

DATE: 10/22/24 **FILE NO:** DATE628

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 10/21/24

There was a Public Hearing & Regular Meeting on Monday, 10/21/24, 5 PM in Council Chambers. Chairman Tim Spencer presided with David Smith leading in prayer. All members were present along with Admin. 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 15 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the Public Hearing & Regular Meeting of Monday, 10/21/24 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to approve the minutes of the Regular Meeting of 10/7/24 as received. Tracy McDaniel seconded and council voted in favor.

Councilman Quay Little made the motion to approve the claims in the amount of \$568,411.42. Tracy McDaniel seconded and council voted in favor.

Presenter Marina Hedden spoke to council regarding the burning of debris in the county. She reported numerous times to law enforcement, state forestry, DHEC and council regarding neighbors open burning in our neighborhood, yet nothing has been done. We have to deal with constant burning, smoke, ashes & smell. The smoke is also detrimental to one of our neighbor's health. She presented a rough draft consisting of proposed components for an ordinance for council's consideration. Without an ordinance, DHEC or State Forestry's rules/regulations cannot be enforced by our local law enforcement agencies. Please consider my request and grant us an ordinance.

Chairman Spencer opened the public hearing on Ordinance No. 2024-25 authorizing the execution & delivery of a Fee in Lieu of Tax and Special Source Revenue Credit Agreement by & between Cherokee County, SC and Nestle USA, Inc., formerly known to the county as Project Slam Dunk (the "Company") with respect to certain economic development property in the county, whereby such property will be subject to certain payments in Lieu of Taxes, including the provision of certain special source credits; and other matters related thereto. No one was present to speak and the public hearing was closed.

Councilman Quay Little made the motion to approve the 2024 Local Accommodations Tax distribution as follows: Gaffney Little Theatre - \$4514.29; Broad River Antique Power Assoc. - \$7085.71; CHAPS - \$10,066; Cherokee National Golf Club - \$3321.43; Limestone University - \$23,660.57; Cherokee County Meals of Wheels - \$14,232; CAVA - \$2,342.86; Blacksburg Business Assoc. - \$12,594.57 and SC Peach Festival - \$24,244.57 for a grand total of \$102,062. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to adopt Resolution No. 2024-08 authorizing under certain conditions, the execution & delivery by Cherokee County, SC of a Fee in Lieu Tax and Special Source Revenue Credit Agreement with Nestle USA, Inc. with respect to an industrial project in the county whereby the project would be subject to payment of certain fees in lieu of taxes and proving for related matters. Tracy McDaniel seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 3rd Reading of Ordinance No. 2024-25 authorizing the execution & delivery of a Fee in Lieu of Tax & Special Source Revenue Credit Agreement by & between Cherokee County, SC and Nestle USA, Inc. with respect to certain economic development property in the county, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source revenue credits; and other matters related thereto. Quay Little seconded and council voted in favor.

1st Reading of Ordinance No. 2024-27 to development a Jointly Owned and Operated Industrial/Business Park in conjunction with Spartanburg County was not acted upon at this meeting.

Councilman Quay Little made the motion to adopt 1st Reading of Ordinance No. 2024-28 Bailey Bill to amend the Code of Ordinances for Cherokee County, Chapter 21 (Taxation) by adding Sections 21-6 through 21-8 (Special Property Tax Assessments for Rehabilitated Historic properties). David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to award Bid No. 2025-09 HVAC Replacement at the Cherokee Couty Courthouse to W.B. Guimarin & Co. for their low bid of \$119,400. David Smith seconded and council voted in favor. Administrator Bishop reported that \$150,000 was budgeted for this project and the bidder met all the bid requirements.

Councilman David Smith made the motion to award Bid No. 2025-10 Windows & Exterior Doors @ Cherokee County Commission on Alcohol & Drug Abuse to McDaniel Construction, Inc. for their bid price of \$35,500. Bill Blanton seconded and council voted in favor with Tracy McDaniel & Quay Little recusing themselves from voting due to conflict of interest. Motion carried. Administrator Bishop reported that \$31,790.70 will be paid from the Local Assistance Tribal Consistency Fund and the remaining of \$3,709.22 will be paid from the Capital Contingency Fund.

Councilman Tracy McDaniel made the motion to grant permission to Admin. Merv Bishop to again this year offer the Employee Vacation Cash Out to any employee with 1 to 10 yrs. of consecutive service to cash out up to 40 hours of vacation leave; and any employee that has 10 yrs. of more consecutive service to cash out up to 80 hrs. of vacation leave. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to approve the request from Administrator Bishop to offer a payout option for employees that accrued Hazardous Weather Leave during Hurricane Helene

giving our employees the flexibility to either use the time for personal needs or receive financial benefits. David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to grant permission to Asst. Admin. Amanda Walker to sign a Letter of Intent to purchase two (2) 2026 Freightliner Solid Waste Collection Trucks from Carolina Environmental Systems for the total price of \$469,250 and to budget this amount in the FYB 25/26. Quay Little seconded and council voted in favor.

Asst. Admin. Amanda Walker shared with council that CCADA Director Chrissy Little wanted me to let council know how much she appreciated you getting their parking lot paved & stripped at the CCADA Building.

Attorney Joe Mathis had no report at this time.

Council **did not go** into Executive Session pursuant to Section 30-4-70(a)(5) at this time.

Councilman Quay Little reported that he had asked Admin. Merv Bishop to check & see if FEMA could help Cherokee County in maybe incinerating our debris from Hurricane Helene instead of us burying it in our C&D Landfill. Admin. Bishop reported that he had talked with Landfill Supervisor Ronnie Benton about an air burner and he found a 2024 air burner model. I am going to research this further and report back to council at your next meeting.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 5:25 PM.

APPROVED: 11/4/24

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council