

# CHEROKEE COUNTY

110 RAILROAD AVENUE  
GAFFNEY, SC 29340-3136  
TELEPHONE (864) 902-2252  
TELEFAX (864) 487-2594



COUNTY ADMINISTRATOR  
STEVE BRATTON

COUNTY COUNCIL:

Dist. 1 LYMAN DAWKINS III  
Dist. 2 MIKE FOWLKES  
Dist. 3 QUAY LITTLE, VICE-CHAIRMAN  
Dist. 4 TIM SPENCER, CHAIRMAN  
Dist. 5 CHARLES MATHIS, JR.  
Dist. 6 DAVID SMITH  
Dist. 7 TRACY A. MCDANIEL

CLERK TO COUNCIL  
DORIS PEARSON

**AGENDA FOR THE PUBLIC HEARING & REGULAR MEETING OF COUNTY COUNCIL  
MONDAY, DECEMBER 16, 2019, 5:00 P.M.  
CHEROKEE COUNTY ADMINISTRATION BUILDING  
COUNTY COUNCIL CHAMBERS, 1<sup>ST</sup> FLOOR  
110 RAILROAD AVENUE, GAFFNEY, SC 29340**

**01. CALL TO ORDER: Chairman Tim Spencer**

**02. INVOCATION:**

**03. WELCOME VISITORS:**

**04. ROLL CALL:**

**05. ADOPT AGENDA:**

**06. RECOGNITION: IT Director Joe Sparks**

**07. APPROVAL OF MINUTES: Public Hearing & Regular Meeting of 12/2/19.**

**08. APPROVAL OF CLAIMS: for Cherokee County in the amount of \$749,359.35.**

**09. PUBLIC HEARINGS:**

**1) on Ordinance No. 2019-24 with respect to the approval by Cherokee Co., SC of an amendment to a Fee in Lieu of Tax Agreement ("FILOT") and the inclusion of the Project in a Multi-County Industrial Park with Spartanburg Co. The amendment to FILOT will be entered into by Cherokee Co., SC with American Decorative Fabrics Realty, LLC and will include Home Fashions International, LLC and Palmetto Pedic, LLC.**

**2) on Ordinance No. 2019-28 authorizing & approving the diminution of the boundaries of a Joint County Industrial & Business Park with Cherokee Co. pursuant to Article VIII, Section 13 of the SC Constitution, to exclude certain property owned and/or operated by AFL Telecommunications, LLC or one or more of its affiliates or other related companies; and other matters related thereto.**

**PAGE 2 – AGENDA FOR PH & REGULAR MEETING, 12/16/19**

**09. PUBLIC HEARINGS CONTINUED:**

**3) on Ordinance No. 2019-29 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg County & Cherokee County, SC, so as to include additional property in Spartanburg Co. as part of the Joint County Industrial Park, and other matters relating thereto (Amaco Tool & Supply Co., Inc.; Sew-Eurodrive, LLC.; Carolina CC Venture XXXVII, LLC.; Arlington Spartanburg, LLC.; Global Commerce Park, LLC.; Beldon Solar, LLC.; Polydeck Real Estate, LLC.; Logistics 85, LLC.; Limelight Solar III, LLC.; and High Performance Conductions, LLC.).**

**10. ORDINANCES:**

**1) 3rd Reading of Ordinance No. 2019-24 authorizing the execution & delivery of an Amendment to the Fee Agreement between Cherokee County & American Decorative Fabrics Realty, LLC, including the inclusion of Home Fashions International, LLC and Palmetto Pedic, LLC as sponsors, and amending the Fee Agreement dated as of October 1, 2017; and other matters related thereto.**

**2) 3rd Reading of Ordinance No. 2019-28 authorizing and approving the diminution of the boundaries of a Joint County Industrial & Business Park with Cherokee Co. pursuant to Article VIII, Section 13 of the SC Constitution, to exclude certain property owned and/or operated by AFL Telecommunications, LLC, or one or more of its affiliates or other related companies; and other matters related thereto.**

**3) 3rd Reading of Ordinance No. 2019-29 to amend the Agreement for Development for Joint County Industrial Park by and between Spartanburg County & Cherokee County, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto (Amaco Tool & Supply Co., Inc., SEW-Eurodrive, LLC., Carolina CC Venture XXXVII, LLC., Arlington Spartanburg, LLC., Global Commerce Park, LLC., Belden Solar, LLC., Polydeck Real Estate, LLC., Logistics 85, LLC., & Limelight Solar III, LLC.)**

**4) 1<sup>st</sup> Reading of Ordinance No. 2019-30 authorizing (1) the execution & delivery of a Special Source Revenue Credit Agreement by & between Cherokee County, SC (the “County”) and a Company identified for the time being as PROJECT HYPER (the “Company”) to provide for Special Source Revenue Credits with respect to certain property located in the County; (2) the benefits of a Multi-County Industrial or Business Park designation to be made available to the Company and such property; and (3) other matters relating thereto.**

**5) 1<sup>st</sup> Reading of Ordinance No. 2019-31 authorizing the execution & delivery of a Fee in Lieu of Tax Agreement by & between Cherokee Co., SC and a company known to the County at this time as Project Fortress with respect to certain economic development property in the County, whereby such property will be subject to certain payments in Lieu of Taxes, including the provision of certain Special Source Revenue Credits; and other matters related thereto.**

**PAGE 3 – AGENDA FOR PH & REGULAR MEETING, 12/16/19**

**11. RESOLUTIONS: 1) No. 2019-10 ordering an Advisory Referendum in the Gaffney Fire Protection Area, to submit the question of whether the voters of the Gaffney Fire Protection Area approve an increase in the levy & collection of a tax from the current millage to the extent provided by law upon all of the taxable property of such Fire Service Area; providing for the form of ballot to be used; providing for notice of the Advisory Referendum; and providing for all other things necessary to submit the aforesaid question.**

**2) No. 2019-11 authorizing the Execution & Delivery of an Inducement Agreement by & between Cherokee Co., SC and Project Fortress, whereby, under certain conditions, Cherokee County will execute a Fee in Lieu of Tax and Special Source Revenue Credit Agreement with respect to an industrial project in the County whereby the Project would be subject to payment of certain Fees in Lieu of Taxes, and whereby Project Fortress will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters.**

**12. ATTORNEYS JOE MATHIS & JIM THOMPSON:**

**13. BID OPENING: 2020-17 – Scrap Metal at Landfill**

**14. ADMINISTRATOR STEVE BRATTON:**

**15. APPOINTMENTS: 1) Upstate EMS Council – 1 appointment – full council**

**2) Cherokee Co. Tax Assessor/Board of Appeals – Dist. 1 – Dawkins  
5 - Mathis**

**3) Cherokee Co. Board of Adjustments & Appeals – Dist. 1 – Dawkins  
3 - Little  
5 – Mathis  
At-Large - Council**

**4) Cherokee Co. Citizen Planning Commission – Dist. 1 – Dawkins  
3 - Little  
5 - Mathis  
7 - McDaniel**

**5) Appalachian COG Board (Minority position) – Full council.**

**6) CKC VFD – Dist. 7 – McDaniel**

**7) Cherokee Co. Public Library Board – Dist. 4 – Spencer**

**8) Cherokee County Development Board – Dist. 3 – Little**

**PAGE 4 – AGENDA FOR PH & REGULAR MEETING, 12/16/19**

**15. APPOINTMENTS CONTINUED:**

- 9) Cherokee Co. Recreation District Board – full council.
- 10) Cherokee Creek Fire District/BOC – Dist. 2 & 4 – Fowlkes & Spencer
- 11) Grassy Pond Fire District/BOFC – Dist. 2 - Fowlkes

**16. NEW/OLD/OTHER BUSINESS:**

**17. ADJOURNMENT**

***EVERYONE IS INVITED TO STAY FOR CHRISTMAS PICK-UPS  
ACROSS THE HALL IN THE 1<sup>ST</sup> FLOOR TRAINING ROOM***

Dfp  
12/13/19