

DATE: 12/7/21 FILE NO.: DATE531

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 12/6/21

There was a Public Hearing & Regular Meeting Monday, 12/6/21, 5 PM, in Council Chambers. Chairman Tim Spencer presided with David Smith leading in prayer. All council members were present along with Administrator Bratton, Asst. Admin. 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. One news media was present. There was 40+ visitors.

Chairman Tim Spencer recognized Administrator Steve Bratton who in turned recognized the Gaffney High School Indians Football Team, Coach Dan Jones & Coaching Staff by presenting them with a plaque from County Council congratulating them on winning their 18th State Championship by defeating Dutch Fork High School Football Team with a score of 22-19 on Saturday, 12/4/2021.

Councilman Tracy McDaniel made the motion to adopt the amended agenda of the PH & Regular Meeting of 12/6/21 as received and posted in accordance with the SCFOIA. Mike Fowlkes seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt the minutes of the PH & Regular Meeting of 11/15/21 as received. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to approve the claims for Cherokee County in the amount of \$602,139.59. Mike Fowlkes seconded and council voted in favor.

Asst. Cartographer Victor L. Frontroth & Adam DeMars with SC Revenue & Fiscal Affairs presented the 2020 Redistricting Benchmark Report for Cherokee County. This report for 2020 was completed Oct., 2021 and is attached to the minutes. Page 2 – RFA recommends following constitutional & statutory provisions: the requirement of “one person, one vote” under the Equal Protection Clause of the 14th Amendment & accepted variances. Process of redistricting is to even out your districts with the number of people in your district. Racial minority population cannot be the dominate factor for redistricting. We are no longer under Section 5. This plan has to be completed by the March filing date. This also requires public input and 3 readings. Districts need to be geographically compact and any applicable court decisions by the federal & state laws have to be considered. Page 3 is the breakdown of the benchmark 2020 report. Right now, your total population is 8,031 person/district; Dist. 3 has the highest number being over 399 persons which gives you 8.49%; Dist. 6 is the low by minus 485 persons. We recommend 5%; anything over 10% is non-compliant. You are at 11.01% and therefore redistricting needs to take place. Page 4 is the Benchmark Map. Your next step will be holding a public hearing; remember public input is very important in this entire process. It is required to have an ordinance for 3 readings, and the 3rd Reading which will be your final reading. Administrator Bratton stated that he would get someone here from their office to meet with our GIS Dept. and council. Victor replied that we will have one point of contact person to work with you. Quay Little asked will we have access to your

software? Adam replied you do have software here with your GIS Dept. and they will have all the ability to use all the data with individual benchmarks. There are one of three ways: you can choose us as your full pledge consultant, use us as a site consultant, or you can choose your own consultant. Final reading of the ordinance should be the last meeting in Feb., 2022.

Chairman Tim Spencer opened the Public Hearing on 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 Co., SC (The “County”) and Spartanburg County, SC (“Spartanburg County”), such park being geographically located in Cherokee County; and other matters related thereto. No one was present to speak and the public hearing was closed.

Councilman Mike Fowlkes made the motion for council to go into Executive Session pursuant to Section 30-4-70(a)(5) discussion of matters relating to the proposed location, expansion, or the provision of service encouraging location or expansion of industrial or other businesses in the area served by the public body. Quay Little seconded and council voted in favor and went into Executive Session at 5:29 PM.

Councilman Tracy McDaniel made the motion for council to come out of Executive Session at 5:49 PM. David Smith seconded and council voted in favor. Attorney Mathis reported that no action or vote was taken during Executive Session.

Councilman Mike Fowlkes made the motion to adopt Resolution No. 2021-13 authorizing, under certain conditions, the execution & delivery by Cherokee Co., SC, of a Fee in Lieu of Tax Agreement with Project Herbie with respect to a project in the county whereby the Project would be subject to payment of Certain Fees in Lieu of Taxes, and whereby Project Herbie would be provided certain credits against fee payment in reimbursement of investment in qualified infrastructure; and providing for related matters. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to approve the 2022 Cherokee County Council Scheduled Meeting Dates as presented with the understanding that council can change it at any time. Tracy McDaniel seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to remove Joseph Road, Dist. 2, from the Cherokee County Road System. Tracy McDaniel seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 3rd 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. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to adopt 2nd 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. Lyman Dawkins seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 2nd 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.

Councilman Lyman Dawkins made the motion to adopt 1st Reading of Ordinance No. 2021-30 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg Co. & Cherokee Co., SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (AGA Tag, Solar II, LLC; RG Frontage, LLC; JSD Flatwood PV-1, LLC; The Cubes at Fort Prince, LLC; Fort Prince Logistics, LLC; SC Global Logistics, LLC.) David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 1st Reading of Ordinance No. 2021-31 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg County & Cherokee County, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (Eastgroup Properties, LP; SCP Acquisitions, LLC; Big Acquisitions, LLC; ILJIN American Corporation; Greer South Carolina Becknell Onvestors, LLC; Walmart Stores East, LP.). Mike Fowlkes seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 1st Reading of Ordinance No. 2021-32 authorizing (a) the execution & delivery of a Fee in Lieu of Tax Agreement by & between Cherokee County, SC (“County”), and Project Herbie with respect to certain Economic Development Property in the County, whereby such property will be subject to certain payments in Lieu of Taxes, including the provision of Certain Special Source Credits; (b) the County to create a Multi-County Industrial/Business Park with Spartanburg County, SC, and designate the property to be owned by Project Herbie as Multi-County Park Property; and (3) other related matters. Mike Fowlkes seconded and council voted in favor.

Councilman David Smith made the motion to adopt the 1st Reading of Ordinance No. 2021-33 authorizing the execution & delivery of a Fee in Lieu of Tax Agreement by & between Cherokee County, SC and (Project Alpha1) with respect to Certain Economic Development Property in the County, whereby such property will be subject to certain special source credits; and other matters related thereto. Lyman Dawkins seconded and council voted in favor.

Administrator Bratton received bids for RFP 2022-06 Cherokee County Splash Pad: 3 bids were received: **1)** BWC Contracting, Gaffney; **2)** Great Southern Recreation, Shelby, NC; and **3)** Carolina Recreation & Design, Mooresville, NC. Administrator Bratton replied that he along with Asst. Admin. Merv Bishop and a small committee will review these bids and make sure they meet all requirements and I will

come back to you with our recommendation. Steve replied as long as our local business meets the requirements, we will take into consideration the 5% local match.

Administrator Bratton reported to council on the Carolina Bowl. This is a senior all-star game for North & South Carolina that will be taking the place of the Shrine Bowl and is being held at Cherokee County High School Football Reservation. Players & coaching staff will be coming here. They will be utilizing not only the Gaffney Reservation but Blacksburg's & Limestone's facilities. The game will be played this coming Sunday, 12/12/21, 12 Noon. They will be recognizing the Gaffney High Football State Champ, as well as, the Gaffney Little League Travel Football Team vs a travel football team coming in & playing during halftime. This is a big undertaking to bring all these people in. County Council has been asked to make a donation from our Local Accommodation Tax Monies of \$20,000 to go toward this Carolina Bowl. **[Quay Little made the motion to appropriate \$20,000 of the Local Accommodation Tax Monies to help fund the Carolina Bowl. Lyman Dawkins seconded and council voted in favor.]** Administrator Steve Bratton reported that Gaffney Indians have two players playing on that team: Marcus Bradley & Hunter Turner; and Blacksburg High has two players as well: Isaack Westmoreland & Jaquavious Davis.

Administrator Bratton reported through the American Rescue Plan we received allocation of about \$11.2 million. Council appropriated a significant portion of that for the Broadband Project for Cherokee County in partnering with an Internet Service Provider as well as Spartanburg Regional and the School District. There has been a lot of discussion about COVID Bonuses/Supplements and I recommend to council to give our county employees \$1000 COVID Supplement to all current fulltime employees who have been employed at least one year as of 11/30/21; and, a \$500 COVID Supplement to all current parttime & temporary employees, as well as \$500 to all current fulltime employees who have been employed less than a year as of 11/30/21. This will be a total cost of about \$300,000. This County Council has also last December approved a \$700 COVID supplement prior to us receiving American Rescue Plan Money and gave this to all our employees for their service during that time; and also in March, 2021, the Federal Mandate for giving extra time for COVID exposures, etc. expired but council kept that in place for our employees for up to the end of this year. **[Lyman Dawkins made the motion to approve this request of giving the county employees according to Administration's Outline up to \$1000 for fulltime employees and \$500 for employees other than fulltime and fund this from the American Rescue Plan Monies. Mike Fowlkes seconded and council voted in favor.]**

Councilman Elliott Hughes asked Administration to check into giving some of the American Rescue Plan Monies to the VFD for funding of air packs. Administrator Bratton said he would check into this.

Asst. Admin. Merv Bishop reported that iWorQ will be here Tuesday, 12/7/21 to install & train the new software program for the Public Works Dept.

Asst. Admin. Merv Bishop reported on several items: **1)** the Delinquent Tax Sale was today, 12/6/21 and we took in around \$1.3 million; only 3 properties did not sell; **2)** Brian Estes is still waiting on a part from Freightliner for the new trash truck so we still have not taken delivery of it yet; **3)** the new

four-day work schedule is still going great for the SWC Dept.; **4)** the SWC Dept. will pick up for the Christmas Week of 12/20-24/21, Monday thru Thursday and they will also pick up for New Year's week 12/27-30/21, Monday thru Thursday; and **5)** the back-wing has been ordered for the bushhog.

Councilman Tracy McDaniel asked Administration to address issues in the upcoming FYB in order for the DPW to stay on top of the grass cutting on our county roads throughout the summer. Administration replied they are already working on this now.

Councilman Elliott Hughes re-appointed WB Cook to serve another term on the Cherokee County Development Board. David Smith seconded and council voted in favor.

Chairman Tim Spencer reminded council of the ribbon cutting for the Palmetto Patriots Home, Friday, 12/10/21 @ 10 AM.

Administrator Bratton reported that Thursday, 12/09/21, at 11:00 AM here in Council Chambers, we will have a press conference announcing our plans for the Broadband Project.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:12 PM.

APPROVED: 12/20/21

BY ITS CHAIRMAN: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council