

DATE: 2/8/22 FILE NO: DATE535
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 2/7/21

There was a PH & Regular Meeting of County Council Monday, 2/7/22, 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, 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. Two news media were present. There were 26 visitors.

Councilman Quay Little made the motion to adopt the agenda of the Amended PH & Regular Meeting of 2/7/22 as received and posted in accordance with the SCFOIA and adding Councilman Mike Fowlkes under No. 17 New/Old/Other Business. Tracy McDaniel seconded and council voted in favor.

Councilman Mike Fowlkes made the motion to approve the minutes of the PH & Regular Meeting of 1/20/22 as received. Tracy McDaniel seconded and council voted in favor.

Councilman Quay Little made the motion to approved to pay the claims for Cherokee County Council in the amount of \$635,607.32. Lyman Dawkins seconded and council voted in favor.

Administrator Steve Bratton recognized Lynn Poole for all positions he has served with the Macedonia Fire Dept. over the past 50 years and presented him with a plaque from Council.

Stephanie Hyleman & Jennie Gibson with S.I.L.A.S STEPS presented Administrator Bratton & County Council with a plaque thanking council for their contribution toward making "Hyleman's Humble Playground" a reality.

Cherokee Co. Development Board Director Jim Cook presented his 2021 Annual Report. (a copy is attached). Job creation remained solid & unemployment rates remain historically low despite the spike in 2020. Workforce remains a top concern to our economic development efforts as it has for the past several years. Capital investment in Cherokee county for 2021 totaled slightly over \$272 million dollars which includes new & existing industry announcements. Total jobs announced in 2021 were 554. The Cherokee Co. Development Board continuously strives to improve the quality of life for every Cherokee County Citizen.

Chairman Tim Spencer opened the public hearing on two ordinances: **1) Ordinance No. 2021-34** authorizing & approving a FILOT & Infrastructure Credit Arrangement pursuant to a FILOT Agreement between Cherokee Co. & Milliken & Company (formerly referred to under a company code name as Project Eclipse); and other matters relating to the foregoing. **2) Ordinance No. 2021-36** authorizing the execution & delivery of a FILOT Agreement between Cherokee Co., SC and Project Gold Rush; and other matters relating thereto including, without limitation, payment of a FILOT; the

authorization of a Special Source Revenue Credit; the placement of the Project in a Joint County Industrial Business Park; and related matters. No one was present to speak and the public hearings were closed.

Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2021-34 authorizing a FILOT & Infrastructure Credit Arrangement pursuant to a FILOT Agreement between Cherokee Co., SC and Project Eclipse, a company code name for a Delaware Corp.; and other matters relating to the foregoing. Quay Little seconded and council voted in favor. Administrator Steve Bratton announced that this is an expansion for Milliken Co. that will invest around \$35 million and create 75 new jobs.

Councilman Quay Little made the motion to adopt the 3rd Reading of Ordinance No. 2021-36 authorizing the Execution & Delivery of a FILOT Agreement between Cherokee Co., SC and Project Gold Rush; and other matters relating thereto including, without limitation, payment of a FILOT; the authorization of a Special Source Revenue Credit; the placement of the Project in a Joint County Industrial & Business Park; and related matters. Lyman Dawkins seconded and council voted in favor. Administrator Bratton announced that Project Gold Rush is Somnus Mattress International LLC and will invest \$13 million to create 55 new jobs and is located in Blacksburg in the old TNS Building.

Councilman Quay Little made the motion to adopt 2nd Reading of Ordinance No. 2022-01 adopting a Redistricting Plan for Cherokee County Council redefining the Seven Single-Member Council Districts reapportioned as to population in accordance with the 2020 Federal Decennial Census and applicable laws and requirements. Lyman Dawkins seconded and council voted in favor. Administrator Steve Bratton stated that we have put out on our web page an entire page dedicated to the redistricting process so the public can see the exact process we are going through. We have links to all proposed and existing council maps. We will hold the public hearing & 3rd/Final Reading for this at our next Regular Meeting. There are two very small changes that take place with this reading vs the 1st reading. This doesn't affect any population but the RFA wanted us to clean up a couple small blocks.

PWC Chairman Tracy McDaniel made the motion coming from the committee to award RFP 2022-08 Roll Out Carts for SWC Dept. to Rehrig for their bid price of \$62.10/cart. Mike Fowlkes seconded and council voted in favor.

PWC Chairman Tracy McDaniel made the motion coming from the committee to allow Administration to put Cherokee County's name on a Heil PT 1000-20YD 2023 Freightliner M2-106 Cab/Chassis Rear Loader at a purchase price of \$177,900 for Carolina Environmental Systems, Inc. to hold for Administration to purchase this 2023 Freightliner Truck when the new fiscal year budget 22/23 has been approved; subject to Attorney Mathis checking to see if Administration is complying with the Purchasing Procurement Policy. Quay Little seconded and council voted in favor.

Councilman Lyman Dawkins made the motion for council to go into Executive Session at 5:39 PM pursuant to Section 30-4-70(a)(2) discussion of negotiations incident to proposed contractual arrangements. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion for council to come out of Executive Session and enter back into the Regular Meeting at 6:00 PM. Mike Fowlkes seconded and council voted in favor. Attorney Joe Mathis reported that no vote or action was taken during Executive Session.

Action taken from Executive Session: Councilman Tracy McDaniel made the motion to allow Administrator Bratton to sign & enter into a one-year agreement with the Palladian Group to provide grant writing, public affairs and marketing services for our county. Mike Fowlkes seconded and council voted in favor.

Attorney Joe Mathis stated at your last meeting 1/20/22 several public hearings & ordinances were voted on. If you recall that week, we had an ice storm and the PH & Regular Meeting was scheduled for 1/18/22 but because of the storm was rescheduled for 1/20/22. It was brought to our attention that the public notices that went out for those ordinances was sited that the public hearing & 3rd Reading would be held 1/18/22 and as a result of the rescheduling, the public notices & agenda was not sited for 1/20/22. As a precaution we are asking council to take action to reschedule the corrected notice for a number of ordinances to consider them tonight and will be followed up by final action at your 3/7/22 scheduled meeting.

Councilman Quay Little made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-30 to amend the agreement for development for Joint Co. Industrial Park by & between Spartanburg & Cherokee County, SC, so as to include additional property in Spartanburg Co. as part of the Joint Co. Industrial Park & other matters relating thereto. David Smith seconded and council voted in favor.

Councilman David Smith made the motion to table 3rd Reading of Ordinance No. 2021-30 until the Regular Meeting of 3/7/22. Quay Little seconded and council voted in favor.

Councilman Lyman Dawkins made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-31 to amend the Agreement for Development for Joint Co. 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. Quay Little seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to table 3rd Reading of Ordinance No. 2021-31 until the Regular Meeting of 3/7/22. Mike Fowlkes seconded and council voted in favor.

Councilman Quay Little made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-32 authorizing (a) the execution & delivery of a FILOT Agreement by & between Cherokee Co., SC, 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 (c) other related matters. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to table 3rd Reading of Ordinance No. 2021-32 until the Regular Meeting of 3/7/22. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-33 authorizing the execution & delivery of a FILOT Agreement by & between Cherokee Co., SC and Bericap, LLC 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; and other matters related thereto. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to table 3rd Reading of Ordinance No. 2021-33 until the Regular Meeting of 3/7/22. Lyman Dawkins seconded and council voted in favor.

Councilman Lyman Dawkins made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-35 authorizing the purchase of real property. David Smith seconded and council voted in favor with Quay Little abstaining from voting due to a conflict of interest. Motion carried.

Councilman David Smith made the motion to table 3rd Reading of Ordinance No. 2021-35 until the Regular Meeting of 3/7/22. Lyman Dawkins seconded and council voted in favor with Quay Little abstaining from voting due to a conflict of interest. Motion carried.

Councilman Quay Little made the motion for another public hearing to be posted for reconsideration of 3rd Reading of Ordinance No. 2021-37 authorizing the execution & delivery of a FILOT Agreement by & between Cherokee Co., SC, Baker Street Acquisitions, LLC and Apollo Acquisitions LLC, previously known to the county as "Project Paint", with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, will be designated as being in a Multi-County Industrial Park, and will be eligible to receive Certain Tax Credits; authorizing the execution & delivery of a Multi-County Industrial & Business Park Agreement with Spartanburg County to include such Economic Development Property; and other matters related thereto. Mike Fowlkes seconded and council voted in favor.

Councilman Quay Little made the motion to table 3rd Reading of Ordinance No. 2021-37 until the Regular Meeting of 3/7/22. Lyman Dawkins seconded and council voted in favor.

Administrator Steve Bratton announced that Feb. 25, 2022, will be our county's 125th Anniversary/Birthday. Administration is asking permission to start making plans for a giant birthday party here on our grounds on the evening for Friday, 2/25/22, 4 to 6 PM. We will put graphics out on social media & papers; inflatables, free hot chocolate, birthday cupcakes, popcorn machine, a magician, balloon

animals for the kids, mascots and other stuff to bring the public out and celebrate our anniversary. In order to try and get people involved in our history, we plan on having scavenger hunts & trivial questions in our two local newspapers. We will track who answers and at the end whoever wins will receive a gift from council and we will do that with cultivation at the Peach Festival. We will spend a little money out of the Local Accommodations Tax Monies to cover the expense of this. It will be a free event and we will probably let our county employees off early that day to come out and participate as well.

Asst. Admin. Merv Bishop had no report.

Councilman Quay Little re-appointed Ed Elliott, Citizen Member representative, to the Appalachian COG Board for another term. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little re-appointed David Cauthen, Minority Member representative, to the Appalachian COG Board for another term. David Smith seconded and council voted in favor.

Councilman Mike Fowlkes addressed council by quoting Matthew 20:28 “even Jesus, the Son of Man, came not to be served but to serve and gave his life to ransom for many”. I heard that Bible verse in my late 20’s and I have tried to apply that to my life of service because my family is and has been a family of service. I have served since 1992 in public service in the county beginning in law enforcement and now on this council. This council in the last 10 years realized that we had to spend money to make money and started investing in infrastructure, economic development, etc. I am very impressed with our partnership with BOPW, Broad River Electric, SCC and so on. Those partnerships have to be maintained to continue to move forward. We had to change our opinion about ourself and become a positive opinion of our county. I have had the honor to serve with Councilman Rufus Foster, Councilman Charles Mathis & Council/Chair Hoke Parris and all of you. I’m saying all of this to announce that I will not seek re-election for Dist. 2 Council seat. I will continue to serve in other capacities with all my time and service to God, my family and the citizens of Cherokee County.

As there was no other business to come before council at this time, Chairman Spencer thanked Councilman Mike Fowlkes for his dedicated years of service and adjourned the meeting at 6:22 PM.

APPROVED: 2/22/22

BY ITS CHAIRMAN: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council