

Cherokee County Board of Commissioners
May 2, 2022 Meeting Minutes

Board members present: Dr. Dan Eichenbaum, Gary Westmoreland, Jan Griggs (participated remotely), Randy Phillips, and Cal Stiles.

Others present: Randy Wiggins, County Manager (participated remotely); 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 and Ethics Statement

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.

Modification of Agenda

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to add Keith Wood, of Wood Family Farms to the first item of Old Business. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to add a Public Forum to the agenda. Motion passed unanimously.

Agenda Adoption

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

Public Forum

During public forum, several residents spoke against crypto mining, and more specifically about the noise from the Harshaw data site.

Ben Adams asked the Board to support the naming of Konehete Park to Konehete Veteran's Park, as suggested by Mr. Charlie Johnson. Motion made by Commissioner Westmoreland and seconded by Commissioner Griggs to approve, contingent upon approval by the Town of Murphy. Motion passed unanimously. Mr. Adams said that donations would be raised to cover the cost of new signage.

Budget and Finance

a) Budget Revision for Use of Contingency to Cover Additional Costs Associated with DSS Trailer Setup (\$2,500)

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

b) Budget Revision for Covid Funds for Detention Center (\$89,488 - no county match)
Motion made by Commissioner Stiles and seconded by Commissioner Phillips. Motion passed unanimously.

c) Budget Revision for Additional State Funds to Provide a School Clothing Allowance to Foster Children (\$6,500; \$500.00 per qualified child – no county match)
Motion made by Commissioner Westmoreland and seconded by Commissioner Griggs. Motion passed unanimously.

d) Budget Revision for Use of Sheriff's Designated Funds to Purchase Additional K-9 And Supporting Supplies and Equipment (\$25,380)
Motion made by Commissioner Stiles and seconded by Commissioner Phillips. Motion passed unanimously.

New Business

a) Jennifer West – Transit Pilot Program - The purpose of the pilot program is to test the impact of providing non-medical (e.g., trips to farmers markets, gyms, parks, etc.) intervention transportation services to high-need Medicaid members.

Motion made by Commissioner Stiles and seconded by Commissioner Griggs. Voting against the Motion was Commissioners Eichenbaum and Phillips. Motion passed 3-2.

b) Sam Davis – Request that county pay for search and rescue team members workman's comp insurance, if not already covered by VFD insurance (\$800 annually)
Motion made by Commissioner Phillips and seconded by Commissioner Griggs to approve. Motion passed unanimously.

c) Tax Refund Report and NCVTS Report
Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to approve the tax refund report and the NCVTS report. Motion passed unanimously.

d) Rob Ward, Solid Waste Director – **1) Compactor** (TANA E380 - \$856,874, cost after CAT trade-in = \$606,874); and, **2) Recommended changes for Solid Waste Ordinance** (3 sections needing to be amended – 700.14 Packing materials prohibited; 900.09 Temporary Banning of Substances from Landfill; and, 1000.07 Commercial Hauler Penalties)
Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve the purchase of a TANA compactor. Motion passed unanimously.

Motion made by Commissioner Stiles and seconded by Commissioner Griggs to approve the proposed amendments to the Solid Waste Ordinance. Motion passed unanimously.

Budget and Finance

- a) Use of Article 46 School Sales Tax Fund Balance for security cameras

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to table.
Motion passed unanimously.

- b) Use of Article 46 School Sales Tax Fund Balance for various projects

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

Old Business

- a) Keith Wood of Wood Family Farms came before the Board to speak on behalf of his family and a previously proposed easement concerning property along airport access road. Mr. Wood said he felt like his family's intentions were misrepresented and he wanted to clear up any misconceptions. Additionally, he said that his family is withdrawing the proposed easement from consideration, because they do not want to cause the county to have to pay back federal airport funds.

- b) Aaron's LLC Tax Appeal Decision

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to deny the appeal. Motion passed unanimously.

- c) Noise Ordinance Amendment

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to table until an environmental attorney can be consulted. Motion passed 3-2. Voting against the Motion was Commissioner Stiles and Commissioner Griggs.

New Business

- a) Amanda McGee & Shelly Foreman – Presentation and request for approval of letter to DHHS to oppose the state-wide plan for centralized mental health services for children in North Carolina and to support the current regional plan with Vaya Health.

Motion made by Commissioner Phillips and seconded by Commissioner Westmoreland to approve the letter. Motion passed unanimously.

- b) Resolution delegating pyrotechnics permitting request approvals within the municipalities to their respective Boards

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

- c) One-year extension of Cherokee County Transit Lease

Motion made by Commissioner Stiles and seconded by Commissioner Phillips to approve lease extension. Motion passed unanimously.

- d) Tax Releases and Tax Refund Report

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

County Manager Items

The County Manager asked the Board to set the FY budget calendar. The following dates were approved:

- June 2nd – Budget Worksession
- June 6th – Public Hearing on FY Budget and Budget Worksession following the regular meeting.
- June 9th – Budget Worksession
- June 13th – Budget Worksession
- Move June 27th meeting to June 29th

Chair/Commissioner Items – N/A

Closed Session

Motion made by Commissioner Stiles and seconded by Commissioner Phillips to go into closed session to discuss the DSS lawsuits with the county attorney and insurance counsel, Sean Perrin. Motion passed unanimously.

Motion made by Commissioner Westmoreland and seconded by Commissioner Stiles to return to open session. Motion passed unanimously.

Open Session

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

Adjourn

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