

DATE: 11/2/21 FILE NO.: DATE527

TO: Cherokee County Council

SUBJECT: Minutes of Regular Meeting of 11/1/21

There was a Regular Meeting Monday, 11/1/21, 5 PM in Council Chambers. Chairman Tim Spencer presided with Mike Fowlkes leading in prayer. All council members were present along with Administrator Steve Bratton, Asst. Admin. Merv Bishop, Attorney 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. There were 6 visitors.

**Councilman Tracy McDaniel made the motion to adopt the agenda of the Regular Meeting of 11/1/21 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.**

**Councilman Lyman Dawkins made the motion to adopt the minutes of the Regular Meeting of 10/18/21 as received. David Smith seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to approved the claims for Cherokee County in the amount of \$433,865.51. Mike Fowlkes seconded and council voted in favor.**

**Councilman Quay Little made the motion to adopt Resolution 2021-12 authorizing (1) the execution of an Assignment & Assumption Agreement of that Certain Fee in Lieu of Tax & Incentive Agreement by & between Cherokee Co., SC (The "County") and Kerns Trucking, Inc. (The "Company") and dated as of May 17, 2021 (The "Fee Agreement"); (2) the amendment of the Fee Agreement to reflect such Assignment & Assumption Agreement; and (3) other matters related thereto. David Smith seconded and council voted in favor.**

**Councilman Quay Little made the motion to adopt the 2<sup>nd</sup> Reading of Ordinance No. 2021-26 authorizing the enlargement and diminution of the boundaries of Spartanburg Sanitary Sewer District, SC in Cherokee Co., SC; providing for the publication of notice of said findings and authorization; and generally approving other matters relating thereto. Lyman Dawkins seconded and council voted in favor.**

**Councilman Quay Little made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2021-27 authorizing an Amendment to that Certain Agreement for Development of a Joint County Industrial & Business Park (Cherokee County/Spartanburg County (Kerns Trucking Park) dated as of July 19, 2021, by & between Cherokee County, SC (The "County") and Spartanburg County, SC ("Spartanburg County"), such park being geographically located in Cherokee County; and other matters related thereto. Lyman Dawkins seconded and council voted in favor. Administrator Steve Bratton stated the reason for this ordinance is Kerns Trucking purchased an additional 5 acres beyond what they originally purchased and they wanted to include that in the County Industrial Park.**

Administrator Steve Bratton discussed Mill Creek Road repair. We were notified of a sink hole that opened up on Mill Creek Road, Blacksburg, near the Vulcan Plant. We knew when we looked at it that it was too big a project for us. This road is between two bodies of water. I called in S&ME and had them take a look at it and they discovered there was a culvert pipe buried low in the ground. I called several local contractors and they all said they would not touch it. I contacted KCI and when they looked at it, they brought in CDG and found that it was about 16' deep in the ground. The metal pipe that was there has failed and coming out in pieces. I invited Kevin Thornton and Cole Harrison with KCI here to talk with you about this. The price tag for fixing this is about \$125,000. This is the primary way for Vulcan to come in & out and they said they would help us with the stone. This road has been down about 2 months and we need to get it fixed. Cole stated this would be about a 2-to-3-week project once you give the okay to begin. The two ponds are very huge and are fed by an active creek; we will take everything out within the road way; put in new pipe above the surface level; fill in with stone & cement. Steve replied he will treat this as an emergency purchase order so we can move forward. Quay Little asked is there a grant out there to help with this project? Steve replied I'll check and see. **[Tracy McDaniel made the motion to allow Administration to contract with KCI to move forward and repair Mill Creek Road and pay for it from the contingency account. Mike Fowlkes seconded and council voted in favor.]**

Administrator Steve Bratton announced that we received a grant in the amount of \$250,000 from the Spartanburg Regional Health System to assist us with our Broadband Project. The Palladium Group was instrumental in getting this for us.

Administrator Steve Bratton reported that he was planning to have a 20' live Christmas Tree decorated on the front lawn out front of the Admin. Building. I hope to have an official ceremony of lighting the tree on Monday, 11/29/21 around 6 PM with carolers, maybe inflatables for the kids, hot chocolate, etc.

Asst. Administrator Merv Bishop reported that the Solid Waste Collections Dept. went to 4-day pickup beginning today, 11/1/21. They will work from 7 am to 5:30 pm Monday thru Thursday. Flyers were placed on door knobs and trash cans of the change to all residents involved.

Asst. Administrator Merv Bishop also reported on the trash truck. The new truck was not delivered 10/20/21 as expected but hopefully will come in soon. Brian is looking into purchasing a Cummings engine for the truck that is down. He is not sure about keeping the compactor and putting it on another truck; maybe just trade the truck in as is.

**Councilman Elliott Hughes appointed John D. Brown to serve a term on the Cherokee Co. Board of Adjustments & Appeals Board. Lyman Dawkins seconded and council voted in favor.**

Attorney Joe Mathis stated on the agenda for Item 12 regarding the Executive Session that I am requesting Council to add two more items to be discussed making a total of three items to be discussed during Executive Session: 1) pursuant to Section 30-4-70(a)(2) for the discussion of negotiations incident

to proposed contractual arrangements and proposed sale or purchase of real property; 2) pursuant to Section 30-4-70(a)(1) regarding a personnel matter arising in the Finance Dept.; and 3) pursuant to Section 30-4-70(a)(5) for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body. **[Councilman Lyman Dawkins made the motion for council to go into Executive Session at 5:30 PM regarding these 3 matters. Tracy McDaniel seconded and council voted in favor.]**

**Councilman Quay Little made the motion for council to come out of Executive Session at 6:40 PM and enter back into the Regular Meeting. 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 6:41 PM.

APPROVED: 11/15/21

BY ITS CHAIRMAN: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council