

DATE: 3/5/19 FILE NO: DATE331
TO: Cherokee County Council
SUBJECT: Minutes of Regular Meeting of 3/4/19

There was a Regular Meeting of County Council Monday, 3/4/19, 5 PM in Council Chambers. Chairman Spencer presided with David Smith leading in prayer. All council members were present except Quay Little who was called away for an emergency. Administrator Bratton, Attorneys Jim Thompson & Joe Mathis and Clerk Doris Pearson were present. The news media was informed by agenda and it was posted in accordance with the SCFOIA. There was one news media and six visitors present.

Councilman Tracy McDaniel made the motion to adopt the agenda of the Regular Meeting of 3/4/19 as received and posted in accordance with the SCFOIA. Lyman Dawkins seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the minutes of the Regular Meeting of 2/19/19 as received. 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 \$276,059.94. Lyman Dawkins seconded and council voted in favor.

Appalachian COG Executive Director Steve Pelissier updated council on the 2018 Annual Report on Appalachian COG. He began by recognizing and thanking Cherokee Co. Representatives on the ACOG Board Lyman Dawkins & Ed Elliott and others. Cherokee County's annual investment in the Appalachian COG is \$29,055. The return on that investment to entities in Cherokee Co. in 2018 was \$1,650,092, representing a return on investment ration of \$57 to \$1. A copy of his report is attached. Councilman McDaniel thanked Steve for all they do for Cherokee Co. and especially shared his interest & concern in re-opening a congregate dining center in Blacksburg. Chairman Spencer thanked Steve, Ed & Lyman for the services in Cherokee Co. and especially for the re-investments for our county.

Councilman Tracy McDaniel made the motion to adopt the 2nd Reading of Ordinance No. 2019-12 authorizing pursuant to Title 12, Chapter 44 of the Code of Laws of SC 1976, as amended, the execution & delivery of a Fee-in-Lieu of Taxes Agreement, by & between Cherokee County and a company known to the county as Project Diamondback, its affiliates and related entities, to provide for a Fee in Lieu of Taxes Incentive and other matters related thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 2nd Reading of Ordinance No. 2019-13 authorizing & approving 1) Development of a Joint County Industrial & Business Park 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, at the time of its initial development, geographically located in Cherokee Co. and to include certain property owned or operated by an entity known to Cherokee Co. as Project Diamondback, including one or more of its affiliates or other related entities; 2) the execution & delivery of a Written Park Agreement with Spartanburg Co. as to the requirement of

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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 within Cherokee County; and 4) other matters related thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to adopt the 1st Reading of Ordinance No. 2019-14 to amend the Land Development Regulations regarding Development Standards for Special Land Uses – Solar Energy Systems & Wind Farms. David Smith seconded and council voted in favor.

Administrator Steve Bratton reported on the opportunity zones. As a result of the tax cuts and job acts of 2017 passed in Washington, there was created a new program for us to help with our economic development initiatives. Plats 9702.01 & 9704.01 show 2 opportunity zones in our county developed last year, with the assistance of Jim Cook & Ken Moon, James Taylor & former Blacksburg Administrator Charlene Carter, were presented to Governor's Office and he gave his stamp of approval. Purpose of the opportunity zones created is to encourage long term private investments in low income communities and in some cases prime business real estate. If companies will invest in these areas with criteria laid out by IRS, the longer the money invested then the more of their gains they don't have to pay taxes on. You could waive all your capital gains if you leave your money invested over a ten year period. It is a good tool for us. We have started to advertise these through Upstate Alliance; our web site is currently being updated; and I just wanted to bring these to your attention. Blacksburg Tract 9704.2 goes all the way from Broad River; the southern border goes down Hwy. 29 and goes back up to the NC border taking in a lot of the northern part of the Town of Blacksburg and a lot of that rural area going up toward Shelby. It also bring into play things along the I-85 Corridor. The Blacksburg Tract 9702 on the west side of the river also comes down Hwy. 29 not quite to Green River Road. It takes in the new access of I-85 business park which we believe will be a big draw for businesses to take advantage of the opportunity zone; it goes all the up Hwy. 11 to Fairview Road; even takes in the outlet mall exit. We hope that businesses will take advantage of this; every county in the state has a least one opportunity zone and we have two. We hope Upstate Alliance will help us manage this. Senator Tim Scott is behind this program and his folks are calling us a lot with information.

Administrator Steve Bratton reported the he had to purchase an oven range for the Detention Center under the emergency procurement policy. The range was 22 years old and the cost of the new range was \$7,587.23.

Administrator Steve Bratton reported that he had been notified by the City of Gaffney that they are looking to make a change to our zoning classification here at our Administration Bldg. Currently, we are still zoned under what Milliken was zoned which was industrial and they are proposing that we be zoned under commercial; got a letter from Scott Keller and Pat Lucker regarding this. Steve presented a list of the city's zoning districts; P means permitted and N means not-permitted; Page 14 is public administration, etc.; look through this and ask me any questions you may have. The city is running a public hearing on this and are looking to having this on their April agenda. They have asked me if we have any opposition. I will review this and let you know of my questions & concerns as well. We don't want to

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endorse anything that will maybe hinder us, especially with the piece of property known as the old parking lot beside us. I will seek guidance from you at our next meeting.

Administrator Steve Bratton reminded council that 3/30/19 is the deadline to file their Ethics Statement with the State.

Administrator Steve Bratton reported that three bids were received for Bid No. 2019-17 County Towing Service: **1)** Blanton Wrecker Service – Class A – 45.00; Class B - \$145 & Class C - \$200; **2)** Tessner Garage – Class A - \$125; Class B - \$225 & Class C - \$350; **3)** Patterson’s - Class A - \$75; Class B - \$100 & Class C - \$180. **[Mike Fowlkes made the motion to place these 3 bids in the Public Works Committee for review and to report back at the next Regular Meeting of 3/18/19. Lyman Dawkins 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 5:35 PM.

APPROVED: 3/18/19

BY ITS CHAIRMAN: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Clerk to Council