

Cherokee County Board of Commissioners
Meeting Minutes
July 19, 2021
6:30 p.m.
Cherokee County Courthouse

Members present: Dr. Dan Eichenbaum, Chairman; Jan Griggs, Vice-Chairman; Cal Stiles, member; and Gary Westmoreland, member. Randy Phillips, member, participated remotely.

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

Also present: WKRC Radio, Local TV4 and Cherokee Scout.

Call to order and ethics statement by Chairman.

Invocation and Pledge

Modification of Agenda

Motion made by Commissioner Westmoreland to add the following items to the agenda: 1) Audit contract; 2) Cherokee County Schools request to use Article 46 sales tax for various school projects; 3) Request from Cherokee County Schools to reallocate an approved sales tax expenditure; and 4) add a budget revision for repairs to gutters and soffit at airport hangar. Motion seconded by Commissioner Griggs. Motion passed unanimously.

Motion made by Commissioner Stiles to add a resolution calling for a referendum on school consolidation. Motion seconded by Commissioner Griggs. Following further discussion, Motion passed unanimously.

Agenda Adoption

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

Public Forum-There were no public comments.

Finance and Budget

- Motion made by Commissioner Griggs to approve a budget revision for the carry-forward of FY 20-21 budgeted funds. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- Motion made by Commissioner Westmoreland to approve a budget revision for payout of comp time for the Human Resource Director for additional hours expended on county's recently adopted pay plan. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- Motion made by Commissioner Eichenbaum to table discussion of 3% pandemic pay. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- Motion made by Commissioner Stiles to approve the audit contract with Turner & Company CPAs P.A., for FY ending June 30, 2021. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Motion made by Commissioner Westmoreland to approve the following items for Cherokee County Schools: 1) Request to use Article 46 sales tax for various school projects, and 2) Request to reallocate approved sales tax expenditure for Hiwassee Dam batting cage project from Interstate Welding to Crisp Concrete. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Motion made by Commissioner Stiles to approve a budget revision for repairs to soffit and guttering over an airport hangar. Motion seconded by Commissioner Griggs. Motion passed unanimously.

Budget revisions are available for inspection in the office of the County Finance Officer.

New Business

- Harry Hearne of Valley River Pickleball, came before the Board to request permission to convert one of the tennis courts into four pickleball courts. Mr. Hearne said the pickleball group has raised \$10,000 to go toward the project and is asking the county to fund the remaining \$5,600. After discussion, a Motion was made by Commissioner Eichenbaum to approve the request. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Eural Turner, came before the Board to request reimbursement for a recently installed CCTV camera system at Texana Community Center. After discussion, a Motion was made by Commissioner Stiles to reimburse \$2,038, which is 50% of the cost. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Motion was made by Commissioner Griggs to adopt the State Holiday Schedule for 2022. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- Motion made by Commissioner Westmoreland to approve the tax releases, tax refunds, and the NCVTS report, as submitted. Motion seconded by Commissioner Stiles. Motion passed unanimously.
- Motion was made by Commissioner Westmoreland to approve the following tax items, as presented and submitted by Tax Assessor and Tax Collector, Eddie Allen:
 - Sworn Statement of Tax Collector Presenting the Annual Settlement*
 - Tax Collector's Settlement for Current Real Estate and Personal Property Taxes for Fiscal Year 2020*
 - Tax Collector's Settlement for Delinquent Real and Personal Property Taxes for Fiscal Year 2009-2019*
 - Tax Collector's List of Insolvents*
 - Tax Collector's List of Uncollectable Accounts and Unknown Property Owners of Delinquent Accounts*Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Motion made by Commissioner Stiles to direct Tax Collector to collect taxes charged in the 2020 tax records. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- Motion made by Commissioner Griggs to approve \$1,000 for the purchase of fuel to be provided to vintage aircraft owners as an incentive to attend the October 30th veterans event at the airport. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.
- Motion made by Commissioner Westmoreland to approve a fire contract between Cherokee County and Clay County Fire and Rescue Squad, Inc. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Motion made by Commissioner Stiles to approve a budget revision in the amount of \$41,500 for constructing a retaining wall behind the Murphy Senior Center, and to release \$28,500 back into fund balance, from the previously designated project funds. Motion seconded by Commissioner Griggs. Motion passed unanimously.
- Commissioner Stiles presented a resolution titled, "RESOLUTION CALLING FOR LEGISLATIVE ACTION TO PUT A REFERENDUM ON THE MARCH 2022 ELECTION REGARDING SCHOOL CONSOLIDATION IN CHEROKEE COUNTY". A Motion was made by Commissioner Eichenbaum to table the item. Motion seconded by Commissioner Westmoreland. After comments by Commissioner Eichenbaum, Commissioner Stiles said that the item could not be tabled, due to the time constraints for submitting for legislative consideration. Commissioner Stiles read the resolution, and then said he thought it was the right thing to do for the citizens to have the opportunity to vote on the matter. Commissioner Griggs spoke in agreement with Commissioner Stiles and in support of the resolution. Commissioner Westmoreland spoke in favor of the school consolidation plan, saying it was about kids having better schools. After much debate, a Motion was made by Commissioner Stiles to support the resolution. Motion seconded by Commissioner Griggs. Voting against the Motion was Commissioners Eichenbaum, Westmoreland and Phillips. Motion failed 2-3. A copy of the proposed resolution is incorporated into these minutes as Attachment A.

County Manager Item

The county manager gave an update on the EMS Station 1 project, saying that no bids were

received. He said the engineer recommends waiting until late 2021, early 2022, to look at doing a re-bid.

Commissioner Item

- Commissioner Griggs recognized American Legion Post 96, saying they were named Honor Guard of the Year by the North Carolina American Legion.

Closed Session

Motion made by Commissioner Griggs to go into closed session to consult with legal counsel concerning the CVA lawsuits, and to discuss a personnel matter. Motion seconded by Commissioner Westmoreland. Motion passed unanimously.

During closed session, the Board instructed its attorneys to engage with additional counsel. Concerning the personnel matter, the Board instructed the Tax Assessor to resolve personnel issues in his office within 30 days.

Open Session

No additional action taken.

Adjournment

There being no further business, a Motion was made by Commissioner Griggs to adjourn. Motion seconded by Commissioner Stiles. Motion passed unanimously.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON OCTOBER 18, 2021.

ATTACHMENT A

**RESOLUTION CALLING FOR LEGISLATIVE ACTION TO PUT A REFERENDUM ON THE
MARCH 2022 ELECTION REGARDING SCHOOL CONSOLIDATION IN CHEROKEE
COUNTY**

WHEREAS, the Cherokee County Board of Education and the Cherokee County Board of Commissioners have voted by the narrowest of possible margins to consolidate Andrews High School, Hiwassee Dam High School and Murphy High School into a single campus located in the Peachtree Community proximate to Tri-County Community College and the Clay County Line.

WHEREAS, in public hearings before the Cherokee County Board of Commissioners and the Cherokee County Board of Education, there has been tremendous opposition to the proposed High School consolidation and the location of the proposed high school, respectively.

WHEREAS, the laws of the State of North Carolina limits referendums to allow the citizens of a county or district to express their views on topics relevant to the lives of them and their families.

WHEREAS, referendums may be placed on the ballot in a county if authorized by a local bill passed by the North Carolina State Legislature.

WHEREAS, the citizens of Cherokee County have the right to a voice in the education of their children.

IT IS THEREFORE RESOLVED:

The Cherokee County Board of Commissioners do hereby request that the Representative from the 120th House District and the Senator from the 50th Senate District introduce a local bill authorizing a ballot referendum for the March 8, 2022 Election posing the following question to the citizens of Cherokee County:

Do you support consolidation of Andrews High School, Hiwassee Dam High School, Murphy High School, and The Oaks Academy into a single campus High School located at the intersection of NC 141 and US 64 adjacent to Tri-County Community College?

____yes

____no

ADOPTED ON THIS IS THE ____ DAY OF JULY, 2021.

DR. DAN EICHENBAUM
CHAIRMAN OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS

ATTEST
MARIA HASS, CLERK TO THE BOARD