

SOUTH CAROLINA CONSERVATION BANK

COLUMBIA, SOUTH CAROLINA

FINANCIAL STATEMENTS

JUNE 30, 2009

State of South Carolina



Office of the State Auditor

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COLUMBIA, S.C. 29201

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October 13, 2009

The Honorable Mark Sanford, Governor
and
Members of the Board
South Carolina Conservation Bank
Columbia, South Carolina

This report on the audit of the financial statements of the South Carolina Conservation Bank for the fiscal year ended June 30, 2009, was issued by Rogers Laban, PA, Certified Public Accountants, under contract with the South Carolina Office of the State Auditor.

If you have any questions regarding this report, please let us know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard H. Gilbert Jr.", written in a cursive style.

Richard H. Gilbert, Jr., CPA
Deputy State Auditor

RHGjr/cwc

SOUTH CAROLINA CONSERVATION BANK

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INDEPENDENT AUDITOR'S REPORT

Mr. Richard H. Gilbert, Jr., CPA,
Deputy State Auditor
State of South Carolina
Columbia, South Carolina

We have audited the accompanying balance sheet of the South Carolina Conservation Bank ("the Bank") as of and for the year ended June 30, 2009. These financial statements are the responsibility of the Bank's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Financial Statements of the Conservation Bank reporting entity are intended to present the financial position and results of operations of only that portion of the financial reporting entity of the State of South Carolina that is attributable to the transactions that comprise the South Carolina Conservation Bank reporting entity. They do not purport to and do not present the financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America, and do not include any other agencies, divisions, or component units of the State of South Carolina.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Bank as of June 30, 2009, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

As described in Note 10 to the Financial Statements, the Bank corrected various errors in the application of accounting principles involving the proper recognition of certain assets, liabilities, revenues and expenditures.

The management's discussion and analysis is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

The Schedule of Expenditures - Budget and Actual is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

In accordance with Government Auditing Standards, we have also issued our report dated October 12, 2009, on our consideration of the Bank's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

Rogers Lalan, PA

October 12, 2009

South Carolina Conservation Bank

Management's Discussion and Analysis

The South Carolina Conservation Bank (the "Bank") was created by the South Carolina Conservation Bank Act and was passed into law by the General Assembly by Act No. 200 and signed by the Governor in 2002. The Conservation Bank was established for the purpose of making grants and loans to public and private entities to acquire interests in real properties worthy of conservation, to provide for the governance of the Bank, to provide those entities eligible to receive bank grants, to establish the South Carolina Conservation Bank Trust Fund to receive revenue and to provide the criteria which the Bank must use in judging applications for grants and to provide that revenue of the State portion of the deed recording fee credited to the General Fund of the State is instead credited to the South Carolina Conservation Bank Trust Fund. The Bank's funding is derived from documentary stamp taxes whereby the Bank receives 25 cents of every \$1.30 of documentary stamp taxes collected by the State.

Financial Highlights:

- The Conservation Bank was totally funded in fiscal year 2008; however, in 2009 the Bank's funding for part of the year was redirected to the SC Department of Education for school bus fuel. This change decreased both the Total Assets and General Revenue by \$5,004,629.
- The total liabilities changed from 2008 to 2009 as a permanent position was established effective July 1, 2009 incurring liability for salary and fringe for new employee.
- The total liabilities changed from 2008 to 2009 due to a payment subsequent to year end to another state agency as directed by the General Assembly in the amount of \$575,374.

Total assets and total net assets decreased significantly due to the amount of funds directed to be transferred to the South Carolina Department of Education to use for school bus fuel by the General Assembly. The total assets and total net assets were decreased minimally by the amount of grants and successful closings of protected properties during the fiscal year. The majority of these funds have been committed to various projects subject to receipt of revenues as discussed in Note 9 to the financial statements.

General revenue decreased from documentary stamps reflecting the general downward trend of the real estate market in 2008-2009. Interest earned on unspent funds was \$67,089 and other donations were \$17,195.

Program expenses included conservation grants in the amount of \$5,733,825 during the year. Included in this amount are grants to State agencies in the amount of \$2,463,825.

The Bank was funded in the amount authorized by the Legislature and operated within the scope for which it was intended under the restricted amount.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the Bank's basic financial statements. The Bank's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other required supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements.

The *government-wide financial statements* are designed to provide readers with a broad overview of the Bank's finances, in a manner similar to a private-sector business.

The *statement of net assets* presents information on all of the Bank's assets and liabilities, with the difference between the two reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Bank is improving or deteriorating. A condensed statement of net assets for June 30, 2009 and 2008 is as follows:

	NET ASSETS	
	<u>2009</u>	<u>2008</u>
Assets		
Cash and cash equivalents	\$ 461,662	\$ 2,746,806
Receivables	583,191	17,276
Total assets	<u>1,044,853</u>	<u>2,764,082</u>
Liabilities		
Accounts Payable & Accrued expenses	60,838	85,479
Due to other State Agencies	575,374	-
Total liabilities	<u>636,212</u>	<u>85,749</u>
Net Assets	<u><u>\$ 408,641</u></u>	<u><u>\$ 2,678,333</u></u>

The *statement of activities* presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenue and

expenses are reported in this statement for some items that could only result in cash flows in future fiscal periods. A condensed statement of activities for the years ended June 30, 2009 and 2008 is as follows:

STATEMENT OF ACTIVITIES		
	2009	2008
General Revenue		
Documentary stamp taxes	\$ 8,585,569	\$ 14,966,204
Appropriations	-	5,000,000
Interest income/contributions	98,786	230,587
Total general revenue	8,684,355	20,196,791
Expenses		
Conservation Trust grants	5,733,825	27,533,011
General government	208,172	199,088
Total expenses	5,941,997	27,732,099
Transfer to Department of Education	(5,004,629)	-
Change in Net Assets	\$ (2,262,271)	\$ (7,535,308)

The changes between the two years result in a decrease in the amount of document stamp revenue; appropriations in 2008 and not in 2009; changes in grants made from year to year. Also, in 2009 the Conservation Bank was required to transfer \$5,004,629 of current years revenues to the South Carolina Department of Education to help pay for school bus fuel.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The South Carolina Conservation Bank, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Bank are currently defined as governmental funds.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The Bank currently maintains only one individual governmental fund (a special revenue fund). The Bank adopts an annual appropriated budget for this fund. A budgetary comparison statement has been provided to demonstrate compliance with this budget.

Government-Wide Financial Analysis:

At June 30, 2009, total assets were \$1,044,853. General government expenses, principally salaries and benefits and grants totaled \$5,941,997. Documentary stamp tax revenue totaled \$8,585,569 and the Bank's interest earnings were \$67,089 for the year. The total change in net assets was (\$2,262,271) for the year.

The Bank has made commitments to fund conservation projects totaling \$4,657,263 at June 30, 2009.

Governmental Fund Financial Analysis:

As noted above, the Bank operates only one governmental fund, its Special Revenue Fund. All of the Bank's activities are accounted for in this fund. The only difference in the fund balance of this fund and the net assets of the Bank is the amount of accrued compensated absences of \$35,870.

General Fund Budgetary Highlights:

The difference between the original budget and the final amended budget for the other operating expenses was due to a transfer of funds to cover a reimbursement to South Carolina Department of Natural Resources for employee services and a transfer of funds for the \$207,050 operating funds for the next fiscal. This was a misinterpretation of the Budget Proviso and this misinterpretation has been corrected.

The variances noted are due to the documentary stamp revenues received by the Conservation Bank were lower due to the decline in the real estate market resulting in lower conservation grants being made. In 2008 Rescission Act Bill the Conservation Bank was directed by the General Assembly to transfer all revenue received beginning November 1, 2008 – June 30, 2009 to the South Carolina Department of Education to use for school bus fuel. No funds were budgeted for this transfer.

Capital Asset and Debit Administration:

The SC Conservation Bank has no capital assets or debt.

Economic Factors and Next Year's Budgets:

For fiscal year 2009-10 the SC Conservation Bank's primary revenue source (documentary deed stamp revenue) has been diverted to the SC General Fund in compliance with state statute SC Code § 48-59-75. Operating funds were transferred to the SC Conservation Bank from the Department of Labor Licensing & Regulation and a one-time appropriation of \$2,000,000 was directed from the General Assembly.

Request for Information

This financial report is designed to provide a general overview of the South Carolina Conservation Bank's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Executive Director
South Carolina Conservation Bank
Post Office Box 167
Columbia, South Carolina 29202

SOUTH CAROLINA CONSERVATION BANK

**STATEMENT OF NET ASSETS
JUNE 30, 2009**

	<u>Governmental Activities</u>
Assets	
Current assets:	
Cash and cash equivalents	\$ 461,662
Interest receivable	7,223
Accounts receivable - documentary stamp taxes	575,375
Accounts receivable - other	<u>593</u>
Total assets	<u>1,044,853</u>
Liabilities	
Current liabilities:	
Accounts payable	1,192
Due to State Department of Education	575,374
Due to other state agencies	10,526
Accrued payroll and benefits	13,250
Accrued compensated absences and related benefits	<u>35,870</u>
Total liabilities	636,212
Net Assets	
Restricted	<u>408,641</u>
Total liabilities and net assets	<u><u>\$ 1,044,853</u></u>

SOUTH CAROLINA CONSERVATION BANK

**STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2009**

	<u>Expenses</u>	<u>Operating Grants and Contributions</u>	<u>Net (Expense) Revenue and Changes in Net Assets</u>
Functions/Programs:			
General government	\$ 5,941,997	\$ 31,697	\$ (5,910,300)
Total primary government	<u>\$ 5,941,997</u>	<u>\$ 31,697</u>	<u>(5,910,300)</u>
General revenue:			
Documentary stamp taxes			8,585,569
Interest income			67,089
Transfer to State Department of Education			<u>(5,004,629)</u>
Change in net assets			(2,262,271)
Net assets - beginning (as restated)			<u>2,670,912</u>
Net assets-ending			<u>\$ 408,641</u>

See accompanying Notes to Financial Statements.

SOUTH CAROLINA CONSERVATION BANK

**BALANCE SHEET
JUNE 30, 2009**

	Special Revenue
Assets	
Cash and cash equivalents	\$ 461,662
Interest receivable	7,223
Accounts receivable - documentary stamp tax	575,375
Accounts receivable - other	593
Total assets	\$ 1,044,853
Liabilities and Fund Balance	
Liabilities:	
Accounts payable	\$ 1,192
Due to State Department of Education	575,374
Due to other state agencies	10,526
Accrued payroll and benefits	13,250
Total liabilities	600,342
Fund balance:	
Reserved	444,511
Total fund balance	444,511
Total liabilities and fund balance	\$ 1,044,853
Reconciliation to the statement of net assets:	
Total fund balance	\$ 444,511
Amount reported for governmental activities in the statement of net assets are different because:	
therefore,	
are not reported in the funds. Those liabilities consist of:	
Accrued compensated absences and related benefits	(35,870)
Net assets of governmental activities	\$ 408,641

SOUTH CAROLINA CONSERVATION BANK

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
YEAR ENDED JUNE 30, 2009**

	Special Revenue
Revenues:	
Documentary stamp taxes	\$ 8,585,569
Interest	67,089
Grants	14,502
Other income	17,195
Total revenue	8,684,355
Expenditures:	
Grants paid	3,270,000
Grants paid to other State agencies	2,463,825
Personal services	126,419
Employer contributions	33,261
Other operating	40,265
Total expenditures	5,933,770
Excess of revenues over expenditures	2,750,585
Other financing sources (uses):	
Transfers to State Department of Education	(5,004,629)
Excess of revenues over (under) expenditures and other financing uses	(2,254,044)
Fund balance - beginning of year (as restated)	2,698,555
Fund balance - end of year	\$ 444,511
Reconciliation to the statement of activities:	
Net change in fund balance - total government funds	\$ (2,254,044)
Some items reported in the statement of activities do not require the use of current financial resources and therefore, are not reported as expenditures in government funds. These activities consist of:	
Increase in compensated absences and related benefits	(8,227)
Change in net assets of government activities	\$ (2,262,271)

See accompanying Notes to Financial Statements.

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2009

Note 1. Summary of Significant Accounting Policies

The South Carolina Conservation Bank (the "Bank") was created by the South Carolina Conservation Bank Act and was passed into law by the General Assembly by Act No. 200 and signed by the Governor in 2002. The Conservation Bank was established for the purpose of making grants and loans to public and private entities to acquire interests in real properties worthy of conservation, to provide for the governance of the Bank, to provide those entities eligible to receive bank grants, to establish the South Carolina Conservation Bank Trust Fund to receive revenue and to provide the criteria which the Bank must use in judging applications for grants and to provide that revenue of the State portion of the deed recording fee credited to the General Fund of the State is instead credited to the South Carolina Conservation Bank Trust Fund.

Reporting Entity

The core of the financial reporting entity is the primary government which has a separately elected governing body. As required by accounting principles generally accepted in the United States of America, the financial reporting entity includes both the primary government and all of its component units. Component units are legally separate organizations for which the elected officials of the primary government are financially accountable. In turn, component units may have component units. The Conservation Bank is part of the primary government of the State of South Carolina, and its funds are reported in the State's Comprehensive Annual Financial Report. Generally, all state agencies are included in the State's reporting entity. These entities are financially and fiscally dependent on the State.

An organization other than a primary government may serve as a nucleus for a reporting entity when it issues separate financial statements. That organization is identified herein as a primary entity. The financial reporting entity includes the Conservation Bank (a primary entity).

A primary entity is financially accountable if its officials or appointees appoint a voting majority of an organization's governing body including situations in which the voting majority consists of the primary entity's officials serving as required by law (e.g., employees who serve in an ex officio capacity on the component unit's board are considered appointments by the primary entity *and* (1) it is able to impose its will on that organization *or* (2) there is potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the primary entity. The primary entity also may be financially accountable if an organization is fiscally dependent on it even if it does not appoint a voting majority of the board. An organization is fiscally independent if it holds all of the following powers:

- (1) Determine its budget without another government having the authority to approve and modify that budget.
- (2) Levy taxes or set rates or charges without approval by another government.
- (3) Issue bonded debt without approval by another government.

The organization is fiscally dependent on the primary government/entity, which holds one or more of those powers. Based on these criteria, the Conservation Bank has determined it is not a component of another entity and it has no component units. This financial reporting entity includes only the Conservation Bank.

The South Carolina Conservation Bank is an independent state agency established by South Carolina State Law in 2002 to provide funding for habitat protection efforts.

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS JUNE 30, 2009

Governmental Funds

Governmental funds are those through which most governmental functions typically are financed and are used to account for all or most of a government's general activities, including the collection and disbursement of earmarked monies. Expendable assets are assigned to the various governmental funds according to the purposes for which they may or must be used; current liabilities are assigned to the fund from which they are to be paid; the difference between the assets and liabilities is fund balance.

The Bank reports the following major fund:

Special Revenue Fund - Special Revenue Funds are used to account for proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. Separate programs/funds have been established for federal grants and federal programs and for each department of the Conservation Bank that administers restricted proceeds.

Government-wide and Fund Financial Statements

The financial statements of the Bank are presented in accordance with accounting principles generally accepted in the United States of America applicable to state and local governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body in the United States of America for establishing governmental accounting and financial reporting principles.

The government-wide financial statements (i.e., the statement of net assets and the statement of changes in net assets) report information on all of the nonfiduciary activities of the primary entity and its component units.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include (1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not properly included among program revenues are reported instead as general revenues.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenue are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. The Bank uses different availability periods for recognizing these revenues. Grant revenues are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. Revenues from sales of goods and services are recognized if received within one month after fiscal year-end. Other revenues are recognized if expected to be collected within one year. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2009

Revenues – Exchange and Non-Exchange Transactions

Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenues are recorded in the fiscal year in which the resources are measurable and become available. Available means that the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the Bank, available means expected to be received within one year of the fiscal year-end.

Non-exchange transactions, in which the Bank receives value without directly giving value in return, include grants and contributions. On an accrual basis, revenue from grants and contributions is recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the fiscal year when use is first permitted, matching requirements, in which the Bank must provide local resources to be used for a specific purpose, and expenditure requirements, in which the resources are provided to the Bank on a reimbursement basis. On a modified accrual basis, revenue from non-exchange transactions must be available before it can be recognized.

Budgetary Controls

The following is a description of the budgetary process of the South Carolina Conservation Bank:

Several months prior to the start of the fiscal year, the Executive Director of the South Carolina Conservation Bank develops a budget proposal for revenue and expenditures. The proposal is based on limited knowledge of future events.

Cash and Cash Equivalents

The amounts shown in the financial statements as “cash and cash equivalents” represents cash on deposit with the State Treasurer and cash invested in various instruments by the State Treasurer as part of the State’s internal cash management pool.

Most State agencies, including the Bank, participate in the State’s internal cash management pool.

Because the cash management pool operates as a demand deposit account, amounts invested in the pool are classified as cash and cash equivalents. The State Treasurer administers the cash management pool. The pool includes some long-term investments such as obligations of the United States and certain agencies of the United States, obligations of the State of South Carolina and certain of its political subdivisions, certificates of deposit, collateralized repurchase agreements, and certain corporate bonds. Some agency accounts are not included in the pool because of restrictions on the use of funds. For those accounts, cash equivalents include investments in short-term, highly liquid securities having a maturity of three months or less at the time of purchase.

Accounts Receivable

Accounts receivable for documentary stamp taxes represent amounts received in July from the South Carolina Department of Revenues for amounts collected as of June 30, 2009. Accounts receivable – other represents amounts due from the South Carolina Department of Revenue which were received by the Bank in July for voluntary contributions received by Department as of June 30, 2009.

SOUTH CAROLINA CONSERVATION BANK

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

Compensated Absences

Generally all permanent full-time State employees and certain part-time employees scheduled to work at least one-half of the agency's work week are entitled to accrue and carry forward at calendar year-end up to 180 days sick leave and 45 days annual vacation leave. Upon termination of State employment, employees are entitled to be paid for accumulated unused annual vacation leave up to the maximum amount, but are not entitled to any payment for unused sick leave. The compensated absences liability includes accrued annual leave and compensatory holiday and overtime leave earned for which the employees are entitled to paid time off or payment at termination. The Conservation Bank calculates the gross compensated absences liability based on recorded balances of unused leave. The entire unpaid liability for which the employer expects to compensate employees through paid time off or cash payments, inventoried at fiscal year-end current salary costs and the cost of the salary-related benefit payments, is recorded as a liability in the statement of net assets.

Net Assets/Fund Balance

Net assets are classified and presented in three components in the government-wide financial statements. These three components are (1) invested in capital assets, net of related debt, (2) restricted and (3) unrestricted. When both restricted and unrestricted resources are available for use, it is the Bank's policy to use restricted resources first, then unrestricted resources as they are needed. At June 30, 2009, all of the Bank's net assets have been classified as restricted, which is defined as follows:

Restricted – Consists of assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributions, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.

Use of Estimates

Management uses estimates and assumptions in preparing financial statements in accordance with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could vary from those estimates.

Note 2. Deposits

All deposits of the Bank are under the control of the State Treasurer who, by law, has sole authority for investing State funds.

The following schedule reconciles deposits within the footnotes to the financial statement amounts:

<u>Financial Statements</u>	<u>Footnotes</u>
Governmental fund:	Deposits held by
Cash and cash equivalents \$ 461,662	State Treasurer \$ 461,662

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS JUNE 30, 2009

Deposits Held by State Treasurer

State law requires full collateralization of all State Treasurer bank balances. The State Treasurer must correct any deficiencies in collateral within seven days.

With respect to investments in the State's internal cash management pool, all of the State Treasurer's investments are insured or registered or are investments for which the securities are held by the State or its agent in the State's name. Information pertaining to reported amounts, fair values, and credit risk of the State Treasurer's investments is disclosed in the Comprehensive Annual Financial Report of the State of South Carolina.

Note 3. Pension Plan and Other Employee Benefits

The Retirement Division of the State Budget and Control Board maintains five independent defined benefit plans and issues its own publicly available Comprehensive Annual Financial Report (CAFR) which includes financial statements and required supplementary information. A copy of the separately issued CAFR may be obtained by writing to the Retirement Division, 202 Arbor Lake Drive, Columbia, South Carolina 29223. Furthermore, the Division and the five pension plans are included in the CAFR of the State of South Carolina.

All employees of the Conservation Bank are eligible to participate in the South Carolina Retirement System and the State Health Insurance Group Plan. The South Carolina Retirement System (SCRS) is a cost-sharing multiple-employer defined benefit public employee retirement system which provides annuity benefits as well as disability and group life insurance benefits to eligible employees and retirees. Section 9-1-480 Code of Laws of South Carolina, 1976 (as amended), states that all State employees unless specifically exempted shall become members of SCRS as a condition of their employment. The responsibility for administration of the systems is assigned by law to the State Budget & Control Board. The Conservation Bank has no fiduciary responsibility or further liability for the retirement plan beyond the current contributions.

Under the SCRS, employees are eligible for a full service retirement annuity upon reaching age 65 or completion of 28 years credited service regardless of age. The benefit formula for full benefits effective since July 1, 1989, for the SCRS is 1.82 percent of an employee's average final compensation multiplied by the number of years of credited service. Early retirement options with reduced benefits are available as early as age 55. Employees are vested for a deferred annuity after five years service and qualify for a survivor's benefit upon completion of 15 years credited service (five years effective January 1, 2001). Disability annuity benefits are payable to employees totally and permanently disabled provided they have a minimum of five years credited service (this requirement does not apply if the disability is the result of a job-related injury). A group-life insurance benefit equal to an employee's annual rate of compensation is payable upon the death of an active employee with a minimum of one year of credited service.

Effective January 1, 2001, Section 9-1-2210 of the South Carolina Code of Laws allows employees eligible for service retirement to participate in the Teacher and Employee Retention Incentive (TERI) Program. TERI participants may retire and begin accumulating retirement benefits on a deferred basis without terminating employment for up to five years. Upon termination of employment or at the end of the TERI period, whichever is earlier, participants will begin receiving monthly service retirement benefits which will include any cost of living adjustments granted during the TERI period.

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2009

Since July 1, 2006, employees participating in the SCRS have been required to contribute 6.5% of all compensation. Effective July 1, 2008, the employer contribution rate became 12.74 percent, which included a 3.50 percent surcharge to fund retiree health and dental insurance coverage. The Bank's actual contributions to SCRS for the fiscal years ended June 30, 2009, 2008, and 2007 were \$12,418, \$7,161, and \$5,602 and equaled the required contributions of 9.24 percent (excluding the surcharge) for 2009, 9.06 percent for 2008 and 8.05 percent for 2007. Also, the Board paid employer group-life insurance contributions of \$201 in the current fiscal year at the rate of .15 percent of compensation.

The System does not make separate measurements of assets and pension benefit obligations for individual employers. Accordingly, information regarding the excess, if any, applicable to the Conservation Bank of the actuarially computed value of vested benefits over the total of the applicable pension fund and any balance sheet accruals, less any pension prepayments or deferred charges, is not available. By State law, the Conservation Bank's liability under the retirement plan is limited to the amounts contributed during the year. Accordingly, the Bank recognized no contingent liability for unfunded costs associated with participation in the plan.

Article X, Section 16 of the South Carolina Constitution requires that all state operated retirement systems be funded on a sound actuarial basis. Title 9 of the South Carolina Code of Laws of 1976, as amended, prescribes requirements relating to membership, benefit and employee/employer contributions for each retirement system. Employee and employer contribution rates to SCRS are actuarially determined. The surcharges to fund retiree health and dental insurance are not part of the actuarially established rates. Annual benefits, payable monthly for life, are based on length of service and on average final compensation (an annualized average of the employee's highest twelve consecutive quarters of compensation).

Note 4. Post-Employment and Other Employee Benefits

In accordance with the South Carolina Code of Laws and the annual Appropriations Act, the State provides post-employment health and dental and long-term disability benefits to retired State and school district employees and their covered dependents. The Bank contributes to the Retiree Medical Plan (RMP) and the Long-term Disability Plan (LTDP), cost-sharing multiple-employer defined benefit postemployment healthcare and long-term disability plans administered by the Employee Insurance Program (EIP), a part of the State Budget and Control Board (SBCB). Generally, retirees are eligible for the health and dental benefits if they have established at least ten years of retirement service credit. For new hires May 2, 2008 and after, retirees are eligible for benefits if they have established twenty-five years of service for 100% employer funding and fifteen through twenty-four years of service for 50% employer funding. Benefits become effective when the former employee retires under a State retirement system.

Basic long-term disability (BLTD) benefits are provided to active state, public school district and participating local government employees approved for disability.

Section 1-11-705 and 1-11-710 of the South Carolina Code of Laws of 1976, as amended, requires these post-employment healthcare and long-term disability benefits be funded through annual appropriations by the General Assembly for active employees to the EIP and participating retirees to the SBCB except the portion funded through the pension surcharge and provided from other applicable sources of the EIP for its active employees who are not funded by State General Fund appropriations. Employers participating in the RMP are mandated by State statute to contribute at a rate assessed each year by the Office of the State Budget, 3.50% and 3.42% of annual covered payroll for 2009 and 2008, respectively. The EIP sets the employer contribution

SOUTH CAROLINA CONSERVATION BANK

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

rate based on a pay-as-you-go basis. The Bank paid \$4,704 and \$2,703 applicable to the surcharge included with the employer contribution for retirement benefits for the fiscal years ended June 30, 2009 and 2008, respectively. BLTD benefits are funded through a per person premium charged to State agencies, public school districts, and other participating local governments. The monthly premium per active employee paid to EIP was \$3.23 for the fiscal years ended June 30, 2009 and 2008.

Effective May 1, 2008 the State established two trust funds through Act 195 for the purpose of funding and accounting for the employer costs of retiree health and dental insurance benefits and long-term disability insurance benefits. The South Carolina Retiree Health Insurance Trust Fund is primarily funded through the payroll surcharge. Other sources of funding include additional State appropriated dollars, accumulated EIP reserves, and income generated from investments. The Long Term Disability Insurance Trust Fund is primarily funded through investment income and employer contributions.

One may obtain complete financial statements for the benefit plans and the trust funds from Employee Insurance Program, 1201 Main Street, Suite 360, Columbia, SC 29201.

Note 5. Deferred Compensation Plans

Several optional deferred compensation plans are available to State employees and employers of its political subdivisions. The employees of the South Carolina Conservation Bank did not participate. The multiple-employer plans, created under Internal Revenue Code sections 457, 401(k), and 403(b) are administered by third parties and are not included in the Comprehensive Annual Financial Report of the State of South Carolina. Compensation deferred under the plans is placed in trust for the contributing employee. Employees may withdraw the current value of their contributions when they terminate State employment. Employees may also withdraw the current value of their contributions prior to termination if they meet requirements specified by the applicable plan. The State has no liability for losses under the plans.

Note 6. Changes In Long-Term Obligations

Changes in long-term obligations for the year ended June 30, 2009, were as follows:

	Beginning Balance July 1, 2008 (as restated)	Increases	Decreases	Ending Balance June 30, 2009	Due Within One Year
Accrued compensated absences and related benefits :	\$ 27,643	\$ 18,555	\$ (10,328)	\$ 35,870	\$ 35,870
	<u>\$ 27,643</u>	<u>\$ 18,555</u>	<u>\$ (10,328)</u>	<u>\$ 35,870</u>	<u>\$ 35,870</u>

SOUTH CAROLINA CONSERVATION BANK

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2009

Note 7. Transactions With State Entities

The Conservation Bank has significant transactions with various South Carolina State agencies.

Services received at no cost from state agencies include maintenance of certain accounting records and payroll and disbursement processing from the Comptroller General and Department of Natural Resources, check preparation, banking functions from the State Treasurer, legal services from the Attorney General, interagency mail services from the State Budget and Control Board, and record storage from the Department of Archives and History.

The Conservation Bank recorded disbursements of \$2,375,000 to the South Carolina Department of Natural Resources and \$88,825 to the South Carolina Parks, Recreation and Tourism Commission for project awards for the fiscal year ended June 30, 2009.

The Conservation Bank recorded liabilities of \$10,526 due to other state agencies for services as of June 30, 2009. This was reimbursement for salary and related benefits for one employee for the months of June and July, 2008. \$5,263 is attributable to the fiscal year ended June 30, 2009.

Proviso 90.16 of the 2008-2009 Appropriations Act required the Bank to transfer \$7,000,000 of deed recording fees to the State Department of Education to be used for school bus fuel. The Proviso allowed the Bank to meet any current contractual obligations and operating expenses before making the transfer. Pursuant to this Proviso, the Bank transferred \$5,004,629 to the Department of Education.

Note 8. Risk Management

The Bank is exposed to various risks of loss and maintains State or commercial insurance coverage for certain of those risks. Management believes such coverage is sufficient to preclude any significant uninsured losses for the covered risks. There were no significant reductions in insurance coverage from coverage in the prior year. Settled claims have not exceeded this coverage in any of the past three years. The Bank pays insurance premiums to certain other State agencies and commercial insurers to cover risks that may occur in normal operations. The insurers promise to pay to or on behalf of the insured for covered economic losses sustained during the policy period in accord with insurance policy and benefit program limits except for the deductibles.

State management believes it is more economical to manage certain risks internally and to set aside assets for claim settlement. Several State funds accumulate assets and the State itself assumes substantially all risks for the following:

1. Claims of State employees for unemployment compensation benefits (Employment Security Commission);
2. Claims of covered employees for workers' compensation benefits for job-related illnesses or injuries (State Accident Fund);
3. Claims of covered public employees for health and dental insurance benefits (Office of Insurance Services); and
4. Claims of covered public employees for long-term disability and group-life insurance benefits (Office of Insurance Services).

Employees elect health coverage through either a health maintenance organization or through the State's self-insured plan. All of the other coverages listed above are through the applicable State self-insurance plan except dependent and optional life premiums which are remitted to commercial carriers.

SOUTH CAROLINA CONSERVATION BANK

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

The Bank and other entities pay premiums to the State's Insurance Reserve Fund (IRF) which issues policies, accumulates assets to cover the risks of loss, and pays claims incurred for covered losses related to the following assets, activities, and/or events:

1. Torts.

The IRF is a self-insurer and purchases reinsurance to obtain certain services and specialized coverage and to limit losses in the areas of property, boiler and machinery, automobile liability. The IRF's rates are determined actuarially.

The Bank has not reported an estimated claims loss expenditure, and the related liability at June 30, 2009, based on the requirements of GASB Statement No. 10 Accounting and Financial Reporting for Risk Financing and Related Insurance Issues, which states that a liability for claims must be reported if information prior to issuance of the financial statements indicates that it is probable and estimable for accrual that an asset has been impaired or liability has been incurred on or before June 30, 2009 and the amount of the loss is reasonably estimable have not been satisfied.

SOUTH CAROLINA CONSERVATION BANK

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

Note 9. Commitments

The Conservation Bank entered into various agreements for conservation projects of which \$6,114,263 is committed at June 30, 2009. The following provides a list of these projects:

Chick Springs	\$	250,000
Elliot Tract		462,000
Garrett, Richard M.		120,000
Graham, Harry and Victoria S.		54,000
Lakemont Colony		75,000
Langley Pond Park		648,800
Macdonald and Sons Farm, Inc.		169,000
Middleton Place/Edmondston-Alston Family Trust		1,000,000
Rose Hill Farm Phase I		750,000
City of Rock Hill Tract		48,000
Jeremiah Project		50,000
DePre House and Property		250,000
Rosemont Preservation Society		45,000
Salt Point Landing		400,000
Todd Farms		154,763
Toole Tract		250,000
Tumbling Shoals		300,000
Walters, Rainey		80,700
Cotton Hall/Mount Repose		442,000
Alston, Roland P. Tract		220,000
Bird Point Farm		120,000
Sutherland Property		225,000
		<u>225,000</u>
	\$	<u>6,114,263</u>

These funds will be disbursed once all required documents, contracts and other information is received and approved by the Conservation Bank.

Note 10. Prior Period Adjustments

The Bank discovered that its accrued compensated absences and related benefits was understated by \$12,656 as of June 30, 2008 because it did not include one employee's leave and did not include the related benefits. The Bank discovered that due to other state agencies was understated by \$5,263 because they failed to accrue an expense for the year ended June 30, 2008. The Bank also discovered that the accounts receivable and grant revenue were understated by \$10,498 as of June 30, 2008 because it did not include grant revenue that was earned but not yet received. The errors resulted in assets and liabilities being understated and net assets / fund balance being overstated. The amount reported for beginning net assets / fund balance has been restated for these adjustments.

SOUTH CAROLINA CONSERVATION BANK

**SCHEDULE OF EXPENDITURES - BUDGET AND ACTUAL (NON-GAAP BASIS)
YEAR ENDED JUNE 30, 2009**

	Original Budget	Final Budget	Actual	Variance Positive (Negative)
Conservation Trust grants	\$ 21,047,626	\$ 20,737,626	\$ 5,733,825	\$ 15,003,801
Personal Services	128,006	124,642	123,398	1,244
Employer contributions	27,640	31,004	31,004	-
Transfer to State Department of Education	-	-	5,004,629	(5,004,629)
Other operating	46,728	356,728	40,265	316,463
Total expenditures	<u>\$ 21,250,000</u>	<u>\$ 21,250,000</u>	<u>\$ 10,933,121</u>	<u>\$ 10,316,879</u>

See accompanying Notes to the Schedule of Expenditures – Budget and Actual

SOUTH CAROLINA CONSERVATION BANK
NOTES TO SCHEDULE OF EXPENDITURES – BUDGET AND ACTUAL
(NON-GAAP BASIS)
JUNE 30, 2009

Note 1. Budgetary Funds:

South Carolina's Annual Appropriations Act, the State's legally adopted budget, does not present budgets by GAAP fund. Instead, it presents program-level budgets for the following two funds:

General Funds. These funds are generally operating funds. The resources in these funds are primarily taxes. The State expends General Funds to provide traditional State government services. The General Funds column in the Appropriations Act differs somewhat from the GAAP General fund and is referred to within these notes and in the accompanying schedule as the *Budgetary General Fund*.

Total Funds. The Total Funds column in the Appropriations Act includes all budgeted resources. Amounts in this column include General Funds as well as most, but not all, federal and department-generated resources. Total funds include portions of certain proprietary and capital project fund activities as well as most special revenue activities but exclude the pension trust funds and some other fiduciary fund activities.

Amounts obtained by subtracting the General Funds column in the Appropriations Act from the Total Funds column in the Appropriations Act are referred to within these notes and in the accompanying schedules as *Other Budgeted Funds*.

Note 2. Basis of Budgeting:

Current legislation states that the General Assembly intends to appropriate all monies to operate State government for the current fiscal year. Unexpended Appropriations lapse on July 31 unless the department or agency is given specific authorization to carry them forward to the next fiscal year. Cash-basis accounting for payroll expenditures is required.

State law does not precisely define the State's basis of budgeting. In practice, however, it is the cash basis with the following exceptions:

- (i) Departments and agencies charge certain vendor and interfund payments against the preceding fiscal year's appropriations through July 20.
- (ii) Certain revenues collected in advance are recorded as liabilities (deferred revenues) rather than as revenues.
- (iii) The following taxes are recorded on the modified accrual basis in accordance with State law: admissions tax, alcoholic liquors tax, beer and wine tax, business license tax, documentary tax, electric power tax, and retail sales taxes.
- (iv) Certain non-cash activity, such as food stamp benefits, is recorded as revenue and expenditure in the fiscal year in which the resources are distributed to the beneficiaries.
- (v) All other revenues are recorded only when the State receives the related cash.

Note 3. Reconciliation of Budget to GAAP Reporting Differences:

Adjustments of the GAAP basis of accounting to the budgetary basis of accounting consist principally of reclassifications from financial statement fund types of budgetary fund categories, reversals of payroll accruals and the related fringe benefits, and removals of unbudgeted accounts and funds, if any. Acquisitions of fixed assets by donation are unbudgeted and capital lease and installment purchase transactions are budgeted in the year of payment.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

Mr. Richard H Gilbert, Jr., CPA,
Deputy State Auditor
State of South Carolina
Columbia, South Carolina

We have audited the balance sheet of the South Carolina Conservation Bank ("the Bank") as of and for the year ended June 30, 2009, and have issued our report thereon dated October 12, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Bank's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Bank's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Bank's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified a deficiency in internal control over financial reporting that we consider to be significant deficiency.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control. We consider the deficiency described below to be a significant deficiency in internal control over financial reporting.

The Auditing Standards Board (ASB) has issued guidance to auditors related to an entity's internal controls over financial reporting. The Bank relies on their auditor to prepare the annual financial statements including footnotes and to make journal entries to properly classify revenues and expenses and accrue year-end revenues and expenditures. These recently issued auditing standards emphasize that the auditor cannot be part of your system of internal control over financial reporting. As noted in the financial statements, accrued compensated absences and due to other state agencies was understated in the prior period. Also, grants receivable and grant revenue was understated. In our judgment, management and those charged with governance need to understand the importance of this communication and determine ways to prepare the annual financial statements in accordance with generally accepted accounting principles and to make all required adjustments to the records.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that the significant deficiency described above is a material weakness.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Bank's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of the State Auditor and management of the South Carolina Conservation Bank and is not intended to be and should not be used by anyone other than these specified parties.

Roger Lalan, PA

October 12, 2009

MANAGEMENT'S RESPONSE

APPENDIX A



SOUTH CAROLINA CONSERVATION BANK

Post Office Box 167

Columbia, South Carolina 29202

Marvin N. Davant

Executive Director

803-734-3986

803-734-6326 fax

October 23, 2009

Board of Directors

Weston Adams, III
Chairman

William L. Snow, Sr.
Vice-Chairman

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Mr. Richard H. Gilbert, Jr., CPA
Deputy State Auditor
State of South Carolina
Columbia, SC

RE: SC Conservation Bank FY 2008-09 Audit

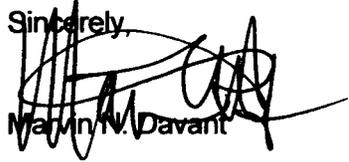
Dear Mr. Gilbert:

We are in receipt of Rogers & Laban's **Report on Internal Control over Financial Reporting and Compliance** for the SC Conservation Bank. In reviewing this report the auditors have identified a deficiency in internal control over financial reporting that we would like to address.

The report states, "...design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis." Specifically, the auditors addressed accrued compensated absences, grant receivables and grant revenue which were improperly reported. During fiscal year 2008-09, the SC Conservation Bank had two issues that contributed to these misstatements both of which have since been corrected.

First, since the Conservation Bank initially had only one person on staff, the accounting matters were handled by the SC Department of Natural Resources. As of July 1, 2009, the Conservation Bank added a Business Manager and all accounting matters are now handled by the Business Manager. Secondly, both the SC Department of Natural Resources and the SC Conservation Bank went online in SCEIS, the new statewide accounting program. The oversight of the grant deposit was a direct result of the timing of the changes from STARS to SCEIS. Now that the SC Conservation Bank will be handling its own accounting matters in the more transparent statewide accounting system (SCEIS) these issues should not occur again.

If we can provide any additional information, please do not hesitate to contact this office.

Sincerely,

Marvin N. Davant