Cherokee County Board of Commissioners
Organizational Meeting Minutes
December 2, 2024

Board members present: Cal Stiles, member; Dr. Dan Eichenbaum, member; and Ben Adams, member.

Others present: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager and Clerk to Board; Candy Anderson, Chief Financial Officer; and, Darryl Brown, County Attorney.

Time: 6:30 P.M.

Location: Cherokee County Courthouse, Room 342

Call to Order
The Clerk to the Board called the meeting to order.

Oath of Office
Maria Hass, Clerk to the Board, administered the Oath of Office to newly elected Commissioner, Alan Bryant. Mr. Bryant was accompanied by his wife Marla, who held the bible as he took the oath of office.

Invocation
An invocation and special prayer were given by Commissioner Bryant's pastor, Nathan Rose and friend Ben Hogsed.

Selection of Chairman
The Clerk to the Board opened the floor for nominations of Chairman. A Motion was made by Commissioner Stiles and seconded by Commissioner Bryant to nominate Dr. Dan Eichenbaum as Chairman. The Clerk asked if there were any additional nominations. There being no additional nominations, the Clerk called for a vote to appoint Dr. Dan Eichenbaum as Chairman of the Board for the ensuing year. Voting in favor of the Motion was Commissioner Stiles, Bryant and Eichenbaum. Voting against the Motion was Commissioner Adams. Motion passed 3-1.

Selection of Vice-Chairman
Chairman Eichenbaum opened the floor for nominations of Vice-Chairman. A Motion was made by Commissioner Eichenbaum and seconded by Commissioner Bryant to nominate Cal Stiles as Vice-Chairman. Chairman Eichenbaum asked if there were any additional nominations. There being no additional nominations, Chairman Eichenbaum called for a vote to appoint Cal Stiles as Vice-Chairman for the ensuing year. Voting in favor of the Motion was Commissioner Eichenbaum, Bryant and Stiles. Voting against the Motion was Commissioner Adams. Motion

passed 3-1.

Review of Public Official Bonds
After review, there were no suggested changes to the public official bonds and all remain unchanged from the previous year.

Vacancy on Board of Commissioners
Chairman Eichenbaum addressed the Clerk to the Board, stating there is an empty chair at the table for the District 2 Commission seat and asked if she had any information to share. The Clerk read a resignation letter submitted by District 2 Commissioner-Elect, Justin Hyde. The Clerk to the Board shared that Mr. Hyde had submitted the resignation letter late last evening to Cherokee County GOP members Dallas McMillan and Mark Kephart; Board of Elections Director, Leighsa Jones; the Editor of the Cherokee Scout; and Commissioner Ben Adams, who then shared it with county administration this morning. Chairman Eichenbaum asked how the Board then proceeds. Mrs. Hass explained that due to Mr. Hyde's resignation there is now a vacancy on the Board of Commissioners and that the Board will need to declare the vacancy and report it to the Cherokee County GOP, who will then have 30 days to make a recommendation for filling the vacancy. Mrs. Hass told the Board, after learning of the resignation, a declaration had been prepared and proceeded to read the declaration. After the reading of the declaration by the Clerk to the Board, Chairman Eichenbaum called for a Motion to declare a vacancy for the District 2 Commission seat. A Motion was made by Commissioner Adams and seconded by Commissioner Stiles declaring the District 2 Commission seat vacant. A vote was taken and the Motion passed 4-0.

A copy of the declaration is attached to these Minutes as Attachment A.

Commissioner Comments
Board members welcomed Commissioner Bryan to the Board. Newly-elected Commissioner, Alan Bryant shared his appreciation and hopes for the future.

Adjourn
Motion made by Commissioner Stiles and seconded by Commissioner Adams to adjourn. Motion passed 4-0.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON JANUARY 6, 2025.

ATTACHMENT A

STATE OF NORTH CAROLINA
COUNTY OF CHEROKEE
BEFORE THE BOARD OF COUNTY COMMISSIONERS

DECLARATION OF VACANCY OF OFFICE

WHEREAS, Justin Hyde was duly elected by a certification of election for the Office of County Commissioner for District 2 in Cherokee County.

WHEREAS, Justin Hyde was elected as a nominee of the Republican party.

WHEREAS, Justin Hyde has been called to take the Oath of Office and to take his duly elected seat on the Cherokee County Board of Commissioners.

WHEREAS, Justin Hyde by his resignation as Commissioner-elect has failed to qualify for his position as Commissioner for District 2.

WHEREAS, NCGS 128-7 provides:

§ 128-7.1. Failure to qualify creates vacancy.
If any person who has been elected to public office (i) dies or becomes disqualified for the office before qualifying for the office, or (ii) for any reason refuses to qualify for the office, the office shall be declared vacant. Unless otherwise provided by law, such vacancy shall be filled by appointment by the authority having the power to fill vacancies as prescribed by law. (1971, c. 183.)

WHEREFORE, the Cherokee County Board of County Commissioners does hereby declare and resolve that there is a vacancy in the position of District 2 County Commissioner. The Board does hereby refer this matter to the Cherokee County Republican Executive Committee under the authority of NCGS 153A-27.1(d). The Clerk to the Board of Commissioners shall immediately communicate this Declaration of Vacancy to the Cherokee County Republican Executive Committee and to post this declaration on the Cherokee County Website. Effective as of:

This the 2nd day of December 2024 at 6:40 p.m.

Dr. Dan Eichenbaum
Chairman of the Cherokee County Board of Commissioners