

78DATE: 2/7/23 FILE NO: DATE568

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 2/6/23

There was a Public Hearing & Regular Meeting of County Council Monday, 2/6/23, 5 PM. Chairman Spencer presided with Lyman Dawkins 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 the agenda and it was posted in accordance with the SCFOIA. Two news media were present. There were 30 visitors.

**Councilman Tracy McDaniel made the motion to adopt the agenda of the PH & Regular Meeting of 2/6/23 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.**

Administrator Steve Bratton recognized 911 Shift Coordinator Paul Smith and on 12/19/22, approximately 6:40, he took a call in the Blacksburg area where an individual was choking on a piece of steak. He immediately began medical techniques to walk the caller through the Heimlich maneuver which did not work and the victim had lost consciousness and Paul advised the caller to get him on the floor and he then walked him through CPR. Through Paul's focus on his medical training and his ability to stay calm, the caller was able to assist the victim and the victim upchucked the steak and began breathing on his own. Administrator Bratton presented Paul with a small momentary gift and every stood & clapped. Councilman Tracy McDaniel said a special thanks to Paul because the victim was his brother.

**Councilman Quay Little made the motion to approve the minutes of the Regular Meeting of 1/17/23 as received. Lyman Dawkins seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to approve the claims for Cherokee County in the amount of \$689,775.94. Quay Little seconded and council voted in favor.**

Council heard from Anthony Wilson who stated he had three concerns & questions to ask: 1) What does the County get from the City in place of picking up their trash? 2) Who is the Public Works Director and what are his duties? 3) The buildings that the county purchased, why does it take so long for the tenants to evacuate them and the county to move forward with projects? Administrator Bratton replied Scott Griffith is our PWD; when the county took over the City trash pick-up, there was no swap off. City residents are county residents as well and deserve the same services. The current tenant in the ACE Hardware Bldg. is there still under the lease that was signed 2 years ago and his time will be up in April. He plans to be out at that time and we plan to start renovations. The Broad River Electric facility that was given to us is going through design phases now. Alma School is under discussion for a jail annex and will be in future plans. Mr. Wilson continued to asked questions. Quay Little stated that it is council's responsibility to protect the tax dollars that come to us and I can assure you that we do the best of our ability to use the money appropriately to provide services for the betterment of the county. County Council is elected by the people and we in turn hire an Administrator to run day-to-day operations.

Chairman Tim Spencer opened the public hearing on three ordinances: **1) Ordinance No. 2022-27** to amend & update certain parts of the Cherokee County Code of Ordinances Chapter 13 Land Development Regulations. Administrator Bratton made comments on changes: Chapter 13: Page 5 Sec. 13-57 Maximum Density per Parcel. This is been added since 2<sup>nd</sup> Reading. Page 6 Sec. 13-82 (2) this change is moving from 60' diameter to 70' diameter on a cul-de-sac. Page 9 (a) Right-of-way (1) Standard streets this was brought to our attention that the SC Fire Code that states for single family residents in development with less than 50 units, roads have to be some 26' wide so we added the sentence: roads & drives in developments with less than 50 units must comply with the most current adopted version of the SC Fire Code. This was brought to our attention last week. Page 9 (2) Cul-de-sac (ii) we referenced again Cul-de-sac shall have a 70' minimum diameter to pavement edge. Page 19 Sec. 13-123 Manufactured home parks € we added a sentence regarding Tiny Home Developments. Tiny Homes definitions by State Building Code is anything less than 400 sq. feet. What we are saying that Tiny Home Development will have to follow the same rule as a Manufacture Home Development. You have to have at least 10 acres, no more than 2/acre. Page 39 is the definition of Tiny Homes. Page 68 Berms – outlines how a berm should be constructed. **Brad Wilkins** spoke on his concerns and suggested to make roads wider in subdivisions and eliminate sidewalks. Added cost of curb & gutter takes money away from the quality of homes. Please do not add unnecessary regulations to the process. Please send back to the Planning Commission asking them to provide the minimum lot width and eliminate mandatory curb & gutter and sidewalk requirements. These are not in the best interest of our county long term. **Dick Lavender** stated the changes to the LDR was sent to the Planning Commission by PDF and we met on them and made our recommendations before the 1<sup>st</sup> Reading but since then there have been changes that we as a commission have not received nor met on. I am asking council to give the Planning Commission the opportunity to have a meeting on these changes and make our recommendation known before you vote on 3<sup>rd</sup> Reading. No one else present spoke on this Ordinance No. 2022-27.

**2) Ordinance No. 2022-28** to amend & update certain parts of the Cherokee County Code of Ordinances Chapter 15 Article V Campgrounds & Recreational Vehicle Parks. No one was present to speak.

**3) Ordinance No. 2022-30** 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 Co. as part of the Joint County Industrial Park, and other matters relating thereto. (Greer South Carolina Becknell Investors, LLC; Hunt Midwest Real Estate Development, LLC; DEV Property SC, LLC; ES 404 Centura, LLC; LPA Boxcar, LLC; Crusoe Acquisitions, LLC; Spartanburg Industrial Property Owner III, LP; Blue Ridge Digital Mining, LLC; and Rochling Automotive USA, LLP.) As there was no one present to speak Chairman Spencer closed the public hearing on all ordinances presented.

CPA Ben Kochenower presented the 21/22 Fiscal Year Audit. We have audited the accompanying financial statements of the governmental activities, each major fund & remaining fund information for the year ended 6/30/22 and in our opinion, the financial statements referred to present fairly the respective financial position of the governmental activities and are in accordance with accounting principles generally accepted in the US. Your staff cooperated with us in every aspect. We looked at all

offices. You went to a total computer conversion and when that happens, usually something is left behind and therefore we looked at that and found no problems. Our opinions are unaudited. We want to thank Steve and his entire staff for their cooperation. Quay Little thanked Ben and told him that he appreciated his firm getting this document to us in a timely manner.

Cherokee Co. Development Board Director Jim Cook presented their 2022 Annual Report (a copy is on file). Ken Moon & James Moss were also present. 2022 was a fast-paced year and was explosive for capital investment in Cherokee Co. The private development many have predicted for years has arrived. Growth because of our strategic location between Charlotte & Greenville is coming to fruition. Interest rates have slowed the building of new facilities but in spite of this 2023 looks promising.

**Councilman Quay Little made the motion to delay the 3<sup>rd</sup> Reading of Ordinance No. 2022-27 to amend & update certain parts of the Cherokee Code of Ordinances Chapter 13 Land Development Regulations. Tracy McDaniel seconded and council voted in favor.**

**Councilman Quay Little made the motion to adopt the 3<sup>rd</sup> Reading of Ordinance No. 2022-28 to amend & update certain parts of the Cherokee County Code of Ordinances Chapter 15 Article V Campgrounds & Recreational Vehicle Parks. Lyman Dawkins seconded and council voted in favor.**

**Councilman Quay Little made the motion to adopt the 3<sup>rd</sup> Reading of Ordinance No. 2022-30 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. (Greer SC Becknell Investors, LLC; Hunt Midwest Real Estate Development, LLC; DEV Property SC, LLC; ES 404 Centura, LLC; LPA Boxcar, LLC; Crusoe Acquisitions, LLC; Spartanburg Industrial Property Owner III, LP; Blue Ridge Digital Mining, LLC; and Rochling Automotive USA, LLP). David Smith seconded and council voted in favor.**

Administrator Steve Bratton reported that he will delay the update on the BREC gymnasium renovation plans for a later date.

Administrator Steve Bratton presented a request from the OMVT Committee to get permission to apply for a grant to help fund the project of the construction of 2-mile segment from Chesnee, SC to the Cowpens National Battlefield and the expansion of the Lake Whelchel Trail. Paul Lefrancois, Mike Bolin & Lisa Jenkins were present for support and to answer any questions. This is a significant trail system beginning here in Cherokee Co. and is widely used. In the first 6 months of 2022, there were over 38,000 visits to the trail around Lake Whelchel. It is a 7-mile trail and the trailhead is off of Concord Road which is heavily used. There is a grant available for the Lake Whelchel Trail and the committee of the trail is asking for support in their request to build a new parking area off of Pleasant School Road which will accommodate 30 vehicles; and, they will also be extending the trail another 3 miles around the lake on a peninsula at the lake. The grant will be in the county's name and we will act as a pass through for the grant funds. It is a \$100,000 grant with a \$25,000 in-kind match. Our Dept. of Public Works can assist in the construction of the parking area. **[Tracy McDaniel made the motion to allow Administrator Bratton**

**to sign the grant and do the application for this project. David Smith seconded and council voted in favor.]**

Administrator Steve Bratton presented another trail opportunity for council to consider. Back in 2019 there was a grant applied for called the Federal Land Access Program regarding extending the trail of the OVNHT from the county line on Hwy. 11 down to the Cowpens National Battleground. Council authorized me to commit to maintain that portion of that trail which will be a paved sidewalk. It is a part/segment of the OVNHT. The total of that project was \$1.6 million; the grant was \$1.3 million; there was a \$375,000 local match. Today, they have \$45,000 from Carolina Thread Trail, \$11,000 from the Accommodations Sales Tax, and since this is part of the OVNHT, there is a pot of money in Columbia through the SC Centennial Program for the 250<sup>th</sup> anniversary of the state coming up on 2026. I am also speaking with our partners with the Pallidum Group regarding the remainder to help us find some grant money to help finish up the matching funds. **[David Smith made the motion to authorize Administrator Steve Bratton to apply for \$100,000 grant from the SC Centennial Program. Quay Little seconded and council voted in favor.]**

**Councilman Tracy McDaniel made the motion to authorize Administrator Bratton to write a check for \$50,000 to each VFD for a total of \$650,000 from the ARP Funds. Quay Little seconded and council voted in favor.**

Administrator Steve Bratton announced that there will be a ground breaking for the proposed constructed Cherokee Co. Animal Shelter on Tuesday, 2/21/23, 3:30 PM at the site.

Asst. Admin. Merv Bishop had no report

Attorney Joe Mathis had no report.

**Councilman Bill Blanton re-appointed John Mark Hood to serve another term on the Cherokee County Board of Adjustments & Appeals Board. Tracy McDaniel seconded and council voted in favor.**

**Councilman Bill Blanton appointed Mike Ellis to serve a term on the Cherokee Co. Tax Assessor Board of Appeals Board. Tracy McDaniel seconded and council voted in favor.**

**Councilman Bill Blanton re-appointed Mike Vassey to serve another term on the Cherokee Creek Fire District/Board of Fire Commissioners. David Smith seconded and council voted in favor.**

**Councilman Bill Blanton re-appointed Walter Herbert Orr to serve another term on the Cherokee Creek Fire District/Board of Commissioners. David Smith 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 6:15 PM.

APPROVED: \_\_\_\_\_  
BY ITS CHAIR: \_\_\_\_\_

Respectfully submitted,  
Doris F. Pearson, Master Clerk to Council