

DATE: 7/28/16 FILE NO: DATE205

TO: Cherokee County Council

SUBJECT: Minutes of Regular Meeting, 7/27/16

There was a Regular Meeting of County Council Wed., 7/27/16, 5:05 PM in Council Chambers. Chairman Tim Spencer presided with Charles Mathis leading in prayer. All council members were present along with Holland Belue, Attorney Jim Thompson & Clerk Doris Pearson. The news media was informed and one was present. There was 12 visitors.

**Councilman Steven Blanton made the motion to adopt the agenda of the Regular Meeting of 7/27/16 as received with the addition of a report from the Finance Committee and in compliance with the SC FOIA, codified at Section 30-4-10 et. Seq. of the Code of Laws of SC, 1976, as amended. Mike Fowlkes seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to approve the minutes of the Regular Meeting of 7/5/16 as received. Mike Fowlkes seconded and council voted in favor.**

Acting Admin. Holland Belue asked council permission to fill the vacant position in the Finance Dept. It has already been advertised. **[Steven Blanton made the motion to allow Administration to fill the vacant position in the Finance Dept. Mike Fowlkes seconded and council voted in favor.]**

**Public Works Committee Chair Tracy McDaniel made the motion coming from committee to purchase two 7300 SBA 4x2 single steerable axle International trucks at the cost of \$145,300/each and to pay it from the SWC 2016/17 FYB allocation. Charles Mathis seconded and council voted in favor.**

**PWC Chair Tracy McDaniel made the motion coming from the committee to allow Administration to sign the contract with S&ME to complete the annual Groundwater Monitoring & Reporting for the Class 2 Landfill at a cost of \$8600 and pay it from the Landfill FYB 2016/17 account. Mike Fowlkes seconded and council voted in favor.**

**PWC Chair Tracy McDaniel made the motion coming from the committee to allow Administration to sign the contract with S&ME for them to update the Stormwater Pollution Prevention Plan for the Solid Waste & Vehicle Main. facilities for a total cost of \$8800 and to pay this from their FYB 2016/17 account. Mike Fowlkes seconded and council voted in favor.**

**PWC Chair Tracy McDaniel made the motion coming from the committee covering two items: 1) to allow Admin. to go out for bid on the spraying for vegetation on the 150 acres of land that the loggers cleared the pines from; and 2) to go out for bid to purchase pine seedlings to be planted on this 150 acres sometime around Feb. Charles Mathis seconded and asked how much money was received on the sale of the pine trees? Holland replied \$90,000 which was put aside in a special account to refurbish this tract of land. Council voted in favor of the motion.**

**PWC Chair Tracy McDaniel made the motion coming from the committee to allow Administration to advertise on govdeals.com the demolition of the Old Farmers Market at the Midway Complex. Mike Fowlkes seconded and council voted in favor.**

**Finance Committee Chair Charles Mathis made the motion coming from the committee to allow IT Director Joe Sparks to purchase 2 Dell storage units for a total price of \$60,002.23. Steven Blanton seconded and council voted in favor.**

**Finance Committee Chair Charles Mathis made the motion coming from the committee to allow IT Director Joe Sparks to contract with A3 Communications to install the 2 Dell storage units for a cost of \$5000. Steven Blanton seconded and council voted in favor.**

**Finance Committee Chair Charles Mathis made the motion coming from the committee to allow Sheriff Mueller to purchase 15 body armor vests from Dana Safety Supply, Inc. for a total amount of \$12,150. Steven Blanton seconded and council voted in favor.**

Attorney Lawrence Flynn was present to updated council on the Resolution No. 2016-05. There have been some ongoing conversations with the Recreation District about moving forward with their request for a tax levy referendum and the potential request for them to come back to council at a later date to authorize the issuance of the general obligation bonds in the amount not exceeding \$6 million. Council does not have to approve the authorization of the Rec District to move forward with their request for the tax levy operation mill but they do have to approve at a later date the issuance of the bond. County council by statue has the responsibility of approving general obligation bonds issued by any special purpose district in the state. So any special purpose district within your territorial boundaries must come before county council for the authorization to issue obligation bonds. There is a statutory process for doing that; typically it is done through petition that has been approved by county council by ordinance; if county council is authorized in that ordinance to condition the approval of those bonds. In light of the fact that the Rec District is planning to move forward to request their operational tax referendum which you don't have to approve, at the Nov. election. The resolution you have in front of you tonight basically recognizes and ratifies that they are going forward with the tax levy referendum and then authorizes them to request an advisory referendum on the question on the general obligation bonds. It is advisory because if it passes you still will have to use that as a standard to make your decision. As an additional consideration in the approval of those bonds when they come through are some specific projects that are specifically addressed that the Rec District will include the greater Lake Whelchel recreation improvement and also notes payable that the county had already fronted for the Rec Admin. Bldg.; and that the county be reimbursed for the lights that will go up at the Ford Complex. Assuming the advisory question of the referendum is acceptable, I will expect the Rec District to come back with a formal request. The formal question is not before you tonight. You really don't have to take a formal action but we wanted to make sure that everyone is on the same page and specifically identify the projects & improvements. There was some discussion of trying to combined those questions into a single question but given the fact that the authorization for the operation levy referendum is a specific

statue and the approval of bonds is a separate statue it has to be broken out into two separate questions which will appear on the ballot as an authorization for the tax levy authorization and the separate 2<sup>nd</sup> question for the general obligation bond. Holland clarified that the bldg. we talked about a few minutes ago, the Farmer Market Bldg. is not what we are talking about here. We are talking about the old nursing home bldg. that used to be their Office Bldg. 2<sup>nd</sup> part is pending the fact that the advisory question is acceptable and also question No. 1 will increase their operational millage. If these are successful on the ballot, then council will need to start the ordinance process that will generate the bond process. There will be a place in there that will say the county will manage the bond designated through county council, Administrator or a 3<sup>rd</sup> Party that they may choose to manage the bond. The bond will not be managed by the Recreation District. Lawrence replied that state law actually requires that the proceeds of the bond issued be held by the County Treasurer. We need to be very careful that county council, Admin. or our staff on anything we say does not convey an opinion for or against the bond. We can release factual information but we cannot promote with any county allocation, bond allocation or any other tax revenues. Lawrence replied that includes any public staff time, flyers, copies, public resource of any kind. How much money are we talking about? \$6 to 6 ½ million dollars; debt service side of 4 mills, that kind of information can be distributed. Our first question is the operation millage and if the bond referendum does pass at the end of the day, you will be an advisory referendum which is not binding on anyone. The ultimate approval is the operational bond. Charles Mathis asked if that board dissolves themselves, does the county have to pick it up; does that obligation fall on the county? Lawrence replied no. A general obligation bond is secured by all taxable property in that district overlaps with the county so at the end of the day, the taxpayers will be in debt for that bond. If that board decides to walk out, then the legislation delegation can appoint a new board to operate. Mike Fowlkes asked is the Ford Complex project been delayed? Holland replied no. We are about 2 wks. behind where we wanted to be but we should have the lights up by mid Oct. We have been talking with church softball leagues representatives to have a tournament the last week of Oct.

**Councilman Steven Blanton made the motion to pass the Resolution 2016-05 acknowledging a Special Referendum to be held in the Cherokee County Recreation District, SC; & providing for other matters relating thereto. Tracy McDaniel seconded and council voted in favor.**

VA Officer Todd Humphries was present to give his yearly report. We have completed & submitted over 1200 claims for compensation to the Dept. of Veterans this year. The claims involve medical care enrollment, service connected disabilities, education benefits, burial benefits, non-service connected pension, death pensions for widows, and solving day-to-day problems. We estimated over \$26 million has come to Cherokee Co. Veterans each yr. for the Dept. of Veterans Affairs which is an increase over \$20 million since I took office in 2009. Our office was able to attend our National Accreditation Training in May, 2016, and now we are accredited nationally; we also attended the SCAC Veterans Affairs Officers training this year. I was elected as President of the SCAC of Veterans Affairs Officers at our Training in Gaffney here in Feb. I was appointed by the Gov. to serve on the State & Local Veterans Sub Committee. Our office provides travel for our Veterans on a daily basis. State Nursing Home project continues to move forward; we are continuing to work with the SC Dept. of Mental Health

the VA Office & Cherokee Co. Admin. to find a perfect site to build this site. We are still looking at 3 years before breaking ground. I want to assure council that it will be built here in Cherokee Co. and we are moving forward on this project. We receive \$5400/year from the State to help with operations and Cherokee Co. picks up the rest. Mike Fowlkes & Chairman Spencer thanked Todd for his service.

**Councilman Charles Mathis made the motion to pass the 2<sup>nd</sup> Reading of Ordinance No. 2016-20 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to include additional property in Spartanburg Co. as part of the Joint County Industrial Park, and other matters relating thereto. Steven Blanton seconded and council voted in favor.**

**Councilman Mike Fowlkes made the motion to approve the claims in the amount of \$169,138.09. Tracy McDaniel seconded and council voted in favor.**

Acting Admin. Holland Belue opened the bids for No. 2017-01 for the 2016/17 "C" Fund Road Surfacing Program. Two bids were received: **1) F&R Asphalt** - \$2,992,991.20; and **2) Cherokee Landscaping** - \$2,706,829.08. Holland stated a bid tabulation will be prepared and posted for 10 days before apparent low bid can be announced. I will report back to full council 8/8/16 with my findings for you to award the bid.

Acting Admin. Holland Belue opened the bids for No. 2017-02 for the Lighting Project at the Ford Complex. Only 1 bid was received: **The Lighting Co. & Electrical Construction, LLC** - \$398,241. I will forward this bid to our engineer for review because it is over our estimated cost. I will report to full council on 8/8/16.

Development Board Director Jim Cook requested council to make a motion to go into Executive Session for the purpose of discussion of matters relating to future proposed locations, expansions or provision of services including locations and expansions of industries and other businesses in the area served by a public body, specifically Project Cheyenne. **[Councilman Steven Blanton made the motion to go into Executive Session on this request. Mike Fowlkes seconded and council went into Executive Session at 5:43 PM.]**

**Councilman Steven Blanton made the motion for council to come out of Executive Session and enter back into their Regular Meeting at 5:53 PM. Mike Fowlkes seconded and council voted in favor.** No vote or action was taken during executive session.

**Councilman Steven Blanton made the motion to re-appoint Jim Thompson to serve another term on the Cherokee Co. Development Board. Tracy McDaniel seconded and council voted in favor.**

Acting Admin. Holland Belue reported to council that Ann Angermeier is asking any council person to serve on a committee to develop the 4 year plan on workforce development that is required by the State Workforce Board. **[Steven Blanton made the motion to appoint Councilman Mike Fowlkes to serve on this committee. Tracy McDaniel seconded and council voted in favor.]**

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:00 PM.

APPROVED: \_\_\_\_\_

BY ITS: \_\_\_\_\_

Respectfully submitted,

Doris F. Pearson, Clerk to Council