

DATE: 11/16/21 FILE: NO. 528
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 11/15/21

There was a Public Hearing & Regular Meeting of County Council Monday, 11/15/21, 5:10 PM in Council Chambers. Chairman Tim Spencer presided with Rev. Jamison leading in prayer. All council members were present along with Admin. 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 7 visitors.

Councilman Quay Little made the motion to adopt the agenda of the PH & Regular Meeting of 11/15/21 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 11/1/21 as received. David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the claims for Cherokee County in the amount of \$283,515.72. David Smith seconded and council voted in favor.

Chairman Tim Spencer opened the Public Hearing to determine whether and to what extent the boundaries of the Spartanburg Sanitary Sewer District, SC, in Cherokee County, SC, shall be enlarged, and diminished. No one was present to speak and the public hearing was closed.

Council heard from Petitioner Jermaine Smith regarding the American Relief Fund. He stated he was told seconded handed that the ARF received by the county will be used to bring broad band throughout our county and to provide infrastructure & sewer lines for Economic Development. I wish the council would consider helping the needy throughout our county to assist them in purchasing a home, etc. It would benefit you in the long run because they would then be paying property taxes. Focus on people as a whole, not just to bring industries here. \$11 million is a lot of money and could be used to help our needy. Show that you care and do what is best for our county and take care of our people.

Councilman Quay Little made the motion to adopt the 3rd Reading of Ordinance No. 2021-26 authorizing the enlargement and diminution of the boundaries of Spartanburg Sanitary Sewer District, SC, on Cherokee County, 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 Tracy McDaniel made the motion to adopt the 2nd 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 and 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. Mike Fowlkes seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt the 1st Reading of Ordinance No. 2021-28 to amend Chapter 17, Article II of the Cherokee County Code of Ordinances – Uniform Road Naming and Property Numbering System. Mike Fowlkes seconded and council voted in favor. Administrator Bratton stated this is a request I received from our Addressing Coordinator Lori Kidd. She was reviewing the document and was concerned that the way the code reads now, it only takes 75% to change the name. She feels it should be 100% of the property owners that live on the road. Council, of course, has final say if this is brought before you.

Councilman Quay Little made the motion to adopt the 1st Reading of Ordinance No. 2021-29 authorizing, pursuant to Title 4, Chapter 12, SC Code of Laws, 1976, as amended, the reconveyance of assets by Cherokee County to Freightliner Custom Chassis Corporation pursuant to that certain Lease Purchase Agreement between Cherokee County and Freightliner Custom Chassis Corporation; and matters relating thereto. Lyman Dawkins seconded and council voted in favor. Administrator Bratton replied, this goes back to when the FILOT was granted in 2002. They met all the requirements of the agreement and it has been completed; therefore, they are requesting that the property be deeded back to them taking it out of the county’s name and putting it in theirs.

Public Works Committee Chairman Tracy McDaniel made the motion coming from the committee to allow Administration to sign a contract regarding the Public Works Work Order Software with iWorQ for a total of \$11,500 for the 1st year and then \$7,000/annually thereafter. Lyman Dawkins seconded and council voted in favor. Asst. Admin. Bishop stated that the contract goes from year to year with a 60 day opt out notice. One lab top will be issued to Scott Griffith and if we want additional ones, we can purchase them. This is a web base program and there is no limit to the amount of uses.

Councilman Mike Fowlkes asked Administration to bring back to council the 1st meeting in Feb., 2022, a plan for 2022 bushhogging/cutting the grass throughout the county. PW Director Scott Griffith reported that they are still cutting and will probably be doing so for about 2 more weeks to finish out this year.

Administrator Steve Bratton reported that we have been negotiating a contract for our internet service and Attorney Mathis has reviewed it. Council has committed \$1.75 million of our ARP Funds toward this project; \$1 million has been committed by the Cherokee County School District; and we have received \$250,000 Grant from Spartanburg Healthcare System which will go toward this project. I am seeking your authorization to enter into an agreement whereby we will commit \$3 million to carry out the obligation under the said agreement that says there is short of 1500 addresses in the county that we know of that will not be covered by another federal program for the extension of broadband to underserved areas in the county. We will announce the name of this Internet Provider on 12/1/21 at a special press conference. **[Councilman David Smith made the motion to allow Administration to sign the \$3 million contract authorizing for the Broadband Project; Cherokee County’s commitment is \$1.75**

million to be paid from the American Relief Fund. Mike Fowlkes seconded and council voted in favor.] Councilman Quay Little commended the School District for partnering with us on this project. Administrator Bratton commended council for your commitment to this broadband project. I hear from citizens everyday who are in need of this.

Administrator Steve Bratton presented the Ace Hardware Renovation plans. I need some direction on which way you want to go. The building should be vacant by April, 2022. Tracy McDaniel asked if we go with DP3 does this meet our procurement policy? Steve replied yes. **[Tracy McDaniel made the motion to allow Administration to move forward with the Ace Hardware Renovation plan and sign a contract with DP3 for \$98,400 to go with the Design/Bid/Build. Mike Fowlkes seconded and council voted in favor.]**

Asst. Admin. Merv Bishop updated council on the Lock-Box for the Treasurer Office. I've been checking with our taxing departments the past couple of weeks to see how the Lock-Box is going. We've heard some complaints/questions from citizens asking why their payments are going to Atlanta? We bank with Wells Fargo and this is a service that they provide. That mail is opened, the money is deposited into our banking account and updates our transactions immediately. I was in the Treasurer Office this morning and within 15 minutes 452 payments totaling \$236,542.96 were processed. This freed up the office personnel to do other tasks; like this morning when they were hit with paying off jurors. Our Delinquent Tax Sale will be 12/16/21.

Councilman Quay Little made the motion to go into Executive Session at 6:06 PM regarding two matters pursuant to Section 30-4-70(a)(2): 1) discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property; and 2) receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege. Lyman Dawkins seconded and council voted in favor.

Councilman Tracy McDaniel made the motion for council to come out of Executive Session at 6:25 PM. 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 6:27 PM.

APPROVED: 12/6/21

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council