

MINUTES
Spartanburg County
Legislative Delegation
Monday, February 7, 2005
5:00 p.m.

A public meeting of the Spartanburg County Legislative Delegation was held on Monday, February 7, 2005, at 5:00 p.m. in the 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 - Absent
Senator Jim Ritchie – Absent
Senator Harvey Peeler – Absent
Representative Brenda Lee - Absent
Representative Doug Smith - Present
Representative Lanny Littlejohn - Present
Representative Scott Talley - Present
Representative Phil Sinclair - Present
Representative Joe Mahaffey - Absent
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.

1. APPROVAL OF NOVEMBER 8, 2004 MEETING MINUTES

Representative Phil Sinclair moved to approve the November 8, 2004 meeting minutes as printed. Representative Bob Walker seconded the motion. The motion carried.

2. MS. ANN FESPERMAN AND MR. FRED GIBBS – UPSTATE WORKFORCE INVESTMENT BOARD ACTIVITIES AND FUNDING EXPENDITURES

Mr. Gibbs requested the members review the comprehensive distributed materials as issues relating to the Workforce Investment Board (WIB), not only in the Upstate, but throughout the state as it relates to consolidation. As far as Spartanburg, Cherokee and Union Counties are concerned, the WIB is not in favor of consolidation because it is felt it would be a negative impact of those served in the tri-county area here in Spartanburg.

The Upstate WIB is a twenty five member board that is comprised predominately (51%) of members from the private sector that represents Spartanburg, Cherokee and Union Counties. The Upstate WIB oversees employee training activities in the respective counties. The mission of the board is building and maintaining a workforce investment system that meets the needs of the employers for the respective counties.

Currently, the sponsored programs funded locally include the comprehensive One Stop Career Center, located on Commerce Street; satellite offices at the Employment Security Commission as well as the Middle Tyger Community Center; Hi-Tech Aviation at Carver High School; Urban League; and, the USC-Upstate Achieve program. The WIB oversees and administer a little over \$4.1M in funds that actually come back to them locally from the Department of Labor via the State of South Carolina. In addition to the funded programs, the WIB has a considerably strong youth component of which the WIB is currently with a little over 500 youth in the Spartanburg youth programs. Many of those students are drop outs that are currently working toward a GED.

In addition to the listed programs, on the adult side, the WIB is working with about 1400 adults that are enrolled in the programs of which a little over 650 are in some type of occupational skill training with the bulk of those participating in programs at Spartanburg Technical College.

The WIB continually works toward becoming a conveyor workforce on related issues in the three county area to endeavor some of the initiatives with the working partners the Vocational Rehabilitation, Housing Authority, Adult Education, Adult Learning Center, Job Service as well as Spartanburg Technical College and many others.

The WIB has a youth council that is comprised of about 30 additional members that is somewhat supplemental work to the board. The youth council is charged to make recommendations to the Board for youth in providing oversight for various youth programs.

3. DREW MONITTO, M.D. – SOUTH CAROLINA CANCER ALLIANCE

Dr. Drew Monitto is a radiation oncologist at the Gibbs Cancer Center at Spartanburg Regional Medical Center. Dr. Monitto is also a member of the South Carolina Cancer Alliance. The South Carolina Cancer Alliance is a group of 700 members who have formed a statewide collaboration of people who are interested in reducing the impact of cancer on South Carolinians. This includes physicians, nurses, cancer survivors and families, advocacy groups such as the American Cancer Society, members from academia and government. The goal of the South Carolina Cancer Alliance is to reduce the impact of cancer on South Carolinians.

Cancer has surpassed heart disease as the number one killer of Americans. The Cancer Alliance published a South Carolina cancer report card that shows the rate of cancer death in South Carolina is well above the national average. To help the Cancer Alliance achieve their goals, Dr. Monitto is asking Delegation consideration and support on several legislation issues.

One issue is the cigarette tax – If you had to take one factor to stand over and above another factor in terms of impact of development of cancer, tobacco stands far and above any other factor. The Cancer Alliance believes that raising the cigarette tax would decrease consumption among South Carolinians, especially among the teenagers. Raising the tobacco tax will help generate revenue to hopefully screen more patients for early detection of cancer that provides treatment for patients who would not otherwise have access to treatment, especially with the access of federal matching dollars through the Medicaid program.

The second issue - the Cancer Alliance would like consideration and support on the expansion of the breast and cervical cancer prevention and treatment act which is being considered.

The third issue - the Cancer Alliance believes it is very important for patients to be screened early and polyps removed years before colorectal cancer can develop. The Cancer Alliance supports the inclusion of colonoscopy and screening procedures for colon cancer for patients over the age of 50 that are covered by Medicaid.

4. HONORABLE PAUL BELL, MAYOR OF WOODRUFF – PLIGHT OF WOODRUFF

The distributed information is taken from the census of 2000. The statistical census information states that 65% of the residents of Woodruff are 65 years of age and over. The City of Woodruff believes the nonfamily householders that are 65 years of age and over now estimates at 20% instead of the listed 14.8%. Ten percent of the housing units are vacant and 39.5% of the citizens rent their homes.

The City of Woodruff Council is trying desperately to address these issues, but ask for considerations and endorsement of grant funds or other monies that would be available to help improve the economic status of the area.

5. MS. KATHY DUNLEAVY AND MR. JOHN DARGON, UNITED WAY – UPSTATE COMMUNITY INDICATORS

Ms. Kathy Dunleavy distributed the 6th edition of the strategic Spartanburg community indicators. This particular publication is a culmination of a one year process that began in January 2004. The Spartanburg County Foundation and the United Way have partnered on the project. Ultimately, United Way brought in other funders to help fund the project. There were over 200 individuals from the public, private, and the non profit sector that represented all areas of Spartanburg County to come together and decide what things needed to be measured as well as to adopt ten community goals. The ten community goals have not happened before. They are lofty goals, but the United Way wants to work toward improving these indicators. The United Way plans to look at the data and have asked a core group of leaders in the community that represent the different goals to work with the United Way over the next several months to not only prioritize within the goals, but to identify gaps in findings, gaps in services as well as identify best practices. This truly has been a community effort.

Mr. John Dargan has already had a number of groups to surface to partner in coalition with this effort. They are Council for Community Empowerment, the Spartanburg Youth Council, DHEC, Spartanburg Christian Community Foundation, Faith Community, Share the Vision, Junior League of Spartanburg, the County of Spartanburg, and the Boys and Girls Club. This group will actually go on a knife and fork tour around all the service clubs in Spartanburg County and hand out the brochures. Inside the brochure is an opportunity for an individual, agency or group to sign up and say I am interested in this community indicator or goal or project or problem, and they could sign up and take ownership of the project going forward. We could develop some collaboration in that regard.

6. DR. JIM RAY, SPARTANBURG SCHOOL DISTRICT 3 – GOVERNOR’S BILL: PUT PARENTS IN CHARGE

The information presented on the “Put Parents in Charge” Bill is in the opinion of many people, in and outside public schooling. Dr. Ray respectfully requests the delegation to consider this information presented when the Bill is put before the assembly for a vote.

The word “voucher” has come before this Bill although schools have been told it is not a voucher. The people who funded the study, in South Carolina from an outside organization, called the American Legislative Exchange Council say with tuition tax credit, the end result is the same as a voucher. A quote from an Arizona State Legislator who sponsored their tuition tax credit law says, “Why do we need vouchers once we achieve tax credits.” There is plenty of information out there that support the Bill as a voucher.

It is interesting as to how this Bill has been marketed. It has been marketed first, that will it not cost any money. Dr. Ray thinks that is absolutely phooey. The South Carolina Board of Economic Advisors estimate the plan would take over \$234M out of the state schools over a five year period. The schools are already down about \$377 per pupil from where the Base Education Finance Act funding is supposed to be, which is \$14M in the County of Spartanburg, based on the number of units. Losing \$234M more in the next five years would drop per pupil funding from the state to the county by another \$250 per pupil which would be about another \$8 or \$9M. Ninety five percent of all state tax returns have taxable income below the threshold specified in the law. Dr. Ray feels there is a very good chance; with that many eligible you would have enough takers to justify the Board of Economic Advisory opinion. That opinion will be supported by an independent study conducted by the former chairman of that group.

The state has 10% of state school age population enrolled in private or home schools. It is believed these credits generate a tremendous strain on the general fund. Just earlier this year, we heard thoughts of celebrating a potential \$99M surplus in Columbia. The \$234M lose has to come from somewhere. The schools have been through some lean times in the last few years and think the loss would come out of the general fund and hurt schools and other agencies. Every other agency in state government that serves families of children has been cut significantly since 2001. In 2001, 2002, and 2003 this county was cut \$22M in public school funding. Some of the cut has been restored.

The second way this Bill has been marketed, is that "Well, you have plenty of money anyway." The schools do receive limited federal money by 7% of which the state spends. Every nickel is earmarked. The schools receive about 7% of the 100% it cost to educate special needs children from the federal government. The schools are required to conform to 100% of the regulations, but only receive 7% of the funding. Every dime of Educational Improvement Act (EIA) is earmarked. It is categorical. Some of the accounts are staggering. Some \$100M has been moved around from those accounts in the last few years.

The lottery money is categorical. It is earmarked for a specific use. It is also soft as quick sand. The schools did not want the lottery money to emerge as a potential piece of school funding to begin with because every state that has a lottery will tell you that the revenues will dissipate over time. The Bill has serious financial consequences for the schools.

There are also many other state items. Forty percent of the fringe benefits for school systems are not funded, transportation is under funded, textbooks are under funded, and the adult education programs are under funded.

If you take a total of all money spent, more than half is coming from local schools and local taxpayers. It is not coming out of Columbia. The percentage of the general funds spent for public schools in 1970 was 53%. In 2001, it was 37%. In 2003, it was 35%. Just from 1984 to 1991, there was a 10% shift from the state level back to the backs of the taxpayers. Not every child in every school district for this state has the same average local spending that is quoted in terms of the total.

The third latest thing is the Bill has been marketed as a scare tactic. There is some data in other states that show that our concerns are far from fear. In the states that use the tuition tax

credits, public schools and state agencies have lost millions of dollars. (Florida, Illinois, Pennsylvania and Arizona.) This Bill is supposed to provide greater parental control than public schools provide. There are studies from Stanford University and Arizona State University that says that is not the case. People who come and go out of a private school do have a choice of coming and going. But the studies have shown there is much less ability to influence what takes place inside the school program than what they do in public schools.

One of the things heard, is that if this Bill is implemented, there will be gains of students achievements on both sides of the fence. Both public schools will achieve better and that the private schools will achieve better. Harvard University, Princeton, the General Accounting Office of the Federal Government, Duke University, Columbia University, University of Texas and University of Illinois at Stanford all did first class studies that says this is not so. This is national data, not South Carolina data.

There is a ton of information about fraud and abuse in other states where there is a lack of accountability for the expenditures of monies. Some abuses occurred in Milwaukee, which has been tallied as a model for local schools to visit. One academy there misused \$2.8M. In Ohio, there was a misuse of money. A Pennsylvania state senator was quoted as saying, "Two years after the tuition tax credit's program creation, those running it can't say where nearly \$30M has gone, who has benefited, or if the Pennsylvania education has improved. A government official in the Florida office of School Choice said, "There is \$50M out there and I don't know where it's gone. I can't name a student, I can't name a school." Reports from all over the state of Florida say there is tremendous fiscal malfeasance in states where the privatization of used public funds has not been carefully controlled. Even this year, the state of South Carolina, had a charter school that drew \$350,000 and claimed 300 students when it only had 80 students. Dr. Ray does not believe that all charter schools are a problem, and thinks there are some good charter schools out there. Our pupil attendance accounting for funding is as good as any Internal Revenue Service agent ever wanted.

Dr. Ray is asking for a level playing field. If anyone is going to consider putting public dollars into private schooling, there should be equal accountability. There are studies at Columbia University, Arizona University, several newspapers in Pennsylvania, Arizona, and Chicago that say those with children already in private schools benefit the most from these programs. Primarily the program has benefited middle class families that have already made the decision to send their kids to private schools. In Arizona, 76% of every tax dollar appears to have gone to those families whose children were already enrolled in private schools with only 19 cents going to students who have moved from public to private schools. The findings are consistent that almost every state that is using this program has a majority of the money going to people who were already in the private sector and in most cases middle class and above. It would come to a stipend for people who are more income able to make the personal decision to provide private schooling for their children. There is data from the University of Illinois at Stanford that shows voucher systems and tuition tax credit assistance have reinforced segregation, social stratification and iniquities between lower income students and their better counterparts.

A study has been done of America's Choice programs by Great Britain and New Zealand that found the educational markets make existing inequalities in education worse. The University of Wisconsin, Milwaukee finds effort that the choice programs likely further divide people and communities among social, economic, ethnic, and class lines. There is evidence of no accountability for instructional and curriculum programs. These aren't scare tactics. This is a survey of information from around the country.

Lessons have come out of the Milwaukee voucher experiment. Lesson number one – voucher schools are not accountable to the public. Lesson number two – vouchers divert money away from public schools. Lesson number three – Parents do not wish to abandon the public schools, they want them to work better.

Voters in 19 states two years ago rejected this kind of privatization moves. There had not been a single state where voters had passed a referendum or a measure like this. In fact, there have only been three Assemblies that have done this.

Dr. Ray is asking the Delegation to move slowly. The state has venues and avenues for choice through a very carefully constructed process for establishing charter schools. This Bill is going to take money from public schools that have shown dramatic results in the last several years. The National Assessment of Educational Progress (NAP) data shows it, the Palmetto Achievement Challenge Test (PACT) data shows it, the Advanced Placement data shows it. The percentages of students doing well in post secondary education show it. South Carolina is one of 23 states not 50 states that use the SAT scores. SAT scores can get better. South Carolina has 62% of the students taking the SAT exams, and many of those students have not taken the course work. Spartanburg County is about 10 points off the national average and Dr. Ray thinks most schools are slowly getting there.

Schools accept the need to improve dropouts. The rate is far less than the one quoted. Our rate is 17% off. If you count three year college graduates, if you count five year seniors, if you count transfers to adult education and GED programs, if you count migration to other schools, as your dropouts you are not going to have the correct number. I would love to see a correct number for the state. The holding count is 83%. One dropout is too many.

Dr. Ray requested the delegation support Senator Ritchie's driver's license bill, and Representative Littlejohn's driver's license bill, and Mr. Smith's Parent Responsibility Act from a year ago and you will see some change in the dropout numbers, as schools do not own a prison. The schools actually have all kinds of missions, but ask consideration before launching this boat in the river because there is plenty of evidence around the country that it sunk once it left the shore.

Ms. Linda Dogan, Spartanburg City Council, spoke against "Put Parents in Charge" bill.

Dr. Cecil Talley Farrell, resident from the City of Columbia, spoke in favor of the "Put Parents in Charge" bill now before the General Assembly.

Representative Doug Smith commented on an e-mail statement he had received from

School District 3. The e-mail stated: legislators are responsible for the current paradox of increasing accountability in declining funding. The last thing the legislators want is for the public schools to do well.

Representative Smith expounded that he is a graduate from public schools and his children attend public schools, therefore, the last statement is untrue.

Statistics show that South Carolina schools rank twentieth in the nation in spending, yet are forty-third in achievement. South Carolina spends more than \$9,000 per year per child, yet two-thirds of our eighth graders can't read or write at proficient levels.

This is something the state legislators and educators need to look at. The community indicators say that thirty-four percent of minorities in Spartanburg County drop out of school, and twenty-four percent of whites drop out of school before they graduate. All this information needs to be reviewed and studied by all interested parties to produce an equitable, feasible, proficient solution to the problems in public education in South Carolina.

Mr. Gene Campbell is attending the meeting representing the veterans of Spartanburg County. Representative Lanny Littlejohn stated that three young men have lost their lives in Iraq and requested to adjourn the meeting today in memory of our service men who died in Iraq.

COMITTEE REPORTS

7. SENATOR GLENN REESE, DEPARTMENT OF NATURAL RESOURCES

There hasn't been any DNR request submitted to be addresses.

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

The County Transportation Committee is working on several projects. The problem with C Funds is they are very limited dollars. Spartanburg County is not receiving their fair share of dollars to handle our state and county roads. The committee is doing an excellent job in handling the limited available funds. The committee has prioritized a list of much needed

projects. However, the estimated cost to complete the prioritized list far exceeds the amount of money C Funds has available for projects.

9. REPRESENTATIVE SCOTT TALLEY, PARD

No report at this time. However, a list of parks that the County has turned over to the City of Spartanburg has been enclosed for future references. The City of Spartanburg will be eligible to submit PARD grant applications for the listed parks.

10. REPRESENTATIVE PHIL SINCLAIR, SPARTANBURG COUNTY HEALTH PLANNING

The Spartanburg County Health Planning committee is undergoing a change. The committee hasn't met for a while, but Representative Sinclair has met with the director. The HIV Aids committee continues to meet regularly and has published a copy of the 2005 Spartanburg County perspective. The Home Health committee continues to meet on a by-monthly basis. The DSN board and the Domestic Violence continue to meet monthly, and various subcommittees are operating. DSN is currently working closely with the Charles Lea Center to improve services in the disability community. Hopefully, in some point in the future, the health planning committee will meet or there will be some resolution about how that committee will be structured.

11. REPRESENTATIVE DOUG SMITH, SPATS

SPATS will meet on Monday, February 14 at 10:00 a.m. in conference Room 6, Spartanburg County Administrative Office Building.

12. SENATOR JIM RITCHIE, SPARTANBURG AREA CHAMBER OF COMMERCE

No report.

13. REPRESENTATIVE BRENDA LEE, SPARTANBURG CHILDREN'S SHELTER

No report.

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

The Council of Governments continues to meet once a month with regard to water and sewer grants on the federal and state level and also deals with senior citizens problems.

15. REPRESENTATIVE DOUG SMITH - SPARTANBURG COUNTY ECONOMIC DEVELOPMENT CORPORATION

The corporation continues to meet. There are about ten to fifteen active projects, all in efforts to improve and bring businesses to Spartanburg County. There has been some success and hopefully in about two or three weeks other announcements will be released.

APPOINTMENTS

16. SPARTANBURG AREA MENTAL HEALTH BOARD

Unexpired terms of Les Howard and term of Kathleen Baechle. Application received: Kathleen Baechle

Representative Phil Sinclair moved to re-appoint Ms. Baechle. The motion carried by acclamation.

17. RIVERDALE MILLS WATER DISTRICT COMMISSION

Term of Michael D. Elliott. Application received: None

Representative Phil Sinclair reported that Spartanburg County Council is in the process of taking actions with regard to combining the Riverdale Mills Water District within the Woodruff-Roebuck Water District. The Public Hearing and third reading is scheduled for February 21, 2005.

No further action will be necessary once the Water Districts are combined.

18. GLENN SPRINGS-PAULINE RURAL FIRE DISTRICT COMMISSION

Terms of William E. Shirah, III and Edward B. Peeler. Application received: Edward B. Peeler and William Shirah.

Representative Phil Sinclair moved that William Shirah and Edward Peeler be re-appointed. The motion carried by acclamation.

19. GLENDALE AREA FIRE DISTRICT COMMISSION

Term of Ed Brown. Application received: Edward E. Brown

Representative Lanny Littlejohn moved to re-appoint Mr. Brown. Representative Sinclair seconded the motion. The motion carried.

20. DEPARTMENT OF SOCIAL SERVICES

Terms of Kathryn Murphy Behlert and Anne B. Ring. Application received: Anne B. Ring.

Representative Bob Walker moved to re-appoint Anne B. Ring. The motion carried by acclamation.

21. CONVERSE AREA FIRE DISTRICT COMMISSION

Term of Robert M. Welborn, Jr. Application received: Robert M. Welborn, Jr.

Representative Lanny Littlejohn moved to re-appoint Mr. Robert M. Welborn. The motion carried by acclamation.

22. HOLLY SPRINGS FIRE DISTRICT COMMISSION

Term of Marvin Kaye. Application received: Marvin Kaye

Representative Bob Walker moved to re-appoint Mr. Marvin Kaye. The motion carried by acclamation.

23. SPARTANBURG COUNTY COMMISSION FOR HIGHER EDUCATION

Terms of William J. Burroughs, Dr. Audrey T. Grant, Cleveland Harley, Albert Smith, William R. Cobb, James R. Smith, John Travers (Cherokee County resident), and Johnny Brown (Greenville County resident); and resignation of George E. McDowell; and resignation of Andrew Westbrook – Spartanburg Seat. Applications received: William R. Cobb, Cleveland S. Harley, Milton A. Smith, Jr., Dr. Audrey T. Grant, James R. (Jim) Smith, John Bernard Travers, Albert V. Smith, John S. Poole, Harold Fleming, and Andrew Westbrook.

Mr. Andrew Westbrook who has recently been re-appointed to a Spartanburg seat has moved to Greenville County, therefore, his Spartanburg seat is available for appointment. Mr. Williams Burroughs is vacant. Mr. George E. McDowell's seat is vacant as he has resigned. Johnny Mack Brown has given notice he does not desire to be re-appointed to the Greenville seat.

Mr. Andrew Westbrook wishes to continue to serve, but on the Greenville seat. Harold Fleming has applied for Mr. Westbrook's Spartanburg seat. Mr. John Poole has applied for the seat vacated by George McDowell. Milton A. Smith, Jr. has applied for the position Mr. Burroughs has vacated. All of these are recommendation from USC-Upstate.

Representative Bob Walker moved that all those applied and applications received be appointed/re-appointed. Representative Phil Sinclair seconded the motion. The motion carried.

24. SPARTANBURG COUNTY COMMISSION FOR TECHNICAL EDUCATION

Terms of District 1 Timothy Crawford; District 4 F. Gary Towery; and, District 6 William H. Sarrett. Applications received: F. Gary Towery, and William H. Sarrett.

Representative Phil Sinclair moved that Mr. Towery and Mr. Sarrett be re-appointed. District 1 seat will be carried over until the next meeting. The motion was seconded and carried.

25. INMAN CAMPOBELLO WATER DISTRICT COMMISSION

Term of Michael R. Ravan. Applications received: Michael R. Ravan, Tony Gillespie, Peter Miller, Edward A. Walcher.

Representative Bob Walker moved for Michael Ravan to be re-appointed. Senator Reese seconded the motion. There were no other nominations. The motion carried by acclamation.

26. OLD BUSINESS

A commission resignation was withheld for a period of two years. The Delegation office will write the boards and commissions members and ask they keep in mind resignations are needed to be forwarded to the Delegation office as soon as received.

In order to avoid future confusion; all requests to present agenda items are to be submitted, in writing to the Delegation Office, no later than two weeks prior to the scheduled meeting date.

The next Delegation meeting is scheduled for Monday, May 2, 2005 at 5:00 p.m. Therefore, all presented agenda items requests are required to be submitted in the Delegation office no later than Monday, April 18.

27. NEW BUSINESS

Before adjourning the meeting in honor of our Veterans, Representative Lanny Littlejohn congratulated the Broome High School Centuriuns state AA champions. They will be presented in Columbia on Thursday, February 10. This is one of the first District 3 championships.

Thanks to the League of Women Voter for distributing the Directory of Public Officials. It is a very resourceful tool.

WITH NO FURTHER BUSINESS, THE MEETING ADJOURNED.

Doug Smith, Delegation Chairman

Attested:
Carol Crowe