

DATE: August 10, 2021 FILE NO: DATE518

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 8/9/21, 5 PM

There was a Public Hearing & Regular Meeting of County Council Monday, 8/9/21, 5 PM in Council Chambers. Chairman Spencer presided with Tracy McDaniel leading in prayer. All council members were present along with Administrator Steve Bratton, Asst. Administrator Merv Bishop, Attorney Joe Mathis & Master Clerk Doris Pearson. The news media was informed by agenda and it was posted in accordance with the SCFOIA and one was present. There were 30 visitors.

**Councilman Lyman Dawkins made the motion to adopt the agenda for the PH & Regular of Monday, 8/9/21, as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.**

**Councilman David Smith made the motion to approve the claims for Cherokee County for FYB 20/21 Period 12 - \$25,912.15 + FYB 21/22 Period 02 - \$413,282.64 for a total amount of \$439,194,79. Quay Little seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to approve the minutes of the Regular Meeting of 7/19/21 as received. Mike Fowlkes seconded and council voted in favor.**

Chairman Spencer opened the public hearing in regards to Ordinance No. 2021-20 to amend the Joint Agreement for Development for Joint Co. Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to include additional property in Spartanburg Co. as part of the Joint Co. Industrial Park, and other matters relating thereto: (Pall Corp.; Magna Mirrors of America, Inc.; Limelight Solar I, LLC; Seefried Industrial Properties, LLC; Pacolet FT. Prince, LLC; CP Greer, LLC; and W/C GSP Lot 3 Owner VIII, LLC; Exeter Pigeon Haven Land, LLC; Inman Mills; Auria Spartanburg, Inc.). No one was present to speak and the public hearing was closed.

**Councilman Quay Little made the motion to adopt Resolution No. 2021-09 authorizing (1) the execution & delivery of a Fee in Lieu of Tax & Incentive Agreement by & between Cherokee Co., SC (The "County") and Broad River Electric Cooperative, Inc., acting for itself, one or more affiliates, and/or other project sponsors (collectively, The "Company"), pursuant to which the county shall covenant to accept certain negotiated Fees in Lieu of Ad Valorem Taxes with respect to the establishment and/or expansion of certain facilities in the county (The "Project"); and (2) other matters relating thereto. David Smith seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to adopt the 3<sup>rd</sup> Reading of Ordinance No. 2021-20 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 and other matters relating thereto. (Pall Corp.; Magna Mirrors of America, Inc.; Limelight Solar I, LLC; Seefried Industrial Properties, LLC; Pacolet FT. Prince, LLC; CP**

**Greer, LLC, & W/C GSP Lot 3 Owner VIII, LLC; Exeter Pigeon Haven Land, LLC; Inman Mills; Auria Spartanburg, Inc.). Mike Fowlkes seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to adopt the 2<sup>nd</sup> Reading of Ordinance No. 2021-21 authorizing the development of a Jointly Owned & Operated Industrial/Business Park (Project Hammer) in conjunction with Spartanburg Co., such Industrial/Business Park to be geographically located in Cherokee Co. and established pursuant to Section 4-1-170 of the Code of Laws of SC, 1976, as amended; to provide for a Written Agreement with Spartanburg County to provide for the expenses of the Park, the percentage of revenue application, and the distribution of Fees In Lieu of Ad Valorem Taxation; and other matters related thereto. Quay Little seconded and council voted in favor.**

**Councilman Lyman Dawkins made the motion to adopt the 2<sup>nd</sup> Reading of Ordinance No. 2021-22 authorizing (1) the execution & delivery of a Fee In Lieu of Tax & Incentive Agreement by & between Cherokee Co., SC (The “County”) and a company known to the county as Project Hammer, acting for itself, one or more affiliates, and/or other project sponsors (collectively, The “Company”), pursuant to which the county shall covenant to accept certain negotiated Fees in Lieu of Ad Valorem Taxes with respect to the establishment and/or expansion of certain facilities in the county (The “Project”); (2) the benefits of a Multi-County Industrial or Business Park to be made available to the Company and the Project; (3) certain Special Source Revenue Credits in connection with The Project’ and (4) other matters relating thereto. Quay Little seconded and council voted in favor.**

**Councilman Lyman Dawkins made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2021-23 authorizing (1) the execution & delivery of a Fee in Lieu of Tax & Incentive Agreement by & between Cherokee County, SC (The “County”) and Broad River Electric Cooperative, Inc., acting for itself, one or more affiliates, and/or other project sponsors (collectively, The “Company”), pursuant to which the County shall covenant to accept certain negotiated Fees in Lieu of Ad Valorem Taxes with respect to the establishment and/or expansion of certain facilities in the County (The “Project”); and (2) other matters relating thereto. Mike Fowlkes seconded and council voted in favor.**

Administrator Steve Bratton informed council that he is still working on the generator for the Detention Center. There have been some changes on how they are to be installed, etc. Some of the companies that bid on the generator the first time did not come out to see what was needed and I feel they gave a price that did not include installation, etc. I am going to send out for bid again to include purchase price and installation price. I signed a PO today to rent a generator for around \$4400/month in case ours goes out again. I believe this generator has been there since the building was built. It has been giving us a lot of trouble for some time now and it definitely needs to be replaced. I’ll report back to council at our Regular Meeting of 8/23/21.

Attorney Joe Mathis had no report.

Administrator Steve Bratton announced that he has been working with Mallard at the Broad River Electric Cooperative, Inc. and they are building a new facility out on Webber Road which should be completed 12/31/21. The BRE will be transferring their current facility located on Hamrick Street to Cherokee County. They plan to move out summer of 2022. A while back County Council decided to move forward with plans for a new Public Works Facility on Lemuel Road. Since this facility will come available to the county, council has decided to move the Public Works Operations to the Broad River Facility located on Hamrick Street. This will include R&B, Vehicle Main. Shop, Recycling, SWC Dept., PW Administration Office, etc. Another exciting announcement is that this is a big step toward assisting our Recreation Department. We will convert the auditorium into a gym which will facilitate 4 full-size basketball courts; volleyball courts, pickle ball, etc. The facility will also still be able to accommodate community meetings. The facility will keep the name of Broad River Electric Auditorium in honor of Richard Baines. This is very important for us moving forward in completing long range plans; saving money on our Public Works plans and assisting the Recreation Dept. in moving forward as well.

Recreation District Director Marcus Bradley thanked council for making this happen. It has been 9 years of planning for something like this to happen. I appreciate all council does for the Recreation Dist. to help us provide recreation for all the citizens in Cherokee Co.

Councilman Tracy McDaniel stated it has been hard for us not to call & tell you about this because we too are very excited in our partnership in providing recreation for our county. Council appreciates your leadership & hard work.

Chairman Tim Spencer asked Marcus how many children do you have playing basketball? Marcus replied between 350 to 400 in a year for all ages. Tim replied now we can house them in a centralized place instead of all over the county. Marcus replied yes and now we can offer volleyball, wrestling, cheering, etc.; and basketball during the regular basketball season. This is a game changer.

Councilman Quay Little stated this is a great relationship and now we can be one team trying to move forward. Better things are coming down the road and we truly appreciate the entire Recreation Board & Staff.

Councilman Lyman Dawkins replied we truly appreciate you, Johnny, the Board and entire staff. This is a win for Cherokee Co. in providing recreation for our young people.

Councilman David Smith replied this announcement tonight is just the 1<sup>st</sup> Chapter of many more to come. Council appreciates you, your staff & the Recreation Board.

Administration Steve Bratton reported that we went out for bid on our 2021 General Obligation Bond and received an Aa3 Rating; 11 financial institutes responded and we will receive 1.228% interest rate for 20 years based on an \$11 million-dollar bond.

Administrator Steve Bratton reported on the Paving Oversight Contract. CTC has gone out for bid on the paving project for Cherokee County. We have had a turn-over in our PW Dept. and those

guys that were so knowledgeable on paving of roads have retired. I feel we need to have someone oversee the paving project making sure they are doing what the contract states. KCI did a road project for us and I reached out to them about overseeing this project for us and asked them to present us with a proposal. They will go out when the roads are being paved and oversee them. I am requesting you to allow me to negotiate with them the scope & fee for them to oversee our paving project not to exceed \$23,000. **[Lyman Dawkins made the motion to allow Administrator Bratton to negotiate a contract with KCI Technologies not to exceed \$23,000 for KCI to scope & oversee the Cherokee County's Paving Project. David Smith seconded and council voted in favor.]**

**Councilman Tracy McDaniel made the motion to re-appoint Beth McCall to serve another term on the Cherokee County Library Board. Mike Fowlkes seconded and council voted in favor.**

**Councilman Lyman Dawkins made the motion to go into Executive Session at 5:35 PM pursuant to Section 30-4-70(a)(2) on two matters: discussion of negotiations incident to proposed contractual matter regarding purchase of property; and discussion of negotiations incident to proposed contractual matter regarding broad band. Quay Little seconded and council voted in favor.**

**Councilman Quay Little made the motion for council to come out of Executive Session at 7:40 PM and enter back into the Regular Meeting. Lyman Dawkins seconded and council voted in favor.** Attorney Mathis stated no action was taken during Executive Session.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 7:41 PM.

APPROVED: 8/23/21

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council