

Cherokee County Board of Commissioners  
February 7, 2022 Meeting Minutes

**Board members present:** Gary Westmoreland, Jan Griggs, Randy Phillips, and Cal Stiles. Chairman Eichenbaum attended by conference call.

**Others present:** Randy Wiggins, County Manager; Maria Hass, Assistant County Manager and 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 and Ethics Statement by Vice-Chairman Westmoreland**

Members were advised of their duty under the Local Government Ethics Act.

**Invocation**

Invocation given by Randy Wiggins.

**Pledge of Allegiance**

Led by Chairman Eichenbaum.

**Call to Order and Ethics Statement**

Members of the County Board of Commissioners were advised of their duty under the Local Government Ethics Act.

**Modification of Agenda**

Motion made by Commissioner Griggs and seconded by Commissioner Stiles to remove item “a”, “Together Facing the Challenge Site Certification”, under budget and finance. Motion passed unanimously.

**Agenda Adoption**

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve the agenda as modified. Motion passed unanimously.

**Public Forum**

During public forum, Commissioner Griggs read a statement from Mrs. Shannon Greathead, who was unable to attend the meeting. The statement included concerns with the noise level of the Wingate Road and Harshaw Road data mine facilities, and which also included a request to the board to enact an industrial ordinance and a zoning commission to protect property owners from further encroachment from businesses and industries “that are not practicing good neighbor practices.”

**Public Hearing on Road Names**

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to open the public hearing. Motion passed unanimously. There were no public comments. Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve the following road names: Rushmore Ln, Daugherty Rdg, River Front Ct, Madlock Mountain Rd, Harvest Oaks Dr,

and rename Joe Holloway Rd to Nourished Up Farms Rd. Motion passed unanimously.

## **Minutes**

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve the November 1, 2021 meeting minutes. Motion passed unanimously.

## **Budget and Finance**

a) Budget Revision for use of rescue funds to purchase extrication equipment for Wolf Creek VFD, Hanging Dog VFD, and Ranger VFD

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve the budget revision for use of rescue funds for Wolf Creek VFD, Hanging Dog VFD, and Ranger VFD; and, to allow other departments to submit for reimbursement for extrication equipment purchased with VFD funds. Motion passed unanimously.

b) Cherokee County Schools (CCS) request for Board approval of grant application for consolidated high school project

Motion made by Commissioner Eichenbaum and seconded by Commissioner Phillips to approve CCS request to submit a grant application for a consolidated high school project. Voting in favor of the Motion was Commissioners Eichenbaum, Phillips and Westmoreland. Voting against the Motion was Commissioners Stiles and Griggs. Motion passed.

c) Budget Revision to close-out landfill phase 5 construction fund and transfer savings back to General Fund

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve closing out the construction fund for landfill phase 5, and to transfer the savings to the general fund. Motion passed unanimously.

d) Budget Revision for receipt of additional HCCBG funds for Senior Center, DSS, and Transit

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve a budget revision for receipt of additional HCCBG funds. Motion passed unanimously.

e) Board of Elections request to purchase portable laptops and printers for voting sites

Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve the purchase of portable laptops and printers for precinct locations. Motion passed unanimously.

f) Budget Revision for 2015 Frasier Type 1 ambulance

Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve the purchase of a used 2015 ambulance. Motion passed unanimously.

## **New Business**

b) Jenni Irwin – Opioid Partnership Proposal

Jenni Irwin came before the Board to request the county be the fiscal agent and dedicate opioid settlement funds for a proposed program that would seek to address substance use/abuse in Cherokee County. Mrs. Irwin also asked the county to submit a grant application to Dogwood Health Trust (DHT) for project planning. Chief Deputy, Joe Wood spoke in support of the

program, which would also house a support specialist in the detention center as a resource for those incarcerated and those transitioning back into the community. After discussion, a Motion was made by Commissioner Westmoreland and seconded by Commissioner Phillips to allow submission of the planning grant to DHT. Motion passed unanimously. No action was taken on the request for funding and sustaining the project with opioid settlement funds.

c) Kevin Carter - Hanging Dog VFD request for funding assistance for building renovations; and a request for transfer of Real Property (fire station property, old community center bldg., and White Church School bldg.) from the County to the VFD  
Motion made by Commissioner Stiles and seconded by Commissioner Westmoreland to provide a match in the amount of \$13,000 for renovations. Motion passed unanimously.

Motion made by Commissioner Griggs and seconded by Commissioner Eichenbaum to transfer 6 acres and white church school property to Hanging Dog Volunteer Fire Department for future VFD expansion. Motion passed unanimously.

d) Tax Releases, Tax Refund Report, and NCVTS Report  
Motion made by Commissioner Griggs and seconded by Commissioner Phillips to approve the Tax releases, tax refunds, and the NCVTS report. Motion passed unanimously.

e) Resolution opposing the revised U.S.F.S. Land Management Plan  
Motion made by Commissioner Eichenbaum and seconded by Commissioner Phillips to approve a resolution opposing the USFS Land Management Plan revisions. Motion passed unanimously.

Motion made by Commissioner Eichenbaum and seconded by Commissioner Westmoreland to send the resolution to state and federal representatives. Motion passed unanimously.

### **County Manager Items**

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to move the May 16th meeting to May 23<sup>rd</sup>. Motion passed unanimously.

### **Chair/Commissioner Items**

Commissioner Griggs read a statement addressing a statement made on social media by Mr. Gayland Trull, stating the county was at risk of losing the Life Force medical helicopter at the airport, due to there being no security at the airport. Commissioner Griggs stated that the county had confirmed was not true and that Life Force is appreciative of their partnership with Cherokee County.

Commissioner Stiles suggested that if any board member wants to attend the staff meeting with NCDOT on February 24<sup>th</sup>, concerning the gate and fence project at the airport, then he thinks it should be a public meeting.

Commissioner Stiles addressed a social media post he said was made by Mr. Gayland Trull, stating that Commissioner Stiles and Commissioner Griggs were on a mission to take away property owners rights by passing a noise ordinances and zoning in Cherokee County. Commissioner Stiles said that is not true and that videos and board minutes would substantiate his and Commissioner Griggs position, which has been to try and resolve the crypto mining

issue, and that the board had been advised at the last meeting that a noise ordinance would not work, so he isn't sure how Mr. Trull could make the statement.

Commissioner Stiles said he would also like to address a comment that was made at the last meeting concerning the four-cent (4¢) millage rate increase, which was adopted in the current year's budget. He said the statement was made that the board set aside 4¢ to cover indebtedness for a school consolidation project. Commissioner Stiles said he didn't approve the 4¢, but that the four-cent (4¢) millage rate increase was for the general fund, and not designated for a school consolidation project. Commissioner Phillips said that when the original Motion was made concerning the consolidation project, that the board agreed to an amount up to \$40 million dollars and to a 4-cent tax increase. He said due to other issues the county was going to be facing, the board did not designate the 4¢ to consolidation when the budget was adopted.

Commissioner Westmoreland asked Chairman Eichenbaum if he thought it was appropriate to allow Mr. Trull to respond to Commissioner Stiles and Commissioner Griggs. Chairman Eichenbaum agreed to allow Mr. Trull to speak. Mr. Trull did not rebut the statements made, but cited personal issues between himself and Commissioner Griggs. Commissioner Griggs responded to his comments, saying that everything she does is to protect the county, and that there are rules, regulations and laws to abide by and that is what she is doing. She said she will continue to address in an open forum, those things posted on social media and which are meant to hurt the county. There was no county business discussed, and therefore no further comments were included in these board minutes.

**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.

Motion made by Commissioner Phillips and seconded by Commissioner Stiles to go into closed session, following a five-minute break. Motion passed unanimously.

During closed session, the board discussed three (3) items:

- 1) Consultation with the county attorney on privileged matters.
- 2) Matters related to location and expansion of broadband businesses.
- 3) Personnel matters, which included on-going personnel issues in the tax office, and consideration of employment in the human resource office.

### **Open Session**

After returning to open session, a Motion was made by Commissioner Griggs and seconded by Commissioner Stiles to approve a budget revision to bring Melody Johnson (former HR Director and recently retired) back on a part-time basis to assist and train the new HR Generalist. Motion passed unanimously.

### **Adjourn**

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