

DATE: 8/9/16 FILE NO: DATE206
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 8/8/16

There was a Public Hearing & Regular Meeting of County Council Monday, 8/8/16 @ 5:10 PM in Council Chambers. Chairman Tim Spencer presided with Mike Fowlkes leading in prayer. All council members were present along with Acting Admin. Holland Belue, Attorneys Joe Mathis & Jim Thompson and Clerk Doris Pearson. The news media was informed by agenda & in accordance with the SCFOIA and 2 was present. There were 15 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the PH & Regular Meeting of 8/8/16 as received and in compliance with the SC FOIA. Mike Fowlkes seconded and council voted in favor.

Councilman Steven Blanton made the motion to approve the minutes of the Regular Meeting of 7/27/16 as received. Mike Fowlkes seconded and council voted in favor.

Chairman Tim Spencer opened the Public Hearing on the proposed enactment for Ordinance No. 2016-20 to amend the agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties so as to include additional property in Spartanburg Co. as part of the Joint County Industrial Park and other matters relating thereto. As there was no one present to speak the public hearing was closed.

Councilman Charles Mathis made the motion to allow for the purchase of 2 bullet proof vest from Dana Safety Supply in the amount of \$1,620 for the Coroner's Office. Mike Fowlkes seconded and council voted in favor.

Councilman Rufus Foster made the motion to allow for the purchase of 10 dispatch chairs from Wireless Communications for the total amount of \$13,557 for 911 Dispatch Office. Steven Blanton seconded and council voted in favor.

Acting Admin. Holland Belue clarified on Item #11 No. 3 on the agenda regarding the ordinance to amend the 2016/17 FYB for Administration. There was a mistake in the way millage was entered in Section 2 of the budget and we changed that to what the public hearing stated. No change as far as millage levy just a typo mistake; no tax increase of anything outside of your approval of the operating budget two months ago. Just a clerical thing we have to clear up before the Auditors come. Also under Section 30 there has been some discussion from some of the local fire departments in regards to the audit requirements. I am working to try & determine if there is another procedure we can use that will be less financially intrusive for the fire departments to meet the requirements. Basically what council is trying to do is make sure there is some level of accountability for the use of public funds. I have met with our Auditors for the county, as well as one of the firms that represents' a lot of the local fire departments and he is getting me information. You are not amending Section 30 right now but we reserve the right to bring it up either on 2nd or 3rd Reading for your consideration.

Councilman Mike Fowlkes made the motion to award the bid No. 2017-01 for the 2016/17 C-Fund Surfacing Program to Cherokee Landscaping for their bid of \$2,706,829.08. Steven Blanton seconded and council voted in favor.

Acting Admin. Holland Belue reported that only one bid was received for the Lighting Project at the Ford Complex and it was from The Lighting Co. & Electrical Construction, LLC for a total of \$398,241. The initial price we had for this project was \$350,000. I have met with the vendor & Recreation Dept. and we talked about why the price went up? (A copy is attached of how we could reduce the figure.) Tim Spencer asked who will absorb the cost if we can't get the figure down? Holland replied the county. Your contract provision is listed with the Rec District being capped at 20% of the total project cost with a cap of \$82,500. If the bond referendum is successful, you will be able to recoup your entire balance. **[Councilman Charles Mathis made the motion to award the bid No. 2017-02 for the Lighting Project at the Ford Complex to The Lighting Co. & Electrical Construction, LLC for the amount of \$398,241. Mike Fowlkes seconded and council voted in favor.]**

Councilman Mike Fowlkes made the motion to pass 3rd Reading of Ordinance No. 2016-20 to amend the Agreement for Development 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 there. Steven Blanton seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to pass the 1st Reading of Ordinance No. 2016-21 to amend the agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties so as to include additional property in Spartanburg Co. as part of the Joint County Industrial Park and other matters relating thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Steven Blanton made the motion to pass the 1st Reading of Ordinance No. 2016-22 to amend the Ordinance No. 2016-04 which adopted the FYB 2016/17 for the County of Cherokee Operating Budget and provided for the levying of taxes & fees for county purposed. Mike Fowlkes seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the claims for Cherokee County in the amount of \$272,140.56. Charles Mathis seconded and council voted in favor.

Development Board Director Jim Cook asked council 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 or other businesses in the area served by a public body. These are specifically referenced to Project Clean & Project Next Step. **[Steven Blanton made the motion to go into Executive Session for this purpose. Mike Fowlkes seconded and council voted in favor and went into Executive Session at 5:25 PM.]**

Councilman Mike Fowlkes made the motion to come out of Executive Session and enter back in to Regular Session at 5:55 PM. Steven Blanton seconded and council voted in favor. Attorney Joe Mathis stated that no action or vote was taken during Executive Session.

Acting Admin. Holland Belue gave an update on the Recreation District. Council voted to allow the Recreation District to go forward with a referendum to be put on the Nov. ballot with a 6½ millage cap for operating expenses. I distributed them with cost estimates, etc. where we hope the project will land to be within the \$6 million bond. We got those preliminary numbers back today as far as the construction. It is a little above what we hoped it would be but there are a lot of contingencies that you can do. One would be to reduce some of the paved parking with gravel; eliminate having two entrances & exits down to one; take the 3 full size fields down to 2; we went to full size regulations on those 3 fields and we could shrink that down a little smaller to meet minimum standards whether than maximum standards; drop the baseball field down to 300'; a central tower can be removed or reduced in scope; look at not putting the lighting up on the football & soccer fields right now; maybe not lighting all of them at this time. Tim Spencer asked how much over was it? Holland replied about \$2 million but the key piece is there are a lot of things in there that are ridiculously estimated. Tim asked if we keep reducing, are we building something that they need or something just to get by? Holland replied it will be functional. This is the gold plated design which is the way you should do it and then scope it back. You might not have all the gold plated things you want but it will be feasible. I got this report this afternoon and I haven't been able to completely go through it but I am telling you that everything in it is buildable; we can make this project fit our project budget. We won't be able to have everything in it but we knew that from the beginning. We talked about the field being functional & usable. It does not have to be built 100% A1. We want it to be, but I feel a lot of the numbers in the cost estimate are a little high and I feel we can meet this project budget within what we have in the \$6 million. Charles asked the person that gave you the estimate, did we not tell him what we wanted? Holland replied yes. Charles asked then why did we get the gold plated one? Holland replied we needed to design to full function; then we back down to what is affordable & feasible for us. Redesign fees scoping down doesn't cost you anything; but scoping up cost more money. Right now this includes everything and then we scope down so we don't have to pay a redesign fee to scope back up. We scoped everything in it we could possibly envision. There are probably over \$1 million in deducts already there. This is a good start going forward; this is not a panic situation. We will be working through this the next couple of days. This will be a tight budget.

Councilman Steven Blanton made the motion to pass the 1st Reading of Ordinance No. 2016-23 authorizing the execution & delivery of one or more Incentive Agreements by & among Cherokee Co. and a company known to the county as Project Clean and one or more existing or to-be-formed or acquired subsidiaries, or affiliated or related entities, to provide for Special Source Revenue Credits (for the project); authorizing the expansion of the Joint county Industrial Business Park formed with Spartanburg County to include the Project; to provide for the addition of one or more project affiliates; and other matters related thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Steven Blanton made the motion to appoint Holland Belue to serve on the Upstate Alliance Board. Tracy McDaniel seconded and council voted in favor.

Councilman Steven Blanton made the motion to re-appoint David Wall to serve another 3 yr. term on the Upstate Workforce Investment Board. Mike Fowlkes seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to re-appoint Rick Peterson to serve another 3 yr. term on the Cherokee Co. Employee Grievance Committee. Mike Fowlkes seconded and council voted in favor.

Councilman Hoke Parris made the motion to re-appoint Tommy Wilson & Hal Howington to serve another 3 yr. term on the Buffalo Fire Dept./Board of Fire Commissioners. Charles Mathis 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 6:05 PM.

APPROVED: 8/15/16

BY ITS: Cherokee County Council
Chairman Tim Spencer

Respectfully submitted,

Doris F. Pearson, Clerk to Council