

DATE: 10/17/23 FILE NO: DATE589

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 10/16/23

There was a Public Hearing & Regular Meeting Monday, 10/16/23, 5 PM in Council Chambers. Chairman Spencer presided with Elliott Hughes leading in prayer. All council members were present except Quay Little who was out sick. Admin. Merv Bishop, Attorney Joe Mathis and Master Clerk Doris Pearson were present. The news media was informed by agenda and it was posted in accordance with the SCFOIA. There were two news media present, along with 14 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda for the PH & Regular Meeting of 10/16/23 as received and posted in accordance with the SCFOIA. Lyman Dawkins seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the minutes of the Regular Meeting of 10/2/23 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 \$616,864.19. David Smith seconded and council voted in favor.

Chairman Tim Spencer opened the public hearing on Ordinance No. 2023-20 to repeal the Cherokee County Solid Waste Collection User Fee and references thereto set forth in the Budget Ordinance No. 2023-04, and to amend Cherokee County Ordinance No. 2023-03, being the Budget Ordinance for the County for the Fiscal Year ending June 30, 2024, and to provide for other matters related thereto. No one was present to speak and Chairman Spencer closed the public hearing.

Councilman Bill Blanton made the motion to adopt 3rd Reading of Ordinance No. 2023-20 to repeal the Cherokee County Solid Waste Collection User Fee and references thereto set forth in the Budget Ordinance No. 2023-04, and to amend Cherokee County Ordinance No. 2023-03, being the Budget Ordinance for the County for the Fiscal Year ending June 30, 2024, and to provide for other matters related thereto. Lyman Dawkins seconded and council voted in favor. Councilman David Smith asked Admin. Merv Bishop to work on this for next year as we begin the budget process because we cannot keep robbing from Peter to pay Paul and that is what we are doing here with this Solid Waste User Fee.

Councilman Tracy McDaniel made the motion to adopt 1st Reading of Ordinance No. 2023-21 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to remove certain property from the park, and other matters relating thereto. (Holroyd Precision Rotors, Inc.). Bill Blanton seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt 1st Reading of Ordinance No. 2023-22 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. (Spartanburg 100, LLC; Cowford Land Company, Inc.; NP BGO Spartanburg Commerce Center, LLC; Flatwood Farms, LLC; John Dodd Phase II Property Owner, LLC; John Dodd Phase I Property Owner, LLC; Tyger Ridge Industrial Owner, LLC.) David Smith seconded and council voted in favor.

Councilman David Smith made the motion to adopt 1st Reading of Ordinance No. 2023-23 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, so as to include additional property in Spartanburg Co. as part of the Joint County Industrial Park, to remove certain property from the park, and other matters relating thereto. (RG Spartanburg 221, LLC and NP BGO Spartanburg Commerce Center, LLC.) Bill Blanton seconded and council voted in favor.

PWC Chair Tracy McDaniel made the motion coming from the committee to award Bid No. 2024-02 Landfill Scarp Metal to Metal Recycling Services, LLC for quoted price of \$140/net ton. Bill Blanton seconded and council voted in favor.

PWC Chair Tracy McDaniel made the motion coming from the committee to award Bid No. 2024-05 Limb & Brush Grinding to Greentree for their low bid of \$59,299. Lyman Dawkins seconded and council voted in favor.

Administrator Merv Bishop reported on the policy for public comments. Back in our September meeting, Councilman Smith asked me & Attorney Mathis to check into a policy regarding our public comments at our council meetings. I have given each of you an example of an Ordinance to amend Chapter 2, Article 1, Section 2-2 of the Cherokee County Code of Ordinances. Please look over it and give me your comments. I will place it on the agenda for the next council meeting for 1st Reading.

Administrator Merv Bishop asked council permission to allow our county employees to have an opportunity to participate in the Vacation Cash Out offer this year. **[Councilman David Smith made the motion to allow this opportunity to our county employees as presented by Administrator Bishop. Tracy McDaniel seconded and council voted in favor.]**

Administrator Merv Bishop updated council on the Comprehensive Plan Public Kickoff meeting. It is scheduled to be held here in Council Chambers on Thursday, 10/26/23, 6 PM. As part of this process, the County will also examine how to implement zoning in the areas of economic growth where significant public investments in infrastructure are being made.

Administrator Merv Bishop updated council on the Alma property for the renovations for Emergency Management and backup for 911 equipment. Progress is being made and the pad has been poured to install the 911 backup tower following the county code. To finish the project and make sure we are doing everything right, we will need an additional \$250,000. Once we finish, we will be able to move in around Dec. 2023. I am requesting Council to allow the \$250,000 for the finishing of

this project and we can take it from the ARP Fund. We will be reimbursed 80% from the Tarriff Fund. This money will also purchase a generator that will backup the facility for 2 hours. **[Councilman Lyman Dawkins made the motion to allow Admin. Bishop to take from the ARP Fund the amount of \$250,000 to finish the Alma Project for Emergency Management & E911. Bill Blanton seconded and council voted in favor.]**

Attorney Joe Mathis had no report other than the request for council to go into Executive Session on two matters: 1) pursuant to Section 30-4-70(a)(2) for receipt of legal advice where the legal advice relates to pending claims or other matters covered by the attorney-client privilege; and 2) 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 of industries or other businesses in the area served by the public body specifically Project Star Services.

Councilman Bill Blanton made the motion for council to go into Executive Session at 5:16 PM for the two matters requested by Attorney Mathis. David Smith seconded and council went into Executive Session.

Councilman David Smith made the motion for council to come out of Executive Session at 7:30 PM and enter back into the Regular Meeting. Lyman Dawkins seconded and council voted in favor.

Chairman Spencer reminded council of two upcoming events: **1)** Spartanburg Regional Hospice “Service of Remembrance” on Tuesday, 10/17/23 @ 3 PM, Cherokee Medical Center; and **2)** Cherokee Commerce Center 85 groundbreaking Wed., 10/18/23 at 9:30 am, located on Hyatt St.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 7:32 PM.

APPROVED: 11/6/23

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council