

DATE: 12/19/23 FILE NO: DATE595
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 12/18/23

There was a Public Hearing & Regular Meeting of County Council, Monday, 12/18/23, 5 PM in Council Chambers. Chairman Spencer presided with Tracy McDaniel leading in prayer. All council members were present along with Administrator Merv Bishop, Asst. Admin. Amanda Walker, 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 along with 20 visitors.

Councilman Lyman Dawkins made the motion to adopt the agenda of the PH & Regular Meeting of 12/18/23 as received and posted in accordance with the SCFOIA and with the amendment of moving Item 12 – Executive Session before Item 9-Ordinances. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the minutes of the PH & Regular Meeting of 12/4/23 as received. Quay Little seconded and council voted in favor.

Councilman David Smith made the motion to approve the pay the claims for Cherokee County in the amount of \$535,161.19. Lyman Dawkins seconded and council voted in favor.

Chairman Spencer opened the Public Hearing on 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 and delivery of one or more agreements, instruments, and other documents in connection with such conversion and re-documentation; and (4) other matters relating thereto. No one was present to speak and the public hearing was closed.

Humane Society President Ken Moon came before council requesting funds in the amount of \$50,000 to help them sustain operations through March 2024. We have a donor who said if council would approve this then they would provide \$25,000 as well giving us a total of \$75,000 to continue operations for the Humane Society. By the end of Nov. 2023, we had taken in 884 dogs and that was a little lower than the year before because of the spay & neuter program county council help provide for. We feel the new animal shelter will help our operations. We took in 794 cats. We usually get a lot of donations but since COVID, they have dropped. Chairman Spencer asked Merv when the date was for the new animal shelter to open? Merv replied March 2024. Councilman Little asked does the City and Town of Blacksburg contribute? The City has not appropriated any funds this year or last year. Town of Blacksburg appropriated \$2500 and has committed \$5000 for the new budget year which

will begin in May 2024. **[Quay Little made the motion to appropriate \$50,000 to the Humane Society and pay it from the ARP Funds/or General Funds. David Smith seconded and council voted in favor.]**

Councilman Lyman Dawkins made the motion to go into Executive Session at 5:24 PM pursuant to two matters: 1) Section 30-4070(a)(2) for the receipt of legal advice where the legal advice relates to pending claims or other matters covered by the attorney-client privilege; and 2) 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 Onward and Project New Energy. David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to come out of Executive Session at 6:15 PM. David Smith seconded and council voted in favor. Attorney Joe Mathis reported that no vote or action was taken during executive session.

Councilman Tracy McDaniel made the motion to delay the 3rd 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, 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 Agreement arrangement set for therein; (3) the execution and delivery of one or more agreements, instruments, and other documents in connection with such conversion and re-documentation; and (4) other matters relating thereto. Quay Little seconded and council voted in favor.

Administrator Merv Bishop reported earlier this year we purchased a 2017 F450 Ambulance for the Cherokee County Coroner's Office for \$72,500 and it was paid from the ARP Funds. We now are liable for paying the SC Sales Tax of \$500, DMV fees of \$17.00, and the coroner has asked for us to pay for vinyl graphics at a cost of \$2,577.69 which comes to a total of \$3,094.69. We can pay this from the ARP Funds as well. **[Councilman Bill Blanton made the motion to pay the amount of \$3,094.69 for the coroner's ambulance tax, fees & graphics and pay it from the ARP Funds. Elliott Hughes seconded and council voted in favor.]**

Administrator Merv Bishop made a request coming from COC Brandy McBee to allow her to make room for the new Transfer Court employee for the Solicitors Office located inside the Courthouse. We will need to go out for bid since the amount of work she is requesting will be over \$10,000. The scope of work will include a ballistic wall, a door, and a transaction window. This can be paid from the County's portion of the Bond Forfeiture monies. **[David Smith made the motion to allow Administration to go out for bid for this project and to pay it from the Bond Forfeiture monies. Quay Little seconded and council voted in favor.]**

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Chairman Spencer invited everyone to join council at their annual Christmas Dinner located on the 2nd Floor Training Room.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:20 PM.

APPROVED: 01/02/24

Respectfully submitted,

BY ITS CHAIR: Tim Spencer

Doris F. Pearson, Master Clerk to Council