

DATE: 12/5/23 FILE NO: DATE594
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 12/4/23

There was a Public Hearing & Regular Meeting Monday, 12/4/23, 5 PM in Council Chambers. Chairman Spencer presided with Merv Bishop leading in prayer. All council members were present along with Administrator Merv Bishop, Asst. Admin. Amanda Walker, Attorney Joe Mathis and Master Clerk Doris F. Pearson. The news media was informed by agenda and it was posted in accordance with the SCFOIA. Two news media were present along with 9 visitors.

Chairman Spencer recognized two young ladies with Jr. Cherokee Leadership: Jaylah Blocker and Hayden Ruff.

Councilman David Smith made the motion to adopt the agenda of the PH & Regular Meeting of 12/4/23 as received and posted in accordance with the SCFOIA. Tracy McDaniel seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the minutes of the PH & Regular Meeting of 11/20/23 as received. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to approve to pay the claims for Cherokee County in the amount of \$585,479.78. David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the Cherokee County Council Scheduled meeting dates for 2024 as received with the understanding that the meeting may be changed according to conflict. Quay Little seconded and council voted in favor.

Chairman Spencer opened the public hearing on Ordinance No. 2023-24 to amend Chapter 2, Article 1, Section 2-2 of the Cherokee County Code of Ordinance – General. No one was present to speak and the public hearing was closed.

Councilman David Smith made the motion to adopt the 3rd Reading of Ordinance No. 2023-24 to amend Chapter 2, Article 1, Section 2-2 of the Cherokee County Code of Ordinances – General. Lyman Dawkins seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 2nd Reading of Ordinance No. 2023-26 authorizing (1) the conversion and re-documentation of that certain Lease Purchase Agreement dated as of March 1, 2000 between Cherokee County, SC (The “County”) and Broad River OL-1, LLC; Broad River OL-2, LLC; Broad River OL-3, LLC; and Broad River OL-4, LLC and formerly known as Broad River Energy LLC (The “Company”), including all amendments and incentive arrangements set forth therein, pertaining to certain existing facilities located within the county; (2) the ten-year extension of the term of the incentive arrangement set for therein’ (3) the execution & delivery of one or more agreements, instruments, and other documents in connection with such conversion and re-

documentation; and (4) other matters relating thereto. Lyman Dawkins seconded and council voted in favor.

Administrator Merv Bishop introduced the new Asst. Administrator Amanda Walker. Amanda is no stranger to any of us but since she began her new position on 11/27/23 she has jumped right in.

Administrator Merv Bishop presented two proposed elevation change orders for the Cherokee Co. State Agency Complex: **1)** in the amount of \$242.00 to modify the base cabinet in the breakroom for the added ice maker; and **2)** in the amount of \$3,781.25 for additional case work on the Mailroom wall due to a steel column that was not located in the plans in the right location. The wall had to be extended 8 ft. to encapsulate the steel column (4' on each side). Quay Little asked where is the money coming from for these? Merv replied there is still \$6,000 left in that account after these will be approved. **[Quay Little made the motion to allow these change orders for the total amount of \$4,023.25. Tracy McDaniel seconded and council voted in favor.]**

Administrator Merv Bishop asked approval to remove Jim Cook from the Cherokee County Economic Development Corporation bank signature card and add the new Director Ken Moon. **[Councilman Tracy McDaniel made the motion to approve this request of removing Jim Cook from the Development Corp. bank signature card and adding Director Ken Moon. Quay Little seconded and council voted in favor].**

Administrator Merv Bishop reported that the Cherokee County Animal Shelter is on schedule and will plan to open March, 2024. I am asking permission to order the furniture for the new offices in the amount of \$33,414.35 which will be paid for out of the bond. **[David Smith made the motion to allow Administrator Bishop to order furniture for the Animal Shelter in the amount of \$33,414.35. Quay Little seconded and council voted in favor.]**

Administrator Merv Bishop asked permission to sign a Letter of Intent on the purchase of a new Freightliner with a Heil Rear Loader for the 2024/25 Fiscal Year Budget. This letter of intent will just reserve one for us. The price now is \$225,000 and the one we purchased last year was \$214,000. Councilman Little asked didn't we ordered two last year do we have them yet? Merv replied we have one but we have not received the other one. Councilman McDaniel asked is our fleet up and running? Merv replied yes and we have 1 spare. Councilman Smith asked will we be able to continue to collect these 9 routes once all these new houses are being built? That's something we need to think about. **[Quay Little made the motion to allow Administrator Bishop to sign the Letter of Intent for a new Freightliner with a Heil Rear Loader. Tracy McDaniel seconded and council voted in favor.]**

Councilman Quay Little made the motion for council to go into Executive Session at 5:17 PM regarding two matters: 1) pursuant to Section 30-4-70(a)(2) for the discussion of matters and receipt of legal advice where the legal advice relates to the position of a public agency and/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

or expansion of industries or other businesses in the area served by the public body specifically Project New Energy. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to come out of Executive Session at 6:21 PM. Tracy McDaniel seconded and council voted in favor. Attorney Joe Mathis reported that no vote or action was taken during Executive Session.

Councilman Elliott Hughes appointed John Roberts to serve a term on the Cherokee Co. Tax Assessor/Board of Appeals. Quay Little seconded and council voted in favor.

Councilman Billy Blanton appointed Will Bowers to serve a term on the Cherokee County Citizen Planning Commission. Quay Little seconded and council voted in favor.

Chairman Spencer reminded council that they were invited to attend Christmas at the Chamber, Thursday, 12/7/23, 12-2 PM.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:23 PM.

APPROVED: 12/18/23

Respectfully submitted,

BY ITS CHAIR: Tim Spencer

Doris F. Pearson, Master Clerk to Council