

DATE: 8/20/19 FILE NO: DATE346
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting 8/19/19

There was a Public Hearing & Regular Meeting of County Council Monday, 8/19/19 @ 5 PM in Council Chambers. Chairman Tim Spencer presided with David Smith leading in prayer. All council members were present along with Administrator Bratton, Attorneys Jim Thompson & Joe Mathis and Master Clerk Doris Pearson. The news media was informed by agenda and it was posted in accordance with the SCFOIA. One news media was present along with 6 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the PH & Regular Meeting of Monday, 8/19/19 as received and posted in accordance with the SCFOIA. Mike Fowlkes seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the minutes of the Regular Meeting of 8/12/19 as received in the agenda package. Mike Fowlkes seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to approve the claims for Cherokee County in the amount of \$85,435.78. David Smith seconded and council voted in favor.

Chairman Tim Spencer opened the public hearing on Ordinance No. 2019-21 to amend Chapter 4 – Animal & Fowl of the Cherokee County Code of Ordinances. No one was present to speak and the public hearing was closed. Administrator Steve Bratton reported that there was only one change to the ordinance since the 1st Reading and it was to add the sentence that this would go into effect Oct. 1, 2019. This should give the citizens and code enforcement officers time to prepare for this code.

Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2019-21 amending Chapter 4 Animal & Fowl of the Cherokee County Code of Ordinances. Lyman Dawkins seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt the 2nd Reading of Ordinance No. 2019-22 to amend Section 6-1 of the Cherokee County Code of Ordinances regarding the Adoption of Technical Codes. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 1st Reading of Ordinance No. 2019-23 to amend the Agreement for Development for Joint county Industrial Park by & between Spartanburg County and 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. Mike Fowlkes seconded and council voted in favor. Administrator Bratton stated this will be located in the Spartanburg Multi-County Industrial Park and we will receive the 1%.

PWC Chair Tracy McDaniel made the motion coming from the committee to award Bid No. 2020-01 Grinding of Concrete to McClam & Asso. for their bid of \$12.50/ton. Quay Little seconded and council voted in favor.

PWC Chair Tracy McDaniel made the motion coming from the committee to change the operating hours at the Recycling Center on Saturdays to 8 am until 1 pm upon a 45-day notice. Mike Fowlkes seconded and council voted in favor.

Administrator Steve Bratton reported he received 7 bids for Bid No. 2020-02 – 4 HVAC Units for the Detention Center: **1) Harper LLC - \$24,800; 2) Buckshot Services - \$21,987; 3) Randalls LLC - \$58,900; 4) Comfort Experts - \$ 35,000; 5) CJ Compton - \$47,435; 6) Advance Climate - \$32,495 and 7) Painters, Inc. - \$26,461.41. [Councilman Mike Fowlkes made the motion to award Bid No. 2020-02 to Buckshot Services for their low bid of \$21,987 contingent upon Administrator Bratton’s review of the bid complying with our bid specifications. Quay Little seconded and council voted in favor.]** Mike Fowlkes reminded Steve that he did hear where two local vendor’s bids may be within the 5% margin.

Attorney Joe Mathis request council to go into Executive Session for multiple reasons **1)** pursuant to 30-4-70(a)(2) for economic development for discussions of matters relating to future proposed locations, expansions or provisions of services including locations & expansions of industries or other businesses in the area served by a public body; **2)** pursuant to 30-4-70(a)(2) for contractual matters regarding the City Fire Protection Contract that you have in place; and **3)** pursuant to 30-4-70(a)(2) regarding contractual matters relating to EMS Consultant and EMS Services. **[Tracy McDaniel made the motion for council to go into Executive Session regarding these 3 matters pursuant to 30-4-70(a)(2). Mike Fowlkes seconded and council voted in favor and went into Executive Session at 5:22 PM.]**

Councilman David Smith made the motion for council to come out of Executive Session and enter back into the Regular Meeting at 6:30 PM. Lyman Dawkins seconded and council voted in favor. Attorney Joe Mathis stated for the record that no action was taken during Executive Session.

Administrator Steve Bratton referred to the Inmate Medical Contract at the Cherokee Co. Detention Center. We currently contract with Southern Health Providers and have contracted with them since 2012. They are an excellent firm; known nation wide as one of the best inmate health providers; and they have been very good to us. It is time for renewing of their current agreement. I recommend we renew this contract for 3 more additional years. They have re-negotiated the terms of this agreement. Currently the contract is based on an average daily population of 170 inmates; we run between 280 & 300 most of the time. For every inmate over the average daily population, it cost \$1.44/diem/inmate/day. They have offered us an average daily population increase to 280; they also offered us a decrease in our per diem from \$1.44 to \$1.25/day; and the new contract will also reflect at 3% annual increase. Currently the contract as it is written, if we do not exceed the daily average population would be about \$301,471; this past year we spent over \$400,000; year before we spent \$397,000. The contract from 8/1/19 to 7/31/20 would be \$342,635.52 which we believe will save us about \$50-60,000/year and of course that is all driven by the number of inmates. Attorney Mathis has reviewed the contract and is okay with him.

[Charles Mathis made the motion to allow Administrator Bratton to sign the contract with Southern Health Providers for the inmate medical contract for the Cherokee Co. Detention Center for \$342,635.52 plus changes noted. Quay Little seconded and council voted in favor.]

Administrator Steve Bratton presented the EMS request for proposals that we opened last week. I have been reviewing those; I have provided you a summary in your packet on my findings. We did have 6 responders; I put those in order by price and also gave you various other factors that I spotted. I added a column called "Added Value" that tells some things these companies bring to the table above and beyond what we currently asked for in our RFP. I have done a lot of dating of the low bidder "Lifeguard Ambulance Service"; I've spoken to several references and I've heard nothing but good about this company. **[Tracy McDaniel made the motion to allow Administrator Steve Bratton to enter into contract negotiations with Lifeguard Ambulance Service to provide ambulance service to our citizens of Cherokee County for the next 3 years. Lyman Dawkins seconded and council voted in favor with Chairman Spencer sustaining from voting due to a conflict of interest. Motion carried.]**

Administrator Steve Bratton informed council that he had received notification today that Upstate Carolina EMS has given us a 90-day termination notice of their current emergency medical service contract that we signed with them Jan., 2019. That is putting pressure on us to be sure that we get this transaction done correctly. I am asking council permission to enter into a contract with Jimmy Green who assisted me with the preparation of the RFP's we sent out for the EMS RFP's. **[Charles Mathis made the motion to allow Administrator Bratton to enter into a contract with Jimmy Green to oversee the implementation of the transition of our current provider (Upstate Carolina EMS) to Lifeguard Ambulance Service and work as a liaison for the county for the first 3 months of the contract with Lifeguard at a price of \$27,500. David Smith seconded and council voted in favor.]**

Administrator Steve Bratton notified council that he had received a letter from Upstate EMS Council, Inc. informing me that they have two openings to serve on the Regional EMS Board of Director. Cherokee County has 3 appointments on that board two of which are vacant and they are asking you to make appointments to this board for a 3-year term. Currently Dr. Jane Watson is still serving and has been since the late 1980's. I believe the Administrator in the past made these appointments. I will have this on the agenda for your next meeting 9/3/19 under appointments.

Councilman David Smith made the motion to re-appoint Tommy Wilson to serve another term on the Buffalo Fire District/Board of Commissioners. Quay Little seconded and council voted in favor.

Councilman David Smith made the motion to re-appoint Hal Howington to serve another term on the Buffalo Fire District/Board of Commissioners. Quay Little seconded and council voted in favor.

Chairman Spencer reminded council of the SC Veterans Nursing Home in Cherokee County groundbreaking ceremony on Wed., 8/21/19, 11:00 am, 120 Hampshire Drive.

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As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:42 PM.

APPROVED: 9/3/19

Respectfully submitted,

BY ITS CHAIR: Tim Spencer

Doris F. Pearson, Master Clerk