

DATE: 11/5/24 FILE NO: DATE629

TO: Cherokee County Council

SUBJECT: Minutes of Regular Meeting, 11/4/24

There was a Regular Meeting of County Council on Monday, 11/4/24, at 5 pm in Council Chambers. Chairman Tim Spencer presided with Bill Blanton 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. There were two news media present, along with ten visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the Regular Meeting of Monday, 11/4/24 as received and posted in accordance with the SCFOIA. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to approve the minutes of the PH & Regular Meeting of 10/21/24 as received. Tracy McDaniel seconded and council voted in favor.

Councilman David Smith made the motion to approve the claims in the amount of \$788,729.32. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 2nd 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 Section 21-8 (Special Property Tax Assessments for Rehabilitated Historic Properties.) David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 1st Reading of Ordinance No. 2024-27 to develop a Jointly Owned & Operated Industrial/Business Park in conjunction with Spartanburg County, such Industrial/Business Park to be geographically located in Cherokee County and established pursuant to Section 4-1-170 of the Code of Laws of SC, 1976, as amended; to provide for a written agreement with Spartanburg County to provide for the expenses of the park, the percentage of revenue application, and the distribution of Fees in Lieu of Ad Valorem Taxation; and providing for other matters related. Quay Little seconded and council voted in favor.

Councilman Quay Little made the motion to adopt the 1st Reading of Ordinance No. 2024-29 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 Co as part of the Joint County Industrial Park, and other matters relating thereto, (UCP Building 1 Owner, LLC). David Smith seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt the 1st Reading of Ordinance No. 2024-30 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. (Novara Realty, LLC,

Carbotech Manufacturing, LLC, and Cowpens 5365, LLC). Quay Little seconded and council voted in favor.

Councilman David Smith made the motion to adopt 1st Reading of Ordinance No. 2024-31 authorizing the execution & delivery of an Amended & Restated Agreement for Development of Joint County Industrial/Business Park (City of Spartanburg Economic Development Partnership Park) with Cherokee County. Quay Little seconded and council voted in favor.

Administrator Merv Bishop reported on the Title to Real Estate (Existing Street AS-IS) (with reservation of Easement) from CPUS Gaffney, LP will finalize the Incentive Agreement on the method of dedication of the DHL Road to the County. Council adopted Ordinance No. 2024-07 authorizing the execution & delivery of a Road Construction & Reimbursement Agreement by & between Cherokee Co., SC and Excel, Inc. on 6/24/24. The MOU between both parties has been executed and the deed has been recorded with the County accepting the property. Attorney Mathis reported that no action is needed tonight.

Administrator Merv Bishop reported that council made the motion several weeks ago to send out an RFQ for a Design Build for the Coroner Office to be submitted to a Selection Committee for review with cost expectation of around \$1 million. We received 3 RFQ's today for this project: Sossamon Construction, Prescott/Foushee Construction; and Palmetto Group Contracting, Inc. The Selection Committee will begin reviewing these proposals this week and it may be possible that we have them appear before the committee for an oral & visual presentation. The proposal evaluation criteria will be graded on the following: experience of the firm; experience of key personnel; methodology; project management, quality & safety programs; and local presence. We hope to bring this back to the Judicial Services Committee before the council meeting of 11/18/24.

Administrator Merv Bishop reported that earlier today I met with Finance Director Kristie Howell, EMD Doug Bowers and our State Emergency Management Department Representative. We concluded that the county should hire a Public Assistance Firm to assist us with FEMA-related disaster recovery consulting, eligibility determination, technical consulting & project management infrastructure and compliance needs. Hiring a firm such as this would ensure that Cherokee County receives every FEMA reimbursement and benefits available. This would be 100% reimbursable through FEMA. Several surrounding counties have already signed contracts. **[Tracy McDaniel made the motion to allow Administration to follow County Procurement and go out for an RFP to select a qualified organization to provide professional consulting services for Disaster Recovery & FEMA Public Assistance for Cherokee County. Quay Little seconded and council voted in favor.]**

Administrator Merv Bishop reported that at our last council meeting, Councilman Little asked me to look into what an incinerator for our landfill would cost. A/P Clerk Diane Price checked with state contract but was unable to find anything there but she did find where the possible cost could be around \$250,000. Deputy Recovery Chief Allison Volk informed us that the incinerator would fall under our FEMA disaster recovery totals; however, we may not receive full value as they will depreciate the value

and the cost of insurance. I looked online and found this info: \$30/ton to grind vs \$1/ton to air curtain burn; grinders have cost tens of thousands of dollars in maintenance; one incinerator can go 10-15 years before any repairs on the burner; if you burn all day, it could create enough ash to fill a pickup truck that could be turned into the soil. If council decides to purchase, we will need to go out for bid and follow our county procurement. Our county has spent approximately \$60,000 each year grinding our brush & limbs at the landfill. Council asked several questions and Administrator Bishop stated he would come back to council at their next meeting with more information.

Councilman Quay Little made the motion to allow Administration to go out for bid for the grinding of our county's limb & brush. David Smith seconded and council voted in favor. Administrator Bishop replied that he was told that this will be eligible for reimbursement through our FEMA-related disaster recovery.

Administrator Merv Bishop reported that the Delinquent Tax Sales was held today at the Admin. Bldg. DTC Director Angie Wilkie was back from FMLA to conduct it. There were 169 properties and 167 of those were sold; with 2 going into forfeit land bill.

Asst. Administrator Amanda Walker reported she had no report but asked council if they had any questions or needed more information on the bridge report that she sent out earlier to give her a call.

Councilman Quay Little made the motion to go into Executive Session at 5:28 PM pursuant to Section 30-4-70(a)(2) for the receipt of legal advice where the legal advice relates to a pending litigation covered by the attorney-client privilege. David Smith seconded and council voted in favor.

Councilman Quay Little made the motion to come out of Executive Session at 6:35 PM. David Smith seconded and council voted in favor. Attorney Mathis reported that no vote or action was taken during Executive Session.

Councilman Quay Little made the motion to authorize Attorney Mathis to respond to the legal action discussed in the manner specified during Executive Session. Elliott Hughes seconded and council voted in favor.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:37 PM.

APPROVED: 11/18/24

BY ITS CHAIR: Tim Spencer

Respectfully submitted,

Doris F. Pearson, Master Clerk to Council