

1DATE: 3/19/24 FILE NO: DATE603
TO: Cherokee County Council
SUBJECT: Minutes of Regular Meeting, 3/18/24

There was a Regular Meeting of County Council Monday, 3/18/24, 5:00 PM in Council Chambers. Chairman Spencer presided with David Smith leading in prayer. All councilmembers were present along with Administrator Bishop, Asst. Admin. Walker, Attorney 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 12 visitors.

Chairman Spencer recognized several students who were attending for credit for Jr. Cherokee Leadership: Ellyson Tate, Aubree Rice, Marah Childers, Hayden Wright, Sage Gilfillan and two others came in late. Council applauded them.

Councilman Lyman Dawkins made the motion to adopt the agenda of the Regular Meeting of 3/18/24 as received and posted in accordance with the SCFOIA. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the minutes of the PH & Regular Meeting of 3/4/24 as received. Bill Blanton seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the claims in the amount of \$475,196.73. David Smith seconded and council voted in favor.

Petitioner Jermain Smith spoke regarding Community Growth & Development and he requested council to fund a one-time amount of \$5,000 toward purchasing supplies for individuals with the necessary tools required to complete a 2-year course for skilled professionals in the Pet Care Industry. Chairman Spencer stated council would take this under consideration.

Councilman Quay Little made the motion to adopt the 2nd Reading of Ordinance No. 2024-03 to authorize & approve an Agreement for the Development of a Joint County Industrial & Business Park (Project Tiger) by & between Cherokee & Spartanburg Counties, such Industrial & Business Park to be geographically located in Cherokee & Spartanburg Counties and established pursuant to Section 4-1-170 of the Code of Laws of SC 1976, as amended; and other matters related thereto. Lyman Dawkins seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 2nd Reading of Ordinance No. 2024-04 authorizing the execution & delivery of a Road Construction & Reimbursement Agreement by & between Cherokee County, SC and CCC-85 2A Owner, LLC; and other matters related thereto. David Smith seconded and council voted in favor.

JSC Chair Bill Blanton made the motion coming from the committee to award Bid No. 2024-08 to McDaniel Construction for \$36,088 and to pay it from the capital budget & contingency account. Lyman Dawkins seconded and council voted in favor with Tracy McDaniel recusing himself from voting due to conflict of interest. Motion carried.

Administrator Merv Bishop reported that bids were received today for Bid No. 2024-07 Walk in Cooler at CCDC. Only one bid was received and it was from MM Services HVAC LLC for \$75,662. **[Councilman Quay Little made the motion to award Bid No. 2024-07 Walk in Cooler at CCDC to MM Services HVAC LLC for \$75,662 and to pay \$70,000 from the capital budget account and the remainder of \$5,662 from the contingency account. David Smith seconded and council voted in favor.]**

Administrator Merv Bishop reported on the Transfer Court Update Modification and ask permission to go back out for bid with modifications made from the first one and to require a mandatory pre-bid meeting. **[Quay Little made the motion to allow Administration to go back out for bid for the Transfer Court Update Modification with modifications made from the first bid and to require a mandatory pre-bid meeting. David Smith seconded and council voted in favor with Tracy McDaniel recusing himself due to conflict of interest. Motion carried.]**

Administrator Merv Bishop reported on the Cherokee Co. State Complex stating that the Certificate of Occupancy was received Thursday, 3/14/24 and we are hoping to open 4/1/24.

Administrator Merv Bishop reported that back in 2/5/24, Cherokee Landscaping & Grading paved the parking lot at the State Agency Complex and the project cost was \$140,250. After they had finished paving, they had unused material which was turned back in and they gave us a credit of \$11,343.29 making the total paving project cost \$128,906.71.

Administrator Merv Bishop requested approval for a change order for the State Agency Complex from Sossamon Construction in the amount of \$14,314.03 for the labor, demo, and pouring of an extended sidewalk and ADA Ramp for the front entry way. **[Quay Little approved this change order for Sossamon construction for \$14,314.03. Lyman Dawkins seconded and council voted in favor.]**

Administrator Merv Bishop requested approval for a change order for the State Agency Complex from Sossamon Construction in the amount of \$8,256 to level flooring for carpet & tile installation in various areas throughout the building with four rooms having major leveling/grinding areas. **[Lyman Dawkins made the motion to approve the change order for Sossamon Construction in the amount of \$8,256.00. Quay Little seconded and council voted in favor.]**

Administrator Merv Bishop requested approval for a change order for the State Agency Complex from Sossamon Construction in the amount of \$21,356.69 for ramps at the front left door and back interior door. The egress ramp was needed since they could not lower the elevation to ground level due to flooding. The front ramp includes railings and the interior ramp includes half wall and railings for safety. **[Lyman Dawkins made the motion to approve the change order for the State Agency Complex**

for Sossamon Construction in the amount of \$21,356.69. Tracy McDaniel seconded and council voted in favor.] Administrator Bishop stated this project was limited to 1.54% (\$38,875) in change orders which is relatively low CO rate for a construction renovation project. At least 6 of these changes were related to existing conditions that were uncovered during construction and needed fixing to comply with ADA requirements.

Administrator Merv Bishop reported on the Cherokee Co. Animal Shelter that the furniture & appliances have been installed and final touches are being made this week. We should receive our CO by the weekend and plan to have ribbon cutting for grand opening the first part of April.

Asst. Admin. Amanda Walker asked council permission to go out for RFPs on the renovation & reconstruction of the A, B & E Unit bathrooms at the CCDC. **[David Smith made the motion to allow Administration to go out for RFPs on Units A, B & E bathrooms at the CCDC for renovation & reconstruction. Quay Little seconded and council voted in favor.]**

Councilman Lyman Dawkins made the motion for council to go into Executive Session at 5:34 PM on two matters: 1) pursuant to Section 30-4-70(a)(5) discussion of matters relating to contractual arrangements pertaining to the Animal Shelter; future Public Works Facility; and County Office Lease at 1434 N. Limestone St.; and, 2) pursuant to Section 30-4-70(a)(2) receipt of legal advice concerning a pending legal matter. Quay Little seconded and council voted in favor.

Councilman David Smith made the motion for council to come out of Executive Session at 8:02 PM. Lyman Dawkins seconded and council voted in favor. Attorney Mathis reported that no action or vote was taken during Executive Session.

Councilman Tracy McDaniel made the motion to authorize Administrator Bishop to officially notify the Landlord at 1434 N. Limestone St. pursuant to the terms of the lease of the tenant's (Cherokee County) desire to terminate the lease of the County Offices located at 1434 N. Limestone St. at the end of the existing term which will be 12/18/24. Lyman Dawkins seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to authorize Administrator Bishop regarding the contractual matter to authorize the County Architect DP3 to work in conjunction with the county Administrator to start the procurement process for services related to the improvements to be made at the future Public Works Facility obtained from the Broad River Electric Facility immediately.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 8:05 PM.

APPROVED: 4/01/24

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council