



MINUTES
Spartanburg County
Legislative Delegation
Monday, May 4, 2015
5:30 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, May 4, 2015 at 5:00 p.m. in County Council Chambers of the Spartanburg County Administrative Office Building, located at 366 North Church Street, Spartanburg, SC. Representative J. Derham Cole, Jr. presided. The following members were present or absent as indicated:

Senator Tom Corbin – Absent
Senator Glenn Reese – Absent
Senator Lee Bright – Absent
Senator Shane Martin – Absent
Senator Harvey Peeler – Absent
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 Hicks – Present
Representative 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 Eddie Tallon.

1. Chairman J. Derham Cole, Jr. called the meeting to order.

Representative Allison moved for delegation members to into Executive Session in order to discuss the vacancy in the Veterans Affairs office. Representative Tallon seconded the motion. The motion carried.

2. **ADJOURN TO EXECUTIVE SESSION**

3. **RECONVENE AFTER EXECUTIVE SESSION**

Chairman Cole announced the delegation would not be taking any actions as a result of the Executive Session as the Senators were summoned to Columbia to begin work on the budget. This news was announced late last week, but was hoping the Senators could possibly attend this meeting in order to take care of some actions, but for now a meeting will be scheduled at a later time.

It was anticipated to name an interim Veterans Affairs Officer until the delegation selects a permanent VA Officer, which is expected through an application and screening process according to policy.

With the Senators in session, the delegation may call a special meeting at some convenient time in the future.

It may or may not be held in Columbia, but if held in Columbia it would be limited to the Veterans Affairs actions because the delegation was unable to take any action today. Typically, delegation meetings have been held in Columbia, but are better held in Spartanburg for interested persons to attend. The meeting will be posted as required by law.

4. REPRESENTATIVE BRANNON – RECOGNITION OF LOCAL BEAUTY PAGENAT QUEENS

Representative Brannon along with Representatives Allison and Hicks presented Miss Inman, Miss Teen Inman, Miss Boiling Springs, Miss Boiling Springs Teen, Miss Duncan, and Miss Teen Landrum a proclamation thanking them for what they do for Spartanburg County.

5. APPROVAL OF THE FEBRUARY 2, 2015 MEETING MINUTES

Representative Doug Brannon moved to approve the minutes as printed. The motion was seconded and approved.

6. MR. HENRY LAYE, DIRECTOR, VOTER REGISTRATION AND ELECTIONS – 2016 PRESIDENTIAL PREFERENCE PRIMARIES

Mr. Laye, his staff and Board members have been working on a journey for the past few months. There are elections scheduled for June with Wellford and Duncan' and, the elections in November for School Trustees as well as some municipalities. However, today Mr. Laye focused on the 2016 Presidential Preference Primaries.

The Presidential Preference Primaries authority to hold the elections is under the South Carolina Code of Laws which states the state committee of the party shall set the date and the hours the polls will be open. At this point in time, the anticipated dates are two Saturdays back to back in February. The Republican Presidential Preference Primary is set for February 20th, and the Democratic Presidential Primary will be held the following Saturday on the 27th of February. The same Code of Laws allows the State Election Commission and the authorities responsible for conducting the election to provide for cost effective measures in conducting the Presidential Preference Primaries to include but not limited to combining polling places while ensuring the voters have adequate notice and access to the polling locations.

What is done when considering Polling Locations? The history of the Presidential Preference Primaries in 2008 had eight presidential candidates for the Democrats, and eleven candidates for the Republicans. In 2012, President Obama was the soul nominee; therefore, there was no Democratic Presidential Preference Primary. The Republicans, in that Primary, fielded nine candidates; and it looks like there will be another crowded field next year.

What is done in allowing and considering combining or letting precincts stand alone? First, look at the turnout in the last Presidential Preference Primaries. In 2008, the county had about 160,000 registered voters. The turnout in both parties combined was 33%. The Democratic Primary turnout in Spartanburg County was about 15%. The Republican Primary was about 18%. Compared to the State turnout of 23% for the Democrats and 19 ½% for the Republicans.

In 2012, there were about 155,000 registered voters. The Republican turnout in Spartanburg County was 25% (about a 6% jump from 2008), compared to the total state Republican turnout of about 21.33%. Therefore, the office will combine some precincts to make the primaries run a little bit smoother.

There will be 39 combined locations (two more precincts voting at the common location). The Stand alone precincts are listed in the packet, but here is the rub. The combined precincts, for example, the precinct Arcadia Elementary will be voting at Jesse Bobo Elementary. Mount Zion Full Gospel will be voting at Cannan. Mr. Laye and Board members will be meeting with Dr. Rallie Liston to consider combining the Woodruff Town Hall precinct and the Woodland of American Legion precinct at the Woodruff Elementary School. The American Legion is about to fall apart and it is not conducive to voter safety, and not conducive for Poll Managers to work there. The Woodruff Town Hall for the big Presidential elections is getting crowded; they are parking along the streets, and the room inside the Town Hall is limited. If all goes well, this will be sent to the Delegation for consideration. Part of the law requires voters' notification of the precinct changes. The methods that will be used to notify the voters will be the legal ads with the list of precincts and locations. The media will be informed, and

this same presentation will be made to County Council and both political parties aware of the changes. (Presentations will be made to the political parties if they so desire.) Presentations will be made to other groups; i.e., League of Women Voters, NAACP, or any other group that request a presentation be made.

Voter Registration will place signage at the locations that will be voting elsewhere; and this information will be posted on the County Website. Voter Registration is trying to make the process as simple as possible and get it done within the seven days it has to be completed.

The hard data for voter turnout by precinct at the Woodruff Leisure Center had 1,059 registered voters, but in the 2008 Presidential Preference Primary, out of that 1,000 they had 166 Democrats and 167 Republicans to turn out to vote. Whereas the 2012 Presidential Preference Primary, 211 voters turned out. Compare that to Arcadia Elementary Voting Precinct, which is one precinct Voter Registration is combining, where 95 voters out of 878 turned out to vote in the Democratic Primary and 84 voting in the Republican Primary in 2008, and only 100 in the 2012 Presidential Preference Primary.

The entire lists of precincts were compared to examine which precincts could stand alone and which ones were to be combined.

Combinations: Arcadia Elementary will vote at Jesse Bobo Elementary, etc. Input from the staff has been received and letters are being sent out to all of the involved precincts. The very best efforts will be made to be sure the voters who are going to have to go to another location are aware of the change. There will be some challenges, but hoping for a good turnout. The only way they would not have a Democratic Presidential Preference Primary is if Mrs. Clinton is unopposed.

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

Ms. Robinson wanted to introduce herself when she became the Interim Director, she sent some letters to the Delegation, but since it became official, she wanted to put a face with the name. She became the interim on August 23, 2014, and then it became official on November 14, 2014. Ms. Robinson has been with the agency for twenty six years and has worked in Greenville and Union, and now in Spartanburg. She has been with Social Services for over twenty years, and has worked in every capacity within DSS, so she has a good idea of what goes on and what needs to be done. Much has been publicized on the news media about staff, and she is working very hard to get staff in. Interviews are arranged for every Thursday. DSS knows this is a big deal to meet the needs of the community. Ms. Robinson is focusing on all of DSS, not just Child Protective Services.

She has been able to speak to some delegation members since she has been in the Director's position. She wants to let everyone know that she is available, and please do not hesitate to give them a call. She is open to any suggestions for things that can be done better and/or differently.

8. MR. W.T. CLARK – MEDICAL MARIJUANA AND DECRIMINALIZATION

Almost every family gets sick with a devastating disease, but every week it sounds like Cannabis is coming out with more and more research proving cannabis is good for this or that illness. The booklet (distributed) to the delegation members has information related to research on Cannabis. Mr. Clark thinks all agree that people should have whatever is available to treat the illness and in some cases cure it with the least amount of side effects. Mr. Clark attended a rally in Greenville this past weekend for Medical Marijuana. There were two young girls with cancer, one just was released from the hospital from trying to commit suicide who says she was not in that way and never had any thoughts like that, but after they gave her four medicines, and one of them makes her have thoughts like this – that is not normal.

Recently after a chance meeting with someone that told Mr. Clark that Cannabis would cure cancer and you could do it for less than \$2,000, he was shocked. After that Mr. Clark had to learn more. Since that time, Mr. Clark has researched it extensively (as he does with various things from buying something or whatever. That report is provided with references for members to look up. And will try to e-mail members a copy of it so that members could just click on the links and read it when time is available. As we go along, let's pretend we have never heard of this plant and thus have no preconceived notions about it, which makes it a lot easier where Mr. Clark is coming from. Doing what the delegation members do, you would not be given wives tales and propaganda, but instead approach everything with an open mind, weigh the facts, and always consider the life,

liberty, and pursuit of happiness that we have heard so much about over the years.

So why was marijuana ever made illegal? After all, before 1937, it was the number three prescribed medicine. What happened? From all Mr. Clark has found, it's all politics. In 1970, Congress commissioned a study on Marijuana and drug abuse, and the Assistant Secretary of Health recommended it be temporarily placed on schedule one narcotics list, pending the Commission's report – The way it remains today; sort of like the federal income tax. The report was presented to Congress and finally in 1974, after extensive study, the committee recommended ending prohibition. The report acknowledged the prior decades lured accounts of users being physically aggressive, irresponsible, mentally ill, and most alarming criminally inclined and dangerous. They found all that to be completely unfounded. The Commission also found that the drug actually inhibited aggression by pacifying the user and generally drowsy and passivity which would explain why violent crime has dropped significantly since decriminalization in Colorado. Murders are now down about half. (Mr. Clark has seen reports stating a little under half and one report a little over half.) Several other crimes are down double digit percentages. The Commission concluded there is little proved danger of physical or psychological harm from the use of Cannabis. Mike Pitts, a former policeman in the City of Greenville said he had never had to chase a pothead; and, never had to fight one, they just don't cause any problems. Now, if they are under the influence of alcohol or prescription pain pills, etc. then, Mr. Clark is sure that is different. After the study came out, Nixon and Congress decided they knew better and kept it band anyway. Since that time in 1974, a lot of amiss in government stated facts have been refuted and found to be fabricated.

Colorado took in \$60M in marijuana sales and licensing fees last year, plus they saved, if not all of the \$145M that a Harvard Study estimated it spent each year fighting Marijuana. That is a little over \$200M. Commercial property vacancies are so low that landlords have increased their rates. Colorado has seen tourism increase dramatically, and while they had an 8% unemployment rate in 2012, they now see it at 4.1! and it continues to drop; this, in spite, of all the people moving to Colorado to work in industry, or just to use it without fear of being arrested.

At the time Mr. Clark was researching this information, there were 750 retail and medical stores now with 19,000 licenses issued to workers in nine months time. This does not include jobs created in support of the industry.

Mr. Clark is an electrical contractor, so there would be more construction going on there as all the available suitable properties are taken.

Medical benefits: Cures Cancer, stops from spreading, reduces or in many cases eliminates Epileptic Seizures. Mr. Clark met one 40 year old person that had a brain tumor that often cannot be cured. He has had surgery and it is all healed up; lives in the Caribbean; using it and seems to be fine. It relieves pain and nausea; they say it works real well with people who are taking radiation and chemotherapy – it keeps people from being nauseated while helping their appetite comeback. It stops Alzheimer's in some cases, or at least slows it down. It helps with diabetics, lupus, glaucoma, has even cured patients with crones disease, and it helps keep people thin. It soothes tremors for Parkinson's patients, protects their brain from strokes, sports injuries, concussions, etc. Research has actually found it makes the brain produce more brain cells, thus potentially making users smarter. (Mr. Clark thought to be odd), but then he ran across a study that revealed a group of teens that were followed from their teens on into their twenties revealed they had an IQ increase of about 5 points in moderate users; heavy users, it declined a little, but once they stopped using, it came back. Other important data from Colorado: Teen usage is down ten percent since legalization. The rest of the country is up about the same amount.

Where do some of these people in this room stand: A Gallop pole in 2001 found that 34% favored full legalization, which went to 58% in 2013. A Pew poll found that 76% say people should not be jailed for possession of it; and found that half of Americans have used it in their lifetime. Another Pew poll from last year, said that 69% of Republicans and 79% Democrats favored any war on drugs preferred treatment instead of jail time, even for users of heroin and cocaine. The negative comments that Mr. Clark hears are 'We don't need stoned drivers on the road.' A study in the distributed report states that of several thousand accidents, they found that drunk drivers were the number one cause of accidents. Based on the data, it suggested that sober drivers were more likely to cause an accident than marijuana users. The NTSB just released a report in February confirming that drivers using Cannabis were much less likely to be in an accident than drunk drivers. So what about the other drivers that Mr. Clark hears about is: some people say they are all for medical; but not for legalization or recreational use? What is bad about that? For one, it does not make people crazy or violent. It actually has the opposite effect (as the Congressional Study pointed out.) It makes people happy, puts them in a good mood,

appreciates people around them, and makes them want to go to bed. Financial considerations and going forward: What is the goal of it being illegal in the first place? Keeping it out of the hands of young people – legalization in Colorado has reduced that; or keeping it out of people’s hands in general? If it is not achieving its goals, and it is costing Spartanburg County and South Carolina a lot of money; at the same time being illegal, it prevents Spartanburg and South Carolina from collecting millions in revenue, fees, building permits, and inhibits job creation – Why is it still illegal?

More food for thought: Mr. Clark interviewed a few people who said they had recently used it to find out what they would spend/spent on it. The average was \$5500 a year; one guy said \$80 a week; one guy said maybe \$150. Mr. Clark said he found that 13.7% of Americans use it; 13% in Colorado. Our population of 4.83M people which is about twice the number of people that voted in our primary. If you leave out the kids and the elderly then it is a lot higher than 13%. Multiply that by \$5,500 which is about \$2B that people in this state spend on it. A lot of that is going out of state, and there is zero jobs being created with it being illegal.

Mr. Clark used it in High School. Quit and joined the Navy; and has an education and now an electrical contractor in Spartanburg. Mr. Clark’s first wife was a heavy user. She went on and obtained her degree. She is a subject matter expert now for NASA Aerospace Contractor.

Mr. Clark’s daughter is a registered nurse – she makes a good living. She and Mr. Clark’s grandchildren are all smart. None of Mr. Clark’s family has ever been arrested - other than a traffic ticket. They have never been on government assistance.

Again, Mr. Clark wants the delegation members to be objective, look at the data. The people from Colorado made a decision accordingly. The people favored it. It is healthy for you. The Congressional study determined it to not be dangerous and recommended it not be illegal, and it will bring in a ton of money. Mr. Clark thinks the projection was \$70M in revenue from it, by including the permits and licensing, taxes, etc. and, it will create a lot of jobs in this state. Then maybe we could raise some money to pave some road and not have to raise taxes.

9. MS MONICA HILL – FOSTER CARE

Ms. Hill has an interesting number for the delegation. This number has been driving a good bit of what the Foster Care Review Board has focused on in the last couple of years. Take the number of 242; imagine a person in combat for 242 days straight. That is the level of trauma a child experiences in one trauma event in his or her life. Trauma for a child, not to mention sexual molestation, being burned by cigarettes, beat half to death, divorce of the parents, death or serious illness of a family member. Children do not process as adults do. Ms. Hill wants members to focus on 242 days of being under combat, under fire is what a child experiences with just one trauma event. This has been a focus of DSS recently. Therapists are studying the buzz word “TBCFYT” where they are recognizing that children process trauma differently than adults do. This is something that Foster Care Review Boards are trying to highlight. They are having some partners meetings with mental health folks and DSS together to see what can we do to make therapy better with more access and it is actually targeting what the child needs for therapy.

One trauma event is when a child is removed from the home. DSS is between a rock and a hard place – Do we take the child away or do we leave them in the home? Removing a child from a home – no matter how bad it is, is a trauma event. There is a policy that DSS has and the Guardian Ad Litem program also follows. The Foster Care Review Board does not. The Foster Care Review Board wants permanency for children. Permanency is either returning them home to the biological parents or having them adopted. So it is a legal permanent situation. Both DSS and the Guardian Ad Litem program allow kinship care or relative placement, or an alternative caregiver as a placement.

For a while, Foster Care will be tracking numbers for the children who re-enter foster care because of policy changes and the installation of a hub in Spartanburg County that takes in regional reporting numbers.

COMMITTEE REPORTS

10. REPRESENTATIVE FORRESTER – COUNCIL OF GOVERNMENT (COG)

On the 24th of April, our own, Jane Hall of County Council was elected as Chair for the second term on Council

of Governments. We are excited about her leadership, and, Representative Forrester was elected to serve on the Economic Development Committee. Also, folks who are in the Cities or Counties that applied for the Appalachian Regional Council of Governments grants – there is a new executive director, Scott Hamilton. He is in Washington, but is a local person; he grew up in Hendersonville, North Carolina and has been involved in Economic Development for quite some time in the western North Carolina area. Representative Forrester had the pleasure of meeting Mr. Hamilton recently. He is a nice guy and appreciates some of the projects that have been in this area. He is looking forward to working with the delegation again. Representative Forrester will be on a committee with him working to see what future planning might be done.

11. REPRESENTATIVE TALLON – SPARTANBURG COUNTY TRANSPORTATION COMMITTEE

Representative Tallon stated there is not much to report at this time, but House members will have their set-aside funding by the next scheduled Delegation meeting. Funding in the amount of \$800,000 has been approved for the North Blackstock Road @ Falling Creek Road intersection improvement. The annual CTC/County contract and the \$2,000 administrative funding were tabled until the July meeting.

12. REPRESENTATIVE FORRESTER – SPATS

There are public notices posted at the SPATS county office. One of them deals with transit grant applications and the other with public participation of the plan amendments. Those are located here in this facility in suite 700 from 9:00 a.m. to 5:00 p.m. if you would like to go by and make comments on those. They would like to hear your thoughts.

13. REPRESENTATIVE CHUMLEY – DEPARTMENT OF NATURAL RESOURCES

a. Upstate forever grant application @ \$30,000 from Water Recreation funds

It is Representative Chumley's understanding the delegation does not have enough members present at this meeting for the request to secure 51% of the vote on either of the DNR requests, but do have interested persons here tonight to speak on the issue.

Mr. Brad Whyche, the executive director of Upstate Forever noted a request has been submitted, dated February 3 which describes the project. It is a tremendously exciting project that is called 'Reconnecting People to Rivers in the Upstate'. The Upstate is so blessed to have these rivers across the region starting over on the west side of the state with the Chattooga River moving across to the Chauga River, Twelve Mile River, the Saluda River, the Reedy River, Enoree River, going on into Spartanburg with the Tyger, Lawsons Fork and the Broad River. The major purpose of this project is to make our citizens more aware of our rivers; to build appreciation; and get more people using, and enjoying the rivers which in turn help in economic development, establish more businesses creating a network of the Blueways. Upstate Forever has a challenge grant from the Raney Foundation of \$100,000 which requires Upstate Forever to raise \$200,000 in order to receive the grant funds. Progress is being made, as support from Spartanburg Water in the amount of \$30,000; \$25,000 from the Duke Energy Foundation, \$5,000 from the TD Charitable Foundation; and, anticipate \$10,000 from an agreeable funder, which has been received from Greenville water, plus \$5,000 in-kind; \$5,000 from the Spartanburg County Foundation, which is getting close to meeting their challenge requirement. When all of the challenge requirements are received, they will receive the \$100,000 from the Raney Foundation. This is a four year project. The specific request to the delegation is to support efforts in publishing their wonderful waterproof maps of all the rivers across the region.

b. Department of Natural Resources @ \$12,000 from Game and Fish

Representative Chumley noted this request from the Department of Natural Resources is going to be a worthwhile project as well. This same request was presented to the Greenville Delegation. The request is for a

tracking device for bears. Bears are moving around down into our areas and there have been more sightings. This tracking device will be a good thing to support. When there are enough delegation members present, this will be addressed again to approve.

14. REPRESENTATIVE ALLISON – SPARTANBURG AREA CHAMBER OF COMMERCE.

No report.

15. REPRESENTATIVE HICKS – HOPE CENTER FOR CHILDREN

About four weeks ago, the Hope Center for Children received a \$50,000 scholarship from Walmart. Ms. Hicks attended the event. They had a great turnout and they have plans for the program money. Representative Hicks also had Ms. Chamlee Loscuito in Columbia to honor the Hope Center as a non-profit in the Spartanburg area for all the work they do for children.

16. REPRESENTATIVE MITCHELL – UPSTATE ALLIANCE

No report.

NOMINATIONS FOR APPOINTMENTS

17. DEPARTMENT OF SOCIAL SERVICES

Term of Lisa White
Applications received: None

Representative Tallon moved to carry over this appointment. The motion was seconded and carried.

18. FIRST STEPS

Terms of Kelly Pope and Susan Ridings
Applications received: Jacqueline Jones Putnam

Representative Tallon moved to carry over this appointment. The motion was seconded and carried.

19. SPARTANBURG COUNTY COMMISSION FOR TECHNICAL EDUCATION

Term of Bartlett Winkler, District 1 (Resigned as of March 1, 2015; Eugene Anderson, District 2; and Kimberly Fowler, At large District 7
Applications received: Eugene Anderson, District 2, and Kimberly Fowler, A-Large District 7

Representative Tallon moved to carry over this appointment. The motion was seconded and carried.

20. UPSTATE EDUCATION CENTER ADVISORY BOARD

Term of Business Leaders
Applications received: Coreen Culp and Sarah Simmons

Representative Tallon moved to carry over this appointment. The motion was seconded and carried.

21. COUNTY TRANSPORTATION COMMITTEE

Terms of Ernestine Anderson, House District 31; Hal Murphy, House District 33, and Tony Gillespie, House District 36.

Representative Allison moved to nominate Tony Gillespie, House District 36; Representative Allison.

Representative Mitchell seconded the motion. The motion carried.

Representative Tallon moved for the Delegation to nominate all applicants as a slate and vote on them at one time.

Representative Tallon moved to nominate Mr. Foster Chapman for House District 33 to be included in the slate.

Representative Brannon moved to appoint all four applicants by acclamation. The motion was seconded and carried. Without objection Tony Gillespie, Ernestine Anderson and Foster Chapman were appointed to the County Transportation Committee.

Chairman Cole moved to carry over the remaining boards listed on the agenda as they would require the Governor to appoint the applicants on the recommendation of the Delegation. Therefore, the following boards included: the Spartanburg Area Mental Health Board, North Spartanburg Fire and Rescue Commission, Foster Care Review; and, the Forestry Board. The motion carried unanimously.

New Business:

No new business was discussed.

Old Business:

No old business was discussed.

A motion was made, seconded, and carried to adjourn. The motion carried.

Honorable J. Derham Cole, Jr., Chairman

Attested: Carol Crowe