

DATE: 7/21/2020 FILE NO.: DATE486  
TO: Cherokee County Council  
SUBJECT: Minutes of PH & Regular Meeting, Monday, 7/20/2020

There was a Public Hearing & Regular Meeting of County Council Monday, 7/20/20, 5:00 PM in Council Chambers. Vice-Chairman Quay Little presided with Lyman Dawkins leading in prayer. Due to the COVID 19 virus, the meeting was streamlined online at [www.cherokeecountysc.gov](http://www.cherokeecountysc.gov) and made available by zoom. All council members were present along with Administrator Steve Bratton, Attorney Joe Mathis, Master Clerk Doris F. Pearson & Chairman Tim Spencer available by zoom. The news media was informed by agenda and it was posted in accordance with the SCFOIA. One news media was present. There were 4 visitors.

**Councilman Tracy McDaniel made the motion to adopt the agenda of the PH & Regular Meeting of Monday, 7/20/2020 as received and posted in accordance with the SCFOIA. Mike Fowlkes seconded and council voted in favor by roll call.**

**Councilman Lyman Dawkins made the motion to approve the minutes of the Regular Meeting of 7/6/2020 as received. David Smith seconded and council voted in favor by roll call.**

**Councilman Mike Fowlkes made the motion to approve the claims for Cherokee County in the amount of \$561,045.94. Tracy McDaniel seconded and council voted in favor by roll call.**

Vice-Chair Quay Little opened the public hearings on two matters: **1) Ordinance No. 2020-16** authorizing & approving (1) Development of a New Joint County Industrial & Business Park (Nestle Prepared Foods Company) pursuant to Section 4-1-170 of the Code of Laws of SC 1976, as amended, in conjunction with Spartanburg Co. (the "Park"), such Park to be geographically located in Cherokee Co. and to include the aforementioned project; (2) the execution & delivery of a written park agreement with Spartanburg Co. as to the requirement of payments of fee in lieu of ad valorem taxes with respect to Park property and the sharing of the revenues and expenses of the Park; (3) the distribution of revenues from the park to the counties and relevant taxing entities; and (4) other matters related thereto. **2) Ordinance No. 2020-17** authorizing & approving (1) development of a New Joint County Industrial & Business Park (Old Castle APG South, Inc.) pursuant to Section 4-1-170 of the Code of Laws of SC 1976, as amended, in conjunction with Spartanburg Co. (the "Park"), such Park to be geographically located in Cherokee Co. and to include the aforementioned project; (2) the execution & delivery of a written park agreement with Spartanburg Co. as to the requirement of payments of fee in lieu of ad valorem taxes with respect to Park property and the sharing of the revenues and expenses of the Park; (3) the distribution of revenues from the park to the counties and relevant taxing entities; and (4) other matters related thereto. As there was no one present to speak, the public hearings were closed.

**Councilman Mike Fowlkes made the motion to remove Parcel Numbers 024-00-00-006-000, 024-00-00-006-001 & 024-00-00-006-002 (326 & 337 Scruggs Trail) from the county road system. Tracy McDaniel seconded and council voted in favor by roll call. Attorney Mathis stated this petition**

only stops the county road maintenance to stop maintaining the road. If the property owners want to close the road, they will need to petition the courts to do so.

**Councilman David Smith made the motion to pass the 3<sup>rd</sup> Reading of Ordinance No. 2020-16 authorizing & approving (1) the Development of a New Joint County Industrial & Business Park (Nestle Prepared Foods Co.) pursuant to Section 4-1-170 of the SC Code of Laws 1976, as amended, in conjunction with Spartanburg Co. (the “Park”), such Park to be geographically located in Cherokee Co., and to include the aforementioned Project: (2) the execution & delivery of a Written Park Agreement with Spartanburg Co. as to the requirement of payments of Fee in Lieu of Ad Valorem Taxes with respect to Park Property and the sharing of the revenues & expenses of The Park; (3) the distribution of revenues from The Park to the counties & relevant taxing entities; and (4) other matters related thereto. Mike Fowlkes seconded and council voted in favor by roll call.**

**Councilman Tracy McDaniel made the motion to pass the 3<sup>rd</sup> Reading of Ordinance No. 2020-17 authorizing & approving (1) the development of a New Joint County Industrial & Business Park (Old Castel APG South, Inc.) pursuant to Section 4-1-170 of the SC Code, 1976, as amended, in conjunction with Spartanburg Co. (The Park), such park to be geographically located in Cherokee Co. and to include the aforementioned project; (2) the execution & delivery of a Written Park Agreement with Spartanburg Co. as to the requirement of payments of Fee in Lieu of Ad Valorem Taxes with respect to Park Property and the sharing of the revenue & expenses of the Park; (3) the distribution of revenues from the Park to the Counties & relevant Tax Entities; and (4) other matters related thereto. Mike Fowlkes seconded and council voted in favor by roll call.**

Administrator Bratton reported regarding the public works design change order at the last meeting council discussed the water line upgrade needed along Lemuel Road in order to facilitate the fire suppression needed at our public works facility. Our architects & engineers have come back to me with an updated change order which is a lesser amount of \$39,000 down from \$43,000. They agreed to come from Wilcox up to Lemuel with the 6” line just to where our last building will be the right. They are looking at how to tie the 6” line into the 3” line that currently runs on Lemuel to make sure it is possible so that it loops. **[Tracy McDaniel made the motion to approve DP3 Architect to move forward with the Public Works Design Change Order in the amount of \$39,000. Mike Fowlkes seconded and council voted in favor by roll call.]**

Administrator Bratton reported that there were 12 bids received for 2020-13 Digitizing Old Records for the Clerk of Court: 1) Imagenet, LLC, Tampa, Fla.; 2) Advance Imaging Systems, Pineville, NC.; 3) Edge Digital Group, Arlington, VA; 4) Rapid Legal Support Services, Conway, SC; 5) All Pro Solutions, Inc., Rock Hill, SC; 6) Palmetto Microfilming Systems, Inc., Lexington, SC; 7) Rise Business Service, Englewood, Ca.; 8) Scanning America, Inc., Lawrence, Ka.; 9) Global Solutions Group, Inc., Oak Park, MI; 10) Scans America, Inc., Hampton, VA; 11) Records Reduction, Inc., Matthews, NC; 12) Diskriter, Inc., Pittsburg, PA. **I will put these on a spread sheet; and COC Brandy McBee and myself will look over these; and bring back a recommendation to council at the next meeting of 8/10/2020.**

Administrator Bratton reported that there were 2 bids received for 2021-02 Timber Project. This is the re-bid for the clearing of timber at the public works facility approximately 13 acres. 1) Belleau Wood Forest Products, LLC - \$10,282; and 2) Scruggs Timber Co. - \$23,380.74. **[Tracy McDaniel made the motion to award the bid to Scruggs Timber Co. for \$23,380.74 pending Administrator Bratton's review of bid and the discussion with them regarding the completion time. David Smith seconded and council voted in favor by roll call.]**

Administrator Bratton reported there were 2 bids received for Bid 2021-01 Gravel: 1) Vulcan Materials Co. and 2) Sloan Construction. **Council agreed to allow Administrator Bratton to meet with R&B and analyze the bids and come back to council with a recommendation at the next meeting of 8/10/2020.**

Administrator Bratton reported that in the budget this year there was an item included for Code Red Reverse Calling System. This system cost \$11,000 annually to be paid from the Emergency Management budget. **[Tracy McDaniel made the motion to allow Administration to enter into a contract to purchase the Code Red Reverse Calling System for \$11,000 annually and pay for it from the Emergency Management Budget. Lyman Dawkins seconded and council voted in favor by roll call.]**

Administrator Bratton updated council on the Community Vision & Strategic Action Plan. At our last meeting we opened the RFQ's for the Community Vision & Strategic Action Plan. I included in your packet, a summary of those. I recommend that council authorize me to enter into an agreement with The Palladium Group out of Spartanburg. There were two that stood out above all the rest but the Palladium Group's knowledge of our area & our county, and their ties to our county stands out above all. We already are doing business with them in several other matters. They assisted us with the marketing of the Gaffney Fire Protection Area referendum and they are handling our social media, our website design, etc. **[David Smith made the motion to authorize Administrator Bratton to enter into an agreement with The Pallidum Group to conduct this Community Vision & Strategic Action Plan. Tracy McDaniel seconded and council voted in favor by roll call.]** This will be our long-range plan. They have a great layout of how they want the structure of the plan to go; a 6 month process; facilitate those meetings; work with our individual committees that we will be appointing to oversee this project; they will meet with council on your vision; gathering results; gathering data and compiling data from the community of what the community vision of our county is. They will be working with all entities in this county; everybody will be represented. Mike Fowlkes request that there be a common name for the project. Steve replied, I requested that they come up with a title for the plan. I will pick a steering committee composed of community leaders who have interest in this county growing that will improve the quality of life and our vision. It's important that we have the right people on that committee and that committee focus on the 5 basic needs of our county such as quality of life, transportation, recreation, economic development, etc.

Councilman David Smith share his concern & desire for recreation in our county. We have got to put more into recreation. We are on a gold mine with I-85 as close to our recreation site as it is. There is no better location. We have got to put money into recreation. We could lengthen the fields and increase

dugout size; put bull pins in; and new fencing would be a game change. The land at the recreation area is in an opportunity zone which allows a lot of public & private partnerships to occur; which allows for private investment in underserved areas and that area was designated as one. David stated that we had a group of individuals that came before us and spoke to us about building new ballfields, etc. If we improve what we have, our people will benefit from it; but it would also open the door for travel ball, etc. which would bring revenue to our county. Quay Little stated this needs to be put into our Long-Range Strategic Plan. Mike Fowlkes replied that Clemson Ext. brought a plan regarding recreation a couple years back. But most recent groups coming was in regards to building a gymnasium. Lyman Dawkins replied we need to look at all aspects of recreation and not just baseball/softball. Mike replied the reason it fell apart is because we couldn't afford to build all that at one time which was around \$15 million; people did not understand the referendum and it failed. For us to let Ford Road fall by the wayside and not even have operable bathrooms down there is wrong. Why did we let a complex we already have, fall apart? David replied the Recreation Dept. is having a girls' softball tournament this weekend and they will be using all 10 fields which 4 of them will be at the Ford Complex so they are utilizing it. Mike replied let's do what we have right and then go forward with a plan of what we need to add to it. David replied putting in a new fence, extending the fields, extending the dugouts, etc. is a start. The signage boards need to be replaced, they have been there since 1999 and they are an eye sore. Mike replied you have private donations available if there was a plan of what we will do for recreation. **[Council instructed Administrator Bratton to meet with the Recreation District to compile a list of their current & future needs.]** Chairman Spencer asked David if he had talked with people at Tiger River and asked them where they revenue goes? David replied no. Tim asked, is it right for our taxpayers to fund this program at 100% and get none of the revenues coming from it? David replied we are not investing this money; it's just like we don't make money off of trash pick-up, etc. Mike replied the Clemson Study guy said you absolutely cannot look at recreation's revenue, it has to be an reinvestment in lifestyle and what you want to put into your community. You cannot look at recreation as a matter of revenue or you have missed the whole boat. Tim replied I don't want the revenues from these tournaments going to an individual. David replied travel tournaments bring in the teams and charge the money and yes, they do get the money. We're not building this to make one or two men rich, we are building this to make our community better and offer more recreation.

**Councilman David Smith made the motion for council to go into Executive Session pertaining to two matters: 1) pursuant to Section 30-4-70(a)(2) to discuss a contractual matter; and 2) pursuant to Section 30-4-70(a)(3) for a personnel matter in Administration. Lyman Dawkins seconded and council voted in favor by roll call and went into Executive Session at 6:22 PM.**

**Councilman Lyman Dawkins made the motion for council to come out of Executive Session at 7:22 PM and enter back into the Regular Scheduled meeting. Mike Fowlkes seconded and council voted in favor by roll call. Attorney Mathis reported no action was taken during Executive Session.**

As there was no other business to come before council at this time, Vice-Chairman Quay Little adjourned the meeting at 7:23 PM.

APPROVED: **8/10/2020**

Respectfully submitted,

BY ITS CHAIRMAN: **Tim Spencer**

Doris F. Pearson, Master Clerk to Council