

Joint Transportation Review Committee

Report of Candidate Qualifications

May 27, 2010

Date Candidates Found Qualified: Tuesday, May 25, 2010

Date and Time of Final Report: 3:00 p.m., Thursday, May 27, 2010

Members of the General Assembly are PROHIBITED from pledging their votes until Thursday, May 27, 2010 at 3:00 p.m.

Candidates are not to ask for votes until Thursday, May 27, 2010 at 3:00 p.m.

Only members of the General Assembly who reside in the 4th Congressional District may vote.

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INTRODUCTION

Act 114 of 2007 was enacted to restructure the South Carolina Department of Transportation and the Department of Transportation Commission. Reforms were designed to make the Department and Commission more accountable to the public, more transparent in their operations, and more equitable in their delivery of services.

A key part of Act 114 is the Joint Transportation Review Committee. The JTRC's responsibility includes screening each applicant for the Department of Transportation Commission by determining whether the applicant is qualified and meets the requirements required by law to serve.

About the Report

This report contains the committee's findings regarding the qualifications of applicants for the Commission from 4th District. Each member of the General Assembly residing in the 4th Congressional District will be provided a copy of this report for review and consideration. The Committee believes that this report will help members make an informed vote.

Committee Composition and Responsibilities

The JTRC is comprised of ten members, eight of whom are legislators and two of whom are appointed from the public at large. To fulfill its mandate, the Committee conducts an investigation of each applicant's professional and financial affairs, and holds a public hearing during which each applicant may be questioned on a wide variety of issues.

The Committee expects each applicant to have a level of formal education (and/or possess education commensurate with the duties and responsibilities of a commissioner) and to exhibit strong ethical standards. First, the Committee's investigation focuses on whether the applicant meets the qualifications for service as established in Section 57-1-310(C):

The qualifications that each commission member must possess, include, but are not limited to:

- (1) a baccalaureate or more advanced degree from:
 - (a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;
 - (b) an institution of higher learning that has been accredited by a regional or national accrediting body; or
 - (c) an institution of higher learning chartered before 1962; or
- (2) a background of at least five years in any combination of the following fields of expertise:
 - (a) transportation;
 - (b) construction;
 - (c) finance;
 - (d) law;
 - (e) environmental issues;
 - (f) management; or
 - (g) engineering.

In screening candidates and making its findings, the Committee also must give due consideration to:

- (a) ability, area of expertise, dedication, compassion, common sense, and integrity of each candidate; and
- (b) the impact that each candidate would have on the racial and gender composition of the commission, and each candidate's impact on other demographic factors represented on the commission, such as residence in rural or urban areas, to assure nondiscrimination to the greatest extent possible of all segments of the population of the State.

The JTRC's investigation includes (1) a State Law Enforcement Division background check; (2) a credit investigation; (3) a careful study of application materials, including a comprehensive personal data questionnaire; (4) a test of basic knowledge related to the Department of Transportation and the commission; (5) a personal interview with each candidate; and (6) further inquiry as the Committee considers appropriate.

ELECTION OF COMMISSION MEMBERS

A candidate may withdraw at any stage of the proceedings.

Resident members of the 4th District may meet to elect a commissioner to represent their district at any time after 3:00 p.m. on Thursday, May 27, 2010.

Pursuant to Section 57-1-325 members residing within the respective congressional delegations must hold a duly called, public meeting to elect a Department of Transportation Commissioner.

Signing a ‘pledge-sheet’ does not constitute a vote in favor of a candidate nor does it replace the statutory requirement for a meeting.

For purposes of electing a commission member:

Legislators residing in the congressional district shall meet upon written call of a majority of the members of the delegation of each district, at a time and place to be designated in the call.

A majority present, either in person or by written proxy, of the delegation constitutes a quorum for purposes of electing a commissioner.

No person may be elected commissioner who fails to receive a majority of the vote of the members of the delegation.

When the election is completed, the chairman and secretary of the delegation shall immediately transmit the name of the elected person to the Secretary of State who will then issue a commission.

MEMBERSHIP AND STAFF

Senate Appointees:

Senator Lawrence K. Grooms, Ch. (2007)
Suite 203, Gressette Building
Post Office Box 142
Columbia, S.C. 29202
803-212-6400

Senator Hugh K. Leatherman, Jr. (2007)
Suite 111, Gressette Building
Post Office Box 142
Columbia, S.C. 29202
803-212-6640

Senator Glenn F. McConnell (2007)
Suite 101, Gressette Building
Post Office Box 142
Columbia, S.C. 29202
803-212-6610

Senator Harvey S. Peeler, Jr. (2009)
Suite 213, Gressette Building
Post Office Box 142
Columbia, S.C. 29202
803-212-6430

Senator Gerald Malloy (2007)
512 Gressette Building
Post Office Box 142
Columbia, S.C. 29202
803-212-6148

Chief of Staff: David J. Owens
803-212-6400

Senate Counsel: Kenneth M. Moffitt
803-212-6203

House Counsel: Rick Fulmer
803-734-4799

Executive Assistant: Lily Cogdill
803-212-6400

House Appointees:

Representative Jay Lucas, Vice Ch. (2007)
420-A Blatt Building
Columbia, S.C. 29201
803-734-2961

Representative Annette Young (2007)
308-C Blatt Building
Columbia, S.C. 29201
803-734-2953

Representative Phillip D. Owens (2009)
429 Blatt Building
Columbia, S.C. 29201
803-734-3053

Mr. Patterson Smith (2009)
51 John Street
Charleston, S.C. 29403
843-577-7406

Mr. Reid Banks (2007)
Post Office Box 71505
Charleston, S.C. 29415
843-744-8261

MR. JOHN P. (JOHNNY) EDWARDS
APPLICANT FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
4TH DISTRICT

BACKGROUND

Mr. Edwards is 63, is married, and lives in Greenville. He is owner and President of Edwards Piping & Machinery, Inc. The mechanical contracting business offers process pipe work, chemical plant work, boiler installation, industrial maintenance and hospital maintenance. Mr. Edwards is Chairman of DHEC's Ocean & Coastal Resource Management (OCRM) Coastal Zone Management Appellate Panel, a post he states he would resign if elected to the DOT Commission.

QUALIFICATIONS

Education: 1967-1969, US Navy Reserve (active duty on USS Wasp)

Areas of Expertise: Mr. Edwards claims qualifying experience in the following.

Construction: Mechanical contracting, 1961 - present, primarily dealing with pipe work, chemical plant work, boiler installation, industrial maintenance, and hospital maintenance.

Finance: Bank board director, 1994 - 1998 for Poinsett Bank in Travelers Rest and Colonial Savings Bank in Camden. Original board member of Colonial Savings Bank and helped start the bank. Served on both bank boards until Carolina First purchased them in 1998. Nominated to the Advisory Board of Carolina First in 2005; still serving.

Environmental: Coastal Zone Management Appellate Panel, 1999 - present; serves as Chairman. (The Panel is a 14 member body that formerly addressed appeals from the Administrative Law Judge Division. Mr. Edwards is one of the six congressional district members elected by members of the General Assembly. If elected to the SCDOT Commission Mr. Edwards stated he will resign this position.)

Management: Owner of Edwards Piping & Machinery, Inc. Has managed and maintained as many as 90 employees at a time and has maintained a successful business throughout its existence.

OTHER

Mr. Edwards has served as an elder of Trinity Presbyterian Church in Travelers Rest.

SLED reports no criminal activity.

During his interview with staff, Mr. Edwards stated that he knew of no conflicts or potential conflicts of interest with the SCDOT, and stated that he would recuse himself should such a conflict arise. He stated he was aware of the statutory prohibition on members pledging their votes for candidates until issuance of the JTRC's final report.

LETTERS OF RECOMMENDATION

Rev. Dr. Pamela Patrick Cole -- First Presbyterian Church, Greenville

Mr. Richy Milligan -- Eastern Industrial Supplies, Inc., Greenville

Mr. R. Bruce White -- Bank of Travelers Rest, Travelers Rest

Mr. Frank Wetmore -- Carolina First, Greenville

Ms. Vickie F. Browning -- Scheetz, Hogan, Freeman, Phillips Insurance, Greenville

FINDINGS

On May 18, 2010 the Joint Transportation Review Committee met to screen Mr. Edwards. The Committee met again on May 25, 2010.

Mr. Edwards was found **QUALIFIED** on May 25, 2010.

In screening Mr. Edwards and making its findings, the review committee gave due consideration to his ability, area of expertise, dedication, compassion, common sense, and integrity and the impact that Mr. Edwards would have on the racial and gender composition of the commission, and his impact on other demographic factors represented on the commission, such as residence in rural or urban areas.

MRS. ANITA P. WHITNEY
APPLICANT FOR COMMISSIONER
OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
4TH DISTRICT

BACKGROUND:

Mrs. Whitney is 47, is married, and lives in Union. She is owner of My Buddy's Place, LLC. She and her husband own and operate a small cattle farm. She is a member of the Board of Directors of both the Broad River Electric Cooperative, Inc., and the Central Electric Power Cooperative, Inc.

Mrs. Whitney is a former Union County magistrate.

QUALIFICATIONS

Education: B.A., Mathematics, Columbia College; USC Graduate School, Exercise Physiology, January 1984-May 1984. (Left to enter the work force.)

Areas of Expertise: Mrs. Whitney claims qualifying experience in the following.

Transportation: Volunteer bus driver, Mon-Aetna Baptist Church; Mrs. Whitney holds a CDL.

Construction and Finance: Whitney Asphalt Company, 1984-2007, bookkeeper/secretary.

Management and Finance: Executive Director, Union County YMCA, 1994-1997.

Engineering: Program writer, systems engineer, PMSC (Policy Management Systems Corporation), 1984-1994 and 1997-2002.

Law: Union County Magistrate, 2002-2005.

OTHER:

Assistant coach, girl's middle school and varsity volleyball and softball, Laurens Academy.

SLED reports no criminal record.

During her interview with staff, Mrs. Whitney stated that she knows of no conflicts or potential conflicts of interest with the SCDOT, and stated that she would recuse herself should such a conflict arise. She stated she was aware of the statutory prohibition on members pledging their votes for candidates until issuance of the JTRC's final report.

LETTERS OF RECOMMENDATION

Mr. J. Richard Baines -- Broad River Electric Cooperative, Gaffney

Mr. Norris R. Fowler -- Union Oil Mills and Fowken Farm, Union

Mr. M. Brown Fant, Jr. CPA -- Union

Mr. James L. Switzer -- MorganStanley SmithBarney, Spartanburg

Rev. Benny Green, Jr. -- Mon-Aetna Baptist Church, Union

FINDINGS

On May 18, 2010 the Joint Transportation Review Committee met to screen Mrs. Whitney. The Committee met again on May 25, 2010.

Mrs. Whitney was found **QUALIFIED** on May 25, 2010.

In screening Mrs. Whitney and making its findings, the review committee gave due consideration to her ability, area of expertise, dedication, compassion, common sense, and integrity and the impact that Mrs. Whitney would have on the racial and gender composition of the commission, and her impact on other demographic factors represented on the commission, such as residence in rural or urban areas.

MR. JIMMY FLOYD (JIM) SPEARMAN

APPLICANT FOR COMMISSIONER

OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

4TH DISTRICT

BACKGROUND

Mr. Spearman is 61, is married, and lives in Fountain Inn. He is office manager of Spearman Electrical Contractors, Inc, his son's business. He retired in 2004 from Union Carbide Corporation after 35 years, having supervised as many as 230 employees in manufacturing, warehousing, inventory control, purchasing, and software implementation.

QUALIFICATIONS

Education: Associate's Degree, general studies/business/management, 1974; Bachelor's Degree, general studies/business/management, USC Spartanburg, 1977; Furman University (Took courses toward MBA, c. 1994. Stopped due to family considerations.)

Areas of Expertise: Mr. Spearman claims qualifying experience in the following.

Management: Union Carbide, 35 years, retired 2004. (*See above.*) Office manager, Spearman Electric, 2006-present. The business has had up to 45 employees. Mr. Spearman has managed all sections of the office, including accounts payable, job cost reporting, time cards, payroll, fleet maintenance, HR, insurance, workers comp, and safety coordination.

Construction: Spearman Electric. (*See above.*) Mr. Spearman has an electrical contractor's license.

OTHER:

SLED reports no criminal record.

During his interview with staff, Mr. Spearman stated that he knows of no conflicts or potential conflicts of interest with the SCDOT, and stated that he would recuse himself should such a conflict arise. He stated he was aware of the statutory prohibition on members pledging their votes for candidates until issuance of the JTRC's final report.

LETTERS OF RECOMMENDATION

Steven K. Glenn, Ph.D. -- Abbeville High School, Abbeville

Mr. Jerry E. Powell -- Fountain Inn

Mr. Gerald Milford -- Abbeville

Mr. Joseph G. Hedrick, CPA -- Edwards & Hedrick, Greer

Rev. Danny Bridges -- Unity Baptist Church, Simpsonville

FINDINGS

On May 25, 2010 the Joint Transportation Review Committee met to screen Mr. Spearman.

Mr. Spearman was found **QUALIFIED** on May 25, 2010.

In screening Mr. Spearman and making its findings, the review committee gave due consideration to his ability, area of expertise, dedication, compassion, common sense, and integrity and the impact that Mr. Spearman would have on the racial and gender composition of the commission, and his impact on other demographic factors represented on the commission, such as residence in rural or urban areas.

(End)