

DATE: 6/23/20 FILE NO.: DATE482

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 6/22/20

There was a Public Hearing & Regular Meeting Monday, 6/22/20 @ 5 PM in Council Chambers. Vice-Chair Quay Little presided with Tracy McDaniel leading in prayer. Present: Tracy McDaniel, Mike Fowlkes, Quay Little, Lyman Dawkins, David Smith and Chairman Tim Spencer was present by zoom. Absent: Charles Mathis. Administrator Steve Bratton, Attorney Joe Mathis and Master Clerk Doris Pearson were present. The news media was informed by agenda and it was posted in accordance with the SCFOIA. One news media was present. Due to the COVID-19 virus, the meeting was streamlined online at www.cherokeecountysc.gov and made available by zoom. The meeting was opened to the public and there were 4 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the PH & Regular Meeting of Monday, 6/22/2020 as received and posted in accordance with the SCFOIA. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis absent.

Councilman Lyman Dawkins made the motion to approve the minutes of the PH & Regular Meeting of 6/8/2020 as received. David Smith seconded and council voted in favor by roll call. Charles Mathis absent.

Councilman Mike Fowlkes made the motion to approve the claims for Cherokee County in the amount of \$803,523.29. David Smith seconded and council voted in favor by roll call. Charles Mathis absent.

Administrator Steve Bratton read & presented a Proclamation proclaiming 7/1/2020 as “Limestone University Day” to Limestone University President Dr. Parker.

Vice-Chairman Quay Little opened the public hearing on two matters: **1)** in regards to Ordinance No. 2020-14 to amend the agreement for development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park (Tindall Corp., Partans, LLC, Tyger Lake Spartanburg, LLC and Stone Solar, LLC), and other matters related thereto. No one was present to speak. **2)** in regards to Ordinance No. 2020-15 to Indefinitely suspend Sunday Work Prohibitions – commonly referred to as Blue Laws – pursuant to Section 53-1-160 of the SC Code of Laws (1976, as amended). No one was present to speak and the public hearing was closed.

Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2020-15 to Indefinitely Suspend Sunday Work Prohibitions – commonly referred to as Blue Laws – pursuant to Section 53-1-160 of the SC Code of Laws (1976, as amended). Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis absent.

Councilman Mike Fowlkes made the motion to adopt the 3rd Reading of Ordinance No. 2020-14 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park (Tindal Corporation, Partans, LLC, Tyger Lake Spartanburg LLC, and Stone Solar LLC), and other matters relating thereto. Tracy McDaniel seconded and council voted in favor by roll call. Charles Mathis absent.

Councilman Mike Fowlkes made the motion to adopt the 3rd Reading of Ordinance No. 2020-02 – Cherokee County Budget Ordinance to provide for the levying of taxes and fees for county purposes for the Fiscal Year beginning 7/1/2020 and ending 6/30/2021. David Smith seconded. Mike Fowlkes ask Administrator Bratton if there were any significant changes since the 2nd Reading? Administrator Bratton reported that there was no increase in millage; no cost of living increase; the 1% increase in retirement was deducted from the budget per the states final continuing resolution passed by the legislature states that they are delaying this increase until the 21/22 FY; both part-time positions were removed; the contract security officer position has been removed; 22 road deputies, 25 detention officers, and 10 SRO's will be receiving the \$2000 increase in salary; and \$100,000 for long range planning was included. The final figures for the 20/21 FYB is balanced at \$26,562,633.10; the Capital Project Budget Fund at \$1,454,773.54 and the E911 Tariff budget at \$719,987.64. **Council voted in favor by roll call. Charles Mathis was absent.**

Vice-Chairman Quay Little ask Administrator Steve Bratton to explain the VFD budgets. Administrator Bratton replied we have 7 VFD whose millage was rolled back as part of the 2018 reassessment. All but 2 of those have asked that their millage be reinstated to their full amount that they are legally allowed to have. We have done so in their budget.

Vice-Chairman Quay Little presented the 3rd Reading of Ordinances adopting a budget containing estimates of proposed revenues and expenditures for the fiscal year beginning 7/1/2020 and ending 6/30/2021 for the following VFD's budget proposals:

- **Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2020-03 Antioch VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman David Smith made the motion to adopt the 3rd Reading of Ordinance No. 2020-04 Buffalo VFD. Lyman Dawkins seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman Mike Fowlkes made the motion to adopt the 3rd Reading of Ordinance No. 2020-05 Cherokee Creek VFD. Lyman Dawkins seconded and council voted in favor by roll call. Charles Mathis was absent.**

- **Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2020-06 CKC VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman David Smith made the motion to adopt the 3rd Reading of Ordinance No. 2020-07 Corinth VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman Mike Fowlkes made the motion to adopt the 3rd Reading of Ordinance No. 2020-08 The Gaffney Fire Protection Area. Lyman Dawkins seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman Lyman Dawkins made the motion to adopt the 3rd Reading of Ordinance No. 2020-09 Grassy Pond VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman Mike Fowlkes made the motion to adopt the 3rd Reading of Ordinance No. 2020-10 Goucher/White Plains VFD. Tracy McDaniel seconded and council voted in favor by roll call. Charles Mathis was absent.**
- **Councilman David Smith made the motion to adopt the 3rd Reading of Ordinance No. 2020-11 DMW (Draytonville/McKowns Mtn./Wilkinsville) VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.**

Councilman David Smith made the motion to adopt the 1st 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. Charles Mathis was absent.

Councilman Tracy McDaniel made the motion to adopt the 1st Reading of Ordinance No. 2020-17 authorizing & approving (1) the development of a New Joint County Industrial & Business Park (Old Castle 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 and relevant Taxing Entities; and (4) other matters related thereto. David Smith seconded and council voted in favor by roll call. Charles Mathis was absent.

Councilman Lyman Dawkins made the motion for council to go into Executive Session on two matters: 1) pursuant to Section 30-4-70(a)(2) to discuss an economic matter; and 2) pursuant to Section 30-4-70(a)(3) to discuss a personnel matter. David Smith seconded and council voted in favor by roll call and went into Executive Session at 5:34 PM. Charles Mathis was absent.

Councilman Mike Fowlkes made the motion for council to come out of Executive Session at 6:20 PM and return to the Regular Meeting. Lyman Dawkins seconded and council voted in favor by roll call. Charles Mathis was absent. Attorney Joe Mathis stated for the record that no action was taken during Executive Session.

Administrator Steve Bratton reported bids were received for Bid No. 2020-20 to clear 3 tracts (13 acres) of timber from Cherokee Co. property located off Lemuel Road. Only one bid was received: Belleau Wood Forest Products, LLC, Gaffney, for \$5,000 lump sum. Mike Fowlkes asked if that 13 acres was needed for buffer for the new PW Facility because you can see the landfill from the Lake Whelchel site? Steve replied no, the buffer will not be opened up but you might be able to see the new PW Facility buildings out there. Steve stated that the timber market is terrible right now and I was told it sells for \$1500/acre. If we put this off, it won't cost us nothing on late fees but will be just delaying the project startup. David Smith replied he is in favor of rejecting the bid and sending it out again at a later date. **[Mike Fowlkes made the motion to table this action until the next Regular Meeting and have a Public Works Committee meeting at 4:30 PM prior to the meeting to discuss it. Tracy McDaniel seconded and council voted in favor by roll call. Charles Mathis was absent.]**

Administrator Steve Bratton stated he would table his action of presented a change order for the Public Works Complex until the next Regular Meeting of 7/6/2020.

Administrator Steve Bratton reported on COVID19. We have two positive cases reported in the Administration Bldg. They are not linked in any way. Probate Court Office has been closed. We're taking precautions and asking every employee to wear face masks but it is not required. We have restricted the outside public of going into the Register of Deeds Office other than title searchers and only 1 person at a time will be allowed in. I don't want to close the Admin. Building just need to make adjustments. We will be checking temps of all who enter the building and offering masks for all to wear before they can enter. The Courthouse is already practicing this as well as the Detention Center. Public Works, Recycling, Landfill Dept. will also have their temps checked & they will wear masks. We will once again only allow those to enter the building who will be conducting the business (children will not be allowed to enter). We are taking these steps to protect all county employees and our citizens.

Chairman Tim Spencer appointed Jane Petty to serve a term on the Cherokee Co. Library Board. David Smith seconded and council voted in favor by roll call. Charles Mathis was absent.

Councilman David Smith re-appointed Dean Ivey to serve another term on the Corinth VFD. Lyman Dawkins seconded and council voted in favor by roll call. Charles Mathis was absent.

Councilman David Smith re-appointed Mike Patterson & Billy Benton to serve another term on the DMW VFD. Mike Fowlkes seconded and council voted in favor by roll call. Charles Mathis was absent.

Councilman David Smith stated upon winning my election for another four-year term, I look forward to working with each of you. We have a good working relationship with each other and I feel we all have the same goal of going forward with our county. Chairman Spencer congratulated David Smith and stated, I agree with you that this council will work together to move our county forward.

As there was no other business to come before council at this time, Vice-Chairman Quay Little adjourned the meeting at 6:50 PM.

APPROVED: 7/6/2020

BY ITS VICE-CHAIR: Quay Little

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council