

DATE: 6/25/24 FILE NO: DATE615
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 6/24/24

There was a PH & Regular Meeting of County Council Monday, 6/24/24, 5:10 PM in Council Chambers. Chairman Spencer presided with David Smith leading in prayer. All council members were present along with Administrator Bishop, Asst. Admin. Amanda Walker, Attorney Joe Mathis & Master Clerk Doris Pearson. The news media was informed by agenda and two were present. There were 75+ visitors.

Councilman Lyman Dawkins made the motion to adopt the agenda for the PH & Regular Meeting of 6/24/24 as received and posted in accordance with the SCFOIA. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the minutes of the Regular Meeting of 6/3/24 as received. Lyman Dawkins seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approve the claims for Cherokee County in the amount of \$512,475.75. Tracy McDaniel seconded and council voted in favor.

Darrin Brown, Cherokee Landscaping did not show to speak regarding C-Paving Contract.

Councilman Quay Little made the motion to adopt Resolution No. 2024-04 Inducement Resolution providing for a FILOT Agreement between Cherokee County and Project Charm. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to adopt Resolution No. 2024-03 to provide certification as provided by the SC Abandoned Buildings Revitalization Act of 2013 (SC Code Section 12-67-109 et seq) for the building at 731 Chesnee Hwy., Gaffney, SC. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to adopt Resolution No. 2024-05 approving Cherokee County's participation in the proposed settlement of Opioid-Related Claims against the Kroger Co. David Smith seconded and council voted in favor.

Chairman Tim Spencer opened the public hearing on 3 ordinances: **1)** No. 2024-17 authorizing the execution & delivery of a Memorandum of Understanding regarding Road Construction Reimbursement by & between Cherokee Co., SC and Excel, Inc.; and other matters related thereto. **2)** Proposed Ordinances adopting an Operating Budget for the period of 7/1/24 through 6/30/25 for the Cherokee Co. General Fund, Grassy Pond Fire Dist., Cherokee Creek Fire Dist., Corinth Fire Dist., Buffalo Fire Dist., CKC Fire Dist., Antioch Fire Dist., The Gaffney Fire Protection Dist., Blacksburg Fire Dist., Goucher/White Plains Fire Dist., and DMW Fire Dist.; and **3)** Ordinance No. 2024-18 to amend the Agreement for Development for Joint Co. 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. (CP Logistics Apple Valley V, LLC, and Palmetto Operating co., LLC). As there was no one to speak regarding any of these 3 ordinances, Chairman Spencer closed the public hearing.

Administrator Merv Bishop opened RFP 2024-13 Scarp Metal at the Landfill. 3 bids were received: **1) Carolina Metal Group** - \$124/net ton; **2) CMC Scrap Metal** - \$115/net ton; and **3) Allied of Spartanburg** - \$80/net ton. Administrator Bishop reported he will review these with Dept. Heads and report back to council at their meeting of 7/1/24.

Administrator Merv Bishop opened Bid No. 2024-14 Flooring @ Law Enforcement Center. 2 bids were received: **1) JMT Commercial Flooring** - \$27,800; and **2) Michael McHugh General Contractor** - \$59,119. Chairman Spencer placed these in the Judicial Services Committee for them to review and report back to council on 7/1/24.

Councilman Lyman Dawkins made the motion to adopt 1st Reading of Ordinance No. 2024-19 to authorize & approve an Agreement for the development of a Joint Industrial & Business Park (Morgan & Henry JOF ESA II, LLC – Stadium Park) by & between Cherokee & Spartanburg Counties, such Industrial & Business Park to be geographically located in Cherokee & Spartanburg Counties and established pursuant to Section 4-0-170 of the Code of Laws of SC, 1976, as amended; and other matters related thereto. Quay Little seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt 1st Reading of Ordinance No. 2024-20 Authorizing the Lease Renewal of County Property to Clemson University (Clemson Cooperative Extension Service). David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 2nd Reading of Ordinance No. 2024-18 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. (CP Logistics Apple Valley V, LLC, and Palmetto Operating Co., LLC). Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to adopt 3rd Reading of Ordinance No. 2024-17 authorizing the execution & delivery of a Road Construction & Reimbursement Agreement by & between Cherokee Co., SC and Excel, Inc.; and other matters related thereto. Lyman Dawkins seconded and council voted in favor.

Administrator Merv Bishop presented the proposed FYB 24/25 for Cherokee County General Fund. He thanked Interim Finance Director Johnny Leazer and staff; and Asst. Admin. Amanda Walker and staff for all their hard work in getting this budget together. You as a Council have expressed to me from the beginning the need to attract and retain our qualified employees and in this budget, I have addressed those concerns. I also addressed in the budget our Tariff budget, capital budget, vehicles

needed, our new animal shelter and the cost of operating it; new upgrade to 911; Solicitor Office needs; DPW uniform increase; central service's needs; etc. for a balanced budget of \$35,570,131. **[Chairman Spencer passed the gavel to Vice-Chairman Quay Little and made the motion to give every county employee a \$2/hr. across the board raise. David Smith seconded.]** Quay Little asked how we are going to fund this raise? Tax increase or raise? There are no provision in the proposed budget to pay for this. I'm all in favor of the raise but we need to consider the repercussions of this year. Quay asked about the longevity & health insurance you proposed. Attorney Mathis reminded council that they first need to go back to the motion on the agenda and then vote on each amendment before they vote on the original motion. Tim Spencer & David Smith rescinded their motion. **[Quay Little made the motion to adopt the 3rd Reading of Ordinance No. 2024-06 adopting a budget for the County of Cherokee to provide for the levying of taxes & fees for county purposes for the Fiscal Year beginning 7/1/24 and ending 6/30/25 and declaring that the same shall constitute the budget of the County of Cherokee. Lyman Dawkins seconded.]**

Councilman Tim Spencer made an amendment to the original budget to give every county employee a \$2/hr. across the board raise. David Smith seconded. Councilman Bill Blanton asked about the new pick-up truck for the Landfill, don't we have a department that could swap out? Merv replied that he doesn't have any truck to swap except maybe in the Bldg. Inspection Office. Bill replied we don't need to put a new truck out at the landfill. Tracy McDaniel agreed and said don't you have a truck to swap out? Merv replied he would check into that. Tracy McDaniel asked about the R&B Grappie loader; I don't believe we need to purchase this. We are not in the business of going out and picking up limbs & trash on the side of the road. We are in need of two trash trucks with the growth that is taking place in our county. Soon, we will need to go to 10 routes and we will need a truck to handle that.

Amendment #1: Councilman Tracy McDaniel made an amendment to the original budget to take out from the capital budget fund the purchase of a Grappie Loader and add in SWD another new trash truck and take the difference in cost out of contingency to balance the budget. Lyman Dawkins seconded and council voted in favor of the amendment.

Councilman Bill Blanton asked if the \$100,000 for CHAPS was in the budget? Merv replied yes.

Amendment #2: Councilman Quay Little stated that our Library is doing a great job and we have in the FYB 24/25 proposal for 3.9 mils. I recommend that we raise them to 4 mils and take the difference from the counties. [Bill Blanton made the motion to amend the Original Motion for the FYB 24/25 to increase the Library's milage from 3.9 to 4 mils and take the difference from the county milage. Tracy McDaniel seconded and council voted in favor of this amendment.

Amendment #3: Councilman Quay Little asked if we could include in the amended motion made by Tim Spencer to give county employees a \$2/hr. raise; and approve the Administrator's employee proposal for the health insurance, 2 floating holidays, and the restructured longevity plan. Tim Spencer & David Smith rescinded their motion to give all county employees a \$2/hr. raise for the FYB 24/25. [Councilman Tim Spencer made an amendment to the FYB 24/25 to give all county employees a \$2/hr.

raise, to adopt the Administrator’s employee proposal and give the 2 floating holidays, paid employee only insurance premium for each employee; and adopt the restructured longevity plan. David Smith seconded and council voted in favor.] Tracy McDaniel talked with the visitors and told them of some of the projects the county will have to face over the next few years: the new public works facility at the BRE; replacement of the Coroner’s Office; Ambulance service; Fire Depts. will eventually have to go to paid employees as the volunteer firemen are decreasing; our county roads & bridges; zoning and we will probably need to hire an Administrator just for that department; our SWC Dept. and the need for new routes & trucks as these new housing developments come into our county; our Law Enforcement and Detention Center. There are a lot of tough decisions ahead of this county and we need to be watchful of how we manage our funds. **Council voted in favor of the 3 amendments to the FYB 24/25.**

Councilman Quay Little made the motion to adopt 3rd Reading of Ordinance No. 2024-06 adopting a budget with the 3 amendments approved by council for the County of Cherokee to provide for the levying of taxes & fees for county purposes for the Fiscal Year beginning 7/1/24 and ending 6/30/25 and declaring that the same shall constitute the budget of County of Cherokee for a general fund balance of \$37,909,167.12; capital project fund budget balanced at \$3,632,264; and the E911 Tariff budget balanced at \$744,219. Lyman Dawkins seconded and council voted in favor.

Chairman Tim Spencer asked for motions to adopt the 3rd Reading of the following ordinances adopting a budget proposed by the County Administrator containing estimates of proposed revenues & expenditures by the County of Cherokee for the following fire districts for the fiscal year beginning 7/1/24 and ending 6/30/25:

Councilman Bill Blanton made the motion to adopt 3rd Reading for Ordinance No. 2024-07 – Cherokee Creek VFD. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 3rd Reading of Ordinance No. 2024-08 – CKC VFD. David Smith seconded and council voted in favor.

Councilman Elliott Hughes made the motion to adopt 3rd Reading of Ordinance No. 2024-09 – Corinth VFD. David Smith seconded and council voted in favor.

Councilman David Smith made the motion to adopt 3rd Reading of Ordinance No. 2024-10-DMW (Draytonville, McKown’s Mtn. Wilkinsville) VFD. Elliott Hughes seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to adopt 3rd Reading of Ordinance No. 2024-11 – The Gaffney Fire Protection Area. Quay Little seconded and council voted in favor.

Councilman Elliott Hughes made the motion to adopt 3rd Reading of Ordinance No. 2024-12 – Goucher/White Plains VFD. David Smith seconded and council voted in favor.

Councilman Bill Blanton made the motion to adopt 3rd Reading of Ordinance No. 2024-13 – Grassy Pond VFD. Tracy McDaniel seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 3rd Reading of Ordinance No. 2024-14 – Antioch VFD. Quay Little seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 3rd Reading of Ordinance no. 2024-15 – Blacksburg Fire District. Quay Little seconded and council voted in favor.

Councilman David Smith made the motion to adopt 3rd Reading of Ordinance No. 2024-16 – Buffalo Fire Dist. Lyman Dawkins seconded and council voted in favor.

Administrator Merv Bishop reported that he talked with Phillip Gibson of the CTC and got permission from him to extend our contract with Cherokee Landscaping for projects that are currently under development. I then called Darrin Brown & JD Brown of Cherokee Landscaping and let them know of this decision and they were fine with it. **[Quay Little made the motion to extend the Paving Contract with Cherokee Landscaping for the projects that are currently under development. Lyman Dawkins seconded and council voted in favor.]**

Asst. Admin. Amanda Walker had no report.

Attorney Joe Mathis had no report.

Councilman Quay Little made the motion to go into Executive Session at 6:17 PM on several matters: 1) pursuant to Section 30-4-70(a)(5) 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 Charm; 2) pursuant to SC Code Section 30-4-70(a)(2) discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim for the following: A) pending litigation – Moore v. Culbertson v. Cherokee County/2022CP1100006; B) pending litigation – Gault v. Cherokee County/2021CP11004-48; and C) Coroner’s Office; and 3) pursuant to SC Code Section 30-4-70(a)(1) for discussion of employment, appointment, compensation, promotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body – E-911 Communications Department. Lyman Dawkins seconded and council voted in favor.

Councilman Quay Little made the motion to come out of Executive Session at 7:57 PM. Lyman Dawkins seconded and council voted in favor. Attorney Mathis stated that no action or vote was taken during Executive Session.

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As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 7:58 PM.

APPROVED: 7/1/24

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council