

MINUTES OF BUDGET AND CONTROL BOARD MEETING

AUGUST 29, 1975

The Budget and Control Board met in the Conference Room of the Governor's Office at 2:30 p. m. on August 29, 1975, with the following members in attendance.

Governor James B. Edwards
Mr. Grady L. Patterson, Jr.
Mr. Henry Mills
Mr. F. Julian LeaMond

Also in attendance were Messrs. P. C. Smith and W. T. Putnam.

Senator Rembert C. Dennis was absent because of sickness.

The following business was conducted.

CAPITAL IMPROVEMENT BONDS - LAKE LONG - Senator John Long

appeared before the Budget and Control Board to request consideration for the obtaining of Capital Improvement Bond Funds for the Lake Long Project of the Department of Wildlife and Marine Resources. He indicated that land had already been purchased and that bids had been taken for construction of the lake. The low bid requires acceptance prior to September 22, 1975.

Senator Long also reported that Colonel John May of the Department of Parks, Recreation and Tourism was prepared to request a grant of \$200,000 from the Bureau of Outdoor Recreation to further develop the Lake Long Project but that this request cannot be processed until the lake construction is funded.

Board members were sympathetic with the request and expressed the opinion that the project might be unique with respect to funding authorization. However, the Board members present unanimously agreed that this request should be considered along with all others in the overall determination of the problem.

The Board unanimously approved a motion by Mr. Mills, seconded by Mr. Patterson, to hold the matter in abeyance and to consider it along with other projects.

CAPITAL IMPROVEMENT BONDS - At its meeting of August 20, 1975, the Budget and Control Board requested an opinion from the Attorney General concerning the Board's authority for the funding of projects through the issuance of Capital Improvement Bonds. In a letter dated August 29, 1975, Mr. Daniel McLeod submitted his opinion and appeared at the present meeting to further discuss the matter, if necessary.

After reading the letter from Mr. McLeod, Board members agreed that this opinion seemed to differ somewhat from the views previously given by Mr. Huger Sinkler, Bond Counsel. Board members took note of the fact that unqualified opinions were needed from both the Attorney General and Bond Counsel when issuing bonds and, therefore, were firmly convinced that the two opinions should be reconciled prior to the taking of any action with respect to funding capital improvement projects.

Board members present unanimously approved a motion by Mr. Patterson, seconded by Mr. Mills, to carry over the question of Capital Improvement Bonds until the meeting of Tuesday, September 2, 1975. The motion also called for the State Treasurer and the State Auditor to contact Mr. Huger Sinkler to obtain a formal opinion from him with respect to this matter.

A copy of Mr. McLeod's opinion has been retained in these files and is identified as Exhibit I.

MOTOR VEHICLE MANAGEMENT DIVISION - Mr. Allan Spence, Director of the Motor Vehicle Management Division, appeared before the Budget and Control Board to discuss the situation with respect to his department and to make certain recommendations pertaining to motor vehicle management and acquisition.

Mr. Spence reported that he had visited numerous State agencies

and had discussed motor vehicle policies with various agency heads. He also stated that the Department of Corrections had reduced by thirty the number of vehicles permanently assigned.

Mr. Spence advised Board members that he felt that travel costs could possibly be lowered by one-third with diligent application of reasonable procedures.

Mr. Spence presented a plan calling for revised automobile bid procedures, longer retention of individual cars, reduction in size of certain assigned vehicles and different basic criteria for the permanently assigned vehicles.

After extensive discussion of these policies, the Board members present unanimously approved a motion by Mr. Mills, seconded by Mr. Patterson, to adopt the policies as presented.

A copy of these policies has been retained in these files and is identified as Exhibit II.

In the discussion of the Motor Vehicle Management Division, Governor Edwards asked Mr. Spence to develop specific rules pertaining to vehicles purchased with Federal and other funds. Mr. Patterson requested that the program incorporate a plan whereby all vehicles purchased by the various State agencies be listed with central State ownership.

Board members present unanimously approved a motion by Mr. Leamond, seconded by Mr. Patterson, that all State agencies be directed to register vehicles in a common style in order that the Highway Department might easily identify any State owned vehicle. Mr. Spence was asked to give consideration to this matter.

MEDICAL UNIVERSITY - HOME FOR VICE-PRESIDENT - Governor Edwards reported that Dr. William Knisely had been recruited as a Vice-President of the Medical University of South Carolina and has formally been named as President-elect. It has now been requested that a home be provided for Dr.

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MEDICAL UNIVERSITY - HOME FOR VICE-PRESIDENT - Governor Edwards reported that Dr. William Knisely had been recruited as a Vice-President of the Medical University of South Carolina and has formally been named as President-elect. It has now been requested that a home be provided for Dr.

Knisely by the State.

Board members unanimously agreed to ask the Chairman of the Board of Trustees of the Medical University to develop a specific request with respect to the accommodations desired and as to the cost which might be expected.

There being no further business, the meeting adjourned at 4:30

p. m.

EXHIBIT I

AUG. 29, 1975

The State of South Carolina



Attorney General
DANIEL R. MCLEOD

Attorney General
Columbia

August 29, 1975

The Honorable James B. Edwards, Governor
The Honorable Grady L. Patterson, Jr., State Treasurer
The Honorable Henry Mills, Comptroller General
The Honorable Rembert C. Dennis, State Senator
The Honorable F. Julian LeMond, Member, House of Representatives
Members, State Budget and Control Board

Gentlemen:

This Office has been requested to advise with respect to the application of the following portion of Section 20 of the current General Appropriations Act which limits the issuance of General Obligation Bonds by the Budget and Control Board so as not to exceed five percent of the revenue of the last fiscal year, and provides also as follows:

"Provided, further, that for the fiscal year 1975-76 the directive may be waived if necessary to the extent that bond issues beyond the five percent limitation may be necessary to finance projects or purposes now under contract."

The basic Act governing the issuance of General Obligation Bonds is Act No. 1377 of 1968 and Acts amendatory thereto. Such Acts invariably designate certain projects or purposes for which General Obligation Bonds may be made available. The procedure devised by the Board for necessary funding for the various projects is for the agency involved to submit to the Board a Form E-1 which submits the necessary data for consideration by the Board and includes such matters as fees, site preparation and testing, schematic designs, construction costs, projected operation costs, etc. The Board then indicates on the form at a space provided its approval or disapproval. Withdrawal of funds as the project proceeds is then made periodically for payment of such costs.

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The question now presented is as to the meaning of the phrase "projects or purposes now under contract," as used in the proviso set forth above.

It is considered that "projects and purposes" are synonymous and that the matter resolves into consideration of whether the payment of amounts allocable to a project or certain initial contractual obligations, such as architects' fees, site preparation and testing, etc., means that this entire project is considered "under contract."

In my opinion, "projects or purposes now under contract" has reference to those segments of an entire project which, on June 12, 1975, the effective date of the General Appropriations Act, were subject to a contractual obligation to be completed. For example, withdrawal of funds may have been "approved" by the Board prior to that date and contractual obligations for the employment of the services of an architect may have been entered into. Constitutional provisions require that such contractual obligations not be impaired, and whether or not the local sponsoring authority, or the Board itself, may be subject to these constitutional requirements, the appropriate course of action would clearly be for the Board to authorize such payments. In that sense, the waiver provision which the Board is authorized to undertake is meaningless. By way of further illustration, an architect may have been employed but contractual obligations have not arisen to complete any of the remaining portions of the project, such as the construction of a building or other matters. As to these, the Board has the discretion to waive the five percent limitation to grant funds necessary for the completion of the entire project.

A reasonable contention might be made that the approval or payment of a portion of a project, such as for architects' fees, site preparation and testing, etc., may be tantamount to the waiver of the entire project costs. But this view is not, in my opinion, necessarily compelled. Only a court adjudication

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can answer the question: "Is the approval and payment for a portion of a preliminary part of a project equivalent to the approval of the entire project costs?" The seeking of a declaratory judgment by the Board on this issue, if the Board should follow the procedures above suggested, can be instituted to determine this.

The foregoing answers nearly all of the questions submitted. Factual data must be obtained in order to establish conclusive answers to some of the remaining.

Very truly yours,

Daniel R. McLeod
Attorney General

DRM/hm

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STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
DIVISION OF MOTOR VEHICLE MANAGEMENT
300 GERVAIS STREET
COLUMBIA, S.C. 29201

EXHIBIT II
AUG. 29, 1975

_____, 1975

Policy for Purchase of State Vehicles

The Director, Division of Motor Vehicle Management (DMVM) shall, on an annual basis, submit to the Budget and Control for their approval, class of motor vehicles with appropriate optional equipment, to be purchased by ^{public} ~~appropriated~~ funds for use by state officials/employees in the performance of official state business. No deviations from the approved listing shall be made without the prior written approval of the Budget and Control Board. In the event a special purpose vehicle is required and not contained on the approved listing, the requesting agency shall inform the Director, DMVM who will, in conjunction with the using agency, determine the proper vehicle and equipment and submit this information to the Budget and Control Board for approval.

All requisitions for motor vehicles shall be forwarded to the Director, DMVM accompanied by the original and two copies of Budget and Control Form 6-64, "Request by State Agency for Approval to Purchase State-Owned Automobile." Complete justification must be provided, especially in the event an additional vehicle or vehicles are requested over and above those presently on hand. Once the need has been established, the vehicle requisition will be forwarded to the State Purchasing Officer who shall obtain the required vehicle according to established purchasing procedures from the approved listing.

The State Purchasing Offices shall prepare and distribute to the major automobile manufacturers bid invitations covering these vehicle types approved by the Budget and Control Board. This will be accomplished as early in the model year as possible. Contracts shall then be awarded to the successful bidder in each of the classes involved in the amount as predicted by the Director, DMVM. The contract year will normally run from September through May. Vehicle purchases must be made during this period in order to take advantage of the lower prices. Any exception shall be fully justified in writing to the Budget and Control Board.

Assignment of a vehicle to an individual for exclusive use shall be tightly controlled and based upon official travel requirements of 18,000 miles or more per year. Assignment for personal convenience or prestige of an individual shall not be made nor should an assignment of a vehicle continue if there is no official need.

Normally, all vehicles shall be retained for four years or 60,000 miles, however, the deciding factor shall be the condition of vehicle and the needs of the State.

All agency heads and supervisors are reminded that State vehicles are to be obtained, used and maintained in such a manner as to serve the best interests of the State of South Carolina. Any deviation is a serious breach of the confidence placed in state executives by the citizens of South Carolina and a violation of State law.

CLASS I PRESTIGE

For assignment to constitutional officers and executives as approved by the Budget And Control Board.

These vehicles will be purchased on an "as required" basis.

CLASS II EXECUTIVE

For assignment to eligible heads of state agencies, boards and commissions and presidents of institutions of high learning administering annual budgets in excess of 15 million dollars, excluding capital improvement funds:

Pontiac Bonneville
Buick LeSabre
Oldsmobile Delta 88
Mercury Marquis
Chrysler Newport Custom

17 agencies

All with the following specifications:

Permanent Anti-freeze
3-Speed automatic transmission
Power disc front brakes
Power steering
Steel belted radial white side wall tires
Factory installed air conditioning
Tinted glass, all
Push button AM/FM radio
Power windows
Door edge guards
Carpet savers, handy mats, front and rear
400 C.I.D. V/8 engine
Left hand remote control rear view mirror
Vent shades
Protective body side molding, metal or metal with vinyl insert
Front and rear bumper guards, and/or rubber protective strip
Coolant recovery system
Cruise control

CLASS III SUPERVISORY

For assignment to eligible heads of state agencies, boards and commissions whose budgets exceed 4 million dollars per year excluding a capital improvement funds or those whose budgets are less than 4 million dollars a year, but travel in excess of 20,000 miles per year:

Dodge Royal Monaco
Ford LTD
Chevrolet Impala
Plymouth Gran Fury Custom

about
\$4,200 - 4500
approx.
10 agency heads

All with the following specifications:

3- speed automatic transmission
Power disc front brakes
Power steering
Permanent anti-freeze
Steel belted radial black side wall tires
Factory installed air conditioning
Tinted glass, all
Push button AM Radio
Coolant recovery system
Door edge guards
Carpet savers and handy mats, front and rear (color Keyed)
350 C.I.D. (minimum)
Remote control outside LH rear view mirror
Protective body side molding, metal or metal with vinyl insert
Nylon cloth upholstery material
4-door sedan
Cruise Control

CLASS IV SUPERVISORY

For assignment to eligible heads of state agencies, boards and commissions not covered in Class III and deputy heads of state agencies, boards and commissions who drive in the excess of 18,000 miles per year:

Dodge Coronet
Ford Torino
Chevrolet Chevelle
Plymouth Fury
American Matador

All with the following specifications:

4-Door sedan
Permanent anti-freeze
Steel belted radial black side wall tires
Factory installed air conditioning
Tinted glass, all
Push button AM radio
Collant recovery system
Door edge guards
302 C.I.D. V/8 engine
Protective body side molding, metal or metal with vinyl insert
Front and rear bumper guards
Heavy duty rubber floor mats
Power steering
3-speed automatic transmission
Power front disc brakes
Cruise control

CLASS V GENERAL USE

For assignment to eligible supervisors and employees who drive in the excess of 18,000 miles per year and as general pool vehicles:

Dodge Dart
Mercury Comet
Chevrolet Nova
Ford Maverick
Plymouth Duster
American Hornet
Plymouth Valiant

All with the following specifications:

4-Door sedan
Permanent anti-freeze
Air conditioning, manual, factory installed
Tinted windshield only
Push button AM radio
Door edge guards
Carpet savers, handy mats, front & rear
200 CID engine (Minimum)
Protective body side molding, metal or metal with vinyl insert
Front and rear bumper guards
Steel belted radial black wall tires

CLASS VI LOCAL USE

For assignment to eligible employees ^{whose} ~~whose~~ official travel is local in nature such as found in heavily populated areas:

Ford Pinto Class

Optional equipment to include factory installed air-conditioning.
Other specifications will be published at a later date.

CLASS VII STATION WAGON

Dodge Coronet
Ford Torino
Chevrolet Chevelle
Plymouth Fury
(Four door six (6) passenger
station wagons with the following
specifications)

Permanent anti-freeze
Power disc front brakes
Power steering
Automatic 3-speed transmission
Steel belted radial black side wall tires
Air conditioning, manual, factory installed
Tinted windshield, only
Push button AM radio
Coolant recovery system
Door edge guards
Carpet savers and handy mats, front and rear
302 C.I.D., V/8 engine
Protective body side molding, metal or metal with vinyl insert

NOTE: Coordinate with S.C.H.D. - same vehicle but assorted colors.

CLASS VIII POLICE CARS - PATROL

Standard (Four door sedans)

Dodge Monaco
Ford Custom 500
Chevrolet Bel Air
Plymouth Gran Fury

*440 C.I.D. V/8 type engine (minimum)
Power steering
Heavy duty radiator and fan (for extra cooling)
Heavy duty police power type brakes (front disc type)
Parking brakes with dash light indicator
Heavy duty seats, front
Heavy duty springs or torsion bars - front and rear
Heavy duty shocks minimum of 1-3/16" diameter
Heavy duty floor mats, front and rear (black rubber)
Heavy duty rear axle with H.D. wheel bearings
Cigar lighter and ash tray in front and ash tray in rear
Fresh air heater with defroster
Deluxe factory installed air conditioning
Heavy duty handling package
Certified calibrated speedometer (2 mph increments to 140 mph.)
Black interior trim, heavy duty cloth & vinyl or woven knit vinyl
Non-glare interior mirror, day and night type
Tinted windshield only
Outside rear view mirror - remote control
Deluxe steering wheel with horn ring, or approved substitute
Deluxe seat belts with retractors (push button release with metal to metal buckle)
Automatic interior dome light in center of roof
Automatic interior dome light above windshield
Single key locking system (one key for ignition, doors, truck, etc.) (2 keys)
Trunk compartment light
Trunk compartment floor mat
Inside hood release
Coolant recovery system
Lock gas cap - 2 keys
Bumper guards, front and rear
Body side molding protective strip
Police radial tires
Antifreeze cooling solution - permanent type -
50% - 50% water-antifreeze

*400 C.I.D. V/8 engine available upon request less dual exhaust

CLASS XIII POLICE CARS - PATROL, INTERMEDIATE

Ford Torino
Chevrolet Chevelle
Plymouth Fury
Dodge Coronet

350 C.I.D. V/8 engine (minimum)
Power steering
Heavy duty radiator and fan (for extra cooling)
Heavy duty police power type brakes (front disc type)
Parking brakes with dash light indicator
Heavy duty seat, front
Heavy duty floor mats, front and rear, rubber
Heavy duty springs or torsion bars - front and rear
Heavy duty rear axle with H.D. wheel bearings
Heavy duty stabilizer bar and/or high speed handling bar
Fresh air heater with defroster
Deluxe factory installed air conditioning
Heavy duty handling package
Certified calibrated speedometer (2 mph increments to 120 mph)
Black interior trim
Non-glare interior mirror, day and night type
Tinted windshield only
Windshield washer system
Outside rear view mirror - remote control
Deluxe steering wheel with horn ring, or approved substitute
Deluxe seat belts with retractors (push button release with metal to metal buckle)
Automatic interior dome light in center of roof
Automatic interior dome light above windshield
Single key locking system (one key for ignition, doors, trunk etc.) (2 keys)
Trunk compartment light
Trunk compartment floor mat
Inside hood release
Coolant recovery system
Body side molding, metal or metal with vinyl insert
Antifreeze cooling solution - permanent type -
50% - 50% water-antifreeze

NOTE: This vehicle to be used by Wildlife, ABC, etc. and will be less than police package.

CLASS IX UTILITY

For special purpose assignment

Dodge Ram Charger
International "Scout"
Chevrolet "Blazer"
Ford "Bronco"
GMC "Jimmy"
Jeep "Commando"
All with following specifications

*approx Cost
4,500 to 5,000*

Permanent type anti-freeze
3,900 lbs, GVWR
(4x4) 4-wheel drive
Spare tire and wheel
Wagon style top of all steel, fully enclosed
Coolant recovery system
Color - factory standard optional colors

Other optional equipment available upon request and approved by the
Budget and Control Board.

CLASS X SUBURBAN - CARRYALL -TRAVEL-ALL TYPE VEHICLE

For special purpose assignment
All with following specifications

GVWR - 5000 lbs (minimum)
304 C.I.D., V/8 engine (minimum)
H.D. cooling system
H.D. Clutch
Power brakes
3,500 lb, rear axle rating
H.D. rear springs
H.D. front and rear bumpers
Front and rear seat to be bench type, with vinyl trim throughout
Rear doors to be panel type, vertically swung
H.D. rubber floor mats
Tires not smaller than H-78-15B with a spare tire and wheel carrier
3-speed standard transmission
Permanent anti-freeze at 50% water-anti-freeze mixture

Other optional equipment available upon request and approved by the
Budget and Control Board.

NOTE: Coordinate with S.C.H.D., PRT, Wildlife

CLASS X SUBURBAN - CARRYALL -TRAVEL-ALL TYPE VEHICLE

For special purpose assignment
All with following specifications

GVWR - 5000 lbs (minimum)
304 C.I.D., V/8 engine (minimum)
H.D. cooling system
H.D. Clutch
Power brakes
3,500 lb, rear axle rating
H.D. rear springs
H.D. front and rear bumpers
Front and rear seat to be bench type, with vinyl trim throughout
Rear doors to be panel type, vertically swung
H.D. rubber floor mats
Tires not smaller than H-78-15B with a spare tire and wheel carrier
3-speed standard transmission
Permanent anti-freeze at 50% water-anti-freeze mixture

Other optional equipment available upon request and approved by the
Budget and Control Board.

NOTE: Coordinate with S.C.H.D., PRT, Wildlife

CLASS XI PICKUPS

For special purpose assignment: The Budget And Control Board approval is required if primary assignment is other than cargo hauling.

Specifications to be published at a later date.

NOTE: Coordinate with S.C.H.D., PRT, USC, and others

CLASS XII VANS - PASSENGER

For assignment as passenger - carrying vehicles (7-16) passengers.

Econoline Van

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Specifications to be published at a later date.

STATE BUDGET AND CONTROL BOARD
DIVISION OF GENERAL SERVICES
AGENDA

July 21, 1975

MOTOR VEHICLE MANAGEMENT

The information contained herein is intended to serve as an interim progress report on the work priorities and objectives of the Division of Motor Vehicle Management.

- I. Prepare and seek approval for model year 1976 vehicle purchases and assignments:
 - A. Establish classes
 - B. Assignment criteria
 - C. Disposal criteria
- II. Prepare and seek approval of State-owned Vehicle Management Policy manual that will include:
 - A. Identification
 - B. Operation (define official use)
 - C. Service/Repair
 - D. Acquisition and disposal criteria
 - E. Supervision and enforcement of provisions
 - F. Insurance
 - G. Registration, licensing, accountability
 - H. Safety and accident reporting
 - I. Special equipment
 - J. Decal/Slogans
 - K. Reimbursement for use of privately owned vehicles
 - L. Gasoline purchases/Credit card use
 - M. Conservation
 - N. Motor Pool operations
 - O. Control of purchase orders
- III. Visits
 - A. State Agency
 - B. Other States
 - C. Professional/schools/workshops
- IV. Establish a central Motor Vehicle Management Information System. Input will furnish manager information needed to effectively control our vehicle fleet.

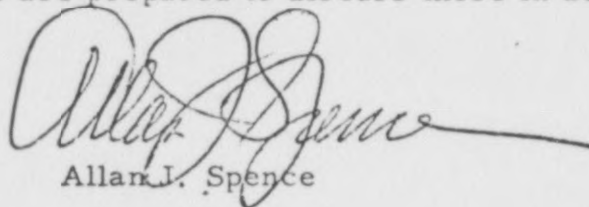
V. Sell Program to Agencies

It is very hard to set work priorities at this stage because much of preparation and planning will be carried on concurrently.

We feel the proper approach would be to establish policy, insist on compliance, measure results and adjust as needed. We should immediately begin on work priorities I and II as shown above. The problem of classes and specifications has been discussed with Dick Cathcart (SCHD), Terry Hughey (Wildlife), Bill Paulis (SCDC) and others. We can begin work on these items when I return from St. Paul, Minnesota, on 31 July.

There are a myriad of other tasks/objectives that could be listed, none of which could be accomplished without the authority and guidance of an approved State vehicle policy.

If more specifics are desired, we are prepared to discuss these in detail at your convenience.



Allan J. Spence

E N D