

DATE: 5/21/19 FILE NO: DATE338
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 5/20/19

There was a Public Hearing & Regular Meeting of County Council Monday, 5/20/19, 5 PM in Council Chambers. Chairman Tim Spencer presided with Lyman Dawkins leading in prayer. All council members were present along with Administrator Steve Bratton, Attorneys Jim Thompson & Joe Mathis and 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 14 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the Public Hearing & Regular Meeting of 5/20/19 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the minutes of the Regular Meeting of 5/6/19 as received in the agenda package. Mike Fowlkes seconded and council voted in favor.

Chairman Tim Spencer opened the Public Hearing on two items: **1) regarding Ordinance No. 2019-16** authorizing an amendment to an existing Fee in Lieu of Tax Agreement between Cherokee Co., SC and Milliken & Co. to extend the investment period for an additional five years, in return & expectation for additional investment in the county, and to provide for the provision of Certain Source Revenue Credits/Infrastructure Improvement Credits. **No one was present to speak and the matter was closed.** **2) regarding Ordinance No. 2019-18** authorizing & approving 1) the development of a new Joint County Industrial & Business Park (Milliken) 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. & to include the aforementioned project; 2) the execution & delivery of a Written Park Agreement with Spartanburg Co. as to the requirements of payments of Fee in Lieu of Ad Valorem Taxes with respect to Park property & 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. **No one was present to speak and the Public Hearing was closed.**

Councilman Tracy McDaniel made the motion to approve the claims for Cherokee County in the amount of \$266,667.90. Mike Fowlkes seconded and council voted in favor.

Administrator Steve Bratton referred to bid opening for Bid 2019-27 Cherokee Co. Detention Center Inmate Food Service. 3 bids were received: 1) Trinity Service Group; 2) Summit Food Service, LLC and 3) Kellwell Food Management. **Councilman Tracy McDaniel made the motion to place these bids in the Judicial Service Committee for review and recommendation at the next Regular Meeting of County Council on Monday, 6/3/19. Mike Fowlkes seconded and council voted in favor.**

Petitioner Miss Simpsonville Teen Emma Connelly presented her platform to council on Solutions Addressing Substandard Housing. She is 15 years old, a member of Buford Street Methodist

Church and a resident of Gaffney; the daughter of Chris & Elizabeth Connelly and the granddaughter of Shelia Smoke. Council thanked Emma for coming and wished her luck in her upcoming events.

Petitioner Stephanie Hyleman was unable to attend so Jaime Gibson made a presentation for her regarding “S.I.L.A.S. Steps”. This is a project named after Ms. Hyleman’s son Silas who was born with cerebral palsy. This project is to build a playground that would be accessible for handicap children. We are asking Council to write us a letter of support so we can move forward with our grant writing for this project. We have talked with Cherokee Recreation District Director Marcus Bradley and he is totally in favor of this and says there is a plot of land located at the Midway Recreation District that we could probably build this playground on. **[Quay Little made the motion to allow Administrator Steve Bratton to write a letter of support for the concept of this playground. David Smith seconded and council voted in favor.]**

Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2019-16 authorizing an amendment to an existing Fee in Lieu of Tax Agreement between Cherokee Co., SC and Milliken & Co. to extend the investment period for an additional five years, in return and expectation for additional investment in the County; and to provide for provision of certain Special Source Revenue Credits/Infrastructure Improvement Credits. Mike Fowlkes seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 3rd Reading of Ordinance No. 2019-18 authorizing & approving 1) development of a new Joint County Industrial & Business Park (Milliken) pursuant to Section 4-1-170 of the Code of Laws of SC 1976, as amended, in conjunction with Spartanburg County (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. Lyman Dawkins seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to adopt the 2nd Reading of Ordinance No. 2019-15 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 Co. Industrial Park and other matters relating thereto. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 2nd Reading of Ordinance No. 2019-19 authorizing the conversion of Cherokee Co. of certain rights of Cherokee Co. Cogeneration Partners, LLC, F/K/A Cherokee County Cogeneration Partners, LP, under an existing Lease Purchase Agreement with the County to a Fee in Lieu of Tax Agreement pursuant to Title 12, Chapter 44, SC Code, 1976, as amended, as provided in the act; authorizing the execution & delivery of a Fee in Lieu of Tax (Conversion) Agreement by & between the County and the Company; authorizing the reconveyance by

the County to the Company of the property subject to such Lease Purchase Agreement; and other matters related thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 2nd Reading of Ordinance No. 2019-20 to amend the Purchasing Policy & Procedure for Cherokee County. Lyman Dawkins seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to go into Executive Session pursuant to SC Code 30-4-70(a2) to discuss a contractual matter. Tracy McDaniel seconded and council voted in favor and went into Executive Session at 5:45 PM.

Councilman Mike Fowlkes made the motion for council to come out of Executive Session at 6:29 PM and enter back into the Regular Meeting. David Smith seconded and council voted in favor. Attorney Mathis stated that no action was taken during Executive Session.

Administrator Steve Bratton informed council that at our last meeting Bid No. 2019-21 Lawn Care for the Administration Bldg. was awarded to Brown's Landscaping. Benny Brown informed me last week that he would not be able to fulfill this project and withdrew his bid. I spoke with the 2nd bidder Parker's Lawn Maintenance and he said he would like to have the bid at the price he quoted \$2,175/mo. **[Mike Fowlkes made the motion to award Bid No. 2019-21 Lawn Care for the Admin. Bldg. to Parker's Lawn Maintenance for his bid price of \$2,175/mo. Quay Little seconded and council voted in favor.]**

Administrator Steve Bratton reported he would like to table the second item under his report regarding Cherokee Co. Recreation District's request on netting at Jug Wallace Field to another time. Council consented.

Administrator Steve Bratton presented the Cherokee County Proposed Fiscal Year Budget for 2019/20. He reported that the proposed budget is in balance with no tax increase for the upcoming year. The total overall budget total for 2019/20 stands at \$26,086,475; less than last's years which was \$26,586,226. I removed the capital project budget from the general fund budget since it is a stand-alone fund. I also removed the 911 Tariff funded communications budget from the general fund since it also is truly a special revenue fund. Longevity increases are included in the budget. All temp workers who are making \$8.50/hr. have been increased to \$10/hr. and any county employee who is below \$10/hr. I raised them to \$10/hr. As a result of Sptg. Regional Health System purchasing the hospital, we can now do away the with Medically Indigent Designee position. We will still have to pay to the State's Indigent Defense Fund but we can close down the office effective 6/1/19. The Medically Indigent Designee informed me of this and stated that she would be retiring effective 5/31/19. Clemson Extension has moved into the Administration Building Complex and we can remove the lease payment from out budget which saves us about \$30,000/yr. There are 6 additional SRO's funded in this budget and the corresponding reimbursement from the School District is recorded. There is a new Detention Center Transport Sgt. in this budget and the general fund will be reimbursed from the Sheriff's GPS Monitoring fund for this position. There will be a significant increase in the Detention Center food & health contracts. We have

added one new CDL driver in the R&B Dept. Our full-time Risk Manager retired so I removed that position and supplemented it to another employee giving him an increase in pay. There are some additional outside agency requests that have been received that are not included in this budget. I will provide this to you at the 1st Reading. There is no tax increase in this budget at this time.

Administrator Steve Bratton presented the Proposed 2019/20 Capital Projects Budget. The total capital budget is \$1,480,410. I recommend for our administrative fleet that we go the lease program through Enterprise. This would give us a tremendous savings in our maintenance costs. I'll give you more info on this as we move forward. I have continued the HVAC replacements at the Detention Center. We have just had two more to go out and I will probably have to do an emergency PO to get them replaced. I recommend purchasing a new garbage truck; roll-out carts; pull behind ditcher; a vehicle route system for our garbage trucks; IT needs to upgrade the CISCO Call Manager/Paging system; and several more items listed. 1st Reading of the Proposed FYB 2019/20 and others will be on the agenda 6/3/19 for 1st Reading. I will be getting your budget package delivered to you shortly so you can review it before the 1st Reading. If you have any questions, please give me a call.

Administrator Steve Bratton request to shift in funding from Project Kickstart to Project Clari in the amount of \$135,000. These are both sewer projects ending in the same place just going different routes. **[Mike Fowlkes made the motion to allow Administrator Bratton to shift \$135,000 from Project Kickstart to Project Clari. Quay Little seconded and council voted in favor.]**

Councilman Tracy McDaniel made the motion to appoint Amanda Walker to serve on the Cherokee County Commission of Alcohol & Drug Abuse Board. Mike Fowlkes seconded and council voted in favor.

Councilman Quay Little ask Administrator Steve Bratton if he had talked with Anshel Niedersman regarding more space for DSS at Peachtree Centre. Administrator Bratton replied that he had not but will follow up in the morning.

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

APPROVED: 6/3/19

BY ITS CHAIRMAN: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Clerk to Council