Motion passed unanimously.

No action was taken on a request by Ms. Roberta Feldman asking the Board to waive the interest on a delinquent tax account.

Motion made by Commissioner Eichenbaum to adopt a proclamation recognizing January as National Radon Action Month. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner Dickey to approve a request by the North Carolina League of Women Voters to adopt a resolution commemorating the 100th anniversary of a woman's right to vote. Motion seconded by Commissioner Stiles. Motion passed unanimously.

After discussion, a Motion was made by Commissioner McKinnon that the gentleman interested in purchasing the airport make an offer to the Board through the county manager before the Board entertains the idea. Motion seconded by Commissioner Westmoreland. Voting in favor of the Motion was Commissioners McKinnon, Westmoreland, Eichenbaum and Dickey. Voting against the Motion was Commissioner Stiles. Motion passed 4-1.

Motion made by Commissioner McKinnon to approve a resolution for Harbor Cove Marina requesting that TVA honor the completion of the marina's sixty boat slips which were originally permitted, and that TVA approve permitting for an additional thirty boat slips to allow for future growth. Motion seconded by Commissioner Dickey. Motion passed unanimously.

XI. County Manager Items

After discussion, a Motion was made by Commissioner Westmoreland to reschedule the DSS board meeting from January 21st to January 23rd at 6:30 p.m., due to conflicting with Board's January 21st commissioners meeting. Motion seconded by Commissioner McKinnon. Motion passed unanimously.

After discussion, a Motion was made by Commissioner Westmoreland to approve repairs to the water wheel at Konehete Park. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

The county manager gave an update on the Whitener Bend convenience site camera system, saying it is up and running. He said Hanging Dog camera systems have been ordered and will be next.

After discussion, a Motion was made by Commissioner McKinnon to approve repairs and improvements to the mechanics shop at the landfill to address heating needs. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

The county manager gave an update on the new EMS Station site. The Board was in support of receiving 3,000 yards of fill material from NCDOT for use at the new site.

XII. Commissioner Items

Commissioner Stiles said that he would like the Board to consider selling the Cherokee Well Drilling property, code enforcement building, and the armory and build a new facility on the county's property next to the sheriff's office. He said he had gotten a rough estimate of \$800,000 for a 10,000 square foot facility with paving, and an estimate of \$150,000-\$160,000 for a 3,000 square foot maintenance facility. He said that the three pieces of property that he suggests the county sell, should bring more money than what it would cost to build the new facilities, and would also avoid the need to install a \$150,000 heating system and additional repairs and renovations at the well drilling property and the armory. He said that he would like the Board to consider these options before spending any money on renovations at the armory.

Commissioner Eichenbaum said he had two items. The first was concerning veterans issues in Cherokee County. He shared that since this particular board enacted its first budget in Fiscal Year 2016, the County has provided \$300,995.19 in county funds. He said that grants and donations only provided an additional \$11,426.82. He said that funding for veterans services increased significantly when this Board took office. Commissioner Eichenbaum said that it should be clear that this Board has done its job in supporting the veteran community by providing funding for the county's veterans services. He said that several veterans have requested signage at Konaheeta Park to include the word "veteran", and that he proposes an alternative and compromise to resolve the issue. Commissioner Eichenbaum made a Motion that the Cherokee County Board of Commissioners formally request from the NCDOT, that the new Highway 64 East, from the high bridge over the Hiawasse River in Murphy to the Clay County line be named "Veterans Highway", and that appropriate signage be permitted as designated by the Commission Board.

Commissioner Eichenbaum's second item was a follow-up to the County's gun sanctuary resolution. He said that the gun resolution that he presented last spring, declaring Cherokee County a gun sanctuary county, listed eighteen (18) historic legal documents, foundations and court rulings that supported the individual right of self-protection guaranteed by the Second Amendment and specified that "the Cherokee County Government will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any element of such acts, laws, orders, mandates, rules or regulations, that infringe on the right by the people to keep and bear arms as described and defined in detail above." He said that Sheriff Palmer supported the resolution and that he was proud that Commissioners McKinnon and Dickey voted with him to adopt the resolution. He added that Cherokee County's resolution was the first one passed in North Carolina, and that he believes that it was the first one passed by any government entity this side of the Mississippi. Dr. Eichenbaum discussed the protections of the Bill of Rights and the events now happening in Virginia where the governor and legislature has passed laws to confiscate by force certain weapons, legally owned by the State of

Virginia's law-abiding citizens. He said that over 100 counties and cities in Virginia are pushing back and have passed gun sanctuary resolution such as ours. He announced that the Virginia Citizens Defense League has scheduled a rally in Richmond, Virginia on January 20th.

Dr. Eichenbaum said that last month he was one of three national recipients of the 2019 Annual Bill of Rights Award for writing the gun sanctuary resolution. He read the following excerpt from the press release:

“Sheriff Chris Brown of Arkansas, David Campbell of Illinois, and Dr. Dan Eichenbaum of North Carolina are the recipients of the 2019 Bill of Rights Award. The announcement was made on Saturday, December 14, 2019, at the 28th Annual Bill of Rights Day Commemorative Banquet in New Holland, Pennsylvania.

As noted on the award certificate, these three were selected for this honor “as representative of a great multitude who have girded up their loins to publicly resist the present egregious encroachments on the Right to Keep and Bear Arms, particularly those laws referred to as ‘Red Flag Laws,’ and to support their acknowledgement of the Creator as the Divine Author of Liberty and the Benefactor of mankind in this and other God-given rights.”

Dr. Dan Eichenbaum, a Cherokee County Commissioner in North Carolina, wrote and submitted a resolution listing eighteen historic legal documents, foundations, and court rulings for the Second Amendment.”

Note: Commissioner Stiles wanted to go on record saying that he did not vote in favor of the Gun Sanctuary Resolution.

XIII. Closed Session

Motion made by Commissioner Stiles to go into closed session to meet with the county's economic development director, 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, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

While in closed session, the Board discussed expansion projects related to Moog Components Group of Murphy and Aegis Power Systems, Inc. of Murphy.

XIV. Open Session

After returning to open session, a Motion was made by Commissioner Eichenbaum to approve a resolution in support of a One NC Fund Grant application in the amount of \$40,000, and a NC Rural Center Building Reuse grant application in the amount of \$80,000 for Moog Components Group. The grants will assist with industry expansion and job creation. The county will provide a 5% match for the NC Rural Center Building

Reuse Grant, in the amount of \$4,000, which will be reimbursed to the county by Moog. Additionally, for every \$2 funded by the One NC Fund Grant, the county will provide a \$1 match. The county will pay the matching funds over a three (3) year period at \$6,667 per year. The expansion project will result in the creation of twelve (12) new jobs. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

Motion made by Commissioner McKinnon to approve a resolution in support of a NC Rural Center Building Reuse Grant application in the amount of \$100,000 for Aegis Power Systems. The county will provide a 5% match in the amount of \$5,000, which will be reimbursed to the county by Aegis Power Systems, Inc. The grants will assist with industry expansion and the creation of eight (8) new jobs. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously.

XV. Adjournment

There being no further business, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Eichenbaum. Motion passed unanimously. Meeting adjourned at 8:05 PM.

**THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE
CHEROKEE COUNTY BOARD OF COMMISSIONERS ON FEBRUARY 3, 2020.**