Cherokee County Board of Commissioners
Regular Meeting Minutes
September 18, 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; Candy Anderson, Finance Director; and, Darryl Brown, County Attorney/Assistant Clerk. Maria Hass, Asst. County Manager/Clerk to Board was absent.

Time: 6:30 P.M.

Location: Cherokee County Courthouse, Room 342.

Call to Order by Chairman Cal Stiles

Invocation

Pledge

Ethics Statement read by the Clerk to the Board - "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".

Agenda Modifications
Motion made by Commissioner Phillips and seconded by Commissioner Griggs to remove item "b"-*VAYA Health Pathways to Permanency* under New Business. Motion passed unanimously.

Adoption of Agenda
Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve the agenda as modified. Motion passed unanimously.

Public Hearing on Proposed Cherokee County Comprehensive Plan
Motion made by Commissioner Adams and seconded by Commissioner Griggs to open the public hearing. Motion passed unanimously.

Two members of the audience signed up to speak during the public hearing, both members were in support of a comprehensive plan.

Motion made by Commissioner Philips and seconded by Commissioner Griggs to close the public hearing. Motion passed unanimously.

Vote on Proposed Comprehensive Plan
Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to adopt the Cherokee County Comprehensive Plan, as presented. Motion passed unanimously.

Advertise for Moratorium
Motion made by Commissioner Griggs and seconded by Commissioner Phillips to schedule a legislative hearing on October 2, 2023 for consideration of adopting a temporary moratorium on high-impact facilities, and further directed the Clerk to the Board to advertise the public hearing in the Cherokee Scout, pursuant to §160D – 107, and on the County's website. Motion passed unanimously.

Public Forum

Budget and Finance
Motion made by Commissioner Adams and seconded by Commissioner Griggs that rescue funds be used solely for fire department needs. Motion passed unanimously.

Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve a budget revision for use of contingency funds in the amount of $932.00 to purchase Lifeline Rope and Rescue 8 Ring for EMS 1. Motion passed unanimously.

Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to approve the Board of Health fee of $25.00 for rapid COVID testing. Motion passed unanimously.

Motion made by Commissioner Adams and seconded by Commissioner Phillips to approve the Board of Health fee of $150 for the Pfizer vaccine and the Moderna vaccine for COVID. Motion passed unanimously.

New Business
Mrs. Sandra Jenkins submitted request for reimbursement of service fee and bank fees in the amount of $160.00 for garnishment of delinquent taxes. The Board of Commissioners cannot waive third party fees, and therefore took no action on the request.

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

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve a Resolution and Letter of Agreement for NCDOT State Funded Airport Safety/Maintenance Projects. Motion passed unanimously. This program is for the maintenance of paved surfaces at the airport and is at no cost to the county.

Motion made by Commissioner Adams and seconded by Commissioner Phillips to revise the holiday schedule for the Solid Waste Department, allowing for closure on Christmas Day of each year. Motion passed unanimously.

County Manager Items
The county manager told the board that there are some trees and limbs that need to be removed at the Texana Community Center property and the quote to remove, trim and haul of debris is $5,000.00. After discussion, a Motion was made by Commissioner Griggs and seconded by Commissioner Phillips to approve a budget revision in the amount of $5,000.00 for tree removal. Motion passed unanimously.

The county manger asked the Board to schedule a work session to discuss updated plans for the armory renovation project. Motion made by Commissioner Phillips and seconded by Commissioner Griggs to schedule a work session on Thursday, September 28th at 6:30 p.m. Motion passed unanimously.

Chairman/Commissioner Items - None

Closed Session
Motion made by Commissioner Phillips and seconded by Commissioner Eichenbaum to go into closed session, pursuant to §143-318.11 (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; and (5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Motion passed unanimously.

While in closed session the Board consulted with the county attorney on available legal options for eviction and removal of an inoperable aircraft from a county hangar. The Board instructed the county attorney to proceed with summary ejectment.

The Board also discussed a proposed contract for lease/property exchange of property surrounding Western Carolina Regional Airport.

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

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

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISISONERS ON MAY 6, 2024.