

DATE: 4/22/25 FILE NO: DATE641
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 4/21/25

There was a Public Hearing & Regular Meeting of County Council Monday, 4/21/25, 5 PM in Council Chambers. Chairman Tim Spencer presided with Tracy McDaniel leading in prayer. All council members were present except David Smith. Administrator Bishop, Asst. Admin. Bradley, Attorney Mathis and Master Clerk Doris Pearson were present. 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, 4/21/25, as received and posted in accordance with the SCFOIA. Billy Blanton seconded and council voted in favor.

Councilman Elliott Hughes made the motion to approve the minutes of the Regular Meeting of 4/14/25 as received. Billy Blanton seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to approve the claims in the amount of \$72,770.04. Donnie Hardin seconded and council voted in favor.

Administrator Merv Bishop read a proclamation proclaiming May 2025, as Mental Health Month.

Sossamon Construction Co., Inc. & DP3 Architects regarding the Public Works Complex. **DP3 Architect Jared Sang** went over the Broad River Electric Site project: detached garage in back, on the southeast is the parking lot, maintenance and new convenient center - public will enter off the road for the drop off & exist. We will renovate the existing building along with the dock. The main plan included public work's office area, road & bridges, sanitation, fleet, etc. Color coded: green is reception center; blue – fleet main.; red – extra space; grey & white – existing space; orange – garage & storage space; orange – vehicle wash area; heavy duty bay area. I talked with all the dept. heads, administration, contractors, construction managers to make sure our plans are best for their needs. You selected us and we interviewed multiple contractors based on their qualifications and Sossamon was selected. Sossamon then went out to multiple subcontractors, getting prices for all the different contractors needed. **Matt Sossamon with Sossamon Construction Co.** stated they interviewed several different subcontractors and we ask for two major fees: preconstruction fee and construction fee (cost plus fee). There is a 5% construction fee and we have to stay within that fee. We did a roof survey to either replace it or repair it. The HVAC consists of a lot of equipment and we asked a contractor to come in and let us know the best route to go. We had a contractor come in and check for asbestos; Fire Departments have a BPA test that has to be installed for radio frequency inside the bldg. We did that and we did meet specifications. We are getting all the sub-contractors involved and ready to go. The subcontractors would meet us at the site and we would walk through it, making them more comfortable with the site and in turn they should give you a better price. We looked at the locker room and went with what best met the

needs; existing fuel systems were checked and all were in good shape and will help with cost savings; we worked with DP3 so they could complete their drawings for 100%; their area about 20 different trades; 80 subcontractors with 3-5 traders who billed for this. They worked hard to make sure they had the best opportunity to bid on this project. **Jared Sang** replied we determined the most qualified; added cost with the 5% which made up the construction cost of the project; and came up with the cost of \$4,883,493 for construction cost and with the feasibility study based off that. We were aiming to stay within the \$4.8 million that council approved but to move into 2025 it will cost \$5.7 million after our cost saving measures & talks with Administration & Dept. Heads trying to give them what they needed in the new project. **Donnie Hardin asked** what are the reasons for the increase in cost? Jared replied in our study, we planned to have the existing garage to be at the convenient center but later on decided that was not feasible so we had to add a new building with two vehicle wash bays; they wanted us to pave the entire area where the fuel tanks would be; sewer system had to be added and other things he stated. **Tracy McDaniel asked** does the \$5.7 million include soft cost? Jared replied yes. What was cut out from what we previously approved? Jared replied the parking lot, etc. Donnie Hardin asked how much asphalt are you cutting out? Had the HVAC been inspected? Larry replied we had the HVAC & two roofs on 7/24/24. Donnie asked about the lifts? Matt replied that the lifts were being cut out of the plan. Donnie asked about the locker rooms? Jared replied there are 4 in one area and 4 in another, 1 shower for males & 1 for females. We will combine the locker rooms to house men & women and keep the existing rest room & showers where they are now. Tracy McDaniel showed concern about the slope area? Will the lite duty lifts be sufficient; are the heavy duty lifts okay. Are the walls sufficient now? Larry replied no but we had the design corrected. There is no issue with structure bracing in that wall. Tracy replied that could become an issue; it is not an ideal situation. I don't like that area. Tracy asked about the roof again? Matt replied the roof over the main part is in decent condition; the office area needs drainage/gutters. Tracy asked about the ventilation? Matt replied there are fire exits included in the proposal. **Billy Blanton** asked about the auditorium? What was that going to cost? Was it separated? Jared replied everything was included in the first design proposal but we were told to take it out and it would be a stand-alone project. Donnie stated he needs more information and time before he can vote to move forward. Jared replied at the time we quoted the \$4.8 million that was the bare minimum. We realized that is not enough and we had to raise the figure to \$5.7 million to meet the needs of your Dept. Heads. As you continue to wait, prices continue to go up. Donnie replied we have a lot of project needs and not enough money so we have to be careful how we spend our money. As there were no other questions for Jared & Larry, Chairman Spencer replied council would take this as information. No action was taken.

Chairman Tim Spencer opened the public hearing on two matters: **1) Ordinance No. 2025-04** authorizing & approving an agreement for the Development of a Joint Industrial & Business Park (Aero Park) by & between Cherokee & Spartanburg Counties, SC, 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. **2) Ordinance No. 2025-05** authorizing the execution & delivery of an Infrastructure Credit Agreement between Cherokee Co.

and Project Aero to provide for the Issuance of Special Source Revenue Credits; and addressing other related matters. No one was present to speak and the public hearing was closed.

Councilman Tracy McDaniel made the motion to adopt 3rd Reading of Ordinance No. 2025-04 authorizing & approving an Agreement for the Development of a Joint Industrial & Business Park (Aero Park) by & between Cherokee & Spartanburg Counties, SC, 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. Donnie Hardin seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to adopt 3rd Reading of Ordinance No. 2025-05 authorizing the execution & delivery of an Infrastructure Credit Agreement between Cherokee Co., SC and Project Aero to provide for the issuance of Special Source Revenue Credits; and addressing other related matters. Billy Blanton seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 2nd Reading of Ordinance No. 2025-06 amending Cherokee County Code of Ordinance, Chapter 18, Article II – Purchasing Policy & Procedures. Billy Blanton seconded and council voted in favor. Asst. Admin. Kristy Bradley informed council that this updated ordinance repeals the local vendor's preference in procurement to allow for more competitive bidding, ensuring that taxpayers can be confident in fair procurement in our county. Also, two sections were added to this policy that covered Federal Grant Administration & Procurement. This is a required policy in order for Cherokee County to receive funding from federal sources. This policy outlines regulations that we must follow to ensure we are correctly utilizing and documenting funding from federal sources.

Councilman Tracy McDaniel made the motion to adopt 2nd Reading of Ordinance No. 2025-07, Cherokee County Code of Ordinance, Chapter 12, Article III, Litter Control, adding specific language regarding Waste Tires. Donnie Hardin seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 1st Reading of Ordinance No. 2025-08 Cherokee County Code of Ordinance, Chapter II, Article III – Outdoor Burning. Billy Blanton seconded and council voted in favor. Administrator Bishop stated that we now are basically going by state law on this which addresses you cannot burn household trash, tires, can't bring in trash, brush or limbs from another property to burn on your property, etc. We are addressing this in the ordinance and it will have definitions as well as more clarity, etc.

Administrator Merv Bishop asked council to consider adopting 1st Reading of Ordinance No. 2025-09 adopting a Supplemental Appropriation for the County of Cherokee and to amend the Fiscal Year Budget beginning July 1, 2024, and ending June 30, 2025, etc. He explained that several line-item budget expenses for the FYB 24/25 were over the total budgeted amount by \$4,992,205.43 and these funds were not appropriated in the Cherokee Co. General Fund Budget FY 24/25. We anticipate an additional projected revenue of \$1,526,472; we will make an accounts receivable in the amount of

\$1,250,990.81; and from CCC85 Project - \$850,924; we will transfer from the fund balance \$944,450 & \$419,368.62 to be used to balance the general fund for a net result of \$4,992,205.43 supplemental appropriation. **[Tracy McDaniel made the motion to adopt the 1st Reading of Ordinance No. 2025-09 adopting a Supplemental Appropriation for the County of Cherokee and to amend the Fiscal Year Budget, 7/1/14-6/30/25. Donnie Hardin seconded and council voted in favor.]**

Asst. Administrator Kristy Bradley passed out copies of the Cherokee Co. Landfill hours opened to the public and her proposed changes. She reported as of today our landfill hours are posted, say Monday through Saturday, 7:30 am to 4:30 PM. The landfill does not accept loads after 4 PM and those coming in must leave by 4:30 pm. 2 to 3 of our staff must accrue at least 30 minutes of overtime hours in order to work during the hours open to the public. That results in a lot of overtime/year. We are proposing to back up the hours by 30 minutes Monday – Friday allowing entrance until 3:30 pm and closing at 4 pm. On Saturdays, we documented the traffic at the landfill between the hours of 1 to 4 pm for 6 months and it was determined that 80% of traffic on Sat. was at the landfill between 7:30 am and 1 PM. We would like to change the Sat. public hours at the landfill between 7:30 and 1:00 pm with the last load through the entrance at 12:30 pm. We will release this information to the public and this will go into effect beginning 6/1/25. **[Billy Blanton made the motion to allow Administration to make these proposed changes at the Cherokee Co. Landfill to: Monday – Friday, 7:30 am to 4 pm with entrance gates to close at 3:30 pm; and Sat, 7:30 am to 1 pm with entrance gates to close at 12:30 pm. These hours will take effect 6/1/25 and Administration will make the proper notifications. Donnie Hardin seconded and council voted in favor.]**

Councilman Billy Blanton made the motion to go into Executive Session at 6:25 PM pursuant to Section 30-4-70(a)(2) regarding two matters: 1) the receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege; and 2) the receipt of legal advice where the legal advice relates to a potential claim covered by the attorney-client privilege regarding UPF Litigators, LLC. Tracy McDaniel seconded and council voted in favor.

Councilman Donnie Hardin made the motion to come out of Executive Session at 7:47 PM. Tracy McDaniel seconded and council voted in favor. Attorney Mathis stated that no vote or action by council was taken during Executive Session.

Chair Spencer reminder council of two upcoming events: 1) official opening of the 2.5 miles expansion of new trailhead at Lake Whelchel Trail & Parking area on Pleasant school Road, on Thursday, 5/1/25, 4 PM. at the new trailhead/parking area on Pleasant School Road; 2) drop in celebrating Donnie Hardin's retirement, Thursday, 5/1/25, 5:30 – 7 PM, at the BPW/Donnie Hardin Operations Center.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 7:48 PM.

APPROVED: 5/5/25
BY ITS CHAIR: Tim Spencer

Respectfully submitted,
Doris F. Pearson, Master Clerk to Council

