

Lawmakers Seek to Regain Control Over Who Heads County VA Offices

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By Rick Brundrett - The Nerve

Two years ago, lawmakers created the Department of Veterans' Affairs, a stand-alone state agency aimed at helping to provide services to the thousands of veterans in South Carolina.

With the creation of the new agency, county legislative delegations lost their sole power to fire the county veterans' affairs officer (CVAO) in their respective counties. That decision now has to be made jointly by a majority of that county's Senate delegation members, a majority of the House delegation members, and the director – called the secretary – of the S.C. Department of Veterans' Affairs (SCDVA).

Current law designates a CVAO as an “at-will” employee of the new state agency, “subject to removal for cause at any time.”

But some lawmakers want their firing power back.

Separate House and Senate bills would eliminate SCDVA secretary William Grimsley's authority in the removal of CVAOs, designating them as “at-will” employees of the legislative delegations.

Meanwhile, two other bills would get rid of the delegations' authority in the hiring and firing of CVAOs.

As The Nerve has repeatedly pointed out, county legislative delegations exercise considerable control in their respective counties. Last month, for example, The Nerve [reported](#) about legislation proposed by a Spartanburg County lawmaker that would establish base pay for members of a local school board.

Until the mid-1970s, legislative delegations generally governed counties, including approving county budgets. The Home Rule Act, which took effect in 1976, was supposed to give counties more control over their own affairs, though it didn't end lawmakers' influence over [local school districts](#) or other local matters.

Legislative delegations, for example, appoint most County Transportation Committees statewide, which determine what [local road projects](#) to fund with part of the state gasoline tax.

In 2019, The Nerve [revealed](#) how one senator in 12 counties can control the appointment of that county's magistrates.

Under state law, legislative delegations in most counties recommend to the SCDVA secretary the appointment of the CVAO in their respective counties, and also determine the qualifications for the position. In Berkeley, Dorchester and Georgetown counties, the county council or administrator makes the appointment recommendation.

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State law requires that all new CVAOs become accredited within one year of their initial appointment through a training program offered through the SCDVA or an accredited national veterans' service organization. Their appointments run two years.
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Power struggle

Under a Senate [bill](#) filed last week, county legislative delegations would again control the firing of CVAOs. Sen. Luke Rankin, R-Horry, who is chairman of the Senate Judiciary Committee, is the lead sponsor of the bill, which has four co-sponsors.

Rep. Richie Yow, R-Chesterfield, sponsored a similar House [bill](#), which is co-sponsored by 21 other House members. Contacted Thursday by The Nerve, he denied that his bill, which was prefiled in December, would increase delegations' powers, adding, "I don't think the delegation needs any more power than that's already there."

Yow, who is an Air Force veteran, contended his bill would better serve veterans in rural counties such as his.

"If you take it over and make it big-government control again – not just on the lowest level – what will happen is that they'll (veterans) have an issue, and they'll call us to solve that issue," he said. "And all we've got is to call the (SCDVA) secretary, who works for the governor, meaning at that point in time, I no longer can get that vet help."

Under state law, the governor appoints the secretary, with approval by the Senate.

Yow said his bill came after the state Attorney General's Office issued a written opinion on the matter. The May 6 opinion, which was requested by Grimsley, said the Legislature intended to treat CVAOs as SCDVA employees, and for those officers to be "accountable to the (SCDVA) secretary in addition to the delegation."

Attorney general opinions, while used by public officials in seeking legal guidance, do not have the force of law.

Yow's and Rankin's bills contrast with separate House and Senate bills that would give the SCDVA secretary the sole authority to appoint CVAOs, who would be "at-will employees of the State."

"The premise of my bill is to keep everyone on the same playing field," said Sen. Katrina Shealy, R-Lexington, who is the lead sponsor of the Senate [bill](#), when contacted Thursday by The Nerve. "All of our veterans aren't getting the same services, because they're not getting the same level of services."

Shealy said according to Grimsley, some counties "might not have anybody in their office at all

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unless somebody calls them," adding her bill would "make sure somebody's in the office, somebody who's qualified."

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She also said under her bill, which was filed last month and is co-sponsored by Sen. Josh Kimbrell, R-Spartanburg, if CVAOs are "doing a good job, they don't have anything to worry about." SCDVA spokesman Brandon Wilson told The Nerve that no CVAOs have been removed since Grimsley has been the agency head.

Rep. Bobby Cox, R-Greenville, who is an Army veteran, last month filed a similar House [bill](#), co-sponsored by Rep. Chip Huggins, R-Lexington.

Shealy's and Rankin's bills were referred to the Senate Family and Veterans' Services Committee, which Shealy chairs. The House bills are in that chamber's Medical, Military, Public and Municipal Affairs Committee, chaired by Rep. Leon Howard, D-Richland.

Wilson said the bills sponsored by Shealy and Cox reflect main themes in an agency [press release](#) issued last week. Among other things, the release said rural counties "struggle to generate adequate resources for their Veterans Affairs Offices," adding the level of service a veteran receives is "largely determined by the county office to which he or she goes for assistance."

"What we're looking to do is to provide standardized services to veterans across the state," Wilson said, noting there are about 405,000 veterans in South Carolina.

Big budget request

In his state budget request for next fiscal year, which starts July 1, Grimsley is seeking a \$6.5 million increase – more than two times larger than the agency's current \$2.7 million recurring budget, according to documents filed with the S.C. Department of Administration.

Of the proposed increase, \$4 million would be used to pay the salaries and benefits of 46 CVAOs, whose annual salaries would be set at \$58,068 or \$70,674. Grimsley in his budget request noted that CVAOs currently are paid by each county "without a standard position description or salary band."

His budget request also calls for another \$1,041,770 to establish a new agency division with 11 employees making \$47,734 to \$85,995 yearly. The department had 27 employees as of Jan. 20, according to Department of Administration records.

Grimsley's current annual salary is \$139,085, records show.

Kelly Brady, a policy analyst with the South Carolina Policy Council, the parent organization

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of The Nerve contributed to this story. Brundrett is the news editor of The Nerve (www.thenerve.org). Contact him at 803-254-4411 or rick@thenerve.org. Follow him on Twitter @RickBrundrett. Follow The Nerve on Facebook and Twitter @thenervesc.
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