



MINUTES

Spartanburg County Legislative Delegation Meeting
Monday, May 2, 2022
5:30 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, May 2, 2022 at 5:30 p.m. in County Council chambers of the Spartanburg County Administrative Office Building, located at 366 North Church Street, Spartanburg, S.C. Chairman Shane Martin presided. The following members were present or absent as indicated:

Senator Tom Corbin – Present
Senator Josh Kimbrell – Present
Senator Scott Talley – Present
Senator Shane Martin – Present
Senator Harvey Peeler – Present
Representative Rosalyn Henderson-Myers - Absent
Representative Max Hyde, Jr. – Present
Representative Travis Moore – Present
Representative Roger A. Nutt – Absent
Representative William Chumley – Absent
Representative Rita Allison – Present
Representative Steven Long – Present
Representative Josiah Magnuson – Present

In compliance with the Freedom of Information Act, notice of this meeting was mailed/emailed in advance to the local news media and other interested parties.

Chairman Shane Martin called the meeting to order.

Invocation was given by Representative Moore
Pledge of Allegiance was given by Senator Peeler

At this time, Chairman Martin recognized the judicial candidates and any other elected officials and visitors that were present at the meeting.

Delegation Chairman, Senator Shane Martin and Vice Chairman, Representative Max Hyde, Jr. recognized and presented on behalf of the Governor of the great State of South Carolina, Henry McMaster and the Spartanburg County Legislative Delegation, the Order of The Palmetto award to Woodrow "Woody" W. Willard, Jr., South Carolina Department of Transportation (SCDOT) Commission commending him on his successful career in public service.

1. Approval of the February 7, 2022 meeting minutes

Motion was made by Representative Hyde to approve the February 7, 2022 minutes as written. Second was made by Senator Talley. Minutes were approved.

NOMINATIONS FOR APPOINTMENTS

2. Spartanburg County First Steps

Term(s) of: Kelly Pope (Senate Appointed); Kay Phillips (House Appointed)

Application(s) Received: Sydetra Quiana Payton (House appointed); Ida Parris Thompson (Senate Appointed)

Motion was made by Representative Allison to nominate Sydetra Quiana Payton. Second was made by Representative Moore. Motion carried.

Motion was made by Senator Talley to nominate Ida Parris Thompson. Second was made by Senator Kimbrell. Motion carried.

3. Spartanburg County Commission for Technical and Community Education

Term(s) of: William Johnson (resigned- District 5)

Application(s) Received: Ronald Carter Smith (District 5)

Motion made by Senator Talley to nominate Ronald Carter Smith. Second was made by Representative Allison. Motion carried.

4. Spartanburg County Transportation Committee (CTC)

Term(s) of: Vic Bailey, IV (District 32); John Throckmorton (District 37); William Gramling (District 38)

Application(s) Received: William Lamar Baehar (District 32); John Throckmorton (District 37); Gordon Alan Baker, Jr. (District 38)

Motion was made by Senator Kimbrell to nominate William Lamar Baehr, John Throckmorton, Gordon Alan Baker, Jr. and move the nominations be closed and they be elected acclamation.

Chairman Martin recognized Representative Long. Representative Long states in reviewing Mr. Baehr's application for District 32, that he has an office in Spartanburg but his resident might not be in District 32. Is that required to be in District 32?

Chairman Martin recognized Representative Hyde. I did investigate your point Representative Long. Apparently, there is precedent that is not a requirement for this. It is a point well taken. One I thought of it as well.

Second was made by Representative Long. Motion carried.

5. Spartanburg County Voter Registration and Elections

Term(s) of: Dorothy Broyles (deceased)

Application(s) Received: Trish Hamilton Cobourn; Henry Laye III, Darrell Eugene Loutner

Motion was made by Senator Kimbrell to nominate Henry Laye, III and move the nominations be closed and he be elected by acclamation. Second was made by Senator Talley. No objection. Motion carried.

6. Spartanburg Area Mental Health

Term(s) of: Jennie S. Montgomery; Gayle D. Singletary; Cathy Sparks; Robert T. Usry; Hal G. Warlick, Jr.

Application(s) Received: Gayle Singletary; Robert T. Usry; Hal G. Warlick, Jr.; Jennie S. Montgomery

Chairman Martin informed Delegation members the office received an application late from Jennie Montgomery, she has been serving, wants to continue serving and is doing a good job. She has some family issues that prevented her from getting her application in on time. I would like to ask for unanimous consent that we accept her application and include it with our packet tonight. Hearing no objections, it will stand.

Motion was made by Representative Allison to nominate Gayle Singletary, Robert T. Usry, Hal G. Warlick; Jennie S. Montgomery. Second was made by Senator Talley. Motion carried.

Chairman Martin recognized Senator Peeler. Senator Peeler ask if there was five seats? Chairman Martin states there is five seats and four applications. I believe Ms. Sparks is not going to continue serving, so we are going to open that application back up at the next meeting. Thanks for the question.

7. Forestry Board

Term(s) of: Anthony Wood

Application(s) Received: Anthony Wood

Motion was made by Representative Magnuson to nominate Anthony Wood and move the nominations be closed and he be elected by acclamation. No objections. Motion carried.

8. Boiling Springs Fire District

Term(s) of: Leon Dan Kimbrell

Application(s) Received: Leon Dan Kimbrell

Motion was made by Representative Long to nominate Leon Dan Kimbrell and move the nominations be closed and he be elected by acclamation. No objections. Motion carried.

9. Pelham-Batesville Board of Fire Control

Term(s) of: Franklin Donald Cox; Jonathan Keith Poole

Application(s) Received: Franklin Donald Cox; Jonathan Keith Poole

Motion was made by Senator Corbin to nominate Franklin Donald Cox, Jonathan Keith Poole and move the nominations be closed and they be elected by acclamation. No objections. Motion carried.

10. Whitney Area Fire District

Term(s) of: James R. Forbis (deceased)

Application(s) Received: None.

Motion was made by Representative Allison to carry over. All in favored to carry over.

11. Renewable Water Resources (ReWa)

Term(s) of: New Seat

Application(s) Received: None.

Chairman Martin moved to carry over. Second made by Representative Allison. All was in favor to carry over.

Chairman Martin states he would like to move the New Business to where we are now, because we will need to take a vote. No objections.

New Business: Roebuck Fire District Board of Fire Control-addition of two (2) new members.

Chairman Martin states Croft and Roebuck have merged and now they are the Roebuck Fire District Board. They only had three (3) members in Roebuck and what we did as a Delegation, we made it so they now have five (5) members. Two (2) members from Croft are coming over to join that board because areas now combined. We have those two applications, Mr. Hall and Mr. Elam.

Representative Moore nominated James Arthur Elam and Harold Eugene Hall and that the nominations be closed and they be elected by acclamation. No objections. Motion carried.

COMMITTEE REPORTS

12. Representative Hyde - Spartanburg Chamber of Commerce

Allen Smith is here to give a report about One Spartanburg. (Presented report as a Speaker)

13. Senator Talley - Chapman Cultural Center

No report.

14. Representative Long – Council of Government (COG)

No report.

15. Representative Henderson-Myers – SPATS

Chairman Martin informed that Representative Henderson-Myers is not here this evening, and gives everybody her best. She is Vice Chair of the Spartanburg Area Transit, will give us an update at next meeting. She is doing a good job for us over there.

16. Representative Chumley – Department of Natural Resources (DNR)

Chairman Martin states Representative Chumley is not with us, I am not aware of anything with the DNR.

17. Senator Peeler - PARD Grant

No report.

18. Representative Allison- Spartanburg County Transportation Committee (CTC) Information in Notebook

CTC Quarterly Report as of March 31, 2022:

Total Unobligated Funds as of March 31, 2022: \$2,820,651.34
(These funds can be applied to new projects)

FY22 Estimated Liabilities to be Approved Upon
Receipt of Funding

	Fund Balance-	(\$ 500,000.00)
Phase 2 Apple Valley/Berry Shoals Intersection Improvement-		(\$1,325,000.00)

Funding Available after FY22 Liabilities \$ 995,651.34

Estimated Revenue for FY2022:

Gas Tax for FY 2022 –\$5,041,000.00 (5 months at \$420,083/month) \$2,100,415.00

Donor County Funds -

Non-Recurring Earmark Funds -

Total Estimated Revenue \$2,100,415.00

New Project Approved for this quarter:

- 1) Apple Valley/Berry Shoals Intersection Improvements- \$1,600,000.00 to be added to Project No. 21017S for construction of a roundabout.
- 2) 4th. Street Intersection Improvement - \$450,000.00 to be added to Project No. 15006L for Duke Energy utility relocation.
- 3) Project Request 1184 – CTC in the amount of \$420,000.00 for Berry Shoals(S-82)/ Duncan Reidville Rd. (S-62) intersection.

- 4) Project 22004L (Annual County resurfacing 2022). No additional funding being requested. Addition of Old Petrie Extension and Phillips Drive. Removal of Bishop Rd. from Campton Rd. to Asheville Hwy. and from Clark to Compton Bridge Rd.

New Business

Approval of CTC and Spartanburg County Annual Agreement- \$335,000.

The next Advisory Committee Meeting is Thursday, July 7, 2022 @ 3:00 p.m.

The next CTC meeting is Thursday, July 21, 2022 @ 5:30 p.m.

SPEAKERS

21. Allen Smith, One Spartanburg, 2021 Year-In Review.

Allen Smith made a presentation on One Spartanburg, the only consolidated model of business economic tourism development in the Carolinas. Mr. Smith informed on the power of public and private partnerships, COVID liability protection, public schools of innovations, infrastructure support, new jobs, tourism development and Vision Plan 2.0. Mr. Smith reported we have successfully hosted three NCAA tournaments. In 2025, we will host our first NCAA championship in men and women cross-country. This will impact Spartanburg, Cherokee, Greenville and any adjoining counties that have hotels. The South Carolina Padgett will be coming to Spartanburg, monumental to bring from Columbia back to Spartanburg County. In 2020, we credit our team with the approach in tourism don't cancel reschedule and 100% did, they moved their event or sporting tournament to 2021, 2022 or beyond. From an Economic standpoint, we had a good strong 2021. Mr. Smith informed on projects that came as result of partnership with Cherokee County and Multi County Industrial Park that continues to pay dividends for the people of the upstate. Last year recruited 1.9 billion in new investments, 44 projects and job opportunities for residents. Projects came to us from the Upstate Alliance, Department of Commerce or we generated ourselves. Some wins in diversify our economic development approach because we were able to successfully recruit two corporate headquarters to downtown Spartanburg over the next 3 to 4 years. The Mark Peters Group project, 80 to 85 million dollars project in compassing eight parcels. Mr. Smith gave credit to Senator Kimbrell, who had a connection with someone that listed one of the key properties brought into the mix and made it possible for the developer to assemble all eight parcels. That project will probably start in beginning of next year. We have the Bauknighg project, 2 parcels about 20 to 25 million dollars project and will have over Church St. heading west the new City/County Joint Muncipal Complex. Every bit of success has to do with local government, state government working together with the private sector to make this kind of success possible. We appreciate all you do.

22. Barbara Manoski, Executive Director of Spartanburg County First Steps and Status of S.1115.

Barbara Manoski, Executive Director of Spartanburg County First Steps states she has over 30 years of experience as a parent, preschool teacher and early childhood administrator in Spartanburg County. The honor to serve with First Steps for 18 years and the past 4 years as executive director. I am here tonight to extend my thanks to Senator Scott Talley for his Bill S.1115 and to Representative Allison for her Bill H.5186, for starting the conversation on how to better support First Steps across our state. Ms. Manoski informed on Spartanburg County First Steps who serves delegation constituents through Quality Counts, Early Heads Start, The Franklin School, Nurse Family Partnership and Hello Family. We leverage more funding than any other county to ensure all children reach school ready to learn and to thrive. Nearly 49 million leverage dollars since inception. Ms. Manoski informed on the importance having local partnerships, Federal funding, School District 7 and reauthorization. Investment in early care and education is an investment in Spartanburg's future. I invite further conversation after the session ends to share more of First Steps needs and experiences. I appreciate your Legislative appointments to the First Steps board. Thank you for time and consideration.

23. Sevi Alvarez, Citizen of Spartanburg County, There is No Evidence of Voter Fraud in South Carolina.

Sevi Alvarez made a presentation on there is no evidence of voter fraud in South Carolina. Mr. Alvarez states he cannot say that there is no voter's fraud anywhere. What happened in Eastover makes it clear that any attempts to defraud the South Carolinian people will be caught quickly, easily and justice will be swiftly administered. Our election are trustworthy. All claims of a wide spread voters fraud today have been thrown out of court because the evidence did not hold up. In recent years no incident more serious than the occasional individuals that tried to vote twice and was caught because our system works. I do not know the agenda of those that are trying to convince you that somehow our elections are endanger of being stolen us. The damage they are causing us is significate, eroding trust in our democracy, that voting does not matter, to lay our capitol under siege and threatening our elected leaders. It is vital for our leaders to step up and assure our citizens, yes, our elections are secure, yes, your vote does count and no election fraud is not a threat to anyone. Mr. Alvarez referred back to the February meeting concerning elections workers that felt threatened and the resigning nationwide because of fear mongering. He states absentee ballot and drop boxes are essential for voters who would otherwise have trouble making it to the polls election day. Drop boxes are no less secure, affixed to the ground, durable, and monitor by surveillance. We as a nation cannot afford to continue this baseless assault on the right to vote. Elected officials must do better at commenting these false claims. Our status as a free nation depends on it. Thank you.

Chairman Martin recognized Representative Magnuson. Representative Magnuson addressed Mr. Alvarez with a question, if he was familiar with the difference in ruling in court on the merits versus the ruling on standing or whether someone has the ability to bring the case in the first place. Mr. Alvarez states, Yes Sir I am. Representative Magnuson addressed Mr. Alvarez, so are you familiar with the fact that there has not been a case where courts have ruled on the merits of allegations of voter fraud in the 2020 election, what has been ruled on has been whether or not it was the appropriate time or appropriate place to bring the case? Mr. Alvarez answered I would have to look into that sir. Representative Magnuson states that it is my understanding there has not been a situation where any Federal court has ruled on the merits of the allegations of voter fraud. It's always been because they should have challenged it before the election, should have brought these cases at other times or other ways. In that way, the courts have actually, side stepped the issue. But, I'm afraid the media has kind of positioned it as if that means there's no credible allegation of voter fraud. Mr. Alvarez response Thank you for the question sir.

24. Marilyn M. Varner, Public Relations Officer West Spartanburg Branch NAACP, Redistricting Spartanburg County School District Five.

Marilyn M. Varner, West Spartanburg Branch NAACP member made a presentation on Redistricting of Spartanburg County School District Five. Ms. Varner informed on Spartanburg School District Five's current three single member districts, update maps to reflect population growth and diversity, 2020 Census data, technology's capability to retrieve and analyze data, redrawn maps into nine single member districts, community input in districts drawn, parents involvement electing trustees, redistricting decision in the hands of voters, and transparency. Ms. Varner states that we expect the legislature to involve the School District Five in preliminary discussions for redistricting and to share with community in all stages, NAACP has presented its redistricting concern before the Spartanburg School District Five Board, need maps drawn before the next school board election, and expecting more civic organizations to join this citizen engagement. Let us take the decision of redistricting School District 5 directly to the communities it will impact, not behind closed doors of the South Carolina Statehouse. The NAACP wants to schedule a meeting to share its proposed maps with the Legislative Delegation. District Five is growing fast and plans must be made now to ensure the district is best serving the needs of our students, staff and community for years to come. Thank you.

25. Mike Behnke, Citizen of Spartanburg County, Crime and Judicial Appointments.

Mike Behnke made a presentation on Crime and Judicial appointments. Mr. Behnke spoke against the Legislature appointing judges in South Carolina. He stated all potential judges must go through and be approved by the Judicial Merit Selection Commission which is made up of legislators. He informed and gave his opinion concerning questionable ethics and/or nepotism in three current issues, Columbiana Mall

shooting, House Judiciary Committee Chairman Chris Murphy and Alex Murdaugh cases. He request to amend the State Constitution, so that judges are elected by the citizens of this state for a set term and allow for the dismissal and/or recall of judges for proven criminal and ethical reasons.

Mr. Behnke states he would like the Senate to pass full Constitutional Carry before the end of this session. The Second Amendment allows us to defend ourselves not just from harm from criminals but from the overreach of a tyrannical government. The shooting at Columbiana Mall, a nightclub in Hampton and recently in North Charleston, none of these shootings was done by law abiding citizens. Lawbreakers when found guilty, should be punished in accordance with the law. You should not be making the law, appointing people to interpret the law and then defending the accused offenders in front of a judge you appointed.

26. Dr. Craig Burnette, Community Volunteer, Veteran Advocate, Homelessness in Spartanburg, County and City: Growing Challenges, Needs, and Solutions.

Dr. Craig Burnette made a presentation on growing challenges, needs, and solutions for veterans. Dr. Burnette states that he is a Wofford graduate, informed on his military service and a retired psychologist. He started working in the U.S. Office of Veteran Affairs in 1980. For almost the next 30 years, he started working on programs, housing and treatments for homeless veterans across America. He along with some colleagues have authored over 15 reports to the U.S. Congress on what the met and unmet needs of homeless veterans are in 172 cities across the nation. The last 12 years he has participated as a community volunteer, advocate for veterans and the homeless. Dr. Burnette informed on HUD point and time count, the term south couch surfer, crisis stabilization unit and decisions LEO (Law Enforcement Officers) have to make every night and day. I ask for your time at your discretion, we have a team that goes out, meet with some of the 201 people and try to work with them on how to help them break the cycle. We are not always successful. I am asking you to come meet with some of your constituents that you usually do not meet at your campaign event or a fundraiser. Will they be voting in November or in the primaries? I doubt it. I hope someday they will. I can give you examples of people who are now voting and people who never made it and died on our streets. On May 17, across from Miracle Hill we will have a ceremony remembering those homeless who have died in our county, come with us. Thank you for your time.

27. Old Business

None.

28. Adjourn

Many motions to adjourn. All was in favor. Chairman Martin states meeting adjourned.

Shane Martin, Chairman

Attested: Debbie S. Culbreth

Date

Date