

DATE: 5/20/25 FILE NO.: DATE643  
TO: Cherokee County Council  
SUBJECT: Minutes of PH & Regular Meeting of 5/19/25

There was a Public Hearing & Regular Meeting of County Council Monday, 5/19/25, 5 PM in Council Chambers. Chairman Tim Spencer presided with Merv Bishop leading in prayer. All council members were present along with Administrator Bishop, Asst. Admin. Kristy Bradley, Attorney Joe Mathis, Finance Director Kristie Howell and Master Clerk to Council Doris 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 30 visitors.

**Councilman Tracy McDaniel made the motion to adopt the agenda of the Public Hearing & Regular Meeting of 5/19/25 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to approve the minutes of the Regular Meeting of 5/5/25 as received. Billy Blanton seconded and council voted in favor.**

**Councilman David Smith made the motion to pay the claims as presented in the amount of \$609,772.20. Donnie Hardin seconded and council voted in favor.**

Councilman Billy Blanton recognized and thanked the Fire Chiefs and asked them to spread the word to all emergency responders for all that they do to protect our county and citizens. We support you and realize your need for the equipment to perform your duties. Chairman Tim Spencer also thanked them as well as full council.

Chairman Spencer opened the Public Hearing on several ordinances: **1) Ordinance No. 2025-06** amending Cherokee Co. Code of Ordinance, Chapter 18, Article II Purchasing Policy & Procedures; **2) Ordinance No. 2025-07** Cherokee Co Code of Ordinance, Chapter 12, Article III, Litter Control, adding specific language regarding Waste Tire; **3) Ordinance No. 2025-08** Cherokee Co. Code of Ordinance, Chapter II, Article III Outdoor Burning; Marira Hedden spoke regarding the Burn Ordinance and stated several concerns and asked several questions. **4) Ordinance No. 2025-09** adopting a Supplemental Appropriation for the County of Cherokee and to amend the FYB beginning 7/1/24 and ending 6/30/25. No one else was present to speak and the public hearing was closed.

**Councilman Billy Blanton made the motion to adopt Resolution No. 2025-02 authorizing under certain conditions, the execution & delivery by Cherokee Co., SC, of a Fee in Lieu of Tax & Special Source Revenue Credit Agreement with Project Kingfisher with respect to a Project in the County whereby the Project would be subject to payment of Certain Fees in Lieu of Taxes and providing certain Special Source Revenue Credits; and providing for other related matters. David Smith seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to adopt 3<sup>rd</sup> Reading of Ordinance No. 2025-06 amending Cherokee Co. Code of Ordinance, Chapter 18, Article II – Purchasing Policy & Procedures. Donnie Hardin seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to adopt 3<sup>rd</sup> 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 Tracy McDaniel made the motion to adopt 3<sup>rd</sup> Reading of Ordinance No. 2025-08, Cherokee County Code of Ordinance, Chapter II, Article III – Outdoor Burning. David Smith seconded and council voted in favor.**

**Councilman Billy Blanton made the motion to adopt 3<sup>rd</sup> Reading of Ordinance No. 2025-09 adopting a Supplemental Appropriation for the County of Cherokee Co. and to amend the Cherokee County Fiscal Year Budget beginning 7/1/24 and ending 6/30/25. Donnie Hardin seconded and council voted in favor.**

**Councilman Tracy McDaniel made the motion to adopt the 2<sup>nd</sup> Reading of Ordinance No. 2025-10 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 Industrial Park and other matters relating thereto. Billy Blanton seconded and council voted in favor.**

**Councilman Billy Blanton made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-22 Project King Fisher authorizing the execution & delivery of a Fee in Lieu of Tax and Special Source Revenue Credit Agreement by & between Cherokee County, SC and Project Kingfisher 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 the benefits of a Multi-County Industrial & Business Park; and providing for other related matters. David Smith seconded and council voted in favor.**

Administrator Merv Bishop addressed council presenting the Proposed 2025/26 FY Budget Ordinance for Cherokee County and read his letter outlining what is proposed in the 25/26 FYB. We come here tonight to inform you of what our county needs are; but I also want to bring you up to where we are this year. We were able to complete State of the Art 911 and backup 911 Dispatch Center; we have been building & redesigning Emergency Management Plans; we successfully purchased two buildings that would provide space for the Solicitor & Public Defender's Offices and freeing up more space in the courthouse; we have developed a Behavioral Health Committee; we have established a Mental Health Program; ground work has been laid for a more detention center population; we have almost completed a full assessment of our infrastructure. I have presented to you the General Operating Budget, Capital Fund & 911 Tariff Fund. I provided a list of personnel requests from each Department in summary form and our recommendation on personnel is provided & incorporated in the proposed

budget. Salary & fringe make up approximately 61% of our budget. The SC Office of Revenue & Fiscal Affairs has released the county millage rate limitations for FY 25/26. With no millage increase over the past two years, the county has a total of 16.7 mills for this fiscal year. This year our County Operating Budget has a balanced budget of \$44,289,748.36; however, this will require a millage increase. Administration recommends to increase the current millage by 12.7 mills in the 25/26 FYB. (His letter is attached that outlines the items included in the Operating Budget for 25/26.) The Capital Project Fund has a balanced budget of \$4,129,449.77 that will require a slight millage increase. We recommend increasing the millage by 3.8 mills for the FYB 25/26 making a total of 9.0 mills. The E911 Tariff Fund is balanced at \$708,307.00. Merv stated it is 12.7 mills for the County Operating; 3.8 mills for County Capital; .2 mills for Recreation District for a combined total of 16.7 mills for the FYB 25/26.

**Councilman Billy Blanton made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-21 adopting a budget for the County of Cherokee and to provide for the levying of taxes & fees for the county purposes for the fiscal year beginning July 1, 2025, and ending June 30, 2026, etc. Donnie Hardin seconded. Voting in favor: Donnie Hardin, Billy Blanton, Tracy McDaniel & Tim Spencer. Opposed: Teresa Bonner and Elliott Hughes. Motion carried.** Chairman Spencer asked Administrator Bishop to have another budget workshop with council before the 2<sup>nd</sup> Reading.

Chairman Spencer stated that the 1<sup>st</sup> Reading of Ordinances adopting a budget proposed by the County Administrator containing estimates of proposed revenues and expenditures by the County of Cherokee for the Fiscal Year beginning 7/1/25 and ending 6/30/26 for the following fire departments:

- **Councilman Billy Blanton made the motion to adopt the 1<sup>st</sup> Reading for Ordinance No. 2025-11 Cherokee Creek VFD. Tracy McDaniel seconded and council voted in favor.**
- **Councilman Tracy McDaniel made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2025-12 CKC VFD. David Smith seconded and council voted in favor.**
- **Councilman Elliott Hughes made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2025-13 Corinth Fire District. David Smith seconded and council voted in favor.**
- **Councilman David Smith made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2025-14 Draytonville/McKowns Mtn./Wilkinsville Fire District (DMW). Elliott Hughes seconded and council voted in favor.**
- **Councilman Tracy McDaniel made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2025-15 Gaffney Fire Protection. David Smsith seconded and council voted in favor.**
- **Councilman Elliott Hughes made the motion to adopt the 1<sup>st</sup> Reading of Ordinance No. 2025-16 Goucher/White Plains Fire District. Billy Blanton seconded and council voted in favor.**

- **Councilman Billy Blanton made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-17 Grassy Pond VFD. David Smith seconded and council voted in favor.**
- **Councilman Tracy McDaniel made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-18 Antioch VFD. David Smith seconded and council voted in favor.**
- **Councilman Tracy McDaniel made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-19 Blacksburg Fire District. Elliott Hughes seconded and council voted in favor.**
- **Councilman David Smith made the motion to adopt 1<sup>st</sup> Reading of Ordinance No. 2025-20 Buffalo Fire District. Tracy McDaniel seconded and council voted in favor.**

Asst. Admin. Kristy Bradley had no report at this time.

**Councilman David Smith made the motion for council to go into Executive Session at 5:45 PM pursuant to Section 30-4-70(a)(2) for two matters: 1) the receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege regarding Public Works Facility; 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 Tracy McDaniel made the motion for council to come out of Executive Session at 6:50 PM. David Smith seconded and council voted in favor.** Attorney Joe Mathis stated that no action was taken by council during Executive Session.

Attorney Joe Mathis reported that during the Executive Session the Public Works Facility was discussed. Cherokee Co. Council has been ongoing assessment of the work related to the upfitting of the Broad River Electric Facility into the Public Works Facility and in conjunction with the Construction Manager, Sossamon Construction Co., Inc. and DP3 Architect, Inc. and as of this evening, there is still no guarantee maximum price agreement for this project. Pursuant to Article 13.1 of the AIA Document that is in place, prior to executing a guarantee maximum price amendment, the owner may terminate this agreement upon not less than 7 days' written notice to the Construction Manager at the owner's convenience and without cause. County Council desires to exercise their rights to terminate this agreement and understand by terminating this agreement pursuant to Article 13.1, the Construction Manager be compensated through construction phase prior to receiving the notice of termination. **[Councilman Billy Blanton made the motion to allow the County Administrator Merv Bishop to write a letter of notice to Sossamon Construction Co. to utilize Article 13.1 Termination Prior to Execution of the Guaranteed Price Amendment in the AIA Document and to terminate the agreement for the renovation of the Broad River Electric Coop Project with Construction Manager Sossamon Construction Co., Inc. and DP3 Architects and to compensate them through construction phase**

services for work performed prior to the termination date. Donnie Hardin seconded and council voted in favor.]

Councilman Tracy McDaniel appointed Danny Love to serve a term on the Antioch Fire District Board of Commissioners. David Smith seconded and council voted in favor.

Councilman Elliott Hughes appointed Chrissy Little to serve a term on the Cherokee County Alcohol & Drug Abuse Board. Tim Spencer seconded and council voted in favor.

Councilwoman Teresa Bonner appointed Beverly Corry to serve a term on the Cherokee Co. Citizen Planning Commission. David Smith 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 6:58 PM.

APPROVED: 6/2/25

Respectfully submitted,

BY ITS CHAIR TIM SPENCER:

Doris F. Pearson, Master Clerk to Council