

MINUTES
Spartanburg County
Legislative Delegation
Monday, February 5, 2007
5:00 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, February 5, 2006 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 – Present

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.

Portions of the agenda were addressed out of order.

1. APPROVAL OF NOVEMBER 13, 2007 MEETING MINUTES

Representative Scott Talley moved to approve the November 13, 2007 meeting minutes as printed and mailed. Representative Bob Walker seconded the motion. The motion carried.

15. CROFT AREA FIRE DISTRICT COMMISSION

Term of William B. Littlejohn, Jr. Applications received: M. T. Myers, Phil Sinclair, and A. Murray Glenn.

Representative Littlejohn moved to nominate Phil Sinclair. Senator Ritchie seconded the motion.

Representative Talley moved to nominate M. T. Myers. The motion was seconded. There were no other nominations.

Votes were taken. M. T. Myers received no votes. Phil Sinclair received a total of 30.904 percent of the votes. Therefore, Phil Sinclair's name will be forwarded to the Governor's Office for confirmation as commissioner to serve on the Croft Area Fire District Commission.

16. SPARTANBURG COUNTY TRANSPORTATION COMMITTEE

Term of Dorothy T. Moss (House District 31). Application received: None

The term of Dorothy Moss (House District 31) will be carried over until the next meeting.

17. NORTH SPARTANBURG FIRE AND RESCUE DISTRICT COMMISSION

Term of Danny E. Bridgeman, Sr. Applications received: George Rush and David A. Shafto

Representative Walker moved to carry the term of Danny E. Bridgeman, Sr. over until the next meeting. The motion was seconded and carried.

18. HOLLY SPRINGS FIRE DISTRICT COMMISSION

Unexpired term of Marvin Kaye and terms of Hugh F. Jackson and Robert Lee Golightly. Applications received: Ronald R. Garrett, Hugh Jackson, and Robert L. Golightly.

Representative Joe Mahaffey moved to nominate Ronald R. Garrett, Hugh Jackson and Robert L. Golightly, Jr. Representative Bob Walker seconded the motion. The motion carried by acclamation.

19. ROEBUCK FIRE DISTRICT COMMISSION

Term of Ned Wilder. Applications received: Ned Wilder, Harold M. Gowan, and Theodore (Ted) McCrary, Jr.

Representative Keith Kelly made a motion to nominate Ned Wilder. Senator Ritchie seconded the motion. The motion carried by acclamation.

20. CHILDREN'S FOSTER CARE REVIEW BOARD

One new position for newly formed Spartanburg County Foster Care Review Board 7C Applications received: Michael A. Fowler and Mary Ann Washington Deku.

Representative Doug Smith made a motion to nominate Michael A. Fowler. The motion was seconded by Representative Joe Mahaffey.

Representative Mahaffey moved to close the nominations. The motion was seconded by Representative Smith. The motion carried my acclamation.

21. COMMISSION ON HIGHER EDUCATION

Terms of Charles Babb, Harold Fleming, Terry Cash, Gene Adams, John Poole, Sidney Walker, Betty Montgomery, Darryl Owings, and John Edmunds. Applications received: Charles H. Babb, Harold E. Fleming, Terry L. Cash, Joel Eugene Adams, John S. Poole, Jim Crook, Donna Turner Williams, Ingo Angermeier, Thomas R. Young, III, Sheila Breitweiser, James O. Ray, David Ervin, Jr., and Janet Burnett Agnew.

As stated in Act 184 of 1995, The Superintendent of Education for Spartanburg County is an ex officio member of the commission.

Representative Bob Walker made a motion to nominate Donna Williams and Thomas R. Young.

Representative Scott Talley made a motion to nominate Harold Fleming, Jim Crook and Sheila Breitweiser.

Representative Joe Mahaffey made a motion to nominate Charles Babb and Terry L.

Cash.

Senator Jim Ritchie made a motion to nominate John Poole and Ingo Angermierer. Representative Keith Kelly made a motion to nominate Joel Gene Adams.

Representative Keith Kelly moved that the nominations be closed. The motion was seconded by Representative Walker. The motion carried.

Votes were taken. Sheila Breitweiser received 93.644; Jim Crook received 87.414; Donna Turner Williams received 87.178; John Poole and Terry Cash each received 87.134; Harold Fleming and Tom Young received 75.751; Gene Adams received 69.479; Ingo Angermeier received 52.232; Charles Babb received 48.214.

However, after verifying the calculated votes, inaccuracies were discovered. Representatives Talley and Mitchell had voted for Charles Babb; and, Senator Hawkins had voted for Gene Jones all of which had not been calculated into the totals, thus changing Charles Babb's total votes to 60.954 and Gene Adams total votes to 86.789.

Therefore, names forwarded to the Governor's office for confirmation as commissioner to serve on the Spartanburg County Commission for Higher Education are: Charles Babb, Harold Fleming, Terry Cash, Gene Adams, John Poole, Jim Crook, Donna Williams, Tom Young, and Sheila Breitweiser.

22. MAYO FIRE DISTRICT COMMISSION

Unexpired term of Woodrow Emory. Applications received: Charles (Chuck) M. Towery and Thomas T. Ledford.

Representative Doug Smith made a motion to nominate Chuck Towery. Representative Bob Walker made a motion to nominate Thomas Ledford.

Votes were taken. Chuck Towery received a total weighted vote of 39.298, while Thomas Ledford received a total weighted vote of 41.606. Therefore, Mr. Ledford's name will be forwarded to the Governor's office for confirmation as commissioner to serve on the Mayo Fire District Commission.

23. Westview Fairforest Fire District Commission. Resignations of Tom Foster and Clyde W. Pearson. Applications received: Eddie Richard Simmons, Dwane Broyles, Jeff Knight, Charles (Chuck) F. Bagwell, David R. Jones, and Jay Erick Hammett.

Representative Scott Talley moved to nominate Dwane Broyles and Charles Bagwell. The motion was seconded. The motion carried by acclamation.

24. Arkwright Fire District Commission. Term of Raymond Teague. Application received: Mary Lynn Melton.

Representative Scott Talley moved to nominate Mary Lynn Melton. The motion was seconded and carried.

25. Spartanburg Area Mental Health Board. Terms of Jack Evans, Pamela Hagan, and Cecilia Cogdell. Applications received: Pamela V. Hagan, Cecilia H. Cogdell and Jack Evans.

Representative Doug Smith moved to nominate Jack Evans, Cecilia H. Cogdell and Jack Evans. All three were elected by acclamation.

26. Spartanburg County Election Commission. Unexpired term of Barbara Strickler. Application received: Rosemary H. Byerly, Larry Hutchins, Michael Anthony Glenn, and Dr. Willie Ross, Jr.

Representative Bob Walker moved to nominate Rosemary Byerly. Representative Davenport seconded the motion. Representative Mitchell moved to nominate Michael Glenn. Senator Reese seconded the motion.

Votes were taken. Rosemary Byerly received a total weighted vote of 75.447. Michael A. Glen received a total weighted vote of 24.553. Therefore, Rosemary Byerly's name will be forwarded to the Governor's office for confirmation of commissioner to serve on the Spartanburg County Election Commission.

27. Liberty-Chesnee-Fingerville Water District. Unexpired term of Joe W. McCraw, Jr. Applications received: Bobby E. Twitty, and Thomas A. (Tony) Powell.

Representative Walker made a motion to nominate Tony Powell. Senator Reese seconded the motion. The motion carried by acclamation.

PRESENTATIONS

2. MR. DAVID JONES – FINAL REPORT FROM SPECIAL PURPOSE TASK FORCE

COMMITTEE

Mr. Jones identified the members of the task force that was created in June 2005 as directed by Representative Smith and Chairman of County Council, Jeff Horton. The twenty members put in an extraordinary amount of time from June 2005 until June 2006. The draft of the thirty page document was not an easy task. Each approached the endeavor with an open mind and adhered to the ground rules established when the process began. Several were agreed upon, but two stands out: 1) Logo's were to be left at the door; and, 2) Nothing was off the table no matter how controversial or how problematic. Some of the recommendations were fairly easily to do while others took a considerable amount of discussion.

After the initial brainstorming, the task force focused on issues as understood from the charge. The charge was to conduct a comprehensive review of the county's fire service that would focus on accountability, efficiency, and governance. Keeping the charge in mind, the Task Force focused on the following issues: Audit Requirements, Chief Officer Minimum Requirements, Commission By-Laws Guidelines, Coordination and Collaboration, Funding Models, Governance Review Board, and Major Expenditures. All the issues are explained in detail in the final report.

Very plainly stated, "Coordination and Collaboration" was discussed because the Task Force wanted to avoid the negative connotation of a consolidation discussion. The charge was not to review such potential consolidations; the charge was to research the positive and negative aspects of consolidations and offer observations. There are no specific recommendations for consolidations. Many observations were made – some have been positive, while others have been negative. The Task Force identified the advantages and disadvantages. The Task Force tried to focus on the positive incentives and long-term perspective. The goal of this particular discussion was to ensure that all fire departments have the resources available through better coordination, collaboration, and possibly, consolidation to provide the safest possible work environment for the firefighters and to provide efficient, professional, and adequate services to the citizens of Spartanburg County.

The Task Force made some very specific recommendations as well as long term recommendations that all forms of cooperation, collaboration, and consolidation should be reviewed for applicability within Spartanburg County. Some of the short term recommendations that can happen very quickly are to assign the coordination and management of countywide special response team to the Fire Marshall's office. A countywide Automatic Aid protocols should be immediately encouraged. Assign the logistic coordination to the Emergency Management. Where annexations occur, cooperation is encouraged between fire districts and municipalities. Current examples of such cooperation are the Croft Fire District and the City of Spartanburg, as well as the Pelham Batesville Fire District and the City of Greer.

The funding models are simply a research action of which considerable amount of information has been provided. However, there were three specific recommendations: 1) funding ability and authority for all fire departments needs to remain within the county and continue to be based on assessed property values; 2) the County should increase the level of funding with the current supplemental fund budget to allow better funding for essential needs of all departments such as, but not limited to, specials response teams, training, testing and qualifying, and physicals; 3) for

the three lowest funded departments, consideration should be given to a merging or combination of the tax rates to a level that would properly fund all three departments.

Upon the creation of the Task Force, it quickly became apparent, that a major action item before all was the development of strategy to increase the accountability and credibility of the county's fire service. After considerable discussion, consensus has been achieved in the belief that a county-wide oversight board could provide great strength in achieving this goal of accountability. A diverse oversight board with members from a variety of background and fire service experiences could give strategic issues, discussed in the summary report, the careful study and attention they deserve on an ongoing basis.

The Task Force sees a weakness in the current method of governance of the fire service in that there is no one county-wide governance board that has the responsibility for strategic direction and fiscal accountability.

The individual boards and/or commissions are rightfully concerned only with their own jurisdictions and don't necessarily look at strategic issues from a county-wide perspective.

The objective of this county-wide governance board would be to provide strategic and fiscal oversight of the county's fire service. The Task Force respects the continued need for the individual boards and/or commissions, but emphasized the need for a county-wide governance board that is assigned the responsibility for the oversight of strategic direction and fiscal accountability. Fiscal authority is defined as budget authority; it is not envisioned that this governance board would have appropriation authority.

While the membership of this Board remains under consideration, it is believed that potential board members should be respected and trusted community leaders experienced in dealing with complex community issues. It is imperative that this Board be able to gain the attention and trust of business and government leaders, as well as members of the fire service.

Suggested duties and responsibilities of the Board:

- The Board should coordinate the efforts of all concerned agencies, organizations, and officials to implement the County Fire Master Plan and to meet county-wide operational guidelines (once so determined.)
- The Board should be a guidance, review, and oversight entity with fiscal authority.
- The Board should review and consider for approval all fire department budgets and annual reports.
- The Board should establish guidelines for said budget approval or modification.
- The Board should establish guidelines as to matters of non-compliance with its directives. As previously stated, it is believed that the Board should have budget approval authority. Further, it is strongly believed that the Board should have sufficient authority to enforce its directives.
- The Board should assist the fire departments in the development of long range capital budgets to establish effective and efficient replacement schedules for equipment and facilities.
- The Board should annually review and update minimum operating guidelines for fire

departments.

- The Board should annually review and update the County Fire Master Plan.
- The Board should develop and administer a method of fair and equitable funding for county-wide fire service needs such as, but not limited to, annual physicals, SCBA fit test, audits, preventive maintenance schedules, etc. Further, such funding should be in place for countywide special emergency response teams.

Specific recommendations that are in the final report:

- Immediately begin the necessary steps to form such a Fire Service Governance Review Board.
- Be prepared to make the long term commitment to this Board. Results will not come quickly; this Board must be allowed sufficient time to achieve its objectives.
- Avoid any perception that this Board is just another layer of bureaucracy. This is certainly not the intent. The intent is to form a single county-wide governance review board through the delegation of such oversight responsibilities from County Council and the Legislative Delegation.

Mr. Jones concluded his remarks as written in a newspaper article. *“The current boom in the organization of fire departments throughout Spartanburg County brings closer the day when some form of fire protection will be available to practically every home.*

If the fire service movement continues to expand, there appears a good possibility that this will lead to organization on a county-wide basis. This could call for a more permanent financing method.

Spartanburg County already has the basis of a county-wide service in equipment purchased. It would seem advisable to consider this facility along with any movement to expand the community units into a county-wide organization.” The Spartanburg Journal had published this article on February 5, 1958.

Mr. Jones clarified this information is NOT referring to a countywide fire department. The Task Force came to believe there needed to be a single point to increase accountability, and creditability within the county’s fire service.

Representative Mahaffey asked if the report included a study to reduce the taxes now paid for fire service.

However, a study of ways to reduce taxes was not included as the Task Force felt that issue was beyond the scope. Funding models were identified that could be used to fund the fire service. Included in the report is a study of disparity between various fire districts. The Task Force members felt this issue would be a further study that needs to happen on down the line.

Representative Talley stated his position of the Fire Service. He has a very good relationship

with the four fire departments in his district. Not one time has he or any members of the delegation criticized the provided services. Divide services into two categories. 1) the operations part, and, 2) the administrative side, of which has tried to be addressed. A couple of years ago, Representative Talley put out of what he thought at the time was a very simple proposal. He talked to various fire commissioners and fire chiefs, and his question all along has been “Why are we (the delegation) here?” The only time heard from a fire chief or fire commissioner is when appointments are on the agenda. The delegation has no other authority. The delegation keeps hearing about home rule with a lot of things done in Columbia, so Representative Talley thought why not turn appointments over to the County.

The County has a County Fire Marshall. There are other things – such as monies collected and budgets are submitted to County Council for funding, none of which the delegation can do anything about. Through this exercise, Representative Talley learned how hard it is to get rid of Fire Departments. He has tried. Signatures would be required on a petition, the petition is placed on a ballot and voted on, and the very people that you are about to put out of business have to approve going out of business. That is the way the law reads. But Representative Talley does think there are some issues that the Task Force has looked at that have to be addressed. To let this be swept under the rug, regardless of what he has been called in e-mails and regardless of what comments have been made, is to do a disservice to the people who put him in office. Representative Talley’s bill was simple. The people that don’t want what the Task Force has proposed didn’t want what Representative Talley proposed.

Representative Talley had a long talk with somebody that is considered a friend who has been in the fire service for thirty years and came away with some positive images. He said that things are being discussed among fire departments in this county now that have never been discussed. So if nothing else has been accomplished, people are looking at things like mutual aid, and how it might save the taxpayers money. He gets e-mails calling him names and making him out to be the devil. He also gets ones that say, we have apparatus in certain departments that cost in excess of \$500,000 that gets used twice a year. If you go to the department next door, they have the exact same thing. So you talk about coordination and collaboration and how that can be accomplished, he thinks the Task Force is on to something.

Nepotism has run amuck in some of the fire departments that need to be looked at as well. Again, doing nothing is a disservice. The Task Force has brought some issues to light in the report. Representative Talley stated that his bill is not perfect, but spoke to a Chief and asked him to tell him what the Task Force is trying to do would change the daily operation of the fire department, and he couldn’t do it.

Representative Talley doesn’t know whether the county-wide fire service board is the way to go, or doesn’t know whether to devolve the appointment powers from the delegation to County Council is the way to go. Some fire departments could learn a lot from other fire departments. So he hopes this is something that all takes under consideration to move forward.

Representative Talley would like for the Delegation Chairman and County Council Chairman to look at ways to further empower the Task Force, to look at best practices, and possibly even get the Task Force to meet with the various departments throughout the community and try to come up with

ways to meet the mark, put out some standards.

If it comes a time when some of the fire departments don't want to play by the rules, don't want to follow what people do everyday and yet work side-by-side with them on many occasions as they should be doing, then maybe there is a way they could be dissociated from the county. The delegation did the same thing with the rescue squads years ago.

Representative Talley's next door neighbors and people that live in this community, think about the fire service on two occasions. 1) if their house is on fire; and, 2) when they receive their property tax bill. If you look at the amount of taxes stated for fire service, it looks very small. But when you put them all together and you see there is over \$22M being spent by these entities in the county, and how it is being done, and the lack of coordination, something has to be done.

Senator Ritchie asked if there were any arguments heard that was compelling as to why the delegation should remain appointing the members of the commissions. Mr. Jones stated the question asked was not the topic of discussion. Again, the Task Force had a very narrow charge, and delegation appointing members of commissions was not an issue of charge.

Representative Walker stated that within the Council Chambers, there are three ways in which commissioners are appointed – the delegation appoints some, County Council appoints some, and Municipalities appoints. Cherokee Springs came to the Delegation some years ago requesting their commissioners be elected by the voters in the fire districts, as they are the people paying the taxes to the fire district. Some fire departments think that the commissioners work for the Fire Chief and the department. However, the Fire department and Chief works for the commissioners. The people in the district should be the voice for recommendations to delegation members.

Although elected commissioners are working well within the Cherokee Springs district, Representative Smith is concerned about having elected commissioners throughout the community. As a result continuity is lost – then, what do you do with those areas that are left out? How do you assure that elected commissioned fire departments have the right equipment when it's really needed?

Representative Smith and Chairman Horton would like for other delegation members and County Council members to volunteer to participate in a Delegation/County Council Fire Service Plan.

3. MR. SCOTT MILLER – CONCERNS ABOUT HOUSE BILL 3145

On the surface, Mr. Miller thinks that House Bill 3145 is a great idea. Fire Service is thought to be a local issue and probably better handled by local government. However, there are some misnomers and things heard. County Council doesn't have any budgetary approval for an SPD, or any fire department. SPDs go through a budgetary process, but it's more complicated than that.

The reason Mr. Miller thinks that House Bill 3145 is not the best option for fire service, but

does agree it needs to be changed and agrees with some of the recommendations from the Task Force. However, to hand the appointments to County Council is not a good idea. Mr. Miller feels that County Council wants as little to do with Fire Service as possible. As a whole, the SPDs are the agencies that are doing Fire Service right. The SPDs are providing service, funded by millage rates, that are voted on by citizens of the district, or set by elected officials. Yes, there are exceptions to the rule in every venture in life that is encountered. Mr. Miller states that the failure occurs with County Council. County Council has fire departments that are set up on contracts as private corporations, but is not a form of government for the fire service. These corporations then contract with the county for fire service. These contracts are never bid nor never announced.

Mr. Miller reflects that one time in his 15 years, there was an attempt to bid on fire service in Spartanburg County. The bid was extremely low, pushed under the table, and never touched. At the same time, the County has an advisory council form of a county-wide fire board. The board has no governance to it. The County Fire Board is nearly identical to what the advisory committee already has, but County Council refuses to use it for anything other than supplemental funding such as the specialized team like the Task Force report mentions. Budgetary reviews and long term capital gains are addressed in the Advisory committee. So to hand the appointments over to County Council will only further escalate the failure that has occurred over the years.

Mr. Miller has met with Jeff Horton and O'Neal Mintz to offer suggested solutions. The county fire departments are FSAs (Fire Service Areas) which are the most under funded, under staffed, under equipped departments in the whole county. Yes, there are some SPDs the same way. The Task Force has addressed that. The Task Force states the fire departments funding process should not be changed. That is, it is tax based relative to the particular fire service area.

However, the one thing that Mr. Miller has not seen from the county, the Task Force, or anyone else, is a description of what is considered minimum fire protection. Is the fire service acceptable or is it not. If the fire service is not, then every citizen has to choose to either pay for it, or move to an area with a higher tax base so each can get what is consider a minimum level of service. This is the one failure that has existed throughout time.

David Jones mentioned an article that he read in the paper from years ago. Every recommendation that has come to the delegation through the task force or over the years through the fire service has already been studied by the county. Mr. Miller can provide a copy of the Fire Advisory Committee and the County Master Plan of 1989. There is very little change proposed in the Task Force as to what was originally proposed by the County Master Plan. Again, the failure comes when County Council had to be the one to step in and enforce it. There is no enforcement policy there. No the county cannot do away with an SPD. But, they can diminish the boundary that is to be so that it cannot functionally operate. There is an avenue there to be taken to bring some reprimand to these same things. The task force back then addressed all of the same issues.

Mr. Miller knows this won't count, but an SPD is required by state law to be audited annually. If the audit isn't being done, then state law isn't being enforced. If the state law can't be enforced, maybe then a change in the law is needed. Surely Spartanburg County is not the only county where problems exist in the state.

Mr. Miller knows House Bill 3145 is a statewide bill, but if passed, the legislation will affect

Spartanburg. Scott recommends changing state law so that it is enforceable and actually start making these fire departments do all that is required. For the FSAs, nothing is in writing that an audit is required. Mr. Miller believes that appointments are being handled as should be. Mr. Miller honestly believes that if those appointments are lost to County Council, the quality of the fire service will drop in Spartanburg County.

Mr. Miller would like to make comments on the Task Force recommendations, but he was asked to submit those comments in writing.

Mr. Miller understood the need for secrecy inside walls of a meeting, but also wants the delegation and members of County Council to know that if there has ever been anything that has caused more division among the fire departments were the rumors that started the moment the doors were sealed. Not the first time was consolidation ever mentioned. The fact that the discussions were not allowed outside the room caused the rumors. At one time, it wasn't a cohesive working relationship. If changing tax lines or boundaries or voting districts, each fire department will protect their own interest. Dissension was spurred out of the secrecy that existed between public officials and public bodies that should not have been held in secret from the beginning.

4. PROPOSAL FROM CITY OF SPARTANBURG TO REVISE CTC ADVISORY COMMITTEE MEMBERSHIP

Representative Walker moved to adjourn to debate the issue as the City of Spartanburg is asking for the City Manager to have the appointment. Other municipalities throughout the county should be considered to sit on the CTC Advisory committee. Therefore, this item was carried over until the next meeting.

5. MR. JIMMY TOBIAS – CLOSING OF OLD CONVERSE ROAD

Mr. Tobias states there is a rickety humpback bridge in Converse that needs to be closed. Mr. Tobias has collected a thousand signatures on a petition for the railroad to step up and get into the new millennium. The Old Converse Road Bridge was built in the 1940s. According to the Spartanburg County Public Works Director, Mike Garrett, as stated in a letter, the bridge is substandard, low volume, low tonnage, just enough to get you across. It isn't built to acceptable standard based upon the amount of traffic on the bridge.

In trying to deal with the railroad, the community needs a superman to help accomplish the task of closing the bridge. Several Broome High School students went off the bridge as the bridge does not have a guardrail in place.

Mr. Tobias is asking the delegation to do something to help get the bridge closed permanently.

Representative Littlejohn stated that a bill passed in 1996 states that if the bridge remains

open and is unsafe, the railroad would have place a flagman under the bridge to allow traffic under the bridge. If the bridge were to be closed that would let the railroad off the hook. Therefore, the bridge needs to remain open until something can be worked out with the railroad to finance a new intersection to alleviate the problem.

6. BETH SUMMER-STRAIT – MENTAL HEALTH TASK FORCE UPDATE

Beth asked the delegation to keep mental health issues in mind while working through the legislative session. Mental Health has always been fighting for parity so that if someone who has a mental illness can get treatment equal to folks of a physical illness. The brain is a part of the body as is the heart or liver or anything else.

Mental Health is also very interested in the discussions that are going on involving the new structure of the government, i.e., what departments might be shifted into partnership with other departments. Obviously, Mental Health is trying to advocate and speak out on behalf of citizens that do have mental illness because more often than not they don't have a voice for themselves.

Chairman Smith is chairing the Mental Health Task Force on behavior health inpatient services for about four or five months. It is slow going, but at every meeting, there is new input. Beth encourages all the delegation members to get involved. With the delegation in session, the next meeting probably won't be held until the later part of spring. If there is a bill before the General Assembly, and delegation members want to know what is best for the folks that would actually be impacted, give Mental Health a call as they are actually working in the trenches with the individuals who suffer with a mental illness and their family members.

7. MS. RENEE CARIVEAU – 2007 UPDATE OF THE SPARTANBURG COUNTY MUNICIPAL ASSOCIATION

Ms. Cariveau informed the delegation that the Spartanburg County Municipal Association is going to be working harder to work together. It is meant that the cities and towns in Spartanburg County are going to strategic plan and raise the bar to see what can be done to work more closely together with Spartanburg County Council as well as the Legislative Delegation.

The Municipal Association meets bi-monthly. Any of the issues that have been discussed earlier such as the CTC and ways that the Spartanburg County Municipal Association might be able to help in those matters or other initiatives, projects, programs, funding, etc. that the association might collaborate and partner together would be welcomed. In saying as such, the association invites the delegation to the April 28 meeting at 6:30 p.m. held at the Marriott. An invitation will be forthcoming. The meeting will be open for discussion in a very casual, social atmosphere.

COMMITTEE REPORTS

8. REPRESENTATIVE LANNY LITTLEJOHN, COUNCIL OF GOVERNMENTS (COG)

No report

9. REPRESENTATIVE BOB WALKER, COUNTY TRANSPORTATION COMMITTEE (CTC)

No report

10. SENATOR JIM RITCHIE, SPARTANBURG AREA CHAMBER OF COMMERCE

No report

11. REPRESENTATIVE HAROLD MITCHELL, SPARTANBURG CHILDREN'S SHELTER

No report

12. SENATOR JOHN HAWKINS, SPATS

No report

13. SENATOR GLENN REESE, DEPARTMENT OF NATURAL RESOURCES

No report.

14. REPRESENTATIVE SCOTT TALLEY, PARD

No report

28. OLD BUSINESS

No report

29. NEW BUSINESS

a) **Agriculture Commission Appointment**

The delegation has two people who are interested in serving on the State Agriculture Commission. There has been a gentlemen's agreement over the years with Cherokee County that counties would rotate appointments every four years. Many of the delegation members signed a letter not to long ago re-appointing Mr. Ben Gramling. It then came to the Delegations' attention that it was Cherokee County's' turn for the appointment. However, it was discovered that Cherokee County had consecutively made the appointment for twelve (12) years. Representative Smith felt the best thing to do was to put it up for a vote.

Senator Peeler remarked that the 7th Judicial Circuit (Cherokee and Spartanburg) has a number of circuit appointments for the statewide boards and commissions, one of which is the Agriculture Commission. Senator Peeler has a letter that was agreed unanimously by the delegations from both counties. Senator Peeler asked that Mr. Frieze be appointed to the Agriculture Commission.

Representative Littlejohn commented that he represents a portion of Cherokee County and would support Mr. Frieze to serve on Agriculture Commission from the 7th Judicial Circuit.

Representative Walker shared with the delegation that Senator Peeler alluded that the decision from Cherokee County to appoint Mr. Frieze was a unanimous decision. Representative Walker has been on the Spartanburg Delegation for fourteen years now and has the terms as to who served and when. In 1991, it was Cherokee County's' turn and they appointed Mr. Ed Small. Four years later the time came for the appointment to be addressed. Cherokee County asked the Spartanburg Delegation if Mr. Small could serve again. Spartanburg delegation agreed to permit Mr. Small to serve another four year term. But when Mr. Small's second term expired, Cherokee County never asked Spartanburg if they would agree for a Cherokee County resident to serve because they felt it was their time to appoint a member to the Agriculture Commission. This means that Cherokee County had a person on the Agriculture Commission for a consecutive twelve years. Representative Walker is asking that Mr. Gramling be permitted to serve a second term.

This in no way diminishes the services of Mr. Gramling. Mr. Gramling has served his term well and at this time, Senator Peeler is asking for Cherokee County's' appointment of Mr. Frieze be approved.

Votes were taken. Mr. Frieze received two votes. Mr. Gramling received nine votes. Representative Walker asked to hold off on the appointment and he would contact Mr. Gramling to discuss the issue before a decision is made. The appointment was carried over until the next meeting.

Senator Reese has heard that the Spartanburg County Election Commission could be expanded to at least ten people. However, the state code states at least three but no more than five commissioners could serve on the board. Senator Reese would like for the delegation members to think about adding another person to the board, if needed, in order to have an odd number of members.

However, there are approximately twenty-three counties in South Carolina who now have a

combined Voter Registration and Election Commission. As a delegation, Representative Smith expressed his thoughts to combine the boards having one chairman. Representative Smith will have some drafted legislation drawn up for the consideration of the delegation.

Chairman Smith distributed the new committee assignments.

WITH NO FURTHER BUSINESS, THE MEETING ADJOURNED.

Doug Smith, Delegation Chairman

Attested:
Carol Crowe