

Cherokee County Board of Commissioners
Regular Meeting Minutes
February 20, 2023

Board members present: Cal Stiles, Chairman; Jan Griggs, Vice-Chair; Randy Phillips, member; Ben Adams, member; and, Dr. Dan Eichenbaum, member.

Others present: Randy Wiggins, County Manager; Maria Hass, Asst. County Manager/Clerk to Board; Candy Anderson, Finance Director; and, Darryl Brown, County Attorney.

Time: 6:30 P.M.

Location: Cherokee County Courthouse, Room 342.

Call to Order

Invocation

Invocation given by Ben Adams.

Pledge of Allegiance

Reading of Ethics Statement by Clerk to the Board

TVA Update

The county manager said the county has made several attempts to get TVA to come out and conduct a Q & A concerning the recently proposed transmission line project, but has been unsuccessful. He said the county is still working on it, but encouraged property owners to also reach out to TVA and to comment on the project before the comment period closes.

Modifications of Agenda

Motion made by Commissioner Phillips and seconded by Commissioner Adams to add the following budget revisions: 1) Cherokee County Schools request for use of Article 40/42 sales tax funds for Andrews Middle School accessibility upgrades; and 2) Cherokee County Schools request for use of Article 46 sales tax funds for personnel budget shortfall. Motion passed unanimously.

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to add the following items: 1) American Rescue Plan Act Property Management Policy; 2) Resolution authorizing increase in micro-purchase threshold; and 3) Updated Uniform Guidance Procurement Policy. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Phillips to add consideration of Sheriff's request to move surplus fuel funds to purchase two additional patrol cars. Motion passed unanimously.

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to add a resolution supporting the reclassification of 911 telecommunicators. Motion passed unanimously.

Agenda Adoption

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

Public Hearing on the following proposed road names:

Aurora Jade Lane; Bear Ridge Trail; Bluebird Valley Drive; Brooklyn Lane; Briar Branch Road; Bruce Mountain Road; Caboose Creek Lane; Carpenter Lane; Copperfall Drive; Crisp Rain Drive; Deer Cross Lane; Deer Haven Trail; Hollenbeck Estates; Linderman Estates Lane; Martindell Place; Meadow Loop Way; Purdy Lane; Qualla Trail; Reid Holler Road; Rinda Lane; Rainy Farm Road; Robertson Ridge; Sadies Lane; Valley River Estates Drive; Wolfcreek Annex Road.

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to open the public hearing. Motion passed unanimously.

After all comments were heard, a Motion was made by Commissioner Phillips and seconded by Commissioner Eichenbaum to close the public hearing. Motion passed unanimously.

Adopt Road Names

After consideration of all comments and after all parties were satisfied, a Motion was made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve all road names, except Aurora Jade Lane, Crisp Rain Drive and Deer Cross Lane. Motion passed unanimously.

Public Forum

The following persons spoke in public forum: Becky Wright (TVA proposed transmission line project); Penny Harrison (TVA proposed transmission line project); Bill Harrison (TVA proposed transmission line project); Jack Simons (NASA committee and Martin's Creek Community Center); John Leder (Airport); Melissa VanKeuren (animal ordinance); Jenice Hughes (TVA proposed transmission line project and crypto-mines); Jeff Hughes (TVA proposed transmission line project and crypto-mines).

Budget and Finance

a) Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve a budget revision in the amount of \$44,824 for the use of fund balance to purchase furnishings, equipment and fixtures for the new EMS Station 1. Motion passed unanimously.

b) Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve a budget revision in the amount of \$1,284,300 for the previously approved general fund match for the EMS Station 1 Project. Voting in favor of the Motion was Commissioners Phillips, Eichenbaum, and Adams. Voting against the Motion was Commissioners Griggs and Stiles. Motion passed 3-2.

c) Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve a budget revision in the amount of \$13,500 for Cherokee County Schools request for use for Article 40/42 sales tax to pay LS3P for the Andrews Middle School Accessibility Upgrade project. Motion passed unanimously.

d) Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve a budget revision in the amount of \$398,000 for Cherokee County Schools request for use of Article 46 sales tax for estimated budget shortfall. Motion passed unanimously.

e) Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve the American Rescue Plan Act of 2021 Property Management Policy for compliance purposes. Motion passed unanimously.

f) Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve a resolution authorizing an increase in micro-purchase thresholds, as allowed by law. Motion passed unanimously.

g) Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve the revised Uniform Guidance Procurement Policy. Motion passed unanimously.

h) Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve the Sheriff's request for a budget transfer in the amount of \$29,000 from surplus fuel funds to capital to purchase two new patrol cars. Motion passed unanimously.

Southwestern RPO Travel Demand Model

Rose Baugess, Director of Southwestern Rural Planning Organization, came before the board to present and request approval of the projected socio-economic data report for Cherokee County. After presentation and discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Phillips to accept the projected data report. Motion passed unanimously.

Tax Releases and Tax Refunds

Motion made by Commissioner Adams and seconded by Commissioner Phillips to approve the tax releases and tax refund report. Motion passed unanimously.

Revise NASA Resolution to Allow for Additional Members

Commissioner Eichenbaum said, to be effective and provide meaningful advice, the NASA committee has to have persons in defined areas of expertise and asked the Board to revise the resolution to require the members be representatives of the following professions and areas of expertise: Public Safety, Education, Medical Care, Farming, Industry, Chamber of Commerce, Real Estate, Financial Institution, and Recreation. Motion made by Commissioner Eichenbaum and seconded by Commissioner Phillips to revise the previously adopted resolution. Motion failed.

Needs and Solutions Advisory Committee Appointments

Motion made by Commissioner Griggs and seconded by Commissioner Adams to appoint the following persons to the Cherokee County Needs and Solutions Advisory Committee: Kevin Carter, Margaret Ackiss, Sue Lynn Ledford, Ben Wilson, Chasity Ledford, Phoebe Donahue, Philip St. John, Mark Stiles, and Mark Kephart. Voting in favor of the Motion was Commissioners Griggs, Adams and Stiles. Voting against the Motion was Commissioners Eichenbaum and Phillips. Motion passed 3-2.

Social Services Board Applicants (Per §108A-3, the commissioners shall appoint 2 members)

The following persons submitted applications and appeared before the Board for consideration of appointment to the Social Services Board: James Jallah, Bo Phillips, Anne Rose, Pat Ivie, and Dixie Carter. Appointments will be made at a later date.

Resolution Authorizing Execution of Opioid Settlements and Approving the Supplemental Agreement for Additional Funds Between the State of North Carolina and Local

Governments on Proceeds Relating to the Settlement of Opioid Litigation

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve.
Motion passed unanimously.

Agreement with Kania Law Firm to Handle Tax Foreclosures Services

Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve.
Motion passed unanimously.

Resolution to Adopt the Smoky Mountain Regional Hazard Mitigation Plan

Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve.
Motion passed unanimously.

Amended Agreement for Med-Trans Corp Ground Lease at Western Carolina Regional Airport

Motion made by Commissioner Adams and seconded by Commissioner Griggs to approve.
Motion passed unanimously.

2023 Senior Games and Silver Arts Proclamation

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve.
Motion passed unanimously.

Resolution Supporting the Reclassification of Cherokee County 911 Emergency Telecommunicators

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve.
Motion passed unanimously.

County Manager Items - None

Chairman/Commissioner Items

- Commissioner Griggs, referring back to a public forum comment, said an animal control ordinance is in the works.
- Commissioner Griggs said that McGill and Associates would be at the Hiwassee Dam Senior Center at 9 a.m. on February 22nd, during MANNA, to talk to anyone who may have questions or comments about the proposed recreational area/trail plan.
- Commissioner Phillips said NC Wildlife will be holding a public forum at Tri-County Community College on March 14th at 6:30 p.m., regarding deer hunting season. Commissioner Phillips urged listeners to attend and to ask for an extension of deer season for rifle hunting.
- Commissioner Adams gave an update on the status of the Valley River Humane Society, following the recent loss of director, Kirsty Waller. Commissioner Adams encouraged people who are interested in volunteering to volunteer at the shelter.

Closed Session

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to go into closed session pursuant to N.C.G.S. 143-318.11 (3) attorney-client privilege. Motion passed unanimously.

Open Session

After returning to open session, no action was taken on matter discussed in closed session.

Adjournment

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

MINUTES APPROVED APRIL 17, 2023