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mathis ferry rd, mt pleasant, sc



Attachment J

1/22/2010



State of South Carolina Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
COLUMBIA 29211

April 27, 2010

Ms. Donna Rawls
2032 Nazareth Road
Lexington, South Carolina 29073

Dear Ms. Rawls,

As you know, I forwarded your inquiry to the Department of Transportation. Enclosed is the response received from John V. Walsh regarding the intersection at Long Pong Road and Nazareth Road. We understand this is not the answer you were hoping for, but we were happy to make this contact on your behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Schilz", is written over a horizontal line.

Jeff Schilz
Policy Director

JS/lb

*Reply from Governor
Sanford and SEDOT.*



South Carolina
Department of Transportation

April 22, 2010

The Honorable Mark Sanford
Governor of South Carolina
Post Office Box 12267
Columbia, South Carolina 29211

**RE: Longs Pond Road (S-204) at Nazareth Road (S-243)
Lexington County**

Dear Governor Sanford:

I am writing in response to a recent letter your office forwarded to me from Ms. Donna Rawls. Her letter was in regards to our proposed safety improvements at the subject intersection. We have reviewed her letter concerns relating to the plans to construct a roundabout at this location.

As background information, this intersection was selected for improvement through our highway safety improvement program (HSIP). The HSIP identifies locations with high crash rates and/or crash patterns throughout the state and upgrades them through infrastructure-related improvements using a rigorous four-step process:

- Step 1: Analyze Data – data provides evidence that a safety improvement is needed.
- Step 2: Identify Potential Countermeasures – select appropriate countermeasure that will improve safety.
- Step 3: Prioritize and Select Projects – due to limited resources, the South Carolina Department of Transportation (SCDOT) must prioritize projects based on cost of the project, its expected effectiveness, and expected service life.
- Step 4: Determine Effectiveness/Evaluate – project evaluations are conducted to ensure resources are used effectively.

Through the above process, it was determined that the most appropriate and cost effective countermeasure to improve safety through a reduction in crashes for the intersection of Longs Pond Road (S-204) and Nazareth Road (S-243) would be to construct a roundabout. Roundabouts have been used successfully throughout the nation and offer substantial safety advantages. They have been proven to reduce crashes by up to 87%. In addition, the geometric features of a roundabout provide a reduced speed environment, reduced fuel consumption, and improved air quality.



The Honorable Mark Sanford

Page 2

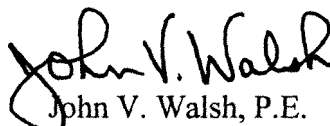
April 22, 2010

Please also note that our proposed design currently meets all federal and state highway design standards and guidelines. Additionally, we also considered many other factors in our design including traffic data (i.e. design vehicle and future traffic volumes) and environmental impacts (i.e. property needed and hydraulic/drainage requirements). Both of these factors have impacts on the appropriate size of the roundabout in addition to the design and location of the ditches and embankments.

In conclusion, SCDOT's Traffic Engineering staff believes that a roundabout is the most appropriate design for this location to not only improve safety but to also ensure traffic moves smoothly, efficiently and effectively. I trust you will find this information helpful and that it addresses Ms. Rawls' concerns regarding the design of this project.

If you and/or Ms. Rawls should have any further questions or need additional information please feel free to call Mr. Brett Harrelson, State Traffic Safety Engineer, at 803-737-3378.

Sincerely,



John V. Walsh, P.E.

Deputy Secretary for Engineering

JVW:tmo

cc: H. B. Limehouse, Jr., Secretary of Transportation
J. C. Watson, Chief Engineer for Operations
Kristen M. Lominack, Director of State Governmental Affairs
Eric Hall, Intersection Improvement Engineer

File: TE\DBH

CTS No.: 3007009

Martin, Jim

From: Kathleen Snider [SNIDERK@scdhhs.gov]
Sent: Wednesday, May 04, 2011 1:31 PM
To: Schroeder, George
Cc: Deirdra Singleton
Subject: Trying to touch base with you

I have called several times and left you a voice mail a couple of times. We are trying to follow up on earlier discussions and to see what type of assistance you will need from our audit staff.

Kathleen C. Snider, Bureau Chief
Compliance and Performance Review
SC Department of Health and Human Services
1801 Main Street, Columbia SC 29202-8206
(803) 898-1050

Confidentiality Note

This message is intended for the use of the person or entity to which it is addressed and may contain information, including health information, that is privileged, confidential, and the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is STRICTLY PROHIBITED.

If you have received this in error, please notify us immediately and destroy the related message.

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Tuesday, May 03, 2011 12:42 AM
To: Schroeder, George
Cc: MROSE5
Subject: Complaint - "Tenure decision stirs ire"

George,

Are you authorized to investigate this?

I happen to have spoken with Brian McGee, following up a FOIA I sent Benson regarding purchasing procedures at the College and payment of state sales tax.

I never received a reply to my FOIA, which I sent in DECEMBER.

Jock

copy to Mike

<http://www.postandcourier.com/news/2011/may/03/tenure-decision-stirs-ire/>

"Tenure decision stirs ire"

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Monday, May 02, 2011 2:14 PM
To: raza.saeed@yahoo.com
Cc: certification@theiia.org; Donna.Wiley@theiia.org; Schroeder, George; MROSE5
Subject: Question

e-mail to Mr. Raza Saeed - Institute of Internal Auditors - Pakistan

Mr. Saeed,

My son, a CPA working at the Inspector General Department of the USAID in Washington, DC (<http://www.usaid.gov/> and <http://www.usaid.gov/oig/>) will be transferred to its Islamabad office (<http://www.usaid.gov/pk/>) in August.

His work is principally compliance and performance audits.

I notice from the website of www.theiia.org that there is no home page for IIA in Pakistan. However, Evy Gonzalez and Elizabeth Bland at IIA have sent me your name and contact information.

Would you be so kind as to tell me about the IIA in Islamabad, such as who are members, what are dues, how often you meet, if there is a newsletter, et cetera?

While my son is in Islamabad he may want to study for his CIA certification because CIA work is what he will essentially be doing.

Thank you,
Jock Stender, CIA, CFE
Charleston, South Carolina USA

copy with thanks to:
Evy Gonzalez
Elizabeth Bland
Donna Wiley - FYI
George Schroeder - FYI
Mike Rose - FYI

Martin, Jim

From: Fred Palm [aig@cc.memberclicks.com] on behalf of Fred Palm [exec@inspectorsgeneral.org]
Sent: Thursday, June 09, 2011 4:19 PM
To: Schroeder, George
Subject: AIG Summer Inspector General Institute™ is accepting applications

Members of the Association of Inspectors General and the oversight community,

Applications are now being accepted for **Certified Inspector General™ (CIG)**, **Certified Inspector General Auditor™ (CIGA)** and **Certified Inspector General Investigator™ (CIGI)** programs of the **Inspector General Institute™** to be held August 15-19, 2011 in Colonial Williamsburg, VA.

Applications and details are available at: <http://inspectorsgeneral.org/institutes/>

Regards,

Fred Palm

Executive Director

This email was sent to georgeschroeder@gov.sc.gov by exec@inspectorsgeneral.org

Association of Inspectors General | 445 West 59th Street | 3532N | New York, New York 10019 | United States

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Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Tuesday, May 31, 2011 8:02 PM
To: Schroeder, George; Dana Beach; Nancy Vinson; MROSE5
Subject: Corruption at Port of Houston Authority

Of course no "probe" like this would ever happen at the SCSA.

Conflicts of interest at the board level are routine, and disregarded, as are personal favors by one state legislator in particular. Of course, the board runs interference for conflicts of interest by staffers like Duane Grantham when necessary. Even Bill Vaughan, the SPA outside counsel, engaged in unethical behavior - still under "protective order" - until he was "retired."

One rogue state agency that answers to no man, no governor, no committee, nobody.

Jock

Texas Senate Orders Sunset Review
The Journal of Commerce
Breakbulk Online - News Story
Breakbulk Staff | Thu, 05/26/2011 - 16:26

Compliance
Ports + Terminals|
United States

Controversy continues at Port of Houston Authority

The Texas Senate late Tuesday ordered a "sunset" review of operations and policies at the Port of Houston Authority following allegations of conflicts of interest with at least one port subcontractor, according to local news sources.

A probe of the port is already under way at the Harris County District Attorney's office. The local investigation was requested by Port Authority Chairman James Edmonds and Chief Executive Alec Dreyer.

Questions have been raised about Edmonds' now-ended private contract with AECOM, an international, publicly traded design, engineering, project management and construction firm that does business with the port. Edmonds said last week that his contract with AECOM, which reported revenues of \$7.3 billion for its most recent fiscal year, ended last March.

Other issues include allegations of misuse of port assets for private functions by Dreyer and the port's ongoing contractual relationship with former spokeswoman Argentina James.

The Texas Sunset Advisory Commission reviews the performance of state agencies and, occasionally, local entities such as the port that receive state money, and can make recommendations including continuation or abolishment of a state agency, local news sources said.

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Friday, May 27, 2011 11:27 PM
To: art4biz; Alicia Stender; Loren Stender; Floyd Dotter; russellr; Rector; Vicar; Alice Powell; Mary Ann Bagwell; CHS Stender Philip; Stender Ned; Harrison Virginia Webb; Axson Margaret Webb; wkareh; William B. Karesh; amanda ford; M. Dawes Cooke; Henderson III, David L; jcassat; Jack Kirivong; John Kirk Rosemond; Magdalene Grant; mary_rhett; Nancy Vinson; orenstein, bob and jane; Paisley Lyne Stevens; Chuck Troiani; Ambuga, Anantha R; Randy Schafer; Richard Cleave; Gene Troutman; Gerald W Tilson; Ron Turner; tatvamasi; tatvamsi; Will Folks; Bernard Jones; Bill Coleman; brack; Curtis Loftis; Dana Beach; Deas, Henry (RBI-US); Sineath, Dee; Gene Ferraro; theindel; Schroeder, George; gary.santos; gasque; davidf@artsandartists.org
Cc: onpoint@wbur.org; crickey@phillynews.com
Subject: "The Tree of Life"

Note to all,

NPR's "On Point with Tom Ashbrook" today covered "This Summer at the Movies" with film critics Carrie Rickey (Philadelphia Inquirer) and Michael Phillips (Chicago Tribune), <http://onpoint.wbur.org/2011/05/27/summer-movies>, including a movie of the "simple story" of three boys growing up with their parents in Waco, Texas in the mid '50s -- that considers large, existential questions about good and bad, misfortune, the birth of the universe - God and the beginning of time.

I plan to see this (long, 138 min.) movie, and I write to my family and friends - Christian and Jewish -- who may be interested.

At the "On Point" 8:00 to 11:30 minute segment, they discuss "The Tree of Life," this year's winner of the Cannes' film festival's top prize, the Palme d'Or, reviewed at Chicago Tribune, "'Tree of Life' Triumphs at Cannes,"

<http://www.chicagotribune.com/entertainment/ct-live-0523-talking-pictures-cannes-20110522,0,7664199.column>

and

Wall Street Journal, "A Towering "'Tree,' Out on a Limb,"

http://online.wsj.com/article/SB10001424052702304066504576347242496083716.html?mod=WSJ_hp_MID

[DLENexttoWhatsNewsForth](#)

where Joe Morgenstern writes:

Quote:

What we learn about this family -- a lot -- comes mainly from thoughts and supplications conveyed in voice-overs, and revelatory moments of sweet pleasure, hovering menace (how did any of us survive the daily dangers of childhood?), repressed anger, explosive rage and, through it all, bewilderment and grief provoked by a sudden tragedy. Much of the film bespeaks the adult Jack's struggle to understand his mortal journey. What happened to the innocence of childhood? How did his beloved mother endure the pain that came to define her life? Before and after everything else, who was the father he loved deeply and hated implacably? (In an admirably minimalist way, [Brad] Pitt gives equal weight to the father's tyranny and thwarted dreams.)

Jack is not the only questioner. [Director] Malick uses his film to ask the sort of existential questions that he has posed in such earlier works as "Days of Heaven" and "The Thin Red Line": Why does misfortune befall good people? How can faith be sustained in the face of tragedy that is, by nature, incomprehensible? What of God? Where do we belong in the

raging indifference of the cosmos? To set the larger context -- larger being a colossal understatement -- the film gives us a long sequence the likes of which hasn't been since Stanley Kubrick's

"2001: A Space Odyssey" (with special effects by Douglas Trumbull, the same wizard who conjured up Mr. Kubrick's marvels). Successive segments look back to life's beginnings -- this tree has really deep roots -- and out to the rings of Saturn, the moons of Jupiter and the infinitude that surrounds us, paying special attention to violent creation and violent destruction.

"The Tree of Life" finds its own way, taking nourishment from the grandeur and more than surviving the grandiosity. Daring in concept, occasionally daffy in execution and ultimately unforgettable, Malick's film offers a heartfelt answer to the question of where we humans belong -- with each other, on this planet, bound by love.

Unquote.

See also http://en.wikipedia.org/wiki/The_Tree_of_Life_%28film%29

Michael Philips' statement really caught my attention: "I'm frankly not a religious man, but this is one of the most seriously religious movies I've ever seen."

Carrie Rickie said "it's not for everyone" and that moviegoers typically want to see a story, but that this is not a story; rather, it is an ode, very metaphorical and evoking emotion.

Brad Pitt plays the father and Sean Penn, one of the boys, grown up.

The "tree of life" is the logo of an outstanding Christian education website, www.BiblicalTraining.org, sponsored by Dr. Bill Mounce, pastor and scholar (having written a widely-used Koine Greek - English grammar). For instance, listen to "History of the English Bible: Why So Many Versions" at <http://www.biblicaltraining.org/why-so-many-versions/history-english-bible>

"The fruit of the righteous is a tree of life." - Pr. 11:30

Jock Stender
Charleston

Martin, Jim

From: ShareThis [notifier@bounces.sharethis.com] on behalf of jock.stender@
Sent: Wednesday, May 25, 2011 4:55 PM
To: Schroeder, George; MROSE5@sc.rr.com; w@viewpolitik.com; jock.stender@
Subject: jock.stender@ has shared: Houston Port Examines Allegations Against CEO, Chairman

Years ago the SCSPA also owned a big yacht used by board members to entertain "special guests." They got rid of it because they couldn't justify the cost. Also, it caused rumor-mongering and bad staff morale.

Houston Port Examines Allegations Against CEO, Chairman

Source: joc.com

The port of Houston hired defense attorney Rusty Hardin to help in investigating allegations against the company's CEO and chairman.



jock.stender@ sent this using ShareThis.

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Wednesday, May 25, 2011 1:48 PM
To: Schroeder, George
Cc: Will Folks; MROSE5
Subject: "Reformed" SCDOT Still Corrupt As Ever

<http://www.fitsnews.com/2011/05/25/reformed-scdot-still-corrupt-as-ever/>

George,

I bring this FITSnews article to your attention in case you missed it.

DOT is one of the largest and most corrupt agencies in the state. A DOT internal auditor told me she gave a report of unethical behavior by DOT employees and contractors to Director Mabry and watched in astonishment as Mabry threw it into her trash can and told the IA to "go back to work."

Jock

copy to Will Folks, Mike Rose

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Saturday, May 21, 2011 7:12 PM
To: VerrecchiaP@cofc.edu
Cc: doug@stoptheft.com; Fioto, Douglas; Schroeder, George; KresselR@cofc.edu; Bensong@cofc.edu
Subject: Re: Follow-up from Doug Belfiore at STOP

E-mail to:

Paul V. Verrecchia, M.P.A.
Chief of Police/Director of Public Safety College of Charleston Department of Public Safety
Division of Student Affairs 81-B St. Philip Street Charleston, SC 29424
(843) 953-5615

Mr. Verrecchia,

I am a Certified Fraud Examiner and Certified Internal Auditor taking taxation and accounting courses at the College of Charleston, and recently bought a new Toshiba laptop computer.

The Toshiba replaces my MacBook that I had "registered" with your Public Safety office. This involved, of course, a trip to your office to provide your office with the serial number, my contact information, WRITING my name on the MacBook, on the bottom with invisible ink, and on the top with an "electronic engraver," and pasting on a (paper) CofC sticker.

I just placed a \$30.95 order with stoptheft for one of their patented metallic "security plates" that one pastes, permanently, to the top of the laptop clearly showing and warning potential thieves that my laptop is registered with stoptheft, making it an unattractive "resale item."

In my career, I have had two laptops stolen that I never recovered; most go to pawn shops.

Before placing the order, I called stoptheft's 800 number and was pleased to receive a call back within ten minutes.

Every now and then someone builds a better mousetrap, and this is one.

The stoptheft website has a video of someone literally ruining a computer trying to remove the stoptheft "security plate."

I believe this is something that CofC students should know about, and understand from Mr. Belfiore that volume discounts are available for colleges (such as the University of Toronto, see http://www.stoptheft.com/site/pdf/news/news_5.pdf).

When I receive this "security plate" in the mail, I'll make an appointment to show it to you and discuss this subject further.

Cordially,

Herbert "Jock" Stender, CIA, CFE
55 Boardman Rd.
Charleston, SC 29407
843-532-0908

Copy to:

Doug Fioto, Charleston Chapter, Institute of Internal Auditors George Schroeder, Inspector General, State of South Carolina Ross Kressel, College of Charleston President of Student Body George Benson, College of Charleston President Doug Belfiore, stoptheft.com

On 5/21/11, Doug Belfiore <doug@stoptheft.com> wrote:

> Hello, Mr. Stender:

>

>

>

> Thank you so much for placing your order for a STOP Security Plate Kit
> a few minutes ago! And thank you for testing our recovery hotline
> service - I'm glad to know that you were pleased with our quick response to your call.

>

>

>

> As discussed, I have enclosed some info docs to provide an overview of
> STOP's anti-theft, recovery, asset management and data-protection
> security solutions for your review. I've also copied Chief Verrecchia
> on this email as requested.

>

>

>

> And please be sure to visit the links below my signoff to learn more
> about our newly released StopMonitor real-time asset
> tracking/geolocation/recovery/data-protection system.

>

>

>

> I am looking forward to continuing our discussion on how STOP can
> assist the College of Charleston in protecting its portable devices
> and the data they contain.

>

>

>

> Thank you again!

>

>

>

> Doug Belfiore

>

> Director of Customer Relations

>

> STOP Security Tracking of Office Property

>

> 17 High Street

>

> Norwalk, CT 06851 USA

>

> T: 203-945-2020 x103

>

> or 800-488-7867

>

> F: 203-945-2027

>

> doug@stoptheft.com

>

> www.stoptheft.com

>

>

>

> New from STOP: StopMonitor – Real-time Inventory

> Tracking/Geolocation/Recovery/Data-Protection System

>

>

>

> Next Scheduled Webinars - Click Link to Reserve a Seat:

>

> Thursday, May 26, 2011 at 2:30 - 3:00 PM EDT

>

>

>

> More info at: http://www.stoptheft.com/site/products_stopmonitor.php

Martin, Jim

From: survey-noreply@smo.surveymonkey.com on behalf of exec@inspectorsgeneral.org via surveymonkey.com [member@surveymonkey.com]
Sent: Saturday, May 14, 2011 1:59 PM
To: Schroeder, George
Subject: Association of Inspectors General Conference Planning Survey

The Board of the Association of Inspectors General is finalizing plans for the Fall 2011 and Spring 2012 conferences.

This brief survey asks about your tentative plans to attend our conferences next year. Your response is not a commitment, but your advice about your intentions assists us with our planning.

There are 10 questions and this survey should take less than a minute to complete.

Here is a link to the survey:

http://www.surveymonkey.com/s.aspx?sm=igMQQE14zHNPPapGrW9Hp7w_3d_3d

Thank you for your assistance

Fred Palm
Executive Director

p.s. This link is uniquely tied to this survey and your email address. Please do not forward this message.

Thanks for your participation!

Please note: If you do not wish to receive further survey emails from us, please click the link below, and you will be automatically removed from this mailing list.

http://www.surveymonkey.com/optout.aspx?sm=igMQQE14zHNPPapGrW9Hp7w_3d_3d

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Friday, May 13, 2011 4:57 PM
To: Fioto, Douglas
Cc: Schroeder, George; MROSE5
Subject: Re: Inspector General and "Hot" Line Created by Governor Haley

Doug,

Thanks for your e-mail.

I've already met with George and regularly send him ideas or articles, such as the following note from today's Wall Street Journal.

Quote:

SafeHouse

The Wall Street Journal wants your help! Do you have newsworthy contracts, correspondence, emails, financial records or databases from companies, government agencies or non-profits? Now, you can send them to us using the SafeHouse service. Help The Wall Street Journal uncover fraud, abuse and other wrongdoing.

<http://dowjones.chn.com/a/tBNzU6jB8WDYfB8bDO-AAh-mYF-/wsjlink13>

Unquote.

George has said that he'll make use of internal auditors already on the staff of governmental entities over which he has authority, namely the Governor's cabinet agencies.

Sen. Sheheen's bill, S. 258 (found at http://www.scstatehouse.gov/cgi-bin/web_bh33.exe), which covers many more state entities, is supported by both the Governor and George.

S. 258 has taken two turns in the road to legislation: first, it continues as a stand-alone bill; second, it was added to the "Department of Administration" bill that is much more discussed in the news media.

My attitude is that I'll take it any way I can get it.

The legislature adjourns in less than a month and I'm not following these bills closely. If they don't get passed this session, they'll be reintroduced next session.

I've told George that the best examples of well-run Internal Audit Departments are at the SPA and MUSC, and I've already provided him information about MUSC's "hot line" that costs MUSC some \$5,000 annually.

When it's all over and the IG's office has truly broad powers, I believe they will get themselves a cracker-jack 24-7-365 live-human-being operator to get tips at any time.

The Louisiana IG office tells me they get a flood of tips on Fridays because, she figures, "people want to get bad thoughts off of their chest before the weekend."

I've had The IIA mail George literature and have encouraged him to join and attend the Palmetto Chapter's meetings.

Why don't you send George some information about SIAA? I've told him about it but don't have their membership list.

Take care.
Jock

PS My son Loren, a CPA working for the Dept. of State in DC, in the IG's office for USAID, is transferring to Islamabad in August.
Someone needs to ensure that our humanitarian aid (foodstuffs, medical supplies, construction equipment, irrigation and farm equipment, etc.) goes to the citizens and not to bad people like Al Quaida or Taliban.
I'm going to try to get him interested in a CIA designation.

copy to George, Mike

5/13/11, Fioto, Douglas <DFioto@scspa.com> wrote:

> Hi Jock,
>
> My apologies for just responded to this email now. We've been very
> busy here at the port.
>
> This is absolutely fabulous news and I want to congratulate you
> because I know that it was YOU who spearheaded this change. Congratulations!
>
> Perhaps when IG Schroeder gets settled, we can arrange for him to
> speak to the SIAA or the Coastal Carolina IIA chapter.
>
> Again, congratulations on this accomplishment and sorry for the
> tardiness of the response.
>
> Doug
>
> -----Original Message-----
> From: Jock Stender [mailto:jock.stender@██████████]
> Sent: Sunday, March 13, 2011 11:28 PM
> To: art4biz; Alicia Stender; Loren Stender; Mary Ann Bagwell; Alice
> Powell; Stender Ned; CHS Stender Philip; Floyd Dotter;
> james.carpenter; Jim Carpenter; Will Folks; rdudley; abird; tbartelme;
> Ambuga, Anantha R; Bradley-McKee, Linda J; ciprianom; Koprowski,
> William R; Alston, Aaron; Bernard Jones; Bill Coleman; brack; Dana
> Beach; Robert Behre; Trinkle, Brad; Curtis Loftis; Don Horres; Fioto,
> Douglas; Garner, Dana P; Henderson III, David L; Little, Katrina D.;
> M. Dawes Cooke; Sineath, Dee; Gene Ferraro; amanda ford; fheindel;
> Fred Hessler; Macchiaverna, Frank R.; Macchiaverna, Frank R.;
> gary.santos; Gene Troutman; Gerald W Tilson; Hagberg, Laurie; OConnor,
> John; jcassat; Jeff Kubiszyn; jmkaplan; Jack Kirivong; KRISTINA
> MCMICHAEL; Harrison Virginia Webb; Lee Moulder; Lieberman, Judith;
> mary_rhett; John Nolte; Nancy Vinson; oig_watchdog; Chuck Troiani;
> Twigg, Paula (03270); Randy Schafer; Rector; Leverette Sarah; Vicar;
> wkaresh
> Subject: Fwd: Inspector General and "Hot" Line Created by Governor
> Haley
>
> Friends,
>

> I am thrilled to forward to you the news that our Governor, Nikki
> Haley, has taken a very bold step and created an Office of Inspector
> General, as relayed by Sen. Mike Rose, who was instrumental in
> persuading her to do so.
>
> South Carolina now joins eight other states in our nation with such
> offices, where citizens can anonymously and easily report waste, fraud
> and abuse in state government knowing that it will be investigated.
>
> As Inspector General George Schroeder said on Friday, this is a "sea
> change" in state governance.
>
> To read of investigations by the State of Ohio Inspector General, see
> <http://watchdog.ohio.gov/oiginve.htm>.
>
> Bravo to Gov. Haley and Sen. Rose !!
>
> Leadership !!
>
> Integrity !!
>
> Transparency !!
>
> Yes !!
>
>
> ----- Forwarded message -----
> From: Senator Mike Rose <mrose5@sc.rr.com>
> Date: Sun, 13 Mar 2011 22:55:24 -0400 (EDT)
> Subject: Inspector General and "Hot" Line Created by Governor Haley
> To: jock.stender@[REDACTED]
>
> Having trouble viewing this email?
> Click here
> http://campaign.r20.constantcontact.com/render?llr=vzqzeeeab&v=001QkDMjG15V9aqI6qtsrs6q6T6jcKIVoQskarMcjb-LX7xzsCPcUeGPW-Qi61-kr0Xqo0lsMFfLkOzJrMpNsPcpUURvN8lZH_7WFEBEeWkXATjRUhnirZ--i2C22e7AC7Y9-my9L7MSYrLbCJaPHK9EQ%3D%3D
>
>
> Senator Mike Rose
> March 13, 2011
> ~~~~~
> ~~~
> ~~~~~
>
> Ladies and Gentlemen,
>
> GREAT NEWS: on Friday, March 11, Gov. Nikki Haley created an Office of
> Inspector General by Executive Order and will create by the end of
> this month a toll free "hotline" on which citizens can report waste,
> fraud and abuse to be investigated by the OIG.
>
> I am proud of Gov. Haley for taking the initiative and having the

> courage to do this, when neither our Legislature nor our former
> Governor did so.
>
> I am proud to have been instrumental in getting Gov. Haley to create
> this OIG and toll free "hot" line. I gave Gov. Haley the Executive
> Orders of several other states creating an Inspector General in those
> states (Ga, Ohio, etc.), and advocated that Gov. Haley issue her own
> Executive Order to create a SC IG and toll free hot line.
> I introduced legislation last year and this year to accomplish this,
> and when it was clear the legislation would not pass, in 2010 I asked
> Gov.
> Sanford to do this
> by Executive Order. Gov. Sanford did not do what I asked. Gov. Haley
> did.
>
> A member of Gov. Haley's staff called Vivian Friday while I was in
> Columbia and told Vivian to tell me that Gov. Haley would announce on
> Friday that she was issuing the Executive Order I had requested to
> create the IG and "hot" line.
>
> See below e-mails and articles about these great developments that
> will increase transparency and accountability in SC state government.
>
> _____
> ~~~~~
> ~~~~~
> ~~~~~
>
> From: [NAME WITHHELD]
>
> Sent: Friday, March 11, 2011 2:53 PM
>
> To: Mrose5@sc.rr.com
>
> Subject: FW: Gov. Haley targets waste and fraud with creation of State
> Inspector General
>
> They told me that someone from Nikki's office was going to call and
> give you a heads up on that Catherine or someone did..congrats on
> finally making it happen as you've been rightfully pushing on this
> front for awhile.
>
> [NAME WITHHELD]
>
> _____
>
> Watchdog for state taxpayers
>
> Sunday, March 13, 2011
>
> Post and Courier
>
> The idea of a state inspector general has been discussed for South
> Carolina over the years, but Gov. Nikki Haley doesn't want to spend
> her term just talking about reducing government waste, fraud and
> abuse. She's doing something about it -- now.
>

> Gov. Haley could not have come up with a better choice as the state's
 > first inspector general than George Schroeder, who retired as
 > Legislative Audit Council director in 2009. In that job for 33 years,
 > Mr. Schroeder oversaw numerous audits that recommended government
 > streamlining, cost-savings and improved accountability. Just a few of
 > those suggestions saved the state millions and improved essential
 > services.

>

> Whether uncovering a \$40 million state slush fund, bringing to light
 > abuses in the Department of Mental Health Department or ferreting out
 > unwarranted expenses by the state air fleet, the LAC provided great
 > returns to the state during Mr. Schroeder's long service as its head.
 > And it continues to do so.

>

> The time is particularly propitious for an inspector general to get on
 > board. New agency heads will be committed to eliminating problems that
 > date from their predecessors'
 > tenures, before those problems get bigger.

>

> As inspector general, Mr. Schroeder's range will be limited to the
 > Cabinet agencies under the governor's authority. Internal auditors
 > already on the staffs of those agencies will form his staff.
 > Consequently, the added expense will be minimal.

>

> The inspector general's scope could be expanded to include all state
 > agencies if the General Assembly approves legislation to that effect.
 > Given the Legislature's long familiarity with Mr. Schroeder and his
 > work, the chances of that should be favorable. Both Mr. Schroeder and
 > the LAC have been professionally recognized for excellence at the
 > national level in the last three years.

>

> In a press conference Friday, Gov. Haley cited evidence of waste and
 > abuse recently uncovered at the Department of Motor Vehicles and in
 > Medicaid reimbursements by the Department of Health and Human
 > Services. There's more to be done.

>

> The first initiative will be the establishment of a hotline to the
 > inspector general by the end of the month, where citizens, including
 > state employees, can report waste, fraud, mismanagement and abuse,
 > without any fear of retribution.

>

> Mr. Schroeder has a profound understanding of state government that he
 > can apply to the state's benefit as inspector general. And since he
 > served on Mrs. Haley's special committee to detail areas of potential
 > cost savings, he should be able to hit the ground running.

>

> The state's inspector general will be an independent agent for
 > government reform in an especially difficult fiscal climate. For
 > maximum benefit, the Legislature should open all state agencies to
 > his scrutiny this session.

>

> _____

>

> Gov. Haley targets waste and fraud with creation of State Inspector
 > General

>

> March 11th

>
 > COLUMBIA, S.C. - Governor Nikki Haley today created by executive order
 > the position of State Inspector General and named George Schroeder as
 > the first appointment to this position. The State Inspector General
 > will be charged with detecting, exposing and deterring fraud, waste,
 > mismanagement, and abuse in programs and operations of executive
 > agencies.
 >
 > Gov. Haley's executive order is available here
 > [<http://r20.rs6.net/tn.jsp?llr=vzqzeeeab&et=1104819502766&s=597&e=001a>
 > Yj
 > Xjs9J0QGKZP7662qJAA0ocP1SUWSgOCZ2lZQ3FAVZ9205WIzf1xO_vDbQxc88au6J1pXZG
 > Yu
 > NdnENDFHHnES4KanAFFxnx1MER5-Es1e_QHzA4fPn5nN60YYbzbGyw5Aa-p2vcB9JfDU8M
 > 0I
 > 6YDmZr60DS9rGcKu1wOL_yLIjdoP4Xx6SgSKFD1l0fUSy7ZlVCeIH6NzoHsi13XxyvGJFz
 > 1k
 > PCA6HQi4fSc-6DnQ=],
 > and video of Gov. Haley's press conference is available here
 > [<http://r20.rs6.net/tn.jsp?llr=vzqzeeeab&et=1104819502766&s=597&e=001a>
 > Yj
 > Xjs9J0QEYNvvS9ECcCRaHB5knYaMxh9HdQgzCYGwfs_1e32dxGfXkBft09mGFXQ5kmuNGx
 > fT 5PqsOWHy8_7dN2A84ZCjsG7IBlUxxGp_4G9UFwk8yua7ONfgGsLgp3yDtzew8xBA=].
 >
 > As Inspector General, Schroeder will also report to agency heads and
 > to the governor on any problems and deficiencies he identifies in
 > executive agencies'
 > programs and
 > operations.
 >
 > Schroeder has extensive experience identifying waste in state
 > government. During Governor Haley's transition, Schroeder chaired the
 > Fiscal Crisis Task Force, a group of leaders with experience dealing
 > with budget issues, that assisted with identifying the most pressing
 > fiscal challenges facing the state.
 >
 > Schroeder was Director of the South Carolina General Assembly's
 > Legislative Audit Council for 33 years before his retirement in
 > February 2009. Prior to his service with the LAC, he was Director of
 > the Joint Program Review and Investigations Committee of the
 > Connecticut General Assembly, Legislative Assistant to the Speaker of
 > the Ohio House of Representatives and served as an Intelligence
 > Officer with the United States Army. Mr. Schroeder recently was the
 > recipient of the National Legislative Program Evaluation Society's
 > 2010 Outstanding Life Achievement Award presented at the National
 > Conference of State Legislature's Annual Meeting.
 >
 > Rob Godfrey
 >
 > Press Secretary | Office of Governor Nikki Haley
 >
 > O: 803.734.5074 | C: 803.429.5086
 >
 > _____
 >
 > SC Gov Creates 'Inspector General's' Office Julie Rose Friday March
 > 11, 2011

>
> South Carolina Governor Nikki Haley has appointed an Inspector General
> to keep an eye on her cabinet agencies and executive staff. Haley says
> the newly created position is meant to head-off fraud and waste that
> have plagued state agencies.
> For example,
> doctors who overcharge state Medicaid and employees who embezzle funds.
> "We don't want to sit and wait and find out about all this fraud and
> waste after the fact," said Haley at a press conference Friday
> afternoon. "It's gotta stop."
> This is not only about waste, it's about fraud. It's about
> constituent participation and it's about state employee
> participation."
> Haley created the Inspector General's office by executive order Friday
> and appointed long-time legislative auditor George Schroeder to the
> position. He will have authority to investigate the governor's office
> and cabinet agencies, but legislative action will be required to give
> him state-wide authority.
> By the end of the month, Haley says a toll-free hotline will be
> established for citizens and state employees to blow the whistle.
> ~~~~~
> ~
> ~~~~~
>
> I will introduce legislation this week to expand the scope of this
> Inspector General's powers beyond just Cabinet agencies to ALL state
> agencies.
> Thanks.
> Sincerely,
> ~~~~~
> ~
> ~~~~~
>
> Mike Rose
>
> ~~~~~
> ~
> ~~~~~
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>

Martin, Jim

From: Jock Stender [jock.stender@[REDACTED]]
Sent: Friday, May 13, 2011 12:35 PM
To: Schroeder, George
Cc: MROSE5; Loren Stender
Subject: Fwd: JOCK, Your WSJ.com Monthly Update

George,

See the "SafeHouse" notice below.

Jock

copy to Mike and Loren

----- Forwarded message -----

From: The Wall Street Journal Online <TheWallStreetJournal@e.dowjones.info>
Date: Fri, 13 May 2011 15:56:03 -0000
Subject: JOCK, Your WSJ.com Monthly Update
To: jock.stender@[REDACTED]

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=====

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Martin, Jim

From: Candy Pou [cpou@lac.sc.gov]
Sent: Thursday, May 12, 2011 9:34 AM
To: plaughridge@sc.rr.com; MF@malloryfactor.com; AngelaHill@scstatehouse.gov;
ConnieHough@scstatehouse.gov; rgilbert@osa.state.sc.us; dhiga@auditor.state.hi.us;
ncslnet-admin@ncsl.org; sankae [REDACTED] epowers@scha.org; thesingjw@earthlink.net;
panderson@claflin.edu; BeverlySmith@schouse.gov; RobbyDawkins@scsenate.gov;
MikeShealy@scsenate.gov; gsms1996@[REDACTED] Schroeder, George;
eric@scpolicycouncil.com; esandberg@statelibrary.sc.gov; Jeffreysmith@mail [REDACTED]
Billy.Routh@mgcconsulting.com
Subject: Legislative Audit Council Releases Report

Legislative Audit Council
1331 Elmwood Ave., Ste. 315
Columbia, SC 29201
803.253.7612

May 12, 2011

The Legislative Audit Council releases a report entitled *A Review of the Family Independence Act 2008-2010*. This report can be found on our website. Contact Thomas J. Bardin, Jr., Director, with any questions.

www.LAC.SC.GOV

Martin, Jim

From: Fred Palm [aig@cc.memberclicks.com] on behalf of Fred Palm [exec@inspectorsgeneral.org]
Sent: Wednesday, May 11, 2011 11:36 AM
To: Schroeder, George
Subject: Assoc. Inspectors General 2011 Spring Conference - Late Birds Can Also Catch Worms

Members and Friends of the Association of inspectors General

Yes, late birds can also catch worms at our conference next week in Chicago.

If you can get here by May 18 at noon, we have a place for you. There is room at the Holiday Inn Chicago Mart Plaza and on the spot registration for the conference.

Short of time? No problem.

Pick a ½ day slot for \$50 or full-day for \$100. See the attached conference program and plan to walk right in. Lots of informative and useful presentation material here.

Hope to see you next week.

Regards,

Fred Palm

Executive Director

P.S. We have had a remarkable surge of late registrants (now 140) and are processing and invoicing as quickly as we can.

Attachments: [2011 Spring Conference Schedule 041311.pdf](#)

This email was sent to georgeschroeder@gov.sc.gov by exec@inspectorsgeneral.org

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Martin, Jim

From: Jock Stender [jock.stender@cofc.edu]
Sent: Tuesday, April 26, 2011 4:11 PM
To: Schroeder, George
Cc: MROSE5; Gene Ferraro; Eileen Persichetti; Will Folks
Subject: Fwd: Honor Code and Drug Policy

George,

If Sheheen's bill is passed as a standalone or part of the Dept. of Administration bill, I anticipate that it will cover cheating in colleges, too.

As I told you, I understand that cheaters at the College of Charleston can escape the penalties described here with sufficient contributions to the College by parents.

There is also a "wide open door" policy at the Addlestone Library allowing students to take expensive new books and sell them on E-bay.

The "alarm" system is ignored by everyone, including the guards.

Jock

copy to Mike, Gene, Eileen, Will

----- Forwarded message -----

From: DeanofStudents <deanofstudents@cofc.edu>
Date: Tue, 26 Apr 2011 15:17:19 -0400
Subject: Honor Code and Drug Policy
To: Enrolled Students <ENRL-ml@cofc.edu>

Because you need to know...

Whether you're a first-year or a seasoned student, we thought you ought to remind you about important C of C community standards. These standards involve our academic integrity policy and drug policy and the sanctions adopted because of increased student concern. While these standards are addressed during every orientation and the complete Honor System is fully outlined in the Student Handbook, the information below provides a condensed version highlighting certain sanctions.

Policy: Any student found responsible for an act of academic dishonesty (cheating, plagiarism, lying) will be assigned a XF:

* The grade of XF means failure due to academic dishonesty.

* The XF remains on the student's official transcript for a minimum of 2 years. After 2 years, the student can petition the Honor Board for removal of the X. The F will remain.

Policy: Any student found responsible for violating standards concerning only marijuana use/possession - one ounce or less - on or off campus, will be:

- * Required to pay a fee;
- * Required to undergo periodic alcohol/drug screens at their own expense;
- * Required to participate in counseling; and
- * Placed on deferred suspension - meaning that the suspension from enrollment and housing is held in abeyance as long as all screens for illegal substances are negative and all other stipulations are met.

Policy: Any student found responsible for violating standards concerning illegal possession of prescription medication - on or off campus, will be:

- * Removed from campus housing and required to pay the full residence hall contract fee if a residence hall student and incident occurs within a residential hall/house;
- * Removed from classes for a minimum of one semester; and
- * Told that re-admission is dependent on completion of an alcohol and drug treatment program.

We are committed to providing a community that promotes integrity, learning and positive growth and development. We are sensitive to the concerns our students have voiced regarding the negative impact that academic dishonesty, drug use and irresponsible alcohol use have on their quality of life. The challenge belongs to each of us to make the C of C experience one that all students will treasure for a lifetime. Please join us in building a respectful and responsible community.

You may find the Student Handbook at
<http://studentaffairs.cofc.edu/honor-system/studenthandbook/index.php>

Please feel free to contact me if you should have any questions.

Sincerely,

Jeri O. Cabot, Ph.D.

cabotj@cofc.edu

Dean of Students

A Member of the Division of Student Affairs

College of Charleston

Stern Center, 3rd floor

66 George Street

Charleston, SC 29424

843-953-5522

(fax) 843-953-5403

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Martin, Jim

From: McClary, Karl L [Karl.McClary@scdmv.net]
Sent: Tuesday, April 26, 2011 11:41 AM
To: Schroeder, George
Subject: Appreciate the Visit

Mr. Schroeder,

I appreciate you taking the time to meet with me and the staff here the Department of Motor Vehicles on last Tuesday. It was truly a pleasure. I am looking forward to working with you in the future. And, please know that if there is anything that I can do to assist you in your new position – I am willing to assist in anyway that I can.

Take care,

Karl L. McClary, Director
Office of Integrity & Accountability
Department of Motor Vehicles
(803) 896-8405

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Martin, Jim

From: Fred Palm [aig@cc.memberclicks.com] on behalf of Fred Palm [exec@inspectorgeneral.org]
Sent: Tuesday, April 26, 2011 1:21 AM
To: Schroeder, George
Subject: Asociation of inspectors General - 2011-12 membership cycle

Dear AIG individual and agency members, and friends,

We began the 2011-12 membership renewal cycle on May 1, 2010 for the July 2011 – June 2012 membership year, still at \$50.00 / year / individual member or 6 agency members for \$250.00.

If you go to the web site, <http://inspectorgeneral.org>, find Members Only on the right side of the page, select Members Services Log-in, you will access the online and offline methods for payment of your membership dues.

Log-in with your user name and password. (If needed, send a request to exec@inspectorgeneral.org).

Select Membership in the menu bar, and then select the drop-down menu, Membership Dues Payment you will see the membership page.

At this [membership page](#) you will find all the options for individual or agency membership with chapter options using either forms for download or credit/ procurement card payment options.

If you need another invoice, help with your data entry or other assistance just call us at [212-237-8001](tel:212-237-8001) or write exec@inspectorgeneral.org.

We look forward to being of service to you.

Regards,

Fred Palm
Executive Director

This email was sent to georgeschroeder@gov.sc.gov by exec@inspectorgeneral.org

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Martin, Jim

From: Williamson, Virginia
Sent: Monday, April 25, 2011 5:50 PM
To: Schroeder, George
Cc: Babb, Gwendolyn
Subject: Proposed procedures from DSS

Good afternoon, George.

When we talked last, I had anticipated that we would be able to share with you this week some proposed procedures for DSS related to referring cases for criminal prosecution.

A key person for developing these procedures is Debbie Jordan, who heads our Division of Investigations. You may recall that she was to be out of the office last week for Spring Break with her family. Debbie is likely to be out of the office most of this week because of a death in the family.

I wanted to let you know where we were. I will be out Monday through Wednesday next week, but Debbie and Gwen Babb can begin work while I am away. I will update you. We will work to have something for you as soon as possible.

Ginny

Virginia E. Williamson
General Counsel
South Carolina Department of Social Services
PO Box 1520
Columbia, SC 29202
803-898-7368
Fax 803-898-7245

Martin, Jim

From: Haltiwanger, Katherine
Sent: Monday, April 25, 2011 3:45 PM
To: Schroeder, George
Subject: RE:

Can you give me a call?

From: Haltiwanger, Katherine
Sent: Monday, April 25, 2011 12:10 PM
To: Schroeder, George
Subject:

Give me a call when you can. I will be out of the office 12:15-1:15. Thanks!

Katherine Haltiwanger
Deputy Chief of Staff-Operations
Governor Nikki R. Haley
1205 Pendleton Street
Columbia, SC 29201
direct: 803.734.5150
fax: 803.734.5167

Martin, Jim

From: Haltiwanger, Katherine
Sent: Monday, April 25, 2011 12:10 PM
To: Schroeder, George

Give me a call when you can. I will be out of the office 12:15-1:15. Thanks!

Katherine Haltiwanger
Deputy Chief of Staff-Operations
Governor Nikki R. Haley
1205 Pendleton Street
Columbia, SC 29201
direct: 803.734.5150
fax: 803.734.5167

Martin, Jim

From: Haltiwanger, Katherine
Sent: Monday, April 25, 2011 11:56 AM
To: Schroeder, George
Cc: Pearson, Tim; Patel, Swati
Subject: IG's Phone

George,

We are going to have the 1-800 number forwarded to the main line in Constituent Services. Carol is working on this. So you will see what is coming in and what calls need to be returned, they will be emailing the messages to you.

-Katherine

Martin, Jim

From: Jock Stender [jock.stender@businesscontrols.com]
Sent: Thursday, April 21, 2011 6:43 PM
To: MROSE5; Schroeder, George; M. Dawes Cooke; Curtis Loftis
Cc: Gene Ferraro; Eileen Persichetti
Subject: Fwd: Feedback

Note to all,

Read the interesting comment by Gene below.

Gene has nothing to gain whichever way it goes, but this may be a cause to pause.

Perhaps Mike can find out how the qui tam system actually works out in the states that have one.

We certainly want the OIG office to be a success...

Jock

copy to Gene and Eileen with thanks.

----- Forwarded message -----

From: Gene Ferraro <eferraro@businesscontrols.com>
Date: Thu, 21 Apr 2011 16:35:40 -0600
Subject: RE: Feedback
To: Jock Stender [jock.stender@businesscontrols.com]
Cc: Eileen Persichetti <epersichetti@businesscontrols.com>

Jock...not so fast. Yes the feds do it. We know from experience it does not increase the quality or quantity of reports. What's more it conditions the public to only report if the reporting party gets something for it. People should be motivated to do the right thing without being paid.

Eugene F. Ferraro, CPP, CFE, PCI, SPHR
CEO/Founder

Business Controls, Inc.
5995 Greenwood Plaza Boulevard, Suite 110 Greenwood Village, Colorado 80111
Office: 303.526.7600 | Toll-free: 800.650.7005 Check out our new website:
www.BusinessControls.com Follow us: Facebook | Twitter | LinkedIn | YouTube

"Insight in an Instant"

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-----Original Message-----

From: Jock Stender [mailto:jock.stender@redacted]
Sent: Thursday, April 21, 2011 3:36 PM
To: Curtis Loftis
Cc: M. Dawes Cooke; MROSE5; georgeschroeder; Gene Ferraro
Subject: Feedback

"Have the State adopt a whistle-blower law which rewards the whistle-blower with up to 20% of the recovery from reported fraud, waste, abuse and other wrongdoings. Give folks the incentive and courage booster to report what they believe to be wrongdoings. Such laws exist in other states and the federal government - Bill"

Curtis,

Based on an identical suggestion from Charleston attorney Dawes Cooke (<http://www.barnwell-whaley.com/>), Mike Rose is investigating such a statute, which was introduced once by Sen. Massey.

A federal qui tam law exists, of course, but not a state one.

It's a great idea.

Jock

copy to Dawes, Mike, George, Gene

Martin, Jim

From: Jock Stender [jock.stender@redacted]
Sent: Thursday, April 21, 2011 5:36 PM
To: Curtis Loftis
Cc: M. Dawes Cooke; MROSE5; Schroeder, George; Gene Ferraro
Subject: Feedback

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A federal qui tam law exists, of course, but not a state one.

It's a great idea.

Jock

copy to Dawes, Mike, George, Gene

Martin, Jim

From: Amyalston63 [amyalston63 [REDACTED]]
Sent: Wednesday, April 20, 2011 4:25 PM
To: Schroeder, George
Subject: Sample Letters
Attachments: Scan001.PDF

Mr. Schroeder attached are the sample letter that you request I send you from our interview on yesterday. Please let me know if you are unable to view these documents and I will make other arrangements to get them to you.

Thank you

Amy Alston

January 9, 2008

Mrs. Willie Mae Jackson
2440 Atlas Road
Columbia, SC 29209

RE: Proposal for Young Girls PDI Class

Dear Mrs. Jackson:


Thank you for taking the time review Faith Connection as a part of the Women's Ministry PDI class. I would like to propose to begin a young girls PDI class be taught on Thursday nights from 7:00 p.m. – 8:00 p.m. for 13 weeks. The name of the class would be Crossing Over which would be targeted for young girls that are transitioning from elementary school to middle school.

This class would consist of young girls between the ages of 11 – 13. The curriculum that would be used during this class is Faith Connection – A Christian-Based Support Group Curriculum for Children, By: Rainbow Day, Inc. The facilitator of the class would be Amy Alston and co-facilitator would be Charlette Brown.

I would like to begin these classes starting on January 17, 2008 until March 27, 2008. I have attached a copy of the introduction and overview of the curriculum for your viewing.

Again, thank you for your consideration in starting a young girls PDI class. I look forward to working with you this year and many years to come. If you have any questions, please feel free to give me a call at 315-8113.

Sincerely,


Amy Alston

Cc: Darren Martin
William "Bill" Loyd
Charlette Brown

Martin, Jim

From: Info@Bwcar.org
Sent: Wednesday, April 20, 2011 5:34 PM
To: Schroeder, George; amyalston63 [REDACTED]
Subject: Writing samples from Amy Alston
Attachments: Writi001.PDF

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre Pro.

Sent by: [Info@Bwcar.org]
Attachment File Type: PDF

Device Name: XEROX_238

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

January 9, 2008

Mrs. Willie Mae Jackson
2440 Atlas Road
Columbia, SC 29209

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Again, thank you for your consideration in starting a young girls PDI class. I look forward to working with you this year and many years to come. If you have any questions, please feel free to give me a call at 315-8113.

Sincerely,


Amy Alston

Cc: Darren Martin
William "Bill" Loyd
Charlette Brown

Martin, Jim

From: Amyalston63 [amyalston63 [REDACTED]]
Sent: Wednesday, April 20, 2011 4:03 PM
To: Schroeder, George
Subject: Thank You

Mr. Schroeder,

Thank you for the opportunity to interview for the *Administrative Coordinator I* position with the South Carolina Governor's Office, Inspector General. It was a pleasure to meet with you and to learn more about the agency and the position. I am now certain that I would benefit from being a part of State Government again.

I was excited to learn about what was expected of the Inspector General's office and how this transition would work for the betterment of our state. Knowing this agency is fully committed to the State of South Carolina and its citizens to be an advocate for abuse and waste in our State lets me know that this is an agency where I would like to be employed.

In addition to my skills and education, I will bring excellent work performance and overwhelming experience to your agency. I am sure you are looking for someone who can work with minimal supervision and can get the job done in a timely and efficient manner.

I would also like to express how impressed I was to learn about your commitment to this agency and your willingness to come out of retirement for the cause. The values of your commitment are to be commended. They support the outstanding work that is being done by the State of South Carolina.

Again, thank you for taking the time to interview me, and I look forward to hearing back from you soon about your hiring decision on the *Administrative Coordinator I* position.

Sincerely,

Amy Alston

Martin, Jim

From: Martin Becker [martin_becker@prodigy.net]
Sent: Wednesday, April 27, 2011 1:54 PM
To: Robin Wilkes
Cc: 'Mike Fair'; larrygrooms@scsenate.gov; disaac@ai-restoration.com; eddie@locomart.org; jedwards@edwardspiping.com; stongerj@scdot.org; davidowens@scsenate.gov; tbardin@lac.sc.gov; atruitt@lac.sc.gov; Schroeder, George; Hazelwood, Cathy; mcdonaldlc@scdot.org; walshjv@scdot.org; feasterar@scdot.org; Carl, Jr
Subject: your review for Mr. St. Onge
Attachments: robinwilkes4271.pdf; scdotnacontract1.pdf

Robin,

I have received a copy of a letter from Mr. St. Onge to Senator Fair dated April 18, 2011. The letter was faxed to me as a result of my request to his office since I was not copied on the letter.

Mr. St. Onge's letter dated April 18, 2011

In Mr. St. Onge' letter, he suggested that it would be inappropriate for me to participate in your review that he has requested. He did not provide a scope of the review with his letter nor is it clear how he defines "participate". If he had contacted me, I would have discussed with him our strongly-held belief that we are obligated to provide you any information we consider useful for your review. Also, this transmittal and the information that we will attach appears to conform to past correspondence between us. In addition to this transmittal, I respectfully request a meeting with you to discuss our thoughts and why the City of North Augusta and Riverside Partners should be paid \$486,296 by SCDOT without any further delay. I trust that since this transmittal copies Mr. St. Onge and others who would appear to be interested in your review, the transmittal will be viewed as us presenting the best available documents for your review in a transparent manner.

Issue

The issue is why SCDOT has not paid North Augusta and Riverside Partners \$486,296 as per the funding agreement (attached) between SCDOT, the City of North Augusta and Riverside Partners dated November 20, 2008. In a nutshell, SCDOT obligated itself to repay the under-run for the costs of the North Augusta interchange project in accord with the aforementioned funding agreement. The discussion of the under-run amount has been narrowed to two key issues. Those issues are:

1. Our under-run determination of \$486,296 is the only under-run determination presented by either SCDOT or us that is calibrated to the funding agreement. In this regard, we had initially presented an under-run determination of \$202,994.30. However, presentations by SCDOT

personnel caused us to realize that the determination was not as accurate as is \$486,296.

2. At this point, the factual issue regarding the under-run determination of \$486,296 is whether the funding agreement provides a basis for SCDOT to be reimbursed more than \$2,381,559 from the \$2,867,855 of funds in the funding agreement. We requested on January 26th of this year that the Chief Counsel at SCDOT designate the portion of the funding agreement that sustains a reimbursement to SCDOT in excess of \$2,381,559. To date, Chief Counsel cannot provide any such designation. As such, SCDOT cannot provide any factual basis not to pay North Augusta and Riverside Partners \$486,296. If, during your review, you receive any documents from the Chief Counsel that are represented as presenting such documentation, please allow me to comment on the documents before you complete your review.

April 11, 2011 meeting

On April 11th, a meeting was held to discuss the Riverside Partners matter. The participants were Senator Mike Fair, Tom Bardin and Andrea Truitt of the Legislative Audit Council, Cathy Hazelwood of the State Ethics Commission, Wendy Nicholas, Angela Feaster, Linda McDonald and me. During the meeting, the SCDOT position and Riverside Partners' position were presented with a high level of respectful passion. Subsequent to the meeting, Senator Fair presented his conclusions to Mr. St. Onge in his letter dated April 14, 2011 (attached). In addition to Senator Fair's letter, there are three non-SCDOT state employees who were eyewitnesses to the presentations. I would have to believe that they are available for you to interview as part of your review for Mr. St. Onge. This information is presented to you in order that you will be aware that there other independent views so that you do not need to rely solely on comments from SCDOT or me for your review. However, I also am available for a meeting to present Riverside Partners' position to you and others concurrent with the Chief Counsel presenting the position of SCDOT.

Attachments

For your convenience and review, I am attaching a copy of the funding agreement and the following documents that post-date my email to the Chief Counsel on February 14th at 5:03 pm:

1. A summary dated March 14, 2011 that we prepared for a meeting on March 15th with Senator Fair, Mr. St. Onge and me. The summary was provided to Mr. St. Onge at the meeting.
2. A copy of a letter from Mr. St. Onge to Senator Fair dated March 24, 2011.

3. A copy of my annotation of Mr. St. Onge' March 24th letter and the staff's position that was attached to the letter.
4. A copy of a letter from the State Ethics Commission dated April 1, 2011 reaffirming its opinion dated December 21, 2011 that the members of the Standing DRB would be required to recuse themselves if placed in a position as described in the letter. Since the scenario described in the letter would be based on a decision by me, I can assure you that the scenario described in the letter would occur. We agreed to use an Ad Hoc DRB. However, SCDOT would not cooperate.
5. A copy of an emailed version of a letter from Senator Fair to Mr. St. Onge dated April 5, 2011.
6. A copy of an emailed version of Senator Fair' letter to Mr. St. Onge dated April 14, 2011.
7. A copy of an emailed version of Senator Fair' letter to Mr. St. Onge dated April 26, 2011.

Accounting Issue

I believe that we have made it very clear to SCDOT since last summer and in the April 11th meeting that we will not concur with its accounting for the North Augusta interchange project costs in excess of \$2,381,559. The reason we will not do so is because we know that it is not a proper accounting of those project costs. Since the issue of an improper accounting of the costs in excess of \$2,381,559 is a matter that we trust will be of interest to the Commission and to the Legislature, I am available to discuss our thoughts on the matter at your request.

Request

Please allow us to comment on the final draft of your review since I understand SCDOT will be accorded the same courtesy. Our request is intended to eliminate the possibility that there may be facts for which we are the authority that are inadvertently presented in your review in error.

Thanks,

Martin Becker
600 Peachtree Street
Suite 3740
Atlanta, Georgia 30308-2214
Telephone - 404-876-3900
Fax - 404-876-6725

If you have received this email in error, please contact me and also please delete this email from your computer.

Summary prepared for a meeting on March 15, 2011 between Senator Mike Fair, Secretary St. Onge and Martin Becker representing Riverside Partners, LP.

The purpose of the meeting is to brief Secretary St. Onge on \$486,297.77 owed to the City of North Augusta and Riverside Partners by SCDOT and potential accounting problems at SCDOT. Statements in the summary are supported by documents provided to us and/or held by SCDOT.

"PROJECT": US 1 and US 1 Connector (5th Street) Interchange at the Savannah River in North Augusta, South Carolina (State File Number 2.181B).

FUNDING: \$2,867,855 – SCDOT with funding from a Congressional Earmark (\$1,967,855), the City of North Augusta (\$800,000) and Riverside Partners, LP (\$100,000). As a result of the funding from the City of North Augusta and Riverside Partners, SCDOT was able to construct the entire "PROJECT". If the \$900,000 had not been provided, SCDOT had planned to construct an addition to a bridge on US 1 that would not be accessible by vehicle. A funding agreement for the "PROJECT" was prepared by SCDOT and is dated November 20, 2008. It documents the terms and agreements between SCDOT, CNA and RP. The funding by the City of North Augusta (CNA) and Riverside Partners (RP) was provided as a result of the funding agreement containing two specific provisions. They were: (1) any under-run would be returned to CNA and RP on a basis pro-rata to their contributions and (2) if a disagreement occurred, any of the three parties could request the assistance of the Standing Dispute Review Board (DRB) at SCDOT.

PAYMENT DUE to CNA and RP: Since September 2009, SCDOT has attempted to force RP to agree to an under-run amount that SCDOT could not support with the existing funding agreement. SCDOT's tactics appear to have become progressively more punitive towards RP when it resisted the efforts of SCDOT. On the basis of the funding agreement, only \$2,381,559.23 (rather than \$2.9 million plus as charged by SCDOT to the "PROJECT") was allowed to be charged to the available funding of \$2,867,855 for the "PROJECT". The \$2,381,559.23 amount includes only the Design-Build contract (\$2,285,000) and right-of-way costs expended by SCDOT prior to the initiation of "PROJECT" (\$96,559.23). Therefore, the under-run was determined to be \$486,295.77. This determination has been validated by correspondence to RP from the General Counsel for SCDOT. However, SCDOT will not pay nor discuss the payment of \$486,295.77 unless RP files a complaint with the Dispute Review Board even though RP agrees with the under-run determination of \$486,295.77.

In spite of the correspondence from the General Counsel validating \$486,295.77, SCDOT states that it disagrees with the under-run determination. If SCDOT actually disagrees with the determination, it is SCDOT that should file with the DRB since it is the disagreeing party. Again, RP agrees and accepts the under-run determination of \$486,295.77. However, SCDOT has advised RP that it will not file a claim with the DRB for its "disagreement" to \$486,295.77 (nor pay it to CNA and RP). It should also be noted that the members of the DRB are conflicted out of hearing a filing regarding the "PROJECT" on the basis of an Informal Advisory Opinion from the South Carolina Ethics Commission. The opinion was requested as a result of ex parte communication by SCDOT with the DRB although "any" ex parte communication is prohibited by the guidelines for the DRB that were promulgated by SCDOT. The members of the DRB could be subject to a \$2,000 a person fine and a public reprimand by the SC Ethics Commission if they hear a filing in this matter. If SCDOT reconsiders and decides to file with the DRB, an Ad Hoc DRB which is also used by SCDOT will be required. RP will agree to use an Ad Hoc DRB.

ACCOUNTING ISSUE: The Deputy Secretary for Finance and Administration at SCDOT will not certify that the recorded cost for the "PROJECT" are calibrated to the funding agreement, and has reportedly withdrawn from the "PROJECT". Also, SCDOT will not certify that the costs it charged to the "PROJECT" are legal. The request for this certification has been outstanding since July 12, 2010. These apparent irregularities in the "PROJECT" accounting are of concern to RP.

REQUEST: Please provide a check to the City of North Augusta for \$432,262.91 and to Riverside Partners, LP for \$54,032.86 since SCDOT is not filing a disagreement with the DRB to the under-run determination of \$486,295.77. Also, we request that SCDOT indemnify us from any adverse consequences due to accounting irregularities by SCDOT for this "PROJECT".

Prepared by Riverside Partners, LP

March 14, 2011

#1



Secretary of Transportation
South Carolina Department of Transportation
March 24, 2011

Mr. Martin Becker
Riverside Partners, LP
600 Peachtree Street, Suite 3740
Atlanta, GA 30308-2214

Re: Riverside Partners, LP – Claim for Refund

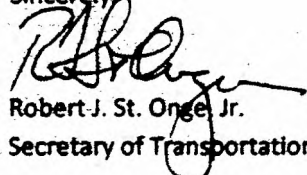
Dear Mr. Becker:

Enclosed is a response by SCDOT staff to your summary. I see no reason why this matter could not be referred to the Standing Dispute Review Board ("SDRB") in accordance with the Funding Agreement. I find no merit to the argument that SCDOT ex parte communications with the SDRB have tainted the ability of the SDRB to hear this case. In addition, as long as SCDOT assigns the case to the SDRB, rather than allowing the SDRB members to decide themselves whether to hear the case, there should be no violation of the State Ethics Commission General Counsel's opinion.

Senator Fair has made a suggestion that I hear the case to save the State the cost of a dispute review board. I am willing to do that provided we limit the hearing to two hours and the parties will agree to be bound by my decision. If you are willing to resolve this dispute in this manner, please so indicate at the foot of this letter and return a copy to me with the times you would be available in the next two months for a hearing in Columbia. I will coordinate your available dates with my staff's schedule and my own and let you know of a mutually convenient time for the hearing.

Thank you for your cooperation.

Sincerely,


Robert J. St. Onge, Jr.
Secretary of Transportation

RJS/lcm

cc: Senator Mike Fair
Linda C. McDonald, Chief Counsel
John Walsh, Deputy Secretary of Engineering

955 Park St (29201), PO Box 191, Columbia, SC 29202-0191
Phone: (803) 737-1302, Fax: (803) 737-2038

#2

SCDOT'S RESPONSE
TO RIVERSIDE PARTNERS, LP'S CLAIM FOR REFUND ON
5TH STREET INTERCHANGE PROJECT

AVAILABLE FUNDS - The funding for the project was contributed by three parties:

\$1,967,855	SCDOT's "maximum funding"
800,000	City of North Augusta's share
<u>100,000</u>	Riverside Partner's share
\$2,867,855	Total funds available for Project

PROJECT COSTS - SCDOT disagrees, as Mr. Becker asserts, that the allowable project costs were limited to the cost of the design build contract with Mabus (\$2,285,000) and the right of way costs (\$96,559), for a total project costs of \$2,381,559. Mr. Becker has not included internal SCDOT costs of \$544,579 for preconstruction work, monitoring and inspection of construction, and testing of materials. These costs are required for projects built to federal and state standards and are typical charges to federal projects. Adding the SCDOT internal costs, the total cost of the project was \$2,925,075. SCDOT's Deputy Secretary of Finance and Administration has not, as Mr. Becker asserts, "withdrawn from the project."

UNDER-RUN - The Funding Agreement provides that "(u)nder-runs, if determined at Project completion, would be refunded to City and Riverside in accordance with percentage of Project funding participation." Based on the total project costs of \$2,925,075, there was no "under-run." In fact, the Project over-ran by approximately \$57,000. Therefore, neither Riverside Partners, nor the City of N. Augusta, is entitled to a refund. Contrary to Mr. Becker's assertion, SCDOT General Counsel has not agreed with Mr. Becker's calculation that there was an under-run of \$486,296.

EX-PARTE COMMUNICATIONS - The only communications made with the Standing Dispute Review Board (SDRB) was when SCDOT's Director of Construction's assistant, Mary Stepro, called the SDRB chairman to see if his schedule would be clear for a hearing. See attached copies of Affidavits of Mary Stepro and Danny Shealy. These are not substantive ex parte communications.

STATE ETHICS COMMISSION OPINION - State Ethics Commission's Counsel's Cathy Hazelwood stated that in her opinion the dispute review board members would have to recuse themselves from making a determination of whether to hear the dispute since they would have an economic interest in hearing the matter. (The Board members are paid for their services.) In this case, the dispute review board would not make the determination of whether or not to hear the case. They would simply be assigned the case to hear in accordance with the Funding Agreement and SCDOT's Claims Procedures.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

AFFIDAVIT

Personally appeared before me Danny Shealy, who being duly sworn, says as follows:

1. In September 2010, I retired from the South Carolina Department of Transportation (SCDOT) after 35 years of employment.
2. When I retired I held the position of Director of Construction. I had held that position for 13 years prior to my retirement.
3. Prior to my retirement, I had several conversations and e-mails with Martin Becker about the 5th Street Bridge project in Aiken, South Carolina. Mr. Becker claimed that SCDOT owed his partnership, Riverside Partners, LP, a reimbursement of funds contributed to SCDOT for the funding of the project.
4. Mr. Becker and I were never able to come to an agreement as to his claim and I suggested that we agree to present our case to the DRB. See copy of my e-mail to Martin Becker dated Thursday, August 5, 2010, attached hereto and made a part hereof as "Exhibit A."
5. On August 20, 2010, I asked my secretary, Mary Stepro, to contact the Standing Dispute Review Board (DRB) members to see what dates they had available in the first two weeks of September to hear a dispute. See copy of my e-mail dated August 20, 2010 to from Martin Becker, a copy of which is attached hereto and made a part hereof as "Exhibit B".
6. I never contacted the DRB members about this matter, nor have I discussed this matter with them.

Sworn to before me this 10th
day of February, 2011.

Judith C McDonald
Notary Public for SC
My commission expires: 4/9/17

Danny R. Shealy
Danny R. Shealy

Exhibit A

From: Shealy, D. R. [mailto:ShealyDR@dot.state.sc.us]
Sent: Thursday, August 05, 2010 12:14 PM
To: Martin Becker
Cc: Colvin, Leland D; Eleazer, Charles R
Subject: RE: 6/9 letter

Martin, I don't think we are ever going to agree on this issue. I suggest we both agree to present our case to the DRB and let them decide. If you agree, send me some dates you are available and I will set something up with the DRB. In the meantime I will gather information that we intend to submit to the DRB and send you a copy when it is distributed to the board. We will split the cost of the board members.

Thanks

Danny

Exhibit B

From: Shealy, D. R. [mailto:ShealyDR@dot.state.sc.us]
Sent: Friday, August 20, 2010 11:53 AM
To: Martin Becker
Cc: Bennett, Sam; Carl, Jr; Feaster, Angela R; Eleazer, Charles R; Colvin, Leland D; Stepro, Mary J.; Walsh, John; Watson, Clem
Subject: RE: 6/9 letter

Martin,

We are gathering information to present to you and the DRB. Once we have obtained this information, we will forward to you and the DRB members and request a hearing.

Mary, please contact the DRB members and see what dates they have available in the first two weeks of September.

Thanks

Danny

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

AFFIDAVIT

Personally appeared before me Mary J. Stepro, who being duly sworn, says as follows:

1. I am employed by the South Carolina Department of Transportation (SCDOT) as an administrative coordinator in the Office of Construction.
2. On August 20, 2010, SCDOT's Director of Construction Danny Shealy asked me to contact the Standing Dispute Review Board (DRB) members to see what dates they had available in the first two weeks of September to hear a dispute. See e-mail dated August 20, 2010 from Mr. Shealy to Martin Becker, a copy of which is attached hereto and made a part hereof as "Exhibit A".
3. On August 20, 2010, I contacted George Selkinghaus about setting up a time for the DRB to meet concerning a project in Aiken County. Mr. Selkinghaus said he would be away until the middle of September and would call me when he returned. He called me on September 17, 2010, and left a message concerning the status of the DRB for Aiken County. See telephone memo dated September 17, 2010, attached hereto and made a part hereof as "Exhibit B." I did not discuss the identity of the claimant or the substance of the claim with Mr. Selkinghaus.
4. I did not contact the other members of the DRB.
5. On September 21, 2010, I left a message for Mr. Selkinghaus to put a hold on the meeting until SCDOT's Legal Office sent a letter.

Sworn to before me this 3rd
day of February, 2011.
Frederic McDonald
Notary Public for SC
My commission expires: 4/9/17

Mary J. Stepro
Mary J. Stepro

Exhibit A

From: Shealy, D. R. [mailto:ShealyDR@dot.state.sc.us]
Sent: Friday, August 20, 2010 11:53 AM
To: Martin Becker
Cc: Bennett, Sam; Carl, Jr; Feaster, Angela R; Eleazer, Charles R; Colvin, Leland D; Stepro, Mary J.; Walsh, John; Watson, Clem
Subject: RE: 6/9 letter

Martin,

We are gathering information to present to you and the DRB. Once we have obtained this information, we will forward to you and the DRB members and request a hearing.

Mary, please contact the DRB members and see what dates they have available in the first two weeks of September.

Thanks

Danny

Exhibit B

IMPORTANT MESSAGE

FOR: Man

DATE: 9/17 TIME: 10:07 AM

M: George Selkirk

OFF: _____

PHONE: _____

Q FAX: _____

Q MOBILE: 749-3551

MESSAGE: Ref. Status - Dispute
Renewal Board - Aiken Co.

Called 9/21/10 @ 9:10
Left msg to Keld - initial
Legal send a letter

SIGNED: Uth

TOPS FORM 3002P
MADE IN U.S.A.



Secretary of Transportation
South Carolina Department of Transportation
March 24, 2011

Mr. Martin Becker
Riverside Partners, LP
600 Peachtree Street, Suite 3740
Atlanta, GA 30308-2214

Re: Riverside Partners, LP - Claim for Refund

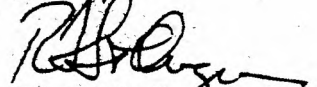
Dear Mr. Becker:

Enclosed is a response by SCDOT staff to your summary. I see no reason why this matter could not be referred to the Standing Dispute Review Board ("SDRB") in accordance with the Funding Agreement. I find no merit to the argument that SCDOT ex parte communications with the SDRB have tainted the ability of the SDRB to hear this case. In addition, as long as SCDOT assigns the case to the SDRB, rather than allowing the SDRB members to decide themselves whether to hear the case, there should be no violation of the State Ethics Commission General Counsel's opinion.

Senator Fair has made a suggestion that I hear the case to save the State the cost of a dispute review board. I am willing to do that provided we limit the hearing to two hours and the parties will agree to be bound by my decision. If you are willing to resolve this dispute in this manner, please so indicate at the foot of this letter and return a copy to me with the times you would be available in the next two months for a hearing in Columbia. I will coordinate your available dates with my staff's schedule and my own and let you know of a mutually convenient time for the hearing.

Thank you for your cooperation.

Sincerely,


Robert J. St. Onge Jr.
Secretary of Transportation

RJS/lcm

cc: Senator Mike Fair
Linda C. McDonald, Chief Counsel
John Walsh, Deputy Secretary of Engineering

955 Park St (29201), PO Box 191, Columbia, SC 29202-0191
Phone: (803) 737-1302, Fax: (803) 737-2038

3/30/11
BY MARTIN BECKER
ON BEHALF OF
RIVERSIDE PARTNERS
(RP)

THIS REQUIRES
RP TO WAIVE
ITS RIGHT TO
THE SDRB. IT
WILL NOT
DO SO

REQUIRES
AND AMENDMENT
TO THE
FUNDING
AGREEMENT.
RP WILL
NOT WAIVE
ITS RIGHT
TO A SDRB

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3/30/11 BY MARTIN BECKER
ON BEHALF OF RIVERSIDE
PARTNERS LP

SCDOT'S RESPONSE
TO RIVERSIDE PARTNERS, LP'S CLAIM FOR REFUND ON
5TH STREET INTERCHANGE PROJECT

AVAILABLE FUNDS - The funding for the project was contributed by three parties:

\$1,967,855	SCDOT's "maximum funding"
800,000	City of North Augusta's share
<u>100,000</u>	Riverside Partner's share
\$2,867,855	Total funds available for Project

SCDOT'S ENTIRE
POSITION RESTS
ON LANGUAGE
IN THE FUNDING
AGREEMENT
THAT DOES NOT
EXIST. THE
SCDOT GENERAL COUNCIL
CANNOT PROVIDE ANY
DOCUMENTS

PROJECT COSTS - SCDOT disagrees, as Mr. Becker asserts, that the allowable project costs were limited to the cost of the design build contract with Mabus (\$2,285,000) and the right of way costs (\$96,559), for a total project costs of \$2,381,559. Mr. Becker has not included internal SCDOT costs of \$544,579 for preconstruction work, monitoring and inspection of construction, and testing of materials. These costs are required for projects built to federal and state standards and are typical charges to federal projects.

Adding the SCDOT internal costs, the total cost of the project was \$2,925,075. SCDOT's Deputy Secretary of Finance and Administration has not, as Mr. Becker asserts, "withdrawn from the project."

DOCUMENTED BY HER
OWN EMAILS.

UNDER-RUN - The Funding Agreement provides that "(u)nder-runs, if determined at Project completion, would be refunded to City and Riverside in accordance with percentage of Project funding participation." Based on the total project costs of \$2,925,075, there was no "under-run." In fact, the Project over-ran by approximately \$57,000. Therefore, neither Riverside Partners, nor the City of N. Augusta, is entitled to a refund. Contrary to Mr. Becker's assertion, SCDOT General Counsel has not agreed with Mr. Becker's calculation that there was an under-run of \$486,296.

I PROVIDED
THEM
TO
DAVID
OWENS
ADD THE
LAC.

I SAID VALIDATED BY CORRESPONDENCE TO
RP... WE STAND BY THE STATEMENT

EX-PARTE COMMUNICATIONS - The only communications made with the Standing Dispute Review Board (SDRB) was when SCDOT's Director of Construction's assistant, Mary Stepro, called the SDRB chairman to see if his schedule would be clear for a hearing. See attached copies of Affidavits of Mary Stepro and Danny Shealy. These are not substantive ex parte communications.

SC
ETHICS
COMMISSION
ISSUE

STATE ETHICS COMMISSION OPINION - State Ethics Commission's Counsel's Cathy Hazelwood stated that in her opinion the dispute review board members would have to recuse themselves from making a determination of whether to hear the dispute since they would have an economic interest in hearing the matter. (The Board members are paid for their services.) In this case, the dispute review board would not make the determination of whether or not to hear the case. They would simply be assigned the case to hear in accordance with the Funding Agreement and SCDOT's Claims Procedures.

State of South Carolina

State Ethics Commission

COMMISSIONERS
PHILLIP FLORENCE, JR., MEMBER AT LARGE
CHAIR
E. KAY BIERMANN BROHL, 3rd DISTRICT,
VICE CHAIR
RICHARD H. FITZGERALD, 1st DISTRICT



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JONATHAN H. BURNETT, 5th DISTRICT
PRISCILLA I. TANNER, 6th DISTRICT
G. CARLTON MANLEY, MEMBER AT LARGE
VACANT, MEMBER AT LARGE

5000 THURMOND MALL, SUITE 250
COLUMBIA, S.C. 29201

HERBERT R. HAYDEN, JR.
EXECUTIVE DIRECTOR

April 1, 2011

Mr. Martin Becker
600 Peachtree St., Suite 3740
Atlanta, Georgia 30308

Re: Request for Informal Opinion

Dear Mr. Becker:

Thank you for your recent request for an informal opinion. An informal opinion is the opinion of the Commission staff based on the State Ethics Commission's prior published opinions; however, an informal opinion is not binding on the Commission. S.C. Code Ann. §8-13-320 (Supp. 1997). The Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991. This opinion is based on the facts as you submitted. Any material deviation from the submitted facts or failure to disclose relevant information will void this opinion. An opinion does not supersede any other statutory or regulatory restrictions which may apply to this situation.

Issue

In your letter you state the following:

I have received additional information since the Informal Advisory Opinion from your office dates December 21, 2010. As such, I would appreciate an update of your office's opinion after your review of the attached letter from General St. Onge to me dated March 24, 2011. In short, is there anything in the General's letter and/or the attachments that would cause your Office to modify its Conclusion if the Issue section in

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your letter remains the same including: that one of the parties before the dispute review board will not agree for SCDOT to assign the case to the board without the board members being requested to decide themselves whether to hear the case? Also, what is the potential penalty for dispute review board members for a violation of the State Ethics Act?

Please contact me at 404-876-3900 or martin_becker@prodigy.net if your office requires any additional information from me regarding this request.

Law

Section 8-13-700(B) states in part:

No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated shall:

(1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

* * *

(5) if he is a public member, he shall furnish a copy to the presiding officer of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.

Discussion

As previously noted Section 8-13-700(B) requires that, in the event of a conflict of interest, a public member must recuse himself from participating in certain governmental actions or decisions, which could affect the public member's economic

S.C. State Ethics Commission – Informal Advisory Opinion

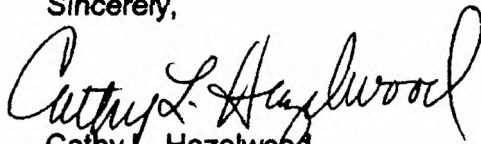
interest. Economic interest requires an interest of \$50 or more. My December 21, 2010 informal opinion provided that the Act required the dispute review board members to recuse from making a determination of whether to hear a dispute after an objection if their economic interest in hearing the case was \$50 or more.

The proposed change in the hearing procedure is that the board members will not be asked to make a determination on a party's objection, but they will be assigned the matter without making a finding on the objection. If the objection is made before the dispute review board members, assigned or otherwise, the members are again placed in the position of making a decision that may affect their economic interest.

Penalties for a violation of the Ethics Reform Act include a public reprimand up to a \$2000.00 administrative fine.

Thank you for contacting the State Ethics Commission. If I can be of further assistance in matters within the Commission's jurisdiction, please contact me.

Sincerely,



Cathy L. Hazelwood
Deputy Director and General Counsel

CLH/

April 5, 2011

Mr. Robert J. St. Onge, Jr.
Transportation Secretary
955 Park Street
Columbia, South Carolina 29202

Dear Mr. St. Onge:

I have reviewed your letter to Mr. Martin Becker dated March 25, 2011. There appears to be a misunderstanding on your part regarding the request in my March 24th letter to you. When I requested that you have the matter "argued" before you, my request was not intended to preclude a DRB process but rather for you to maybe save the need (and cost) for a DRB process. I hope you will revise your offer to Mr. Becker for a two hour session without prohibiting their right to a DRB process. I would be delighted to host that discussion in my office.

The issue that Mr. Becker has presented is interesting since it has allowed us to look inside the operations of construction at SCDOT in a way that has not been available to us in the past. The sunshine from this exercise creates a concern that local governments across the State are being subjected to an accounting of project costs that cannot be verified by SCDOT with legitimate accounting and without the use of a DRB process to appeal the decisions by SCDOT. To the extent that our concerns are correct, the reported costs for construction by SCDOT are being presented to the Legislature in a flawed manner.

It is not clear from your letter why it focuses on the DRB and a hearing. The reason is that the staff position you attached does not provide any specific language in this funding agreement between SCDOT, the City of North Augusta, and Riverside Partners that allows SCDOT to be reimbursed for costs in excess of \$2,381,559 from the \$2,867,855 of available funds cited in the funding agreement. Further, we are advised that although it was requested on January 26th of this year, the Chief Counsel at SCDOT cannot provide any language in the funding agreement to justify reimbursements to SCDOT above \$2,381,559. Therefore, your staff has not presented any factual reason not to pay North Augusta and Riverside Properties \$486,296.

If your staff continues to insist on a DRB, it should note in the letter dated April 1, 2011 from the State Ethics Commission that its efforts to circumvent the State's Ethic Act did not work. I have attached the letter from the State Ethics Commission along with Mr. Becker's request of March 30th. Clearly, the

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