



MINUTES
Spartanburg County
Legislative Delegation
Monday, February 2, 2015
5:30 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, February 2, 2015 at 5:30 p.m. in County Council Chambers of the Spartanburg County Administrative Office Building, located at 366 North Church Street, Spartanburg, SC. Senator Shane Martin presided. The following members were present or absent as indicated:

Senator Tom Corbin - Present
Senator Glenn Reese – Present
Senator Lee Bright – Absent
Senator Shane Martin – Present
Senator Harvey Peeler – Present
Representative Harold Mitchell – Present
Representative J. Derham Cole, Jr. – Present
Representative Edward R. Tallon, Sr. – Present
Representative Mike Forrester – Present
Representative William Chumley – Present
Representative Rita Allison – Present
Representative Donna C. Hicks – Present
Representative N. Doug Brannon – Present

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was rendered by Representative Donna Hicks, and the Pledge of Allegiance was led by Representative J. Derham Cole

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

This begins the second two-year session with the election of a Chairman and Vice Chairman. This delegation rotates the chairmanship between the House and the Senate. It is currently held in the Senate with the Vice Chairman becoming the Chairman and the Senator will be the Vice Chairman.

This is done in February instead of November, as in November we could have new members, and they would be expected to vote on the Chairman and Vice Chairman. This gives the new members time to learn who they want to support.

Senator Martin called for nominations of a Chairman. Representative Tallon moved to nominate Representative Derham Cole for Chairman. Representative Allison seconded the motion. Representative Forrester moved the nominations be closed and he be elected my acclamation. The motion carried.

Chairman Cole moved into nominations and election for Vice Chairman of the Delegation.

Senator Peeler moved to nominate Senator Shane Martin as Vice Chairman of the Delegation. Senator Reese seconded the nomination. A motion was made for Senator Martin to be nominated by acclamation. The motion carried.

1. APPROVAL OF NOVEMBER 10, 2014 MEETING MINUTES

Representative Allison moved to approve the November 10, 2014 meeting minutes as submitted. Representative Tallon seconded the motion. The minutes were approved.

Chairman Cole reminded the audience of the required timeframe to submit a request to present information as required by the Freedom of Information Act.

2. MS. NANCY HOLLAND, EXECUTIVE DIRECTOR OF MENTAL HEALTH AMERICA OF SPARTANBURG COUNTY – CLARIFICATION OF ORGANIZATION

Mental Health America of Spartanburg is a satellite of Mental Health America South Carolina, a part of the national organization. Their mission is to promote positive mental health through advocacy, education, and service. Mental Health America previously had a presence in Spartanburg since the 1950's until they merged with Carolina Counseling and became the PACE center. In 2011, when the PACE center lost funding, Mental Health America went away as well. Thanks to the Behavioral Task Force, formed in 2012 and the subsequent behavioral health needs assessment that was completed for Spartanburg County, determined there was no organization doing the type of work that Mental Health America does in regards to advocacy, education, and service. One of the staggering results of the needs assessment is that only 15.9% of the people in Spartanburg County with mental illness were being served. Mental Health America's mission is to help these people overcome the stigma and also to locate services for them.

With an initial grant from Spartanburg Regional Foundation, as well as subsequent funding from the joint funders who were the Mary Black Foundation, Spartanburg Regional Foundation, Spartanburg County Foundation, and the United Way of the Piedmont, as well as gifts from Mental Health America of South Carolina, a New Day Clubhouse was able to be re-established.

An Advisory Board was formed in the spring of 2014. Ms. Holland was hired in July of 2014. Mental Health America was re-organized and began operating in July of 2014.

For the past six months, Mental Health America has been making their presence known in the community by meeting with other non-profit organizations as well as some of the service providers like the Mental Health Clinic, as well as some private psychologist and therapist to find out what the lay of the land is; and, if Mental Health America can refer people to them.

The part about advocacy and service is Mental Health America needs that information in order to recommend clients to their facility.

Mental Health America also offers educational services, suicide prevention, and stigma reduction, as well as an international course in mental health first aid. One of Mental Health America's most recent project is they are currently seeking Social Security approval to launch a representative payee program to Spartanburg County. This will fill a need in the county for people with mental illness to help them with their money management.

The stigma surrounding mental health has been reduced somewhat since the 1800's, but is still around. Mental Health America has just finished filming a documentary to help reduce that stigma. This documentary tracks the progression of the mental treatment in the facilities since the 1800's until today.

Mental Health America is asking the Delegation for support, should any legislation come before them dealing with behavior or mental health issues, and encourage Governor Haley to declare October 5 through the 11th Mental Health awareness week and publicize a proclamation to the affect.

3. MS. KATHY DUNLEAVY, PRESIDENT AND CEO OF THE MARY BLACK FOUNDATION – THE WAY TO WELLVILLE AND WHAT THIS MEANS TO OUR COMMUNITY

Spartanburg had an opportunity to apply for a contest. Back in April, A national organization called Health Indicators Coordinating Council 'HICcup' announced they were going to have a national contest naming five communities across the country to work with for five years on five health outcomes. The criteria specified the organization had to be a cohesive, collaborative, committed community with a population of 100,000 or less in order to apply.

Ms. Dunleavy and partners Ms. Renee Romberger, Vice President of Spartanburg Regional; , Chris Story, Assistant City Manager; Holly Talbert Metz, Vice President of programs at Mary Black Foundation; Sentell Premrod, Iron Yard; and Kathleen Brady, Vice Chancellor at USC Upstate met and ask if the Mary Black Foundation should apply. There was a resounding 'Yes', but could only apply as the City because of the contest criteria. The application was submitted in April; made the first cut, made the sweet sixteen, a sight visit was made on August 1, and August 13, the Mary Black Foundation was named one of the five Wellville communities.

Niagara Falls, New York; Lake County, California; Flat Top, Oregon; and, Muskegon, Michigan are the other four.

With this comes a tremendous amount of assistance: technical and connections to a significant amount of resources. But, as applied for, they had to reveal what they were going to do to move the needle in five years? How are they going to be better than the others? The partners told them they wanted to focus on five things: obesity prevention; access to care for the uninsured; health for the

insured; kindergarten readiness and community pride. They had a lot of discussion about all five of these.

Health for the insured, for instance – there are so many of our citizens who are insured but they do not take advantage of all the preventive measures of opportunities their insurance affords them with an annual physical or cholesterol checks, etc; and they want to get the word out.

Again, you can understand kindergarten readiness is something that is extremely important. Our children, 0 to 5 years of age, 90% of their brain development happens by the time they are five years old.

Mary Black has just begun. This is month two, day two, and they are excited about the next five years. This is not about slow and steady plotting. Mary Black is going to take a lot of risk, by trying some things we have not completed before. Some of them are going to succeed and some are not.

There are eyes on Spartanburg now from across the nation. They are receiving calls asking them to participate in applying for grants; come look at us, etc. The community is going to see a lot of exciting things happen over the next five years.

As the partners are thinking about initiatives - you think about kindergarten readiness. One of the goals being explored is what if every child who lived in the City of Spartanburg had free access to 3-K and 4-K Kindergarten. Can we do social impact that will guarantee that every one of our children will have access to quality 3K and 4K Kindergarten? Mary Black thinks that is doable. That is the Out-of-the-box crazy thinking which is going to be pursued – because if we are going to win this competition in five years, we have to do that kind of thinking.

The branding seen – Be Bold; Be Brave; Be Well; really complements what the name is saying. They are having to be bold in ideas to accelerate help; and, having to be brave with some of the things thought and dreamed of, which is actually going to be executed and implemented. The ultimate goal is that we will be well.

This is broader than just health, even though health is huge. Every one of these goals directly affects the future prosperity of this community if we are able to use our healthcare system more efficiently that lowers cost and increases economic opportunity development goals. All will touch efforts to become a more prosperous Spartanburg with more opportunities fifteen years from now.

4. MS. ANGELA ROBINSON, NEW DIRECTOR OF SPARTANBURG DEPARTMENT OF SOCIAL SERVICES.

Ms. Robinson was not available to present.

5. MR. JERRY SHAW – SC LEGISLATIVE RESOLUTION TO US REPRESENTATIVES REQUESTING THEY IMPEACH OUT OF CONTROL FEDERAL JUDGES AND THE REINSTATEMENT OF THE FEDERAL DEFENSE OF MARRIAGE ACT.

Mr. Shaw is proposing the South Carolina legislature have a law ready to pass the minute the Supreme Court legalizes homosexual marriages. It doesn't matter how you feel about homosexual marriage; the fact that the federal government is forcing us of habit to be a concern to everyone. These courts are out of control. They do not care who they hurt or how they affect us. They are going to do

whatever they want. They are going to read things in the Constitution that are not there, and were never intended to be there.

Mr. Shaw proposes this law be much different from most laws to incorporate inside the law with the reasons behind the law. For instance, we state this law must (if it is reviewed by a court) address every one of the items inside this law.

Number 1 – We state the intent of the 5th and 14th amendments was not to regulate marriage. It was not intended to legalize homosexual marriage. The 14th amendment has a clause in it that states, the states must provide equal protection under the law, and also must provide due process of law.

The homosexuals are not prosecuted if they get married. They can go find a minister who will perform a ceremony for them. We already have homosexual marriages in South Carolina, but we do not license that marriage. Since the homosexuals are not prosecuted, they claim they do not receive equal protection of the law which is invalid. We do not have to license their marriage, just like we do not have to license multiple partner marriages or marriage between adults and children, or marriage between children and children. We do not have to license those marriages just like we don't have to license homosexual marriage either. Equal protection is not equal rights. If the court rules, that equal protection is equal rights, then we are going to have to give the same rights to single people that we give to married people.

The Due Process law clause in the 5th and the 14th amendment means that you have the right to a fair trial. Whether homosexuals have successfully had cases brought before courts to lay out their reasons for wanting homosexuals, therefore, they have been given due process of law. They are intentionally misinterpreting these phrases in the 14th and 5th amendment.

An interesting part in Section 5 of 14th amendment says, Congress shall have power, by appropriate legislation to enforce the provisions of this Article as it states Congress, not the federal courts have the power to enforce provisions of the 14th amendment. Congress has not made any laws authorizing homosexual marriages. They did pass the defensive Marriage Act, which basically gives the states the right to regulate homosexual marriage.

Another really strange point, is the 14th Amendment was added to the Constitution illegally in 1868 marking those states 'Ratified' to add it to the Constitution.

There are people who study this in Law School, and these judges know this. Yet they are using this illegal amendment to overturn the legal constitutional amendment of South Carolina. And the Courts like to use this as Case law. Case law is a court ruling. And, in another case, they like to use these rules as if they were law.

I have some of these points in my proposed law. Mr. Shaw thinks that if we force these judges to actually address these points, they would have difficulty overturning this law. If they do overturn this law, then have another law ready to pass to make the same thing illegal.

We continually resist the federal government. Otherwise, this course will continue to overturn everything they want to.

COMMITTEE REPORTS

6. SENATOR MARTIN – LOCAL GOVERNMENT FUND COMMITTEE REPORT

There is nothing new to report.

7. REPRESENTATIVE ALLISON – SPARTANBURG CHAMBER OF COMMERCE

No report.

8. SENATOR MARTIN – CHAPMAN CULTURAL CENTER

The last board meeting indicated all was going well at the Chapman Cultural Center

9. REPRESENTATIVE FORRESTER – COUNCIL OF GOVERNMENT (COG)

Representative Forrester reported as far as grants are concerned, a Development grant has been issued in the amount of \$2M to Duncan and Wellford to expand and upgrade their water system as they have a poor rating.

Representative Forrester had some conversations last week about the Council of Aging Services.

There were 28,000 congregate dining meals served to seniors; 10,317 home delivered meals; 1260 hours of home care assistance provided; eight clients were provided minor home repair, almost 8100 trips provided to dining sights; and 1052 trips provided seniors for essential shopping.

They also have a program working with Spartanburg Regional and Mary Black Hospital, Gaffney Regional, and Wallace Thompson to help folks that have been dismissed from the hospital to help them with medication and home care check in order for them not to have to go back into the hospital.

10. REPRESENTATIVE FORRESTER – SPATS

No report but, the next SPATS meeting will be held on Monday, February 9, 2015.

11. REPRESENTATIVE HICKS – HOPE CENTER FOR CHILDREN

No Report.

12. REPRESENTATIVE CHUMLEY - DEPARTMENT OF NATURAL RESOURCES

A. Pacolet River Passage Paddling Trail @ \$118,220.00

A request has been submitted for DNR grant funds from the Town of Pacolet, Converse, Cowpens, Glendale and Pacolet Fire Districts for equipment and training the four fire districts on water Rescue along the Pacolet River Trail; location and marker installation; and, signage along the Paddling trail. (This request was carried over from the last meeting.)

Representative Chumley met with Derrick Meggie on several occasions and spoke with the Mayor Harris of Pacolet. This is a worthwhile safety effort with safety issues involved, but will enhance a resource for the Town of Pacolet.

DNR has rejected item # 1 for equipment and training, but have approved items numbers 2, 3, and 4 amounting to \$100,000. Representative Chumley moved to recommend this request be approved

at \$100,000 from the Game and Fish funding. The motion was seconded by Representative Tallon. All members in attendance unanimously were in favor of the motion. The motion was approved.

13. REPRESENTATIVE BRANNON - POLICY AND PROCEDURES

No report.

14. REPRESENTATIVE MITCHELL – UPSTATE ALLIANCE

No report.

15. REPRESENTATIVE TALLON – SPARTANBURG COUNTY TRANSPORTATION COMMITTEE

The CTC members have discovered the CTC Plan did not indicate members could elect a Vice Chairman along with a Chairman, and is requesting to elect a Vice Chairman at the same time a Chairman is being elected. Representative Tallon asked Delegation members to change the rule on page 4 of last paragraph of the CTC Plan to include electing a Vice Chairman as well as a Chairman for a two year term . . .

Senator Peeler feels this request is straight forward and moved to approve this request. Representative Allison seconded the motion. The motion was approved.

Other projects approved in the meeting included:

\$250,000 toward road infrastructure on SCDOT right-of-way for Rite Aid Economic Development project;

Representative Hick’s set-aside funding of \$49,007 to install an overhead emergency traffic signal at North Spartanburg Fire Department on Highway 176;

Representative Forrester’s set-aside of \$7,243 to help complete the necessary funding for the North Spartanburg Fire Department traffic signals;

Additional funding for the Old Blackstock Road Widening project, in the amount of \$120,000;

Road resurfacing for the City of Spartanburg in the amount of \$350,000; the County of Spartanburg Road Resurfacing at \$1,676,078.00; the Municipal Road Resurfacing at \$320,890.75; and the SCDOT Road Resurfacing at \$688,000.

16. REPRESENTATIVE MITCHELL – PARKS AND RECREATION DEVELOPMENT

a. Town of Duncan/Byrnes Mile Linear Park @ \$14,520

b. Town of Campobello, Gosnell Park @ \$17,760

Two requests have been submitted for funding consideration: One from the Town of Duncan for the Byrnes Mile Linear Park; and, one from the Town of Campobello for Gosnell Park.

The budget breakdown for the Town of Duncan, Byrnes Mile Linear Park include Demolition, Concrete Pad for Bench, Concrete Curbing for a Bump out, a Park Bench with a Back, Trash Receptacle or Planter, Plantings, signage and advertising. Total budget for the project amounts to \$18,150; but requesting \$14,520.

Representative Mitchell moved to approve \$14,520 for the Town of Duncan, Byrnes Mile Linear Park development. Representative Brannon seconded the motion. The motion approved.

Chairman Cole called for a motion to approve the Town of Campobello request of \$17,760 to construct Restrooms at Gosnell Park. Representative Mitchell moved to approve \$17,760 of PARD funds for the Town of Campobello as requested. The motion was seconded and approved.

17. REPRESENTATIVE FORRESTER – VETERANS AFFAIRS SUBCOMMITTEE

Representative Forrester was on the State house grounds and ran into the State Veterans Affairs Officer, Howard Metcalf. They discussed the Spartanburg County Veterans officer regarding what a good job he has done. Mr. Metcalf gave him a raving praise about the job that he is doing here in this County. And, stated that Greg was the best in the State.

18. REPRESENTATIVE TALLON – BOARD OF VOTER REGISTRATION AND ELECTIONS

Representative Tallon did not have a report and requested this committee be taken off the agenda.

NOMINATIONS FOR APPOINTMENTS

19. DEPARTMENT OF SOCIAL SERVICES

Term of Lisa White

Applications received: None

Senator Martin moved to carry this appointment over. The motion carried.

20. First Steps

Terms of Kelly Pope and Susan Ridings

Application received: Jacqueline Putnam

Representative Allison moved to carry this appointment over. The motion carried.

21. Foster Care Review Board 7C

Terms of Monica Hill, Carol Self, and Lisa Cooley Scott

Applications received: Monica Hill, Carole Self, Cheryl Jones, and Lisa Cooley Scott

Representative Tallon moved to nominate Monica Hill, Carol Self, and Lisa Cooley Scott.

Representative Chumley seconded the motion.

Representative Brannon moved the nominations be closed. The motion carried.

22. Upstate Educational Center Advisory Board

Terms of Mark Koenig, Gregory Scull, Fred Marsh, Isaac T. Quick, Stephen J. Wunder, and Pamela Heath

Applications received: Pamela Gray Heath, Isaac Quick, Stephen Wunder, Sarah Simmons, and John Franklin Rudisill

Representative Tallon moved to nominate Pamela Heath. Senator Martin seconded the motion. The motion carried.

Representative Hicks moved to nominate John Rudisill, Isaac Quick and Stephen Wunder. Representative Tallon seconded the Motion. The motion carried

Representative Brannon moved to carry the Sarah Simmons application over until a ruling has been received as to whether or not, she would be eligible to serve, as she serves on the District 2 School Board. Representative Tallon seconded the motion. The motion carried.

23. Spartanburg County Commission for Higher Education

Terms of Charles H. Babb, Susan G. Clary, Mike Wood, Emerson Wolfe, Jr., Charles Conrad, Dr. David Eubanks, Thomas R. Young, III, David Benjamin Graves, and L. Allen Newman

Applications received: Dr. David Eubanks, Max T. Hyde, Jr. T. Charles Conrad, III, Quenton Michael Wood, Susan Clary, Emerson Wolfe, Jr., Charles Babb, David Graves, and Thomas Young III

Representative Allison moved to nominate all nine of the applicants. The motion was seconded and carried.

24. Spartanburg Area Mental Health Board

Terms of Dr. Susan Hilsman, Melissa Morton, Cecilia Cogdell

Applications received: Melissa Morton and Cecilia Cogdell

Representative Brannon moved to nominate Mellissa Morgan and Cecilia Cogdell. Senator Shane martin seconded the motion.

Representative Brannon moved to carry over Dr. Susan Hilsman term. Senator Martin seconded the motion. The motion carried.

25. Inman Campobello Water District

Term of David Gibson

Applications received: David Gibson, William Jeffrey Mitchell, and Crystal Warren Raney

Representative Brannon moved to nominate David Gibson and Representative Hicks seconded the motion.

Senator Corbin moved to nominate William Jeffrey Mitchell. Representative Chumley seconded the motion.

Representative Hicks moved the nominations be closed. Representative Brannon seconded the motion.

A vote was taken with Mr. Mitchell receiving 22.15% of the vote and Mr. Gibson receiving 65.56% of the vote. Therefore Mr. Gibson's name will be sent to the Governor's office for confirmation.

26. Glenn Springs-Pauline Rural Fire District

Terms of Jeffrey W. Chandler and Peter T. Reich

Applications received: Peter Reich and Jeffrey Chandler

Senator Martin moved to nominate both Peter Reich and Jeffrey Chandler. Representative Tallon seconded the motion. The motion carried.

27. Pelham-Batesville Fire Commission

Resignation of William M. Morris, Jr.

Application received: Gregory Scott Jackman

Representative Allison moved to nominate Mr. Gregory Jackman. The motion was seconded and approved.

28. Old Business

No old business was addressed.

29. New Business

Since there are so many appointments made to Boards and Commissions, Senator Peeler has asked for applicants to be present during the meeting.

Chairman Cole announced he would be appointing members to specific committees as this transition takes place at the same time the Chairmanship changes.

WITH NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED.

Representative J. Derham Cole, Jr., Chairman

Attested: Carol Crowe