

DATE: 6/2/26 FILE NO: DATE676
TO: Cherokee County Council
SUBJECT: Minutes of PH & Regular Meeting, 6/1/26

There was a Public Hearing & Regular Meeting of County Council, Monday, 6/1/26, 5 PM in Council Chambers. Chairman Spencer presided with Merv Bishop leading in prayer. All council members were present along with Admin. Bishop, Asst. Admin. Bradley, Attorney Mathis and Master Clerk Doris Pearson. The news media was informed by agenda and it was posted in accordance with the SCFOIA. One news media was present along with 35+ visitors.

Councilman David Smith made the motion to adopt the agenda of the Public Hearing & Regular Meeting of 6/1/26 as received and posted in accordance with the SCFOIA. Donnie Hardin seconded and council voted in favor.

Councilman Donnie Hardin made the motion to approve the minutes of the Regular Meeting of 5/18/26 and Budget Workshop of 5/12/26 as received. Billy Blanton seconded and council voted in favor.

Councilman David Smith made the motion to approve the claims for Cherokee County in the amount of \$753,081.78 to be paid as presented. Donnie Hardin seconded and council voted in favor.

Chairman Spencer opened the public hearings on two matters: **1) Ordinance No. 2026-04** authorizing the execution & delivery of a FILOT and Incentive Agreement by & between Cherokee Co., SC and a company known to the County as Project Liberty acting for itself, one or more affiliates, and/or other project sponsors, to provide for a FILOT arrangement; providing for the designation of the company's project as part of a Multi Couty Industrial & Business Park arrangement; and providing for other related matters; and **2) Ordinance No. 2026-07** ordering a referendum to determine whether the SC Dept. of Revenue may issue temporary permits to allow for the possession, sale and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments authorized to be licensed for consumption on-premises sales and to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales. As there was no one to speak at the public hearing, Chairman Spencer closed the public hearing.

Councilman David Smith made the motion to adopt 3rd Reading of Ordinance No. 2026-04 authorizing the execution & delivery of a FILOT and Incentives Agreement by & between Cherokee County, SC and a company known to the county as Project Liberty acting for itself, one or more affiliates, and/or other project sponsors, to provide for a FILOT arrangement; providing for the designation of the company's Project as part of a Multi County Industrial & Business Park arrangement; and providing for other related matters. Donnie Hardin seconded and council voted in favor.

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Cherokee Co. Development Board Director Ken Moon stated that Project Liberty is USA Rare Earth, Inc. and they have selected Cherokee County for their operations which will invest approximately \$1.2 billion and create about 490 new jobs for our area. Ken introduced David Kromenfeld, Legal Counsel for Project Liberty. David stated that USA Rare Earth, Inc. is a global leader in rare earths, critical minerals and advanced materials. The new facility will be located at Bailey Park in Blacksburg and will produce neodymium-iron-boron permanent magnets and refined rare earth metals. Operations are expected to be on-line April 2028. We choose the name Project Liberty in honor of the 250th Anniversary of the American Revolution.

Councilman Donnie Hardin made the motion to adopt 2nd Reading of Ordinance No. 2026-09 to amend the agreement for Development of a Joint County Industrial Park by & between Spartanburg County and Cherokee County, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (SC Spartanburg Zimmerman I, LLC and KV Final Spartanburg, LLC). Billy Blanton seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 2nd Reading of Ordinance No. 2026-10 authorizing the execution & delivery of a Joinder Agreement to provide for the addition of Aerowerks Real Estate Inc., as a sponsor affiliate to the Infrastructure Credit Agreement between Cherokee County, SC and Aerowerks Corp. of America, to amend the investment period, and to address other matters related thereto. Peter Wilkins seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 2nd Reading of Ordinance No. 2026-11 to adopt, charge and collect a User Fee for Disposal of Solid Waste for Cherokee County, SC and other matters related thereto. David Smith seconded. Voting in favor: Donnie Hardin, Billy Blanton, David Smith & Peter Wilkins. Voting against: Tim Spencer, Elliott Hughes & Teresa Bonner. Motion carried 4 to 3.

Councilman David Smith made the motion to adopt 2nd Reading of Ordinance No. 2026-12 adopting a budget for the County of Cherokee and providing for the levying of taxes & fees for county purposes for the Fiscal year beginning 7/1/26 and ending 6/30/27, and declaring that the same shall constitute the budget of the County of Cherokee for such fiscal year. Donnie Hardin seconded. Voting in favor: Donnie Hardin, Billy Blanton, David Smith & Peter Wilkins. Voting against: Tim Spencer, Elliott Hughes & Teresa Bonner. Motion carried 4 to 3.

Chairman Spencer presented the 2nd Reading of Ordinances adopting a budget proposed by the County Administrator containing estimates of proposed revenues and expenditures by the County of Cherokee and to provide for the proposals for the fiscal year beginning 7/1/26 and ending 6/30/27, and declaring that the same shall constitute the budget of the following Volunteer Fire Departments for such fiscal year:

- **Ordinance No. 2026-13 – DMW (Draytonville, McKowns Mountain & Wilkinsville) Volunteer Fire Dept. Councilman Elliott Hughes made the motion to adopt 2nd Reading. David Smith seconded and council voted in favor.**
- **Ordinance No. 2026-14 – Grassy Pond Volunteer Fire Dept. Councilman Billy Blanton made the motion to adopt 2nd Reading. Donnie Hardin seconded and council voted in favor.**
- **Ordinance No. 2026-15 – Buffalo VFD. Councilman David Smith made the motion to adopt 2nd Reading. Peter Wilkins seconded and council voted in favor.**
- **Ordinance No. 2026-16 – Corinth VFD – Councilman Elliott Hughes made the motion to adopt 2nd Reading. David Smith seconded and council voted in favor.**
- **Ordinance No. 2026-18 – Antioch VFD – Councilman Peter Wilkins made the motion to adopt 2nd Reading. David Smith seconded and council voted in favor.**
- **Ordinance No. 2026-19 - Cherokee Creek VFD – Councilman Billy Blanton made the motion to adopt 2nd Reading. Donnie Hardin seconded and council voted in favor.**
- **Ordinance No. 2026-20 - Goucher VFD – Councilman Elliott Hughes made the motion to adopt 2nd Reading. David Smith seconded and council voted in favor.**
- **Ordinance No. 2026-21 – Blacksburg Fire Dept. – Councilman Peter Wilkins made the motion to adopt 2nd Reading. Donnie Hardin seconded and council voted in favor.**
- **Ordinance No. 2026-22 – CKC VFD – Councilman Peter Wilkins made the motion to adopt 2nd Reading. David Smith seconded and council voted in favor.**

Councilman Billy Blanton made the motion to adopt 2nd Reading of Ordinance No. 2026-17 levying an Ad Valorem Tax for the operation and maintenance of the Gaffney Fire Protection Area for the Calendar Year 2026/2027. Peter Wilkins seconded and council voted in favor.

Councilman David Smith made the motion to adopt 1st Reading of Ordinance No. 2026-23 adopting a Supplemental Appropriation for the County of Cherokee and to amend the Fiscal Year Budget beginning 7/1/26 and ending 6/30/27 and declaring that the same shall constitute the Budget of the County of Cherokee for such Fiscal Year. Donnie Hardin seconded. Peter Wilkins asked how much is the appropriation? Administrator Bishop replied at the Feb. 17th council meeting, council approved the allocation of \$3,207,781.00 from the County's unrestricted fund balance for the EMS Budget. Since that time Administration & Finance have worked to secure lease agreements for the ambulances and Quick

Response Vehicles (QRV's) with payments scheduled to begin in the FYB 2026/27. This approach will eliminate the need to utilize unrestricted fund balance funds for those purchases. However, there remain several necessary expenditures that were not included in the previous fiscal year's budget. As a result, the County must approve a supplemental appropriation in the amount of \$1,508,900. **Council voted in favor of the motion.**

Councilman Billy Blanton made the motion to adopt Resolution No. 2026-07 certifying a petition for Grassy Pond Fire District received by Cherokee Co., SC pursuant to Section 4-9-30(5)(a)(i) of the Code of Laws of SC, 1976, as amended, and other matters relating thereto. Donnie Hardin seconded and council voted in favor.

Grassy Pond Fire District Fire Chief Gladden Smoak & Deputy Stephen Ellis presented the question of raising their milage from 8 mills to an amount not to exceed 16 mills to provide current & future fire protection infrastructure & facilities in the District. **{Councilman Billy Blanton made the motion to allow Grassy Pond Fire District to more forward with the Grassy Pond Fire District ballot question. Donnie Hardin seconded and council voted in favor.}**

Councilman Billy Blanton made the motion to change the meeting date of Monday, June 8, 2026, to Monday, June 15, 2026, 5:00 PM for Public Hearings & Regular Meeting and to change the meeting date of Monday, June 22, 2026, to Monday, June 29, 2026. Donnie Hardin seconded and council voted in favor.

Councilman Donnie Hardin made the motion to allow Administration to go out for Bid 2026-28 for C-Funds Paving Project. Peter Wilkins seconded and council voted in favor.

Councilman Billy Blanton made the motion to go into Executive Session at 5:30 PM on 3 matters: 1) pursuant to Section 30-4-70(a)(1) discussion of employment, appointment, compensation, promotion, demotion, discipline or relates of an employee in Administration; 2) pursuant to Section 30-4-70(2)(2) discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property; and 3) pursuant to Section 30-4-7(a)(2) discussion of negotiations incident to proposed contractual arrangement concerning LDR contract with Benchmark. Donnie Hardin seconded and council voted in favor.

Councilman David Smith made the motion to come out of Executive Session at 6:59 PM. Peter Wilkins seconded and council voted in favor. Attorney Mathis reported that no vote or action was taken during Executive Session.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 7:00 PM.

APPROVED: 6/15/26

Respectfully submitted,

BY ITS CHAIR: Tim Spencer

Doris F. Pearson, Master Clerk to Council