



**MINUTES**  
**Spartanburg County**  
**Legislative Delegation**  
**Monday, November 10, 2008**  
**5:00 p.m.**

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, November 10, 2008 at 5:00 p.m. in County Council Chambers of the Spartanburg County Administrative Office Building. The following members were present or absent as indicated:

Senator Glenn Reese – Present  
Senator Lee Bright – Present (Late arrival)  
Senator Shane Martin – Present  
Senator Harvey Peeler – Present  
Representative Harold Mitchell – Present  
Representative J. Derham Cole, Jr. – Present  
Representative Lanny Littlejohn – Present  
Representative Mike Forrester – Present  
Representative Keith Kelly – Present  
Representative Rita Allison – Present  
Representative Steve Parker – Present  
Representative Joey Millwood – 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 and Pledge of Allegiance**

Invocation was rendered and the Pledge of Allegiance was led by Dr. David Rennick, Senior Pastor, First Presbyterian Church, Spartanburg.

## **Swearing-In Ceremony**

The Honorable Doug Smith, Speaker *Pro Tempore* administered the Oath of Office to all newly elected House and Senate members except for Senator Lee Bright who was absent during the Oath of Office.

## **Election of Chairman and Vice Chairman**

As the Honorary Chairman, Doug Smith called for nominations for Chairman of the Delegation. Senator Harvey Peeler nominated Representative Lanny Littlejohn. Representative Mitchell seconded the motion.

Senator Glenn Reese nominated Senator Shane Martin. The nomination was seconded by Representative Millwood.

Individual votes were taken with Representative Lanny Littlejohn receiving nine votes and Senator Martin receiving four votes. Therefore, Representative Littlejohn will serve as Chairman of the Spartanburg Delegation for the next two years.

Honorary Chairman, Doug Smith, called for nominations for Vice Chairman. Representative Littlejohn made a motion to nominate Representative Keith Kelly. Representative Mike Forrester seconded the motion.

Senator Lee Bright made a motion to nominate Representative Millwood. Senator Glenn Reese seconded the motion.

Individual votes were taken with Representative Kelly receiving eight votes and Representative Millwood receiving five votes. Therefore, Representative Kelly will serve as Vice Chairman of the Spartanburg Delegation for the next two years.

Chairman Littlejohn thanked the delegation for electing him as Chairman and called the meeting to order.

Chairman Littlejohn made the following announcements:

Local committee assignments requests are to be filled out and turned into the delegation office.

Delegation meetings will be held quarterly as in the past. Notifications will be sent out advance.

The House of Representatives will be organizing on December 2 and 3 in Columbia. The Senate will be organizing in January.

## **1. APPROVAL OF PROPOSED AUGUST 4, 2008, MEETING MINUTES**

Representative Rita Allison moved to approve the August 4, 2008 meeting minutes as printed and mailed. The motion was seconded by Representative Kelly. The motion carried.

## **2. MR. BERNARD S. GROSECLOSE, JR., PRESIDENT AND CEO SOUTH CAROLINA STATE PORTS AUTHORITY – THE STATE OF OUR PORT.**

Mr. Groseclose introduced Karen Floyd, David Posek (current Chairman of Board), and Barbara Melvin who heads up the governmental and public relations efforts.

The Ports Authority has close ties with many manufacturing firms involved in logistics within the warehousing and distribution arena. The Ports Authority has released a new economic impact study that was completed by Wilbur Smith Associates. The results were published about ten days ago. The handout points to the importance of the international trade through the Port of Charleston. Significantly, it points out the number of jobs created as well as the wages, salaries, and tax impacts. Of those 206,800 jobs related to trade represents about one in eleven jobs that actually exists in the state. Significantly, for this area, almost 50% of those are here in the Upstate.

The economic impact study is broken down into six regions of the state. The thirteen counties of the Upstate Piedmont region are the most significant. As you drive along I-26 or I-85 you see many of those businesses that use the Port on a regular basis.

If you look at just the Upstate impact of tax dollars, jobs created, personal wages and salaries generated, there is about \$21.4B of total impact out of about \$44B that is generated here. There are 112,700 of those 206,800 jobs in this region. Certainly a very significant audience for the Port and one that is made sure each is kept informed to protect the states investment as the ports ability for companies in the region to trade internationally.

The port has some recent success in terms of moving toward expansion. Nine different federal and state agencies reviewed the environmental impact statement over a period of almost five years. After a thorough study, this was indeed a needed project to justify it financially viable and something that should be constructed and built. The board is moving ahead aggressively since April of 2007 when the permits were received. There have been some challenges along the way. There will continually to be some challenges from various groups, but there has not been an injunction on the work, so the construction continues to move ahead. The Port expects the first phase of the terminal will be open in 2014. Sight preparation is underway and the Port is very excited about making the terminal a reality.

The best news that Mr. Groseclose has is that he is not asking for money. The Port made a commitment that the balance of the funds that have been previously committed by the state would be picked up by the Ports Authority which amounts to about \$8M of work that has been done in the Charleston Harbor that the state was cost sharing with the federal government.

The Port was very fortunate to be the recipients of about \$180M of funds through the

efforts of the state, etc. for the access road to be constructed between the new terminal at the navy base and I-26. The Port has also committed to make up any shortfalls on the project. The terminal is being funded internally.

### **3. MS. JUANITA THAXTON, CHAIRMAN 7-A FOSTER CARE REVIEW BOARD – ANNUAL REPORT**

Ms. Denise Barker, Executive Director of the Foster Care Review Board, shared a statewide annual report.

The Children's Foster Care Review Board was established by statute in 1974. The Board reviews all cases of children in Foster Care in South Carolina to make sure that permanent plans are being made by the agencies responsible for their care. The Board does this by using over 200 volunteers from each county. There are two review boards in Spartanburg County along with a third board in the 7<sup>th</sup> Judicial Circuit that reviews cases of children in Cherokee County. It is a thankless job for the volunteer people.

In the annual report, East African people greet each other by saying, "And how are the children?" If we were to use that greeting here in South Carolina today Ms. Barker is afraid we would have to say "They are not so good." Since January of 2008, the Review Board has had a 12% increase in the number of children that have come into the Foster Care system. The Board is already operating on a 12% increase over last year's calendar year.

While Ms. Barker is asking for awareness as the next budget cycle is fast approaching, the Department of Social Services, which the Board reviews, was already an agency that was drowning. With recent budget cuts they cannot hold their heads above water. The children and the parents need their services more than ever. The Board is doing the best with what is available.

From January 1 to December 31 of 2007, there were 42 local review boards in South Carolina. They reviewed over 5,000 children living in Foster Care in South Carolina. That is a 12% increase over what was reviewed in 2006. The local review board members donated over 17,000 volunteer hours to service the children in South Carolina. The volunteers serve all day once a month interviewing birth parents, foster parents, and people that take care of these children. They make a recommendation to family court, along with the recommendations of the Department of Social Services and the Guardian Ad Litem program.

In the handout there is information about the South Carolina Heart Gallery. This is a new partnership that the Board is very excited about.

The Heart Gallery is the first public private partnership between the Foster Care Review Boards and the Department of Social Services. Professional photographers come forward to take pictures to see who these foster children are. They are not just names or numbers, they are little children. They need families and people to care for them. Since the Heart Gallery was introduced in 2005, within two years the Boards have placed 42 of the 114 children. Thirty-four percent of the children in 2007 were placed within twelve months, and five children in 2008

already have families identified. This is a program that is helping move children out of the foster care system who have been free for adoption and moved on into families.

The Heart Gallery website received approximately 290 inquiries per day, and average 51 hits from people that actually proceed and file applications to adopt children. There are over 800 children in South Carolina that are free for adoption.

Representative Parker feels that the delegation should take a stand as children are caught in the middle and grow up and become less adoptable. With the thousands of hours of volunteer time it is also time to allow for more judges. Limits should be set to allow certain cases to continue. These children could grow up and make a difference in the world.

#### **4. MR. C. BEN DAVIS, AREA DIRECTOR OF SC EMPLOYMENT SECURITY COMMISSION – UNEMPLOYMENT INSURANCE TRUST FUND**

The SC Employment Security Commission is paying out about \$60M a week. Mr. Davis' best estimate is that about \$900,000 in Spartanburg, Cherokee and Union counties. Once the \$60M is all paid out, the Employment Security Commission will be forced to borrow money from the federal government. If loans are not repaid in allotted time, then interest charges will result long term. South Carolina employers will lose their FUTA tax credit. The best estimate of cost for the first year, of losing the tax credit would be about \$40M. This is \$40M that will not be going into the Employments Security Commission trust fund, but into the FUTA trust fund. Benefits have been paid out faster than receiving employer contributions. The average gaps since 2001 between the contributions in the past has been \$95M a year. The contributing factors are: Number one, the trust fund balance was \$800M. This prompted the legislators to lower rates and reduce income just before we went into a recession that we haven't recovered from. Add to that the thousands of textile jobs lost during and after the recession. Number two is that the current taxable base is \$7,000. The employers pay on the first \$7,000 that each employee earns each year. This has not changed since 1984 when the average weekly wage was \$311 – now it is \$783. The 1984 value of \$7,000 in 2008 dollars is \$15,000.

The options now are to raise the taxable wage base. North Carolina has already cycled through the scenario that we are currently in. They have built up a huge reserve fund, lowered rates in some cases to 0%, became solvent, borrowed money, and subsequently raised their taxable wage base to over \$18,000. Some way of indexing to the average wage in the state would also be an option.

Option number two would be to raise the tax contribution rates. This obviously can be done across the board, the legislature could possibly look at maybe shifting some of the burden away from those employers that create the least liability and more in the direction employers could create more liability by having more incidences in which the Employment Security Commission would have to pay more unemployment claims.

Option number three would be to expand the qualification period for claimants who voluntarily quit or are discharged from their jobs. Option number four would be to continue not

to raise or to lower the maximum weekly benefit wage which has been \$326 for the last two years.

Mr. Davis has tried to make the case that economic conditions are to blame along with the current fact that the revenue structure is not particularly sustainable even if you are in relatively good economic times. It is not a matter of cutting administrative cost because there is a separate federal funding for such.

Our short coming as an agency is obviously been through our legislative efforts. This is not a glamour cause as we are talking about raising taxes on businesses. If this is not resolved in a way that gets us off the books at the feds then this could have a serious economic impact to the businesses in the districts.

Any course of action taken will be through legislative efforts.

## **5. MS. LINDA WILSON, DIRECTOR OF DEVELOPMENT AND PROGRAMMING – UPSTATE HOMELESS COALITION**

Ms. Wilson announced that Representative Harold Mitchell will be honored on February 21, 2009 at the Upstate Coalition annual Bridesmaid's Ball. He and his wife Wanda will be the honorary bride and groom. Representative Mitchell was chosen because he believes strongly in safe and affordable housing for all citizens just as the Upstate Homeless Coalition does.

The Upstate Homeless Coalition does this by providing housing for people that are homeless and that are very low income. Many of them have mental illness and can't get housing through the mental health system. The money raised for the event will be used to place more homeless and/or low income people into safe and affordable housing.

A ten year report has been included in the packet of information. There were over 1100 people that came into some type of homeless shelter between January 1 and December 31 of 2007. This is not the total picture as many people do not receive shelter.

The packet also contains information on other initiatives that are being done in Spartanburg County. The Homeless Coalition has provided a wonderful service and will continue to do so until there aren't any more homeless people.

## **6. MS. CAROL MABRY, INTERIM PRESIDENT OF SCSDB - UPDATE**

Ms. Mabry thanked the delegation for providing unity shown through the years to the South Carolina School for the Deaf and the Blind (SCSDB). The SCSDB pledges their commitment to be good stewards of the daily goal of exemplary service.

Last year, the SCSDB served over 850 infants and toddlers in South Carolina who are from birth to three years of age that is deaf and/or blind. Over 400 children in public schools were served from 65 of the 85 school districts in South Carolina who had contracted with the

SCSDB for these special services. Ninety-eight percent of the visually impaired children can't read a regularly printed textbook may need a third grade geography book in Braille, or a calculus book in large print. Ninety-eight percent of those children, through the instructional resource center in cooperation with State Department of Education, received their textbooks at the same time commensurate with their sighted peers.

### **COMMITTEE REPORTS**

7. Committee assignments will be forthcoming; therefore, reports will be addressed at the next delegation meeting scheduled for February 4, 2009.

### **APPOINTMENTS**

#### **8. ARKWRIGHT FIRE DISTRICT COMMISSION**

Resignation of E. R. Thomas. Application received: None.

Receiving no applications, this appointment was carried over until the next meeting.

#### **9. WESTVIEW-FAIRFOREST FIRE DISTRICT COMMISSION**

Term of Dwane Broyles. Applications received: Jeff Knight, Todd Gilmore, Stacy Thompson, Rick Simmons, Jay Erick Hammett, and Rick Henneycy.

Representative Mike Forrester made a motion to nominate Rick Henneycy. The motion was seconded and approved by acclamation.

#### **10. WHITNEY FIRE DISTRICT COMMISSION**

Term of William Claude Thomason. Application received: William Claude Thomason.

Senator Shane Martin made a motion to nominate William Claude Thomason. Senator

Reese seconded the motion. The motion carried.

**11. DRAYTON FIRE DISTRICT COMMISSION**

Terms of Randall Blackman and C. Ray Emery. Applications received: Johnic O. Byars and Robert Eugene Wheeler, Jr.

Representative Derham Cole, Jr. made a motion to nominate Johnic Byars and Robert Eugene Wheeler, Jr. Senator Shane Martin seconded the motion. The motion carried.

**12. ROEBUCK FIRE DISTRICT COMMISSION**

Term of Thomas L. Bulman. Application received: Thomas L. Bulman

Representative Keith Kelly made a motion to nominate Thomas L. Bulman and moved the nominations be closed and be accepted by acclamation. The motion carried.

**13. OLD BUSINESS**

Senator Reese introduced Judges Derham Cole, James Pasley, Tommy Wall and Scott Ramsey.

Senator Reese introduced residents from the west side of town as they are requesting a sports complex be constructed in their area similar to one on Old Furnace Road in Boiling Springs.

**14. NEW BUSINESS**

Chairman Littlejohn administered the Oath of Office to Senator Lee Bright.

**WITH NO FURTHER BUSINESS, THE MEETING ADJOURNED.**

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Lanny Littlejohn, Delegation Chairman

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Attested:  
Carol Crowe