



MINUTES
Spartanburg County
Legislative Delegation
Monday, February 4, 2008
5:00 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, February 4, 2008 at 5:00 p.m. in County Council Chambers of the Spartanburg County Administrative Office Building. Representative Doug Smith presided. The following members were present or absent as indicated:

Senator Glenn Reese – Present
Senator John Hawkins – Present
Senator Jim Ritchie – Present
Senator Harvey Peeler – Present
Representative Harold Mitchell – Present
Representative Doug Smith – Present
Representative Lanny Littlejohn – Present
Representative Scott Talley – Present
Representative Keith Kelly – Present
Representative Joe Mahaffey – Present
Representative Ralph Davenport – Present
Representative Bob Walker – Present
Representative Mike Anthony – Absent

In compliance with the Freedom of Information Act, notices of this meeting were mailed in advance to the local news media and other interested parties.

Invocation was rendered and the Pledge of Allegiance was led by Representative Lanny Littlejohn.

1. APPROVAL OF PROPOSED NOVEMBER 13, 2007, MEETING MINUTES

Representative Lanny Littlejohn moved to approve the November 13, 2007 meeting minutes as printed and mailed. The motion was seconded and carried.

2. BETH SUMMER-STRAIT, PACE CENTER – UPDATE OF SERVICES AND PROGRAMS

In the absence of Beth Summer-Strait, Trez Clark thanked the delegation members for all the work that has been done for mental health. Ms. Clark presented Chairman Smith for all his involvement toward promoting mental wellness.

3. JENNIE THOMAS, SC VOCATIONAL REHABILITATION – UPDATE ON CALENDAR YEAR 2007 AND EXPECTATIONS FOR 2008 FOR SPARTANBURG VOCATIONAL REHABILITATION

Ms. Jennie Thomas thanked the delegation for the funding support for the Lyman facility. The Lyman facility is a comprehensive day program designed for people with the most severe physical disabilities. It is anticipated the ground breaking will be in June or July.

The recurring funds have been used for the high school high-tech program in Cherokee County. This program in which students with learning disabilities who could go to college, are given the opportunity to go on internships, work in the summer, learn more about medical fields, technology, manufacturing and many other higher paying jobs. The goal is to prepare the students to be able to mature, to get the training they need to enter those programs and jobs at a much higher rate of pay. There are about 85 students in Cherokee County. Thirty-three of those students are in the high school high-tech program. When this is moved to Spartanburg, Dr. James, from Cherokee County, will come before the other schools to explain how valuable the program is.

Spartanburg Vocational Rehabilitation is working with 2300 individuals across Spartanburg, Cherokee and Union Counties with disabilities. Every year, about 800 of those are put to work. There are several employers making this possible. One is Freightliner, in Cherokee County. They provide work for over 40 of the clients per day, year in and year out to help prepare them to go into fields such as assembly, warehouse work, and of course, they are being taught about bus parts, as Freightliner make the bus engines for Thomas buses. Other employers in the area that are making Voc Rehab jobs easier, is Waste Management. They are helping Voc Rehab by opening doors and creating a wonderful home for people who are deaf. They are learning more about the population and giving all kinds of support to ensure that they have jobs at a high rate of pay. Travel Centers of Duncan are also opening doors for people with severe mental illnesses. These are employers who did not know Voc Rehab to begin with, but they certainly have taken Voc Rehab under their wing and taken Voc Rehab for their word.

4. BARRY BARNETTE, PRINCIPAL DEPUTY SOLICITOR OR LILY LENDERMAN – UPDATE ON HOUSE BILL 3301, VEHICULAR HOMICIDE AND VEHICULAR GREAT BODILY INJURY

Mr. Barry Barnette thanked the Delegation for their support on House Bill 3301 (See Exhibit I) the subcommittee will be asked to take up this version.

The second part is a case in which a gentleman was convicted of reckless homicide. He was tried for felony DUI, but that was for prescription drugs. The jury decided not to convict on vehicular reckless homicide, but Judge Couch sentenced him to the max for fifteen years. He is eligible for possible parole in 2010. He had 17 DUSs, two habitual traffic offenders, and two previous DUIs.

On another case, a gentleman was killed. Since 2002, the convicted person of the crime has been back out of prison, and had two additional traffic offenders. Judge Couch has given him a five year sentence. He will be eligible for possible parole in 2008 and will be released in 2009.

There have been some suggested changes in the Bill, but these are the types of individuals that should be convicted by this law.

5. SCOTT RAMSEY, SCHOOL FOR DEAF AND BLIND – INTRODUCE NEW PRESIDENT OF SCHOOL, DR. PAMELA C. SHAW

Mr. Scott Ramsey introduced, Dr. Pam Shaw, the new president of the South Carolina School for the Deaf and Blind. Dr. Shaw comes to the School from Alabama Institute for the Deaf and the Blind in Talladega, Alabama, but served seven years at the School for the Deaf. She received her Doctorate and Masters from the University of Kansas Medical Center and has thirty years of classroom and administrative experience at the Kansas School for the Deaf.

6. JEFF CATON, DIRECTOR OF SPARTANBURG COUNTY PARKS AND RECREATION

As was discussed at the last meeting, there were many questions regarding PARD funds.

Mr. Caton explained the countywide Parks and Recreation system and some of the challenges faced for a better understanding and the misconceptions of the latest articles related to the Hospitality Tax and what is truly meant by such.

Spartanburg County Parks and Recreation is responsible for operating and maintaining 19 leased facilities. Most of those facilities are located within a municipality. Those municipalities and Parks and Recreation have a term agreement for the operation and maintenance of the leased facilities which has not expired. From 1995 to 2006, Spartanburg County's population increased about 30,000 individuals according to census track information. During that same period of time,

some of the leased facilities within certain municipalities, are still operated and maintained by Spartanburg County Parks and Recreation. However, some of the facilities have expired leases which County and PARD dollars provided for the construction and enhancements of the facilities. Those facilities are no longer a part of the public facilities of Parks and Recreations. Many are those school facilities, which have not been open to the public even though they were public park facilities.

From 1995 to the 2005 time period, county taxpayers as a whole have lost ground, during the population growth of about 30,000 people. During that same ten year window, Spartanburg County lost access to about eight ball fields, twelve tennis courts, five play structures, and added some soccer fields at USC-Upstate. But, as anticipated, between now and 2013, Spartanburg County can anticipate losing 24 baseball fields, 16 tennis courts, and so on. While the population is growing in the County, the actual net assets to provide services to the community are shrinking.

The Master Plan, completed in 1999, addressed the need for investments of approximately, \$120M. The plan was actually decreased to be more represented, as national and/or regional averages could not be used. It had to be brought down to a point where Parks and Rec could develop facilities within some reasonable amount. The total increases each year that assets are not accomplished. Every year, inflation takes up more and a bite out of project dollars.

The hospitality tax, had it been passed in 1999 when the master plan was completed, would represent almost 30% of the total need of \$120M figure. This 1999 \$120M figure represents much less of the total figure because of inflation. In other words, \$45M of hospitality tax is now trying to be applied to what would now be \$135M worth of needs because of inflation. The regional park complexes are predominately what the hospitality tax is designed to be used for as the hospitality tax is restricted toward tourism related expenditures.

As an agency, Parks and Recreation, is a significant element in the whole quality of life formula that all communities are trying to develop. The reason it is important, is the change in the economic drivers that take place now than when the community was industry. Now, we are trying to attract people who are more skilled based and education and those people value their quality of life. They are not as concerned about how much they make, but where are they going to choose to live. This is a very important part of what Parks and Recreation does. Hospitality tax is very limited as to where it can be used and is not sufficient to accomplish the end result. It is going to take a team effort to accomplish the master plan goal.

COMMITTEE REPORTS

7. REPRESENTATIVE SCOTT TALLEY, COUNTY TRANSPORTATION COMMITTEE

A letter has been received from SCDOT, Mr. Herbert Cooper “C” Fund Program Administrator, requesting the wording be changed on item D, Page 3 with regard to Delegation set-aside funds in the Spartanburg County Transportation Committee Plan. The CTC has approved the wording be changed to: 10% set aside for projects as ~~determined necessary~~ *recommended* by the Spartanburg County House of Representatives Members *and approved by the full CTC* with each receiving their portion of the 10%.

Representative Talley made a motion to approve the wording change as approved by the CTC. The motion was seconded by Representative Kelly and carried by acclamation.

8. REPRESENTATIVE LANNY LITTLEJOHN, SPARTANBURG AREA CHAMBER OF COMMERCE

The Greenville and Spartanburg Chambers are working together on an entrepreneurial grant. They are also working with the business community to develop these partnerships.

9. REPRESENTATIVE KEITH KELLY, SPARTANBURG CHILDREN’S SHELTER

No report.

10. SENATOR JOHN HAWKINS, SPATS

SPATS needs money for transportation projects. There were immediate needs, therefore the committee bonded money.

The Highway 9 project is now scheduled for 2012. But in the mean time, monies are being sought for traffic signals to help with the congested traffic at several of the intersections along Highway 9.

11. REPRESENTATIVE JOE MAHAFFEY, DEPARTMENT OF NATURAL RESOURCES

- a. Glendale Greenway & Lawson’s Fork Creek/Pacolet River Water Trail - \$275,000

Currently there is \$392,719.57 of Water Recreation funds. The requested \$275,000 does not include the Glendale bridge restoration project.

Representative Mahaffey moved to approve \$275,000 for the Glendale Greenway & Lawson's Fork Creek/Pacolet River Water Trail.

Eleven acres of land has been donated by the Tobias family, and are working with other private land owners for put-ins and take-outs in the area. Mr. Milliken has been contacted regarding the lake. The project is to develop the economy from a textile mill village to a tourism and recreational area. Wofford College is going to invest in an environmental science water recreational classroom in the area. This is the first time that Wofford College will be developing an off-campus classroom. This will turn the economy around in the Glendale area. The bridge will be one of the top three tourist attractions in Spartanburg County.

Dr. George Fields presented a power point overview of the project with regard to the paddling trail and the greenway portion of the project.

Wofford College will be investing at least \$1.5M and Palmetto Conservation Foundation will be investing approximately \$1.5M.

The motion was seconded and carried.

12. REPRESENTATIVE HAROLD MITCHELL, PARD

- a. Spartanburg County Parks and Recreation Commission
 - i. Va-Du-Mar McMillan Park Support Facility - \$200,000
- b. City of Greer
 - i. Parks and Recreation Master Plan - \$15,000
 - ii. Final Phase Ward's Creek - \$19,200
 - iii. Stevens Ballpark Renovations - \$52,400
- c. City of Woodruff
 - i. "Ox" Taylor Playground Equipment - \$20,000
- d. Town of Pacolet
 - i. Pacolet Amphitheater Gateway - \$27,000

Since the available PARD grant funding would not fully fund all grant applications as received, Representative Mitchell along with the Delegation members present, agreed to fund the Spartanburg County Parks and Recreation Commission Va-Du-Mar McMillan Park Support Facility at \$151,205; the City of Greer Parks and Recreation Master Plan at \$5,400; the City of Greer Final Phase Ward's Creek at \$19,200; the City of Greer Parks and Recreation Stevens Ballpark

Renovations at \$52,400; The City of Woodruff “Ox” Taylor Playground Equipment at \$20,000; and, the Town of Pacolet Amphitheater Gateway at \$27,000. The motion carried.

APPOINTMENTS

13. ARKWRIGHT FIRE DISTRICT COMMISSION

Resignation of E. R. Thomas, and term of Philip “Greg” Turner. Application received: None.

A motion was made to carry this appointment over until the next scheduled meeting.

14. SPARTANBURG COUNTY COMMISSION FOR TECHNICAL AND COMMUNITY EDUCATION

Terms of Danny Phillips (District 3), Robert D. Kinard (District 5), James Hailstock (District 7) and unexpired District 5 at-large term of Hubert Dobson. Applications received: Robert D. Kinard (District 2 At-large), James L. Hailstock (District 7), and Danny Phillips (District 3).

Representative Davenport requested the At-Large District seat be carried over until the next meeting.

Senator Reese made a motion to nominate Mr. James Hailstock (District 7) and Mr. Danny Phillips (District 3). The motion carried by acclamation.

15. BOILING SPRINGS FIRE DISTRICT COMMISSION

Terms of Connie Banks, Everett Matthews, and Joe N. Williams. Applications received: Connie Banks, Everette Matthews, Joe N. Williams, Cheryl McGraw.

Representative Davenport moved to nominate Connie Banks, Everette Matthews and Joe Williams. There were no other nominations. The motion was seconded and carried by acclamation.

16. PACOLET FIRE DISTRICT COMMISSION

Terms Joe Dean Hoyle and Jeff Edwards. Applications received: Jeffery Lynn Edwards and Joe Dean Hoyle.

Representative Littlejohn moved to nominate Joe Hoyle and Jeff Edwards by acclamation. The motion carried.

17. INMAN CAMPOBELLO WATER DISTRICT COMMISSION

Term of G. Craig Sims. Application received: Gene Craig Sims.

Representative Walker moved to nominate Craig Sims by acclamation. The motion carried.

18. GLENDALE FIRE DISTRICT COMMISSION

Term of Terry B. Gilmer. Applications received: Terry B. Gilmer and Harold Dean Osborne

Representative Littlejohn moved to nominate Terry Gilmer. Representative Talley seconded the motion. There were no other nominations. The motion carried by acclamation.

19. DEPARTMENT OF SOCIAL SERVICES

Terms of J. C. Caldwell, II and Anne B. Ring. Application received: J C Caldwell, II.

Senator Reese moved to nominate J. C. Caldwell, II. There were no other nominations. The motion carried by acclamation.

20. HOLLY SPRINGS FIRE DISTRICT COMMISSION

Terms of Clara W. Edwards and Matthew Henderson. Applications received: Ronald L. Blackwell, Matthew Henderson, and Clara W. Edwards.

Representative Mahaffey moved to nominate Matthew Henderson and Clara Edwards. The motion was seconded and carried.

21. LIBERTY, CHESNEE, FINGERVILLE WATER DISTRICT COMMISSION

Term of Patricia A. Ruff. Application received: Patricia Ruff

Representative Walker moved to nominate Patricia Ruff. Senator Reese seconded the motion. The motion carried.

22. ELECTION COMMISSION

Terms of Melba F. Blakely, Rosemary Byerly, and David Michael Collins, Jr. Applications received: David Michael Collins, Jr., Rosemary Byerly, and Melba Foster Blakely.

Representative Walker moved to nominate Melba Blakely, Rosemary Byerly, and David Collins, Jr. Senator Reese seconded the motion. The motion carried.

23. VOTER REGISTRATION BOARD

Terms of Dodie Graham, Robert G. Hamilton, and F. Don Watson. Applications received: Sarah T. Broyles, Cindy Church, Robert G. Hamilton, June Bond, Frederick Don Watson, Susan Phillips Sease, and Dorothy T. Moss.

Senator Hawkins moved to carry the appointments over as Dodie Graham has agreed to stay on the Board for a little while longer.

24. SPARTANBURG AREA MENTAL HEALTH BOARD

Term of Juanita M. Robinson. Applications received: Ann J. Kelly and Juanita M. Robinson.

Representative Smith moved to nominate Juanita Robinson. Representative Mahaffey seconded the motion. The motion carried.

25. WHITNEY FIRE DISTRICT COMMISSION

Unexpired term of Bruce Gilmer. Applications received: Linda Y. Cox, William E. Brashears and Randy C. Pucetas.

Representative Smith moved to nominate William Brashears. Representative Mahaffey seconded the motion. No other nominations were made. The motion carried.

26. STARTEX-JACKSON-WELLFORD-DUNCAN WATER DISTRICT COMMISSION

Terms of William Lee Kimmons and Albert Simmons. Applications received: W. Lee

Kimmons, Albert A. Simmons, Wanda L. Fowler, Barry B. Brockman and Roger Allen Nutt

Representative Kelly moved to nominate Albert Simmons. Representative Mahaffey moved to nominate Wanda Fowler. Senator Ritchie moved to nominate Roger Nutt. There were no other nominations. Votes were taken with Albert Simmons receiving 6.217% of the weighted vote; Wanda Fowler received 93.353% of the weighted vote; and Roger Nutt received 99.570% of the weighted vote. Therefore, Wanda Fowler and Roger Nutt names will be forwarded to the Governor's Office for confirmation.

27. OLD BUSINESS

No old business.

28. NEW BUSINESS

No new business.

WITH NO FURTHER BUSINESS, THE MEETING ADJOURNED.

Doug Smith, Delegation Chairman

Attested:
Carol Crowe