DATE: 10/20/26 **FILE: DATE688**

TO: Cherokee County Council

SUBJECT: Minutes of Public Hearing & Regular Meeting, 10/19/26

There was a Public Hearing & Regular Meeting Monday, 10/19/26, 5:00 PM in Council Chambers. Chairman Tim Spencer presided with Merv Bishop leading in prayer. All members were present along with Administrator Bishop, 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 20+ visitors.

Councilman David Smith made the motion to adopt the agenda of the PH & Regular Meeting of Monday, 10/19/26 as received and posted in accordance with the SCFOIA. Peter Wilkins seconded and council voted in favor.

Councilman Donnie Hardin made the motion to approve the minutes of the Regular Meeting of 10/5/26 as received. Teresa Bonner seconded and council voted in favor.

Councilman David Smith made the motion to approve to pay the claims for Cherokee County in the amount of $348,306.76 as presented. Peter Wilkins seconded and council voted in favor.

Councilman Donnie Hardin made the motion to approve the 2026 Local Accommodations Tax Committee recommendation as presented for a total amount of $99,761.00. David Smith seconded and council voted in favor (a copy of the distribution is attached).

Chairman Tim Spencer opened the public hearing on two ordinances: **NO. 2026-26** to update the Cherokee County Code of Ordinance, Chapter 11 Fire Protection & Prevention, Article III – Outdoor Burning; and **NO. 2026-27** amending Ordinance No. 2026-11 relating to "Opt Out" provisions, providing for severability; providing a repealer clause; and other matters related thereto. As there was no one to speak, Chairman Spencer closed the public hearing.

Councilman David Smith made the motion to adopt Resolution No., 2026-11 approving, ratifying and consenting to the Transfer & Assignment by CCC-85 2A Owner, LLC to 121 Logistics SC Owner, LLC of a Certain Existing Second Amended and Restated Fee in Lieu of Tax & Special Source Revenue Credit Agreement to which the county is a party providing for other related matters. Donnie Hardin seconded and council voted in favor.

Councilman David Smith made the motion to adopt 3rd Reading of Ordinance No. 2026-26 to update the Cheroke County Code of Ordinance, Chapter 11 Fire Protections and Prevention, Article III – Outdoor Burning. Peter Wilkins seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 3rd Reading of Ordinance No. 2026-27 amending Ordinance No. 2026-11 relating to "Opt Out" provisions, providing for severability;

providing a repealer clause; and other matters related thereto. Peter Wilkins seconded and council voted in favor.

Councilman David Smith made the motion to adopt 2nd Reading of Ordinance No. 2026-29 to amend Section 6-1, *et.seq*., of the Cherokee County Code of Ordinances regarding the adoption of Technical Codes. Donnie Smith seconded and council voted in favor.

Councilman David Smith made the motion to adopt 2nd Reading of Ordinance No. 2026-31 authorizing the execution & delivery of a Fee in Lieu of Ad Valorem Taxes and Special Source Revenue Credit Agreement by & between Cherokee County, SC and a Company identified for the time being as Project Breadbasket, acting for itself and through one or more current or future affiliates, sponsor affiliates, property-owning entities, operating entities, and other project sponsors, to provide for a Fee in Lieu of Ad Valorem Taxes Arrangement; providing for Special Source Revenue Credits with respect to the project; providing for the designation of the company's project as part of a Multi-County Industrial and Business Park arrangement; and providing for other related matters. Donnie Hardin seconded and council voted in favor.

Councilman Donnie Hardin made the motion to adopt 1st Reading of Ordinance No. 2026-30 to authorize and approve an Agreement for the Development of a Joint Industrial & Business Park (Joint Government Building Park) by and between Spartanburg County and Cherokee County, such industrial & business Park to be geographically located in Spartanburg County and established pursuant to Section 4-1-170 of the Code of Laws of SC 1976, as amended; and matters related thereto. Peter Wilkins seconded and council voted in favor.

Administrator Merv Bishop updated council on the "Opt Out" ordinance. He stated a lot of work has gone into preparing this form and I need to give credit to the Treasurer, Assessor, Auditor, SWC Jackie Wyatt & Landfill Supervisor Ronnie Benton. The period is 10/26/26 – 1/15/27. They can go to the Auditor's Office or online at the cherokeecountysc.com to fill out the form. Once they submit the form, the $222 will be removed from the FY 2026/27 tax bill and they must surrender their carts. They are responsible for arranging for private collection & disposal of household waste. The form must be completed before property tax payment. We informed all the media, had it on our website and face book. Mailers were sent out to each household. They can go on-line to find their pickup day in case they misplaced their mailer. Merv also reported that SWC went from 4 days to 5 days pick-up; 9 routes/day. This was the first day and we had some problems with the software but are working those out. Chairman Spencer said he had complaints that the landfill will close on Saturdays at 12:00 instead of 4:00 PM and that will create a lot of problems for residents. Merv replied he will check into that.

Attorney Joe Mathis asked council to go into Executive Session regarding 3 matters: 1) pursuant to Section 30-4-70(a)(2) regarding the receipt of legal advice where the legal advice relates to a pending legal matter involving a lawsuit in Cherokee County; 2) pursuant to Section 30-4-70(a)(2) discussion of negotiations to proposed pending contractual matter on the former Broad Rive Electric Facility & Cherokee County Landfill; and 3) pursuant to Section 30-4-70(a)(5) discussion of matters relating to the

proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in area served by Cherokee County Council specifically Project Stratus.

Councilman David Smith made the motion to go into Executive Session regarding these three matters. Peter Smith seconded and council voted in favor and went into Executive Session at 5:24 PM.

Councilman Donnie Hardin made the motion for council to come out of Executive Sesson at 7:03 PM. David Smith seconded and council voted in favor. Attorney Mathis reported no vote or action was taken during Executive Session.

Councilman David Smith made the motion to adopt 1st Reading of Ordinance No. 2026-32 to authorize & approve a Master Agreement to develop a Jointly Owned & Operated Industrial & Business Park in conjunction with Spartanburg County, such Joint Industrial & Business Park to be geographically located in Cherokee County and established pursuant to Section 4-1-170 of the Code of Laws of South Carolina, 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 Valore Taxation; and providing for other related matters. Donnie Hardin 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 7:05 PM.

APPROVED: **11/2/26** Respectfully submitted,

BY ITS CHAIR: **Tim Spencer** Doris F. Pearson, Master Clerk to Council