MINUTES OF

BUDGET AND CONTROL BOARD

MEETING

AUGUST 22, 1990

1272

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 22, 1990

MEMORANDUM

TO: Budget and Control Board Division Directors

FROM: Donna K. Williams, Assistant Executive Director

SUBJECT: Summary of Board Actions at August 22, 1990, Meeting

This listing of actions is an unofficial **summary** of the Board actions taken at the referenced meeting. The minutes of the meeting are presented in a separate, more detailed document which becomes official when approved by the Board at a subsequent meeting.

1. Adopted the agenda as proposed after adding the following items:
   Blue Agenda: Tax Commission report on the capital gains refund;
   Regular Session: Military leave for State employees; and
   Executive Session: Discussion of personnel and contractual matters;

2. In accord with Code Section 10-1-130, concurred and acquiesced in the granting of a utility easement by Clemson University at the Sandhill Research and Education Center in Richland County to SCE&G Company;

3. Received as information a Budget Division report that the transfer of $10,696 of personal service funds to other operating expenses was approved during July;

4. Received as information the FTE position operating report for the month of July which shows that a net of 7.92 FTE positions was deleted during July to bring the base total to 72,781.56 FTE positions at the end of the month of which 65,132.82 FTE positions were filled and 7,648.74 were vacant;

5. Received as information a report that reimbursements of interviewee travel expenses have been made by Clemson University (6);

6. Received as information a Tax Commission report on issues relating to the capital gains refund;

7. Carried over a Department of Corrections request that the July 2, 1990, certification and future certifications be considered as its permanent safe and reasonable operating capacity pursuant to Code Section 24-3-1110;

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8. Approved the selection of the following firms to provide bond counsel services for the Jobs-Economic Development Authority:

   (a) $5,500,000 Tax Exempt Bond Issue (Stand Alone), Pfizer Specialty Minerals, Inc. project: Haynsworth, Marion, McKay & Guerard;
   (b) $3,500,000 Tax Exempt Bond Issue (Stand Alone), Trimite Powders, Inc. project: Haynsworth, Marion, McKay & Guerard;
   (c) $10,000,000 Tax Exempt Bond Issue (Stand Alone), United Merchants and Manufacturers, Inc. project: Haynsworth, Marion, McKay & Guerard;
   (d) $10,000,000 Tax Exempt Bond Issue (Stand Alone), Conco Medical Products Corporation project: Haynsworth, Marion, McKay & Guerard;

9. Allocated a portion of the state ceiling to the following Jobs-Economic Development Authority projects: (a) $5,500,000, Pfizer Specialty Minerals, Inc.; (b) $3,500,000, Trimite Powders, Inc.; (c) $10,000,000, United Merchants & Manufacturers, Inc.; and (d) $10,000,000, Conco Medical Products Corporation;

10. Agreed that, if Reserve and National Guard units are called to active duty as a result of the Middle East situation, officers and State employees who are members of the National Guard or Reserves are entitled to not exceeding thirty additional work days of paid military leave;

11. Received as information a status report on the current State Fire Academy, training requirements, and future needs;

12. Directed staff to shorten the budget hearing schedule to the degree possible; and agreed to meet in executive session during those hearings to hear a legal briefing on the Patriots Point Development Authority; and agreed to meet on the following dates:

   (a) September 12, 10:00 a.m., Governor's conference room, State House: regular business meeting;
   (b) September 25, 10:00 a.m., 105 Gressette Building: regular business meeting;
   (c) September 25, 1:00 p.m., 105 Gressette Building: joint meeting with Bond Review Committee to consider permanent improvement projects approved for A&E funding; and

13. Discussed personnel and contractual matters.

DKW/nf

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STATE OF SOUTH CAROLINA

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August 22, 1990

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FROM: Donna K. Williams, Assistant Executive Director DKW

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7. Carried over a Department of Corrections request that the July 2, 1990, certification and future certifications be considered as its permanent safe and reasonable operating capacity pursuant to Code Section 24-3-1110;

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8. Approved the selection of the following firms to provide bond counsel services for the Jobs-Economic Development Authority:

   (a) $5,500,000 Tax Exempt Bond Issue (Stand Alone), Pfizer Specialty Minerals, Inc. project: Haynsworth, Marion, McKay & Guerard;
   (b) $3,500,000 Tax Exempt Bond Issue (Stand Alone), Trimite Powders, Inc. project: Haynsworth, Marion, McKay & Guerard;
   (c) $10,000,000 Tax Exempt Bond Issue (Stand Alone), United Merchants and Manufacturers, Inc. project: Haynsworth, Marion, McKay & Guerard;
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10. Agreed that, if Reserve and National Guard units are called to active duty as a result of the Middle East situation, officers and State employees who are members of the National Guard or Reserves are entitled to not exceeding thirty additional work days of paid military leave;

11. Received as information a status report on the current State Fire Academy, training requirements, and future needs;

12. Directed staff to shorten the budget hearing schedule to the degree possible; and agreed to meet in executive session during those hearings to hear a legal briefing on the Patriots Point Development Authority; and agreed to meet on the following dates:

   (a) September 12, 10:00 a.m., Governor's conference room, State House: regular business meeting;
   (b) September 25, 10:00 a.m., 105 Gressette Building: regular business meeting;
   (c) September 25, 1:00 p.m., 105 Gressette Building: joint meeting with Bond Review Committee to consider permanent improvement projects approved for A&E funding; and

13. Discussed personnel and contractual matters.

DKW/nf

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MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING
AUGUST 22, 1990 9:30 A. M.

The Budget and Control Board met at 9:30 a.m. on Wednesday, August 22, 1990, in the Governor's conference room in the State House, with the following members in attendance:

Governor Carroll A. Campbell, Jr., Chairman;
Mr. Grady L. Patterson, Jr., State Treasurer;
Mr. Earle E. Morris, Jr., Comptroller General;
Senator James M. Waddell, Jr., Chairman, Senate Finance Committee;
Representative Robert N. McLellan, Chairman, Ways & Means Committee.

Also attending were:

Jesse A. Coles, Jr., Ph.D.	Executive Director
Donna K. Williams	Board Secretary
J. Samuel Griswold, Ph.D.	Deputy Executive Director
Alan L. Pollack, Ph.D.	Assistant Executive Director
Charles H. Smith	Assistant Executive Director
Roger D. Poston	Assistant Executive Director
Nancy S. Frye	Administrative Assistant
Other Board staff	
Joseph D. Shine	Chief Deputy Attorney General
Luther F. Carter, Ph.D.	Governor's Sr. Executive Assistant for Finance and Administration
C. C. "Chuck" Sanders, Jr.	Senior Assistant State Treasurer
George M. Lusk	Sr. Assistant Comptroller General
Robert C. Toomey	Finance Comm. Dir. of Research
Susan K. Hooks	Finance Comm. Sr. Research Analyst
Scott R. Inkley, Jr.	Ways & Means Com. Dir. of Research

Adoption of Agenda

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board adopted the agenda as proposed after adding the following items:

Blue Agenda: Tax Commission report on the capital gains refund;
Regular Session: Military leave for State employees; and
Executive Session: Discussion of personnel and contractual matters.

Blue Agenda

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the five items included on the blue agenda. Blue agenda items are identified as such in these minutes.

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General Services: Easements (Blue #1)

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board, in accord with Code Section 10-1-130, concurred and acquiesced in the granting of the following easement in accord with Code Section 10-1-130:

County Location:	Richland County
From:	Clemson University
To:	South Carolina Electric & Gas Company
Description/Purpose:	To install an overhead distribution line at the Sandhill Research and Education Center
Consideration:	$1.00

Information relating to this matter has been retained in these files and is identified as Exhibit 1.

Budget Div.: 1990-91 Authorized Personal Service Transfers Report, July (B#2)

The Board received as information a Budget Division report that the transfer of $10,696 of personal service funds to other operating expenses had been approved during July.

Information relating to this matter has been retained in these files and is identified as Exhibit 2.

Budget Division: FTE Operating Report, July (Blue #3)

The Board received as information the FTE position operating report for the month of July which showed that a net of 7.92 FTE positions had been deleted to bring the base total to 72,781.56 FTE positions at the end of the month of which 65,132.82 FTE positions were filled and 7,648.74 were vacant.

Senator Waddell observed that agencies must be anticipating budget problems since the vacancy factor is now 10.5%. Governor Campbell encouraged all agencies to do so. He advised that, if a budget reduction is necessary, he does not intend to support an across-the-board cut but rather to give better treatment to those agencies that had been frugal.

Information relating to this matter has been retained in these files and is identified as Exhibit 3.

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Executive Director: Interviewee Travel Expense Reimbursement (Blue #4)

The Board received as information a report that reimbursements of interviewee travel expenses have been made by Clemson University (6).

Information relating to this matter has been retained in these files and is identified as Exhibit 4.

Budget & Control Board: Tax Commission Report on Capital Gains Refund (B#5)

The Board received as information a Tax Commission report on issues relating to the capital gains refund.

Information relating to this matter has been retained in these files and is identified as Exhibit 5.

Welcome to Representative Boan

On behalf of the Board, Governor Campbell welcomed Mr. William Boan, who has been elected Chairman of the House Ways and Means Committee effective September 1, 1990.

Governor Campbell said that, while he is sad to see Mr. McLellan go, he is glad a person of Mr. Boan's caliber will be joining the Board. He said Mr. McLellan has been a great Board member and public servant.

Corrections: Certified Safe and Reasonable Operating/Nelson Capacity (Reg #1)

Department of Corrections Legal Counsel for Compliance Laurie Osler appeared before the Board on this matter.

The Department of Corrections advised that its certified safe and reasonable operating/Nelson capacity has been reflecting the minimum security bedspace reductions required under the terms of the Decree since the January 1990 certification report.

The Department noted that, since January 1990, it has advised that its total capacity was "tentative" based on the outcome of negotiations that were underway with Plaintiffs' counsel to modify and/or waive the required minimum security bedspace reductions.

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The Department advised that, because its admission rate has continued to increase and because Plaintiffs' counsel has continued to stress throughout negotiations that they would not be willing to waive all the minimum security reductions required by the Decree, it will terminate minimum security negotiations. The Department further advised that there is no obvious means by which to continue negotiations with the knowledge that it could not comply with any type of minimum security reductions, modified or otherwise.

The Department asked that its present Safe and Reasonable Operating/Nelson capacity certification of July not be considered as "tentative," and that this capacity and future certifications be considered as the Department's permanent safe and reasonable operation capacity pursuant to Section 24-3-110 (Prison Overcrowding Powers Act).

At its meeting on July 16, 1990, the Board, in accord with Code Section 24-3-2050 and the Nelson Consent Decree, had certified 14,335 as the safe and reasonable operating capacity of the facilities of the Department of Corrections as of July 2, 1990.

Ms. Osler advised that, in January, when the Board certified that the safe and reasonable operating capacity would decrease from 14,768 to 14,146, it had done so on the condition that the decrease will not result in any early release of inmates. She said that the Department is about 1,000 over its capacity now.

Ms. Osler said the Department wants to get the tentative nature of the safe and reasonable operating capacity dropped.

Governor Campbell asked if the plaintiffs' counsel is willing to waive any minimum security reductions required by the Decree and if the State is in the position to challenge in the court if necessary. Ms. Osler replied that the Department cannot in good faith negotiate because, even if the plaintiffs' counsel were to waive and/or modify any of the required reductions in the Decree, the Department could not meet any of the modifications made.

Governor Campbell expressed concern that this had been the attitude of the Department until he and the Attorney General had decided to sue on the basis of double-celling. He said the Department had refused to try to take that on, but that he and the Attorney General had taken it on outside the Department and won

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it. He said he is concerned with the language of something the Board would adopt making something permanent. He said he is concerned about other cases that may come up through other courts or what rulings the Supreme Court might make that would allow us to move forward. He said he does not adhere to the belief that negotiated settlements cannot be challenged.

Ms. Osler said that all letters sent to the Board for certification have explained that the Department was involved in negotiations with plaintiffs' counsel to either waive or modify the minimum security required reductions of the decree and so had classified the safe and reasonable operating capacities as tentative in nature. She again said there is no way in good faith the Department can continue negotiations with plaintiffs' counsel, and it wants to make the certification permanent in nature.

Governor Campbell asked if making the certification permanent in nature puts us in the position of saying that will mandate a release and that he will be called on to make the release.

Ms. Osler advised that, at some point in time, the Board of Corrections intends to request an early release based on these figures. She said that, even if the Department uses the regular count that it has been going by, it has been out of compliance with that for 22 days.

Governor Campbell said he wants a more in-depth discussion on this from the Department and legal counsel before the Board takes action.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board carried over a Department of Corrections request that the July 2, 1990, certification and future certifications be considered as its permanent safe and reasonable operating capacity pursuant to Code Section 24-3-1110.

Information relating to this matter has been retained in these files and is identified as Exhibit 6.

State Treasurer: Bond Counsel Selection (Regular #2)

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board approved the selection of the Haynsworth, Marion, McKay and Guerard firm to

provide bond counsel services for the following Jobs-Economic Development Authority bond issues:

(a) $5,500,000 Tax Exempt Bond Issue (Stand Alone), Pfizer Specialty Minerals, Inc. project;

(b) $3,500,000 Tax Exempt Bond Issue (Stand Alone), Trimite Powders, Inc. project;

(c) $10,000,000 Tax Exempt Bond Issue (Stand Alone), United Merchants and Manufacturers, Inc. project; and

(d) $10,000,000 Tax Exempt Bond Issue (Stand Alone), Conco Medical Products Corporation project. Guerard

Information relating to this matter has been retained in these files and is identified as Exhibit 7.

Jobs-Economic Development Authority: Ceiling Allocation Requests (Regular #3)

The Jobs-Economic Development Authority requested that an allocation of a portion of the State Ceiling be made for each of the following projects. The Board was advised that approval of the private sale or public offering of the bonds will be requested at the September 12 meeting. These ceiling allocations will expire September 30.

(a)	Name of Project:	Pfizer Specialty Minerals, Inc.
	Location:	Richland County
	Allocation Amount:	$5,500,000
(b)	Name of Project:	Trimite Powders, Inc.
	Location:	Spartanburg County
	Allocation Amount:	$3,500,000
(c)	Name of Project:	United Merchants & Manufacturers, Inc.
	Location:	Buffalo, Conway, Union
	Allocation Amount:	$10,000,000
(d)	Name of Project:	Conco Medical Products Corporation
	Location:	York County
	Allocation Amount:	$10,000,000

Board members previously had been furnished a copy of the status report on the state ceiling as of August 15, 1990, which showed that, of the $175,000,000 pool total, $122,000,000 has been allocated and $53,600,000 is available.

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Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board allocated a portion of the state ceiling to the following Jobs-Economic Development Authority projects:

(a) $ 5,500,000, Pfizer Specialty Minerals, Inc.
(b) $ 3,500,000, Trimite Powders, Inc.
(c) $10,000,000, United Merchants & Manufacturers, Inc.
(d) $10,000,000, Conco Medical Products Corporation

Information relating to this matter has been retained in these files and is identified as Exhibit 8.

Human Resource Mgmt: Military Leave for State Employees (Regular #3A)

Human Resource Management Division Assistant Director Steve Osborne appeared before the Board on this matter.

Code Section 8-7-90 provides that all officers and employees of the State who are members of the National Guard or Reserves are entitled to an aggregate of fifteen work days with pay in one year for military training or other duties. The statute also provides that, in the event any such person is called upon to serve during an emergency, he is entitled to such leave of absence for not exceeding thirty additional days.

The Division advised that the current Middle East situation may result in employees in the National Guard and Reserves being called to active military duty. The Division requested that a policy determination as to whether such duty would be considered an emergency.

Mr. Patterson moved that the Board define the current situation as an emergency.

Mr. Shine suggested that the Board make the determination conditioned upon the President signing an Executive Order.

Governor Campbell advised that it is not necessary for the President to sign an Executive Order. He said the President can call up essential personnel without declaring a complete emergency. He noted that the President already has notified Congress under the War Powers Act and said that is different from a police action of an emergency. He said the formal step of notifying Congress may put this in a different light.

Governor Campbell said he sensed from the discussion that the Board feels strongly that we do give support to anyone called up. He said his intent is that, employees called up for service to the country in the Mideast crisis, whether it's called an emergency under the technical aspects of the War Powers Act or anything else, would get the 30 days.

Mr. Shine suggested that the Board should have a factual triggering mechanism for the emergency classification.

In the ensuing discussion, it appeared to be the sense of the Board that any State employees called up would not be penalized, but would be supported in every way.

In response to Governor Campbell, Mr. Osborne advised that, for every 200 employees called up, based on the average daily salaries, it would cost the state approximately $541,000.

In response to Senator Waddell, Governor Campbell advised that, under federal law, these employees' jobs are protected. He said the jobs cannot be taken away and, if the jobs are filled, the employees have preemptive rights when they return.

Mr. Patterson noted that the $541,000 is not a true expense to the State since the State is not adding costs, but losing services. Mr. Morris observed that some employees called up will have to be replaced.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board unanimously agreed that, if Reserve and National Guard units are called to active duty as a result of the Middle East situation, officers and State employees who are members of the National Guard or Reserves are entitled to not exceeding thirty additional work days of paid military leave.

Information relating to this matter has been retained in theses files and is identified as Exhibit 9.

State Fire Marshal: State Fire Academy (Regular #4)

Assistant Division Director T. Randall Halfacre and Fire Academy Director James Bowie appeared before the Board on this matter.

Mr. Halfacre opened the briefing on the relocation of the Fire Academy by advising that the Academy is charged by legislative mandate to train paid, volunteer, and industrial firefighters of the State. He advised that the training offered at the Academy is highly diversified.

Mr. Halfacre noted that environmental and facilities problems preclude future expansion at the present facility. He said the answer to the problems would be relocation of the Academy to a site away from a populated area where infringement of neighbors would not be a problem, to one centrally located for accessibility to users, and to one where there is enough acreage to provide ideal training facilities and environmentally safe grounds.

Mr. Bowie reviewed the mission statement of the Academy (found on page 3 in the booklet distributed to Board members), and the following four mandates:

1979 Act No. 190, Section 23-10-10: Responsibility for career, volunteer and industrial fire training

1981 OSHA Subpart L (1910.156 CFR): Mandates all firefighters to receive basic fire training and special hazards training

1989 SARA TITLE III (1910.120 CFR: Mandates all firefighters to receive hazardous materials training

Early '70s APPENDIX R - NUCLEAR REGULATORY COMMISSION: Mandates training requirements for nuclear fire brigades

Mr. Bowie advised that there are 30,000 firefighters (18,000 public firefighters, 85% of whom are volunteers and 15% of whom are paid; 7,000 in industrial brigades, and 5,000 in rescue squads/EMS) the Fire Academy is responsible for training. He then briefly reviewed the Fire Academy history and reviewed the problems with the present facility.

Mr. Bowie advised that Phase I of the Academy's contamination clean-up project, which is identification of the problem, is 95% complete. Phase I is estimated to cost $179,350. He advised that funds were requested and denied in the 1990-91 budget for the remediation of the problem at an estimated cost of $305,000.

He then reviewed the Academy's curriculum and advised that there are a total of 650 instructors who deliver a standardized statewide program. Of the 650

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instructors, 300 are academy certified (fire department personnel) and 350 adjunct instructors who teach in places other than the academy. He noted that there are 1,062 certified fire inspectors who carry out the duties and responsibilities of the State Fire Marshal in accord with Code Section 23-9-30.

Mr. Bowie noted that in 1987 the Academy had started with an operating budget of $132,500 and had trained 5,500 students. In 1990, the operating budget was down to $92,095 and 12,800 students were trained, reflecting a training increase of 57% with a 30% operating budget decrease.

Mr. Bowie enumerated the following benefits of a new academy: to protect the current and future industrial development in the state; to lower the $72,000,000 in property loss each year; better trained fire departments are an important factor for lower fire insurance premiums for State citizens; to provide better training for firefighters resulting in more efficient, safer operations; multi-agency utilization for training needs; and training for private industry that generates revenue to assist with funding the public fire program.

Mr. Bowie noted that, when an industry suffers a major fire, 43% never return to business, 28% are out of business within three years, and 29% suffer uninsurable losses. He said that, when one of the duPont facilities had a fire, their fire brigade, which had been trained by the Fire Academy, significantly reduced the damage that could have been caused. He noted, however, that the cost to duPont was $1,000,000 per hour until the facility got back into production. He said the State of South Carolina spends a lot of time and money attracting industry and it needs to spend time and money protecting that industry from fire.

Mr. Bowie said that each year property loss due to fire in South Carolina is in excess of $720,000,000; 175 civilians are killed; 2 firefighters are killed, and there are 2,700 fire-related injuries. He compared the losses due to Hurricane Hugo, $2-$4 billion in losses and 26 civilians killed, and said that every five years South Carolina suffers that amount of damage due to fire. He said that, because fires are burning every day, we never realize the total impact.

He said the property loss needs to be reduced. He noted that untrained fire departments sometimes do more damage than the fire itself.

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Mr. Bowie said that fire insurance premiums are based on a rating system and insurance rates are based on the fire department ISO classification. Trained fire departments would receive a better rating, resulting in lower insurance premiums for the citizens of South Carolina.

Mr. Bowie advised that the following agencies use the Fire Academy training facilities: Department of Health and Environmental Control, State Law Enforcement Division, Highways and Public Transportation, Department of Wildlife and Marine Resources, Criminal Justice Academy, Department of Corrections, Richland County Sheriff's Department, and Lexington County Sheriff's Department.

He noted that the Academy last year generated $400,000 in fees and the cost of conducting the training programs was $200,000. He further noted that the proceeds from the industrial revenues is expended on public fire programs, maintenance of training projects and scenarios, and fire prevention and public fire education.

The projected cost of the new Fire Academy is $11,800,000.

In response to Governor Campbell, Mr. Bowie advised that, unlike the Criminal Justice Academy where everything is done at one place with the exception of some in-service training programs, the Fire Academy has seven regional offices that provide field training for the 15,000 volunteer firefighters located throughout the State. He advised travel time to Columbia has been reduced to two days for the basic fire training program. Adjunct instructors are sent to the fire departments to conduct hands-on training programs at the local level. He advised that the regional offices are one-room facilities where a regional instructor coordinates training at the local level.

Mr. Morris said the Fire Academy does a good job. He noted that the new facility is estimated to cost $12 million and asked if there is a way to build in guaranteed revenue to help retire the bonds on the Academy building. Mr. Bowie advised that different financing avenues are being explored. He advised that, in 1995-96, the Academy expects to generate $900,000 in industrial revenue and to use half of that for operating the facilities.

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Mr. Halfacre advised that South Carolina is fortunate to have such a large contingent of volunteer firefighters. He noted that, if the State were to have to fund those services now provided by volunteers, it would cost about $350 million. He said that, in general, fire service in the State is taken for granted. He said we don't really know who the firefighters are in our communities and what they do until we need them. He noted that, when we need them, we expect them to show up promptly and to respond effectively to the peril at hand.

Mr. Halfacre observed that, for over 200 years, the fire service has been the backbone of the community in our State and our nation. He said that firefighters are our unsung heroes and they put their lives on the line for their fellow citizens.

Mr. Halfacre said the benefit of a new Fire Academy facility would be a tremendous asset to the business and industry community. He compared the Fire Academy efforts to apple pie, motherhood, and baseball.

Governor Campbell congratulated those in the firefighting profession for the reduction in the loss of life in the first half of this year.

Following a general discussion of financing options, the Board received as information the status report on the current State Fire Academy, training requirements, and future needs.

Information relating to this matter has been retained in these files and is identified as Exhibit 10.

Future Meetings

At its August 14 meeting, the Board had agreed to reschedule the budget presentation on economic development, scheduled previously for the morning of September 6, and to hear that presentation on the afternoon of September 7.

The Board also had agreed to meet in executive session during the lunch break on September 7 to hear a legal briefing relating to the Patriots Point Development Authority.

The Board was advised that the next regular meeting of the Budget and Control Board has been scheduled to be held at 10 a.m. on Wednesday, September 12, 1990, in the Governor's conference room in the State House.

Board members also were advised that a joint meeting of the Board and the Joint Bond Review Committee was proposed following the regular Board meeting on Tuesday, September 25. Staff advised that the regular meeting will begin at 10 a.m., and the joint meeting is tentatively scheduled to begin at 1 p.m. Both meetings will be held in the Senate Finance Committee hearing room, 105 Gressette Office Building.

The Board directed staff to shorten the budget hearing schedule to the degree possible; agreed to meet in executive session during the scheduled hearings to hear a legal briefing on the Patriots Point Development Authority; and agreed to meet on the following dates:

(a) September 12, 10:00 a.m., Governor's conference room, State House: regular business meeting;

(c) September 25, 10:00 a.m., 105 Gressette Building: regular business meeting; and

(d) September 25, 1:00 p.m., 105 Gressette Building: joint meeting with Bond Review Committee to consider permanent improvement projects approved for A&E funding.

Executive Session

Upon a motion by Mr. Morris, seconded by Mr. McLellan, the Board agreed to meet in executive session to discuss personnel and contractual matters.

Report on Matters Considered in Executive Session

Following the executive session, the meeting was opened, and the Board reported that it had discussed personnel and contractual matters.

Adjournment

Upon a motion by Mr. Patterson, the meeting was adjourned at 11:20 a.m.

[Secretary's Note: In compliance with Code §30-4-80, public notice of and the agenda for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, near the Board Secretary's office in the Wade Hampton Building, and in the lobby of the Wade Hampton Office Building at 12:30 p.m. on Monday, August 20, 1990.]

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EXHIBIT

AUG 2 2 1990 1

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF August 22, 1990

BLUE AGENDA
ITEM NUMBER 1

AGENCY: General Services

SUBJECT: Easement

The Division recommends that the Board concur and acquiesce in the granting of the following easement in accord with Code Section 10-1-130:

County Location:	Richland County
From:	Clemson University
To:	South Carolina Electric & Gas Company
Description/Purpose:	To install an overhead distribution line at the Sandhill Research and Education Center
Consideration:	$1.00

BOARD ACTION REQUESTED:

In accord with Code Section 10-1-130, concur and acquiesce in the Clemson University grant of a utility easement at the Sandhill Research and Education Center in Richland County to the South Carolina Electric and Gas Company.

ATTACHMENTS:

Agenda item worksheet; referenced easement

001279

1290

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: August 28, 1990 Blue Agenda

1. Submitted By:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. Subject:
   Easement from Clemson University to SCE&G, Pontiac Substation, Richland County

3. Summary Background Information:
   Clemson University proposes to grant a utility easement over lands owned by Clemson at the Sandhill Research and Education Center located in Richland County. The permanent easement will extend 10' on each side of the installed overhead distribution line; primarily the easement area will be on the existing transmission right-of-way; the length of the easement is 4800' more or less.

   Louis P. Batson, Jr. has signed the easement as Chairman of the Board of Trustees.

   A consideration of $1.00 is acknowledged.

4. What is Board asked to do?
   Approve the grant of this Easement to SCE&G, in accordance with Section 10-1-130, S.C. Code of Laws, 1976 as amended.

5. What is recommendation of Board Division involved?

   That the Easement be approved as proposed.

6. Recommendation of other Division/agency (as required)?
   (a) Authorized Signature:
   (b) Division/Agency Name:

7. List of Supporting Documents:
   (a) Attached:
      1. Original Easement Document with drawing
      2. Statutory Authority 10-1-130

001280

1291

"Section 1-11-65. (A) All transactions involving real property, made for or by any governmental bodies, excluding political subdivisions of the State, must be approved by and recorded with the State Budget and Control Board. Upon approval of the transaction by the Budget and Control Board, there must be recorded simultaneously with the deed, a certificate of acceptance, which acknowledges the board's approval of the transaction. The county recording authority cannot accept for recording any deed not accompanied by a certificate of acceptance. The board may exempt a governmental body from the provisions of this subsection.

(B) All state agencies, departments, and institutions authorized by law to accept gifts of tangible personal property shall have executed by its governing body an acknowledgment of acceptance prior to transfer of the tangible personal property to the agency, department, or institution."

§ 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

HISTORY: 1962 Code § 1-357.1; 1963 (53) 177.

Cross references—
As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

§ 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

HISTORY: 1962 Code § 1-357.2; 1963 (53) 177.

Cross references—
As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

§ 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

HISTORY: 1962 Code § 1-357.3; 1963 (53) 177.

Cross References—
As to authority of State institutions and agencies to grant easements and rights of way, see § 10-1-130.

Research and Practice References—
63A Am Jur 2d, Public Lands § 115.
73B CJS, Public Lands §§ 178, 180.
17 Am Jur Legal Forms 2d, States, Territories, and Dependencies § 239:21 (agricultural lease-provision-reservation of right to grant easements).

§ 10-1-130. State institutions and agencies may grant easements and rights of way on consent of Budget and Control Board.

The trustees or governing bodies of State institutions and agencies may grant easements and rights of way over any property under their control, upon the concurrence and acquiescence of the State Budget and Control Board, whenever it appears that such easements will not materially impair the utility of the property or damage it and, when a consideration is paid therefor, any such amounts shall be placed in the State Treasury to the credit of the institution or agency having control of the property involved.

HISTORY: 1962 Code § 1-49.3; 1963 (53) 177.

Cross references—
As to composition, powers and duties of State Budget and Control Board generally, see Chapter 11 of Title 1.
As to the State Budget and Control Board, generally, see §§ 1-11-10 et seq.
As to execution of conveyances of such easements, see § 1-11-100.

§ 25-1-1660. Transfer of surplus armories to political subdivisions.

The State Budget and Control Board may transfer to a political subdivision ownership of a national guard armory being replaced and declared surplus if the political subdivision has donated real property for use as a site for a replacement armory.

HISTORY: 1985 Act No. 201, Part II, § 12, eff June 20, 1985.

EXHIBIT 1
AUG 22 1990
STATE BUDGET & CONTROL BOARD

001281

EXHIBIT

INDENTURE, made this 27th day of July AUG 2 2 1990 1, 1990 by and between Clemson University

STATE BUDGET & CONTROL BOARD

of the ~~City~~ of ~~Clemson~~, County of Pickens and State of South Carolina (hereinafter called Grantors), and the SOUTH CAROLINA ELECTRIC & GAS COMPANY, a South Carolina corporation, having its principal office in Columbia, South Carolina (hereinafter called Grantee).

WITNESSETH:

That, in consideration of the sum of One Dollar ($1.00) received from Grantee, Grantors, being the owners of land situate in the County of Richland, State of South Carolina, hereby grant and convey to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an electric line or lines consisting of any or all of the following: poles, conductors, overhead and underground lightning protective wires, municipal, public, or private communication wires, ~~XXXXXXXXXXXXXX~~, conduits, ~~XXXXXXXXXXXXX~~ guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary therefor, upon, over, across, through, and under land described as follows: a tract or lot of land containing 880 acres, more or less, and being the same lands conveyed to grantor by deed ~~XXXX~~ of T. H. Moffatt, dated September 17, 1937, and recorded in the R. M. C. ~~XXXXXXXXXX~~ Office for Richland County in Deed Book #"EH", at Page 38.

A NON-EXCLUSIVE

Right-of-Way to begin at existing Pole #339029 and extend in a northerly direction along and parallel to Grantor's westerly property boundary for a distance of eighteen hundred feet (1800), more or less to existing transmission right-of-way on Grantor's property, at this point to turn and extend in an easterly direction along and parallel to the southerly side of said transmission right-of-way for a distance of three thousand feet (3,000), more or less to the land of South Carolina Electric and Gas Company (Pontiac Substation Site). It is agreed that: 1) along the eighteen hundred feet (1800) right-of-way along the western boundary no poles will be placed on Grantor's property; 2) for that portion of the right-of-way running parallel three thousand feet (3,000) to existing transmission right-of-way all poles will be placed on existing transmission right-of-way; 3) the right-of-way is for an overhead distribution line only. 4) Grantor reserves right to construct and/or maintain fences along and/or across said right-of-way. In the event the property ceases to be used for the purpose(s) herein granted the property automatically reverts back to Clemson University.

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right to lay, construct, maintain, operate, repair, alter, replace and remove pipe lines, together with valves, tieovers and appurtenant facilities for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line.

Together also with the right from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land extending ten (10) feet on each side of the center of said lines, cables, conduits, or pipes as they may be located now or in the future; provided, however, any damage to the property of Grantors (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the above specified number of feet of any wire strung on the said lines or over any such cables, pipes, conduits, or other associated facilities, and in case such structure is built, then the Grantor, or such successor and assign as may be in possession and control of the premises at the time, will promptly remove the same upon demand of the Grantee herein. Together also with the right of entry upon Grantors' said lands for all of the purposes aforesaid.

Grantee's rights shall be subject to the lien of the mortgage indenture dated January 1, 1945 and supplements thereto, entered into between Grantee and Central Hanover Bank and Trust Company (now Manufacturers Hanover Trust Company) which mortgage indenture is recorded in the office of the R. M. C. or Clerk of Court in the County and State aforesaid.

The words "Grantors" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantors have caused this indenture to be duly executed the day and year first above written.

WITNESS:

Wanda H. Bishop

Lois C. MacRae

STATE BUDGET AND CONTROL BOARD

X Donna K. Williams

By: Donna K. Williams, Secretary

Date: August 22, 1990

Clemson University (SEAL)

by: Louis B. Watson Jr. (SEAL)

(SEAL)

001282 (SEAL)

RW-4-E-G—SC (Rev. 11-85)

1293

STATE OF SOUTH CAROLINA,
County of _____ } ss

Personally appeared before me _____
and made oath that he saw the within named _____
_____ sign, seal and
as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with _____
_____ in the presence of each other, witnessed the due execution thereof.

Sworn to before me this _____
day of _____ A. D., 19____

_____
Notary Public for S. C.

_____

STATE OF SOUTH CAROLINA,
County of _____ } ss

Personally appeared before me _____
and made oath that he saw the within named _____
_____ sign, seal and
as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with _____
_____ in the presence of each other, witnessed the due execution thereof.

Sworn to before me this _____
day of _____ A. D., 19____

_____
Notary Public for S. C.

_____

STATE OF SOUTH CAROLINA,
_____ County. }

Personally appeared before me Lois C. MacRae
and made oath that She saw the within named Clemson Univ.
by the hand of ~~Jerome L. Watson, Jr.~~ _____ sign, affix the
corporate seal, and as the act and deed of said corporation deliver the within written instrument for the uses and purposes therein
mentioned, and that She with _____ witnessed the execution thereof and
subscribed their _____ names as witnesses thereto.

Sworn to and subscribed before me this 27th
day of July A. D., 1990
E. Lynn McClain (L. S.)
E. Lynn McClain
My Commission Expires June 8, 1994 Notary Public for S. C.

Lois C MacRae

Line _____

County _____

RIGHT OF WAY GRANT

R/W File No. _____ Block No. _____

_____

_____

_____

_____

TO

South Carolina Electric & Gas Company

Dated _____, 19____

Received in the Clerk's Office of the County
of _____
South Carolina, on the _____
day of _____ A. D. 19____,
at _____ o'clock in the _____ noon
and recorded in Book _____ of Deeds
for said County on Page _____

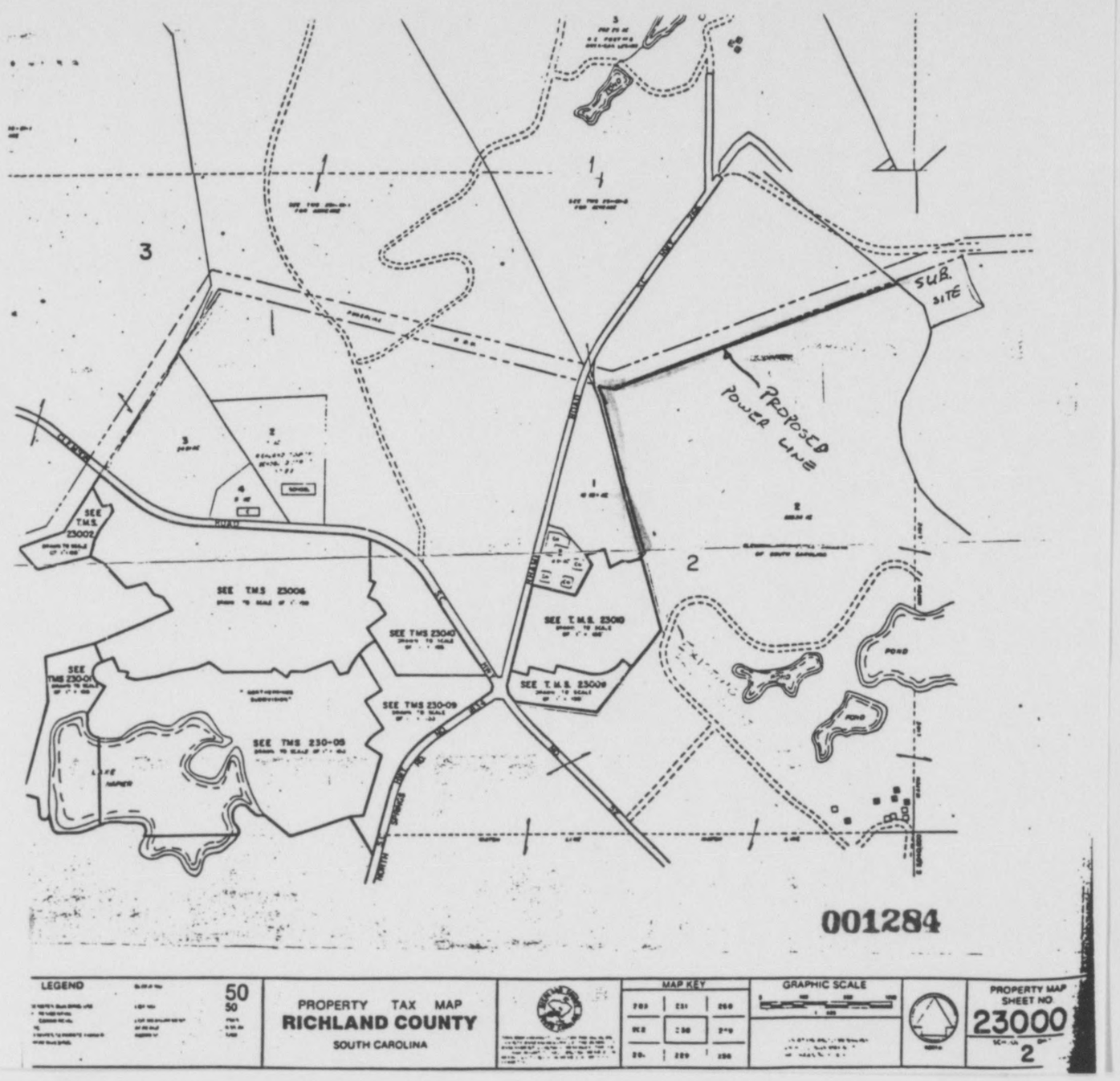
001283

1294

EXHIBIT

AUG 2 2 1990 1

STATE BUDGET & CONTROL BOARD



001284

LEGEND		50 50	PROPERTY TAX MAP RICHLAND COUNTY SOUTH CAROLINA		MAP KEY	GRAPHIC SCALE		PROPERTY MAP SHEET NO 23000 2

1295

EXHIBIT

AUG 2 2 1990 2

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
BLUE AGENDA

MEETING OF August 22, 1990
ITEM NUMBER 2

AGENCY: Budget Division

SUBJECT: 1990-91 Authorized Personal Service Transfers Report, July

The Budget Division reports that the transfer of $10,969 of personal service funds to other operating expenses was approved during July.

BOARD ACTION REQUESTED:

Receive as information a Budget Division report that the transfer of $10,696 of personal service funds to other operating expenses was approved during July.

ATTACHMENTS:

Agenda item worksheet and attachment

001285

1296

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

91-9

Meeting Scheduled for: August 20, 1990 Blue Agenda

1. Submitted By:
   (a) Agency: State Budget Division
   (b) Authorized Official Signature:

2. Subject:
   FY 1990-91 Authorized Transfer Report for the Month of July

3. Summary Background Information:
   The State Budget Division's July Authorized Transfer Operating Report for Fiscal Year 1990-91 is attached.

4. What is Board asked to do?
   Information only

5. What is recommendation of Board Division involved?
   Information only

6. Recommendation of other Division/agency (as required)?

   (a) Authorized Signature:
   (b) Division/Agency Name:

7. Supporting Documents:
   (a) List Those Attached:
      1. Authorized Transfer Operating Report

   (b) List Those Not Attached But Available From Submitter:

001286

1297

STATE BUDGET DIVISION
ANALYSIS OF 1990-91 AUTHORIZED PERSONAL SERVICE
TRANSFER REQUESTS

DATE	REQUEST NO.	AGENCY	SOURCE OF FUNDS	FROM PERSONAL SERVICE	TO OTHER OPERATING EXPENSES	EQUIPMENT
Total Authorized Transfers						
July Authorized Transfers						
(A) 7/16/90	-	J04 DHEC	State	$ 2,400	$ 2,400	
(B) 7/16/90	-	J20 Alcohol & Drug Abuse	Federal	8,296	8,296	
Total Authorized Transfers For July (2)				$ 10,696	$ 10,696	
Total Authorized Transfers Year-To-Date (2)				$ 10,696	$ 10,696	

NOTE:	Current Month	Year-To-Date
State Funds	$ 2,400	$ 2,400
Federal Funds	8,296	8,296
Other Funds	0	0
TOTAL FUNDS	$ 10,696	$ 10,696

Prepared
August 14, 1990

EXHIBIT 2
AUG 22 1990
STATE BUDGET & CONTROL BOARD

001287

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUM
J04	# 009	1918	$25,774.00			

AGENCY VOUCHER NUMBER: BB # 009

C.G. WARRANT NUMBER:

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

AGENCY TRANSFERRED TO (CR)
NAME: DHEC
ADDRESS: 2600 Bull Street
Columbia, SC 29201

AGENCY TRANSFERRED FROM (D
NAME: SME
ADDRESS:

TO REQUESTING AGENCY:
This form must be supported with documentation indicating the reason for the transfer. No committment should be made in anticipation of the approval of a transfer.

REASON FOR TRANSFER: See Cover Letter

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
01	350	J04	4830	1001						0171	6,548.00	A28L
01	350	J04	2108	1001						0160	2,400.00	A31B
01	350	J04	4827	1001						0158	3,939.00	A20C
									TOTAL	489	12,887.00	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
01	300	J04	4830	1001						0158	6,548.00	A20L
01	300	J04	2108	1001						1100	2,400.00	A38B
01	300	J04	4827	1001						0171	3,939.00	A28C
									TOTAL	1429	12,887.00	

RECEIVED
JUL 03 1990
Budget and Control Board
STATE BUDGET DIVISION

001288

REQUESTED BY _____ DATE 07/02/90 STATE BUDGET ANALYST _____ DATE 7/3/90

To the Comptroller General and Treasurer. By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

STATE AUDITOR _____ DATE (A)

STARS FORM 30 10 1 80 Submit original and 3 copies

1299

Centers FYI
7/5/90

South Carolina Department of Health and Environmental Control

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Michael D. Jarrett

Board
Henry S. Jordan, M.D., Chairman
John B. Pate, M.D., Vice-Chairman
William E. Applegate, III, Secretary
Toney Graham, Jr., M.D.
John H. Burriss
Richard E. Jabbour, D.D.S.
Currie B. Spivey, Jr.

July 3, 1990

Mr. Ed Brophy
State Budget Analyst
Division of State Budgets
S.C. Budget and Control Board
530 Edgar Brown Building
Columbia, South Carolina 29211

Dear Mr. Brophy:

We are forwarding the enclosed transfer (BB # 009) in the amount of $12,887 for your review and approval. This transaction is necessary in order to realign state appropriation levels within the programs indicated in order to:

1) Enable the Preventive Health Services program to transfer funds within the personal services category in order to cover staff upgrades.

2) Enable the Maternal and Child Care program to transfer funds from an unclassified clinician position to case services to provide patient services.

3) Enable the Center for Health Promotion to transfer funds from classified positions to temporary. This transaction is necessary in order to provide for relief staff during summer vacations.

Thank you for your assistance. Should you have questions, please let us know.

Cy to Hoyt S.

Sincerely,

Wyman M. Looney, Director
Bureau of Budgets

001289

WML:BCB:wb

Enclosure

RECEIVED
JUL 06 1990
S.C. Budget and Control Board
STATE BUDGET DIVISION

(A)

PAGE_____ OF_____

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUME
J20	7	358	16,592.00			

AGENCY VOUCHER NUMBER: 7

C.G. WARRANT NUMBER:

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

AGENCY TRANSFERRED TO (CR)
NAME: Alcohol & Drug Abuse
ADDRESS: 3700 Forest Drive
Columbia

TO REQUESTING AGENCY:
This form must be supported with documentation indicating the reason for the transfer. No committment should be made in anticipation of the approval of a transfer.

AGENCY TRANSFERRED FROM (D)
NAME: Alcohol & Drug Abuse
ADDRESS: 3700 Forest Drive
Columbia

REASON FOR TRANSFER: Transfer funds from salary to operating which was overstated and understated in FY91 Budget

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PHASE	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT DETAIL	TRANSACTION AMOUNT	MULTI PURPOSE CODE
01	350	J20	3840	5461				0243	00		0158		8296.00	
											TOTAL		0158	8296.00

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PHASE	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT DETAIL	TRANSACTION AMOUNT	MULTI PURPOSE CODE
01	300	J20	3840	5461				0243	00		0200		8296.00	
											TOTAL		0200	8296.00

EXHIBIT 2
AUG 22 1990
STATE BUDGET & CONTROL BOARD

001290
RECEIVED
JUL 16 1990
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY: [signature] DATE 07/16/90 STATE BUDGET ANALYST [signature] DATE 7/16/90

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

STATE AUDITOR_____ DATE (B)

STARS FORM 30 10/1/80 Submit original and 3 copies

1301

EXHIBIT

AUG 2 2 1990 3

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF August 22, 1990

BLUE AGENDA
ITEM NUMBER 3

AGENCY: Budget Division

SUBJECT: FTE Operating Report, July

The Budget Division reports that a net of 7.92 full-time-equivalent positions (-7.03 State, +6.42 federal and -7.31 other) was **deleted** from the authorized base during July. This brought the base to a total of 72,781.56 FTE positions.

At the end of the month, 65,132.82 of the authorized positions were filled and 7,648.74 were vacant.

BOARD ACTION REQUESTED:

Receive as information the FTE position operating report for the month of July which shows that a net of 7.92 FTE positions was **deleted** during July to bring the base total to 72,781.56 FTE positions at the end of the month of which 65,132.82 FTE positions were filled and 7,648.74 were vacant.

ATTACHMENTS:

Agenda item worksheet and referenced report.

001291

1302

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

91-8

Meeting Scheduled for: August 20, 1990 Blue Agenda

1. Submitted By:
   (a) Agency: State Budget Division
   (b) Authorized Official Signature:

2. Subject:
   1990-91 FTE Operating Report for the Month of July 1990

3. Summary Background Information:
   The attached report is submitted in accordance with Section 129.22 of the 1990-91 Appropriation Act. The report exempts all Legislative Employees (714.50) and Judicial Employees (407.47) which totals (1,121.97). Attached also is a copy of the year-to-date summary reflecting, by month, all authorized adjustments.

4. What is Board asked to do?
   Information only.

5. What is recommendation of Board Division involved?
   Information only.

6. Recommendation of other Division/agency (as required)?

   (a) Authorized Signature:
   (b) Division/Agency Name:

7. Supporting Documents:
   (a) List Those Attached:
      1. Year-to-Date Monthly Summary FTE Position Operational Report
      2. Director's Letter
      3. Authorized FTE Position Operating Report

   (b) List Those Not Attached But Available From Submitter:

001292

1303

STATE BUDGET DIVISION
FTE POSITION AUTHORIZED ADJUSTMENTS
TO DATE
7/31/90

	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
Total Authorized FTE Position Base per 1990-91 Appropriation Act	73,911.45	42,752.71	8,553.23	22,605.51
Monthly Adjustments				
July	(7.92)	(7.03)	6.42	(7.31)
Total Net Adjustments	(7.92)	(7.03)	6.42	(7.31)
Total Adjusted Appropriated FTE Position Base 7/31/90	73,903.53	42,745.68	8,559.65	22,598.20
Less:				
1990-91 Legislative Employees	714.50	712.50	0.00	2.00
1990-91 Judicial Employees	407.47	407.47		
Total Authorized FTE Position Base 7/31/90	72,781.56	41,625.71	8,559.65	22,596.20

Prepared
August 14, 1990

EXHIBIT

AUG 2 2 1990 3

STATE BUDGET & CONTROL BOARD

1304

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 14, 1990

EXHIBIT

AUG 2 2 1990 3

STATE BUDGET & CONTROL BOARD

The Honorable James M. Waddell, Jr.
Joint Legislative Committee on Personal
Service Financing and Budgeting
111 Gressette Building
Columbia, South Carolina 29201

Dear Senator Waddell:

Attached is a copy of the July 1990-91 Authorized FTE Position Operating Report. I have approved and adjusted the Authorized FTE Position Base accordingly.

I have also attached for the Committee's review a copy of the year-to-date monthly Authorized FTE Position Summary Report.

If you should have any questions, please feel free to call.

Sincerely

Charles A. Brooks, Jr.

CAB/db

Attachments

1305

STATE BUDGET DIVISION
FULL-TIME EQUIVALENT POSITION
OPERATIONAL REPORT
FOR THE MONTH OF JULY, 1990

SECTION NO.	AGENCY	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
	Total Authorized FTE Position Base 7/1/90	72,789.48	41,632.74	8,553.23	22,603.51
	July Authorized Adjustments				
3A	The Senate	(2.00)	(2.00)		
4B	Sentencing & Guidelines	2.00	2.00		
5C	Governor's Office-OEPP			(0.20)	0.20
5C	Governor's Office-OEPP			(0.41)	0.41
14B	BCB-Internal Operations	0.02			0.02
14B	BCB-Internal Operations	0.38			0.38
14E	BCB-Research & Statistics	2.00			2.00
14G	BCB-General Services	(0.02)			(0.02)
14G	BCB-General Services	0.50	0.50		
14G	BCB-General Services	(0.50)			(0.50)
14H	BCB-Fire Marshal	(2.00)			(2.00)
14I	BCB-Motor Vehicle	(0.50)	(0.50)		
14I	BCB-Motor Vehicle	0.50			0.50
14K	BCB-HRM	(0.38)			(0.38)
31	Vocational Rehabilitational			6.00	(6.00)
32	Deaf & Blind School	(0.92)			(0.92)
38A	H&HSFC	1.00			1.00
38B	Continuum of Care	(1.00)			(1.00)
53	Probation, Parole & Pardon		(0.03)	0.03	
57	Water Resource			1.00	(1.00)
63	Wildlife & Marine Resource			(2.00)	2.00
63	Wildlife & Marine Resource			2.00	(2.00)
67	Development Board	(7.00)	(7.00)		
	Total Net Adjustments--July	(7.92)	(7.03)	6.42	(7.31)
	Total Authorized FTE Position Base 7/31/90	72,781.56	41,625.71	8,559.65	22,596.20
	Total Filled FTE Positions 7/31/90	65,132.82	37,774.12	7,371.85	19,986.85
	Total Vacant FTE Positions 7/31/90	7,648.74	3,851.59	1,187.80	2,609.35

001295

Percent Vacant 7/31/90	10.51%	9.25%	13.88%	11.55%
Percent Vacant 7/31/89	10.00%	8.84%	13.41%	10.87%
Percent Vacant 7/31/88	10.29%	9.69%	10.95%	11.21%

Prepared:
August 14, 1990

1307

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
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ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

_X_ Action represents a net decrease in authorized F.T.E. Positions

____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: A01 The Senate (3A)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	163.00	163.00		
Adjusted FTE Position Base				161.00	161.00		
Authorized Adjustment				(2.00)	(2.00)		

Authorization/Explanation:
Requested by the agency. Transferred to the Sentencing and Guidelines Commission (Proviso 3.46).

001297

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STATE OF SOUTH CAROLINA

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STATE BUDGET DIVISION

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EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: B06 Sentencing and Guideline Commission (4B)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	-	-		
Adjusted FTE Position Base				2.00	2.00		
Authorized Adjustment				2.00	2.00		

Authorization/Explanation:
Requested by the agency. Transferred from the Senate (Proviso 3.46).

001298

1309

STATE OF SOUTH CAROLINA

State Budget and Control Board

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MEMORANDUM

EXHIBIT

AUG 2 2 1990 3

STATE BUDGET & CONTROL BOARD

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

__X__ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: D17 Governor's Office-OEPP (5C)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	213.00	125.23	86.77	1.00
Adjusted FTE Position Base				213.00	125.23	86.57	1.20
Authorized Adjustment				-	-	(0.20)	0.20

Authorization/Explanation:
May and June FTE adjustments not included in the 1990-91 Appropriation Act.

001299

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M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 16, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

__X__ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: D17 Governor's Office-OEPP (5C)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/12/90	213.00	125.23	86.57	1.20
Adjusted FTE Position Base				213.00	125.23	86.16	1.61
Authorized Adjustment				-	-	(0.41)	0.41

Authorization/Explanation:
May and June FTE adjustments not included in the 1990-91 Appropriation Act.

001300

STATE OF SOUTH CAROLINA

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M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F04 BCB-Internal Operations (14B)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	63.12	46.05	-	17.07
Adjusted FTE Position Base				63.14	46.05	-	17.09
Authorized Adjustment				0.02	-	-	0.02

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred from BCB-General Services.

001301

1 3 1 2

STATE OF SOUTH CAROLINA

State Budget and Control Board

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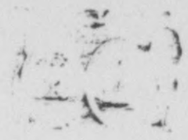
COMPTROLLER GENERAL



EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
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CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 16, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F04 BCB-Internal Operations (14B)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/12/90	63.14	46.05	-	17.09
Adjusted FTE Position Base				63.52	46.05	-	17.47
Authorized Adjustment				0.38	-	-	0.38

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred from BCB-HRM.

001302

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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EDGAR BROWN BUILDING, SUITE 525
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CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 15, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F08 BCB-Research and Statistical Services (14E)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/16/90	74.30	69.67	-	4.63
Adjusted FTE Position Base				76.30	69.67	-	6.63
Authorized Adjustment				2.00	-	-	2.00

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred from BCB-Fire Marshal.

001303

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
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EXECUTIVE DIRECTOR

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

_X_ Action represents a net decrease in authorized F.T.E. Positions

____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F12 BCB-General Services (14G)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	372.89	136.77	-	236.12
Adjusted FTE Position Base				372.87	136.77	-	236.10
Authorized Adjustment				(0.02)	-	-	(0.02)

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred to BCB-Internal Operations.

001304

13 15

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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1205 PENDLETON STREET
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JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 16, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F12 BCB-General Services (14G)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/12/90	372.87	136.77	-	236.10
Adjusted FTE Position Base				373.37	137.27	-	236.10
Authorized Adjustment				0.50	0.50	-	-

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred from BCB-Motor Vehicle Management.

001305

1316

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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EXECUTIVE DIRECTOR

EXHIBIT

AUG 2 2 1990 3

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 20, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

__X__ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F12 BCB-General Services (14G)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/16/90	373.37	137.27	-	236.10
Adjusted FTE Position Base				372.87	137.27	-	235.60
Authorized Adjustment				(0.50)	-	-	(0.50)

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22- of the 1976 Code of Laws of South Carolina as amended. Transferred to BCB-Motor Vehicle Management.

001306

1317

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 15, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

__X__ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F14 BCB-Fire Marshal (14H)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/16/90	80.00	75.50	-	4.50
Adjusted FTE Position Base				78.00	75.50	-	2.50
Authorized Adjustment				(2.00)	-	-	(2.00)

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred to BCB-Research and Statistical Services.

001307

1 3 1 8

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 16, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

_X_ Action represents a net decrease in authorized F.T.E. Positions

____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F16 BCB-Motor Vehicle Management (14I)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/12/90	29.00	10.00	-	19.00
Adjusted FTE Position Base				28.50	9.50	-	19.00
Authorized Adjustment				(0.50)	(0.50)	-	-

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred to BCB-General Services.

001308

1319

STATE OF SOUTH CAROLINA

State Budget and Control Board

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EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 20, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F16 BCB-Motor Vehicle Management (14I)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/16/90	28.50	9.50	-	19.00
Adjusted FTE Position Base				29.00	9.50	-	19.50
Authorized Adjustment				0.50	-	-	0.50

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred from BCB-General Services.

001309

1320

STATE OF SOUTH CAROLINA

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TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 15, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

__X__ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: F24 BCB-HRM (14K)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	103.38	75.38	-	28.00
Adjusted FTE Position Base				103.00	75.38	-	27.62
Authorized Adjustment				(0.38)	-	-	(0.38)

Authorization/Explanation:
Requested by The Budget and Control Board in accordance with Section 1-11-22 of the 1976 Code of Laws of South Carolina as amended. Transferred to BCB-Internal Operations.

001310

1321

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

EXHIBIT

AUG 22 1990 3

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

__X__ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: H73 Vocational Rehabilitation (31)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	1,169.70	468.65	680.65	20.40
Adjusted FTE Position Base				1,169.70	468.65	686.65	14.40
Authorized Adjustment				-	-	6.00	(6.00)

Authorization/Explanation:
May and June FTE adjustments not included in the 1990-91 Appropriation Act.

001311

1322

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES JR., Ph.D.
EXECUTIVE DIRECTOR

CHARLES A. BROOKS, JR.
DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 25, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

_X_ Action represents a net decrease in authorized F.T.E. Positions

____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: H75 School for the Deaf & Blind (32)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	394.18	324.25	23.77	46.16
Adjusted FTE Position Base				393.26	324.25	23.77	45.24
Authorized Adjustment				(0.92)	-	-	(0.92)

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board in accordance with Section 120.23 of the 1987-88 Appropriation Act. Authorized FTE position vacant for nine (9) months.

001312

1323

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION
EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES JR., Ph.D.
EXECUTIVE DIRECTOR

CHARLES A. BROOKS, JR.
DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 25, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

__X__ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: J02 Health & Human Services Finance Committee (38A)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/15/90	510.00	213.95	292.55	3.50
Adjusted FTE Position Base				511.00	213.95	292.55	4.50
Authorized Adjustment				1.00	-	-	1.00

Authorization/Explanation:
To correct the base year budget. When this agency was originally established, only 78.00 FTE positions were transferred to Continuum of Care, not 79.00.

001313

1324

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR
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STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

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CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES JR., Ph.D.
EXECUTIVE DIRECTOR

CHARLES A. BROOKS, JR.
DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 25, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

__X__ Action represents a net decrease in authorized F.T.E. Positions

_____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: J03 Continuum of Care (38B)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/15/90	103.00	11.00	-	92.00
Adjusted FTE Position Base				102.00	11.00	-	91.00
Authorized Adjustment				(1.00)	-	-	(1.00)

Authorization/Explanation:
To correct the base year budget. When this agency was originally established, 78.00 FTE positions were transferred from Health & Human Services Finance Committee, not 79.00.

001314

1325

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

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CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

__X__ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: N08 Probation, Parole, and Pardon Services (53)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	770.00	499.23	0.77	270.00
Adjusted FTE Position Base				770.00	499.20	0.80	270.00
Authorized Adjustment				-	(0.03)	0.03	-

Authorization/Explanation:
May and June FTE Adjustments not included in the 1990-91 Appropriation Act.

001315

1326

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
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CHARLES A. BROOKS, JR.
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CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

__X__ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: P04 Water Resource Commission (57)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	74.00	65.00	7.00	2.00
Adjusted FTE Position Base				74.00	65.00	8.00	1.00
Authorized Adjustment				-	-	1.00	(1.00)

Authorization/Explanation:
May and June FTE adjustments not included in the 1990-91 Appropriation Act.

001316

1327

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 2, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

_____ Action represents a net increase in authorized F.T.E. Positions

_____ Action represents a net decrease in authorized F.T.E. Positions

_X_ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: P24 Wildlife & Marine Resources Department (63)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/1/90	781.55	440.00	104.75	236.80
Adjusted FTE Position Base				781.55	440.00	102.75	238.80
Authorized Adjustment				-	-	(2.00)	2.00

Authorization/Explanation:
Requested by the agency to comply revised Federal Funding - carry over from 1989-90.

001317

13218

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

____ Action represents a net decrease in authorized F.T.E. Positions

_X_ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: P24 Wildlife and Marine Resources Department (63)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	781.55	440.00	102.75	238.80
Adjusted FTE Position Base				781.55	440.00	104.75	236.80
Authorized Adjustment				-	-	2.00	(2.00)

Authorization/Explanation:
Requested by the agency to correct 7/1/90 adjustment currently included in the Appropriation Bill.

001318

1329

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

EXHIBIT
AUG 22 1990 3
STATE BUDGET & CONTROL BOARD

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

EDGAR BROWN BUILDING, SUITE 525
1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: July 12, 1990

SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

____ Action represents a net increase in authorized F.T.E. Positions

_X_ Action represents a net decrease in authorized F.T.E. Positions

____ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: P32 State Development Board (67)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			7/2/90	97.00	97.00		
Adjusted FTE Position Base				90.00	90.00		
Authorized Adjustment				(7.00)	(7.00)		

Authorization/Explanation:
May and June FTE adjustments not included in the 1990-91 Appropriation Act.

001319

1330

EXHIBIT

AUG 2 2 1990 4

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF August 22, 1990

BLUE AGENDA
ITEM NUMBER 4

AGENCY: Executive Director

SUBJECT: Interviewee Travel Expense Reimbursement

The following agencies have reported reimbursements of interviewee travel expenses:

	Agency	Number	Estimated Cost
(a)	Clemson University	6	$718
	Total	6	$718

BOARD ACTION REQUESTED:

Receive as information a report that reimbursements of interviewee travel expenses have been made by the following agencies: Clemson University (6).

ATTACHMENTS:

Referenced report

001320

1331

INTERVIEWEE TRAVEL EXPENSE REIMBURSEMENT PAYMENTS
Reported to Budget and Control Board
Meeting of August 22, 1990

	Agency	Time Period	Total #	Total Cost	Number of Payments $100/ Less	$101/ $300	$301/ $500	$501 Over
(a)	Clemson University	May-July	6	718	5	0	0	1
	Total		6	718	5	0	0	1

001321

1332

AUG 15 1990

CLEMSON
UNIVERSITY

BUSINESS AND FINANCE
Accounting Services

August 10, 1990

August 10, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
Wade Hampton Office Building
P. O. Box 12444
Columbia, SC 29211

Dear Mr. McInnis:

Enclosed are Travel Disbursement forms for those individuals who were brought to Clemson University for employee interviews.

Yours very truly,

Charles A. Tegen
Director of Accounting

CAT/lsr

Enclosures

EXHIBIT 4
AUG 22 1990
STATE BUDGET & CONTROL BOARD

001322

ACCOUNTING CONTROL – 803/656-2495 • ACCOUNTS PAYABLE – 803/656-2470
G-06 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5308

1333

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE July 19, 1990

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Tamara Flinchum

CANDIDATE'S ADDRESS : Indianapolis, Indiana 46250 (currently staying with friends near Clemson)

POSITION TO BE FILLED: Instructor of English

AMOUNT REIMBURSED : $61.25
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : [signature] 7/19/90
Department Head

[signature]
Dean or Director

APPROVED BY : [signature]
Vice President

DISTRIBUTION :

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001323

302 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5350 • TELEPHONE 803/656-4354

1334

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 5/25/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Ge, Xin

CANDIDATE'S ADDRESS : Department of Plant Pathology, 1680 Madison Avenue
Wooster, OH 44691-4096

POSITION TO BE FILLED: Visiting Assistant Professor

AMOUNT REIMBURSED : $76.50
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : O. J. Anderson
Department Head

Dean or Director

APPROVED BY : Milton B. Nice
Vice President

DISTRIBUTION : 3-31-6110-0377-13-3557 100%

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001324

302 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5350 • TELEPHONE [illegible]

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 21, 1990

RECRUITTING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Auda Green

CANDIDATE'S ADDRESS : Appling, GA

POSITION TO BE FILLED: County Extension Agent - Oconee County

AMOUNT REIMBURSED : $51.70
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : Department Head

Dean or Director

APPROVED BY : Vice President

DISTRIBUTION :

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001325

1336

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 21, 1990

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Ed Hawkins

CANDIDATE'S ADDRESS : Greenville, SC

POSITION TO BE FILLED: County Extension Agent - Oconee County

AMOUNT REIMBURSED : $26.82
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : Darwin A. Coley, Jr.
Department Head

Dean or Director

APPROVED BY : M B Wise
Vice President

DISTRIBUTION :

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001326

1337

CLEMSON
UNIVERSITY
CENTENNIAL
1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 6/15/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Prof. George J. Mann, AIA

CANDIDATE'S ADDRESS : Dept. of Architecture, Texas A&M University
College Station, Texas 77843-3137

POSITION TO BE FILLED: 0503/U003

AMOUNT REIMBURSED : $ 516.20
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

_____
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

DISTRIBUTION :

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001327

302 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5350 • TELEPHONE 803/656-4354

1338

CLEMSON
UNIVERSITY
CENTENNIAL
1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 21, 1990

RECRUITTING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Terry Troutt

CANDIDATE'S ADDRESS : Greenville, SC

POSITION TO BE FILLED: County Extension Agent - Oconee County

AMOUNT REIMBURSED : $1,136.00
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : Laurin S. Coley Jr.
Department Head

Dean or Director

APPROVED BY : M B Wilson
Vice President

EXHIBIT 4
AUG 22 1990
STATE BUDGET & CONTROL BOARD

DISTRIBUTION :

Original : Originating Department

Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001328

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EXHIBIT

AUG 2 2 1990 5

STATE BUDGET & CONTROL BOARD

South Carolina Taxation

301 Gervais Street, P.O. Box 125, Columbia, South Carolina 29214

August 21, 1990

RECEIVED
AUG 2 2 1990
Budget and Control Board
Office of the Executive Director

S. Hunter Howard Jr.
Chairman

A. Crawford Clarkson Jr.
Commissioner

T. R. McConnell
Commissioner

Honorable Carroll A. Campbell, Jr.
Governor, State of South Carolina
The State House
Columbia, South Carolina 29201

Honorable Grady L. Patterson, Jr.
State Treasurer
Wade Hampton Office Building
Columbia, South Carolina 29211

Honorable Earle E. Morris
State Comptroller General
Wade Hampton Office Building
Columbia, South Carolina 29211

Honorable James M. Waddell, Jr.
Chairman, Senate Finance Committee
111 Gressette Building
Columbia, South Carolina 29202

Honorable Robert N. McLellan
Chairman, House Ways and Means Committee
526 Blatt Building
Columbia, South Carolina 29211

Dear Members of the Budget and Control Board:

As we discussed last week, in order to clarify the issues relating to the capital gains refund, we have prepared the attached document that outlines the sequence of events. We hope that it will serve to eliminate some of the confusion surrounding this issue.

If you have any further questions or desire any additional or specific information, please feel free to contact me.

Sincerely,

S. Hunter Howard, Jr.

SHHjr/lgm
CC: Honorable Jesse A. Coles, Jr.
Joseph D. Shine, Esquire

001329

1340

Recent History of Capital Gains in South Carolina

1986: The U. S. Congress passed the Tax Reform Act which, among numerous other changes, repealed the capital gains exclusion of 60% of the gain. The Tax Reform Act, therefore, provided for the full taxation of all of the gain. The Act further provided transition rules for certain transactions which were in progress when the Act was passed. Specifically, the Act provided that the change in the law would be effective for capital gains transactions occurring after January 1, 1987.

1987: The South Carolina legislature adopted the Federal Tax Reform Act of 1986 for state income tax purposes, including the repeal of the 60% exclusion on capital gains. The change in law became effective on June 22, 1987. The law change was retroactive to January 1, 1987, as were other federal income tax conforming measures. All capital gains transactions which took place after January 1, 1987, or any contracts to sell during the period of January 1 to June 22, 1987 were subject to an effective tax rate increase of 150%. The previous effective rate was 2.8%. The effective rate as a result of the new legislation was 7%. The effective rate increase at the federal level was 40%. The prior rate being 20% and the new rate being 28%.

1988: The legislature felt that persons having capital gains from January 1987 through January 1988, pursuant to a written contract in effect prior to December 31, 1987, should be allowed to recapture the tax paid on the previously excluded portion of their gains. The change enacted in 1988 allowed a credit or refund in tax years 1989 and 1990 based on the difference between what they actually paid in tax year 1987 on capital gains and what they would have paid if the repeal had not been adopted. The original estimate by the Tax Commission of the refund was $10.6 million to be refunded over a two year period.

1989: After reviewing the actual returns received in 1988 for capital gains occurring during 1987, it was determined that the actual refund would be about $22 million. Because of the increased cost for the refunds, the Senate Finance Committee moved to add a provision in the Appropriations Bill which limited the refund to sales of real estate only. This was expected to bring the refund cost back to about the original estimate. During debate on the Senate floor, an amendment was proposed and adopted which provided that the refund was to be allowed for all capital gains transactions (Real estate and stocks), but only those transactions which occurred prior to June 22, 1987 (the effective date of the adoption of the Tax Reform) and to written contracts to sell which were in effect as of June 22, 1987, and realized in 1987. Due to budget considerations, the refund was moved to tax years 1990

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and 1991. This effected a transition period similar to the one provided in the earlier Federal legislation. Any transactions occurring after June 22, 1987 were subject to the increased effective tax rate.

During the 1989 session, the legislature also approved a provision in the Appropriations Bill to reduce the effective rate on capital gains from 7% to 3.9% over a three year phaseout period. The phaseout period started in tax year 1990 with an effective rate of 6%, 1991 at 5%, and 1992 at 3.9%. The 3.9% rate approximately puts the state in the same posture as the Federal Government in that the increase from 2.8% to 3.9% would be about 40%.

1990: During the 1990 session, there were two bills introduced to restore the refund to transactions that occurred during the entire calendar year 1987, but were not acted upon.

EXHIBIT

AUG 2 2 1990 5

STATE BUDGET & CONTROL BOARD

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EXHIBIT

AUG 2 2 1990 6

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD — REGULAR SESSION

MEETING OF August 22, 1990 — ITEM NUMBER 1

AGENCY: Department of Corrections

SUBJECT: Certified Safe and Reasonable Operating/Nelson Capacity

The Department of Corrections advises that its certified safe and reasonable operating/Nelson capacity has been reflecting the minimum security bedspace reductions required under the terms of the Decree since the January 1990 certification report.

The Department notes that, since January 1990, it has advised that its total capacity was "tentative" based on the outcome of negotiations that were underway with Plaintiffs' counsel to modify and/or waive the required minimum security bedspace reductions.

The Department advises that, because its admission rate has continued to increase and because Plaintiffs' counsel has continued to stress throughout negotiations that they would not be willing to waive all the minimum security reductions required by the Decree, it will terminate minimum security negotiations. The Department further advises that there is no obvious means by which to continue negotiations with the knowledge that it could not comply with any type of minimum security reductions, modified or otherwise.

The Department asks that its present Safe and Reasonable Operating/Nelson capacity certification of July not be considered as "tentative," and that this capacity and future certifications be considered as the Department's permanent safe and reasonable operation capacity pursuant to Section 24-3-110 (Prison Overcrowding Powers Act).

At its meeting on July 16, 1990, the Board, in accord with Code Section 24-3-2050 and the Nelson Consent Decree, certified 14,335 as the safe and reasonable operating capacity of the facilities of the Department of Corrections as of July 2, 1990.

BOARD ACTION REQUESTED:

In accord with Code Section 24-3-2050 and the Nelson Consent Decree, certify 14,335 as the safe and reasonable operating capacity of the facilities of the Department of Corrections as of July 2, 1990, and agree that this and future certifications will be considered as the Department's permanent safe and reasonable operating capacity pursuant to Code Section 24-3-1110 (Prison Overcrowding Powers Act).

ATTACHMENTS:

Evatt August 7 letter

1343

§ 24–3–2050. Establishment of operating capacities.

The Board of Corrections and the Budget and Control Board shall within thirty days of the enactment of §§ 24-3-1110 through 24-3-2050 establish the operating capacities of the prisons operated by the Department of Corrections and shall at least quarterly certify existing operating capacities or establish changed or new operating capacities.

HISTORY: 1983 Act No. 123 § 3, effective 30 days after approval by the Governor (Approved June 16, 1983).

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south carolina
department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
TELEPHONE (803) 737-8555
PARKER EVATT, Commissioner

August 7, 1990

RECEIVED
AUG 10 1990
Budget and Control Board
Office of the Executive Director

Dr. Jesse Coles, Jr., Executive Director
S.C. State Budget and Control Board
P.O. Box 12444
Columbia, SC 29211

Dear Dr. Coles:

As I know you are aware, the certified Safe and Reasonable Operating/Nelson Capacity has been reflecting the minimum security bedspace reductions required under the terms of the Decree since the January, 1990, certification report.

In all our correspondence to you relative to the Safe and Reasonable Operating/Nelson Capacity since January, 1990, we have informed you that our total capacity was "tentative" based on the outcome of negotiations that were underway with Plaintiffs' counsel to either modify and/or waive the required minimum security bedspace reductions.

Due to the fact that our admission rate has continued to increase, and that Plaintiffs' counsel has continued to stress throughout negotiations that they would not be willing to waive all the minimum security reductions required by the Decree, it has become evident that we will have to terminate minimum security negotiations. There presently appears to be no obvious means by which we can continue to negotiate with the knowledge that we would not be able to comply with any type of minimum security reductions, modified or otherwise.

In light of the above information, we are requesting that our present Safe and Reasonable Operating/Nelson Capacity certification of July, 1990, not be considered as "tentative," and that this capacity, and future certifications, be considered as the Department's permanent Safe and Reasonable Operating Capacity pursuant to S.C. Code of Laws, Section 24-3-1110.

Thank you in advance for your prompt attention relative to this matter. Should you require any additional information, please feel free to contact me.

Sincerely,

Parker Evatt

Parker Evatt

cc.: Members of the S.C. State Budget and Control Board

EXHIBIT
AUG 22 1990 6
STATE BUDGET & CONTROL BOARD

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BOARD OF CORRECTIONS
GOETZ B. EATON, Chairman, Anderson, S.C.
C. LOCK MCKINNON, Vice Chairman, Lancaster, S.C.
NORMAN KIRKLAND, Secretary, Bamberg, S.C.
ADRIENE WRIGHT, Member, Goose Creek, S.C.
MILTON SMITH, Member, Spartanburg, S.C.
ROBERT M. HARRELSON, Member, Mullins, S.C.
GOV. CARROLL A. CAMPBELL, JR., Member Ex-Officio, Columbia, S.C.

EXHIBIT

AUG 22 1990 7

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF August 22, 1990
ITEM NUMBER 2

AGENCY: State Treasurer

SUBJECT: Bond Counsel Selection

Board approval of the Jobs-Economic Development Authority selection of the following bond counsel is requested:

(a) $5,500,000 Tax Exempt Bond Issue (Stand Alone), Pfizer Specialty Minerals, Inc. project:
(1) Haynsworth, Marion, McKay & Guerard
(2) McNair Law Firm

(b) $3,500,000 Tax Exempt Bond Issue (Stand Alone), Trimite Powders, Inc. project:
(1) Haynsworth, Marion, McKay & Guerard
(2) McNair Law Firm

(c) $10,000,000 Tax Exempt Bond Issue (Stand Alone), United Merchants and Manufacturers, Inc. project:
(1) Haynsworth, Marion, McKay & Guerard
(2) McNair Law Firm

(d) $10,000,000 Tax Exempt Bond Issue (Stand Alone), Conco Medical Products Corporation project:
(1) Haynsworth, Marion, McKay & Guerard
(2) McNair Law Firm

BOARD ACTION REQUESTED:

Approve the selection of the following firms to provide bond counsel services for the Jobs-Economic Development Authority:

(a) $5,500,000 Tax Exempt Bond Issue (Stand Alone), Pfizer Specialty Minerals, Inc. project: Haynsworth, Marion, McKay & Guerard

(b) $3,500,000 Tax Exempt Bond Issue (Stand Alone), Trimite Powders, Inc. project: Haynsworth, Marion, McKay & Guerard

(c) $10,000,000 Tax Exempt Bond Issue (Stand Alone), United Merchants and Manufacturers, Inc. project: Haynsworth, Marion, McKay & Guerard

(d) $10,000,000 Tax Exempt Bond Issue (Stand Alone), Conco Medical Products Corporation project: Haynsworth, Marion, McKay & Guerard

ATTACHMENTS:

Requests for Assignment of Bond Counsel

1346

STATE OF SOUTH CAROLINA

OFFICE OF STATE TREASURER

GRADY L. PATTERSON, JR.
TREASURER

P. O. DRAWER 11778

COLUMBIA
29211

August 15, 1990

Ms. Donna K. Williams
Assistant Executive Director
Office of Executive Director
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Dear Donna:

The attached requests for approval of bond counsel for the South Carolina Jobs-Economic Development Authority have been received by the State Treasurer's Office and need to be placed on the Agenda for consideration by the Budget and Control Board at its next meeting.

Once a determination has been made by the Board, we will notify the requesting agency of the Board's decision.

If you need any further information, please feel free to call me.

Very truly yours,

Sandy

Sandy Agee Huey
Deputy State Treasurer

SAH:rhr

Enclosures

EXHIBIT

AUG 2 2 1990 7

STATE BUDGET & CONTROL BOARD

001336

Attachment - 08/15/90

The following requests for assignment of bond counsel on proposed revenue issues have been received by the State Treasurer's Office and are in a position to be considered by the Budget and Control Board.

Agency	Approximate Size of Proposed Issue	Attorney Recommendation by Order of Preference
SC Jobs-Economic Development Authority	$3,500,000 Stand Alone Bond Issue - Trimite Powders, Inc. York County	Haynsworth, Marion, McKay & Guerard The McNair Law Firm
	$10,000,000 Stand Alone Bond Issue - United Merchants and Manufacturers, Inc. Union, Georgetown, and Aiken Counties	Haynsworth, Marion, McKay & Guerard The McNair Law Firm
	$5,500,000 Stand Alone Bond Issue - Pfizer Specialty Minerals Incorporated - Richland County	Haynsworth, Marion, McKay & Guerard The McNair Law Firm
	$10,000,000 Stand Alone Bond Issue - Conco Medical Products Corporation - York County	Haynsworth, Marion, McKay & Guerard The McNair Law Firm

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1348

REQUEST FOR ASSIGNMENT OF BOND COUNSEL

FROM: The South Carolina Jobs-Economic Development Authority

TO: Grady L. Patterson, Jr., State Treasurer

DATE: August 15, 1990

SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Stand Alone Bond Issue - Pfizer Specialty Minerals, Incorporated - Richland County - $5,500,000

The recommendation of bond counsel proposed by order of preference is as follows:

1. HAYNSWORTH, MARION, MCKAY & GUERARD LAW FIRM
NAME OF FIRM

2. THE MCNAIR LAW FIRM
NAME OF FIRM

SUBMITTED BY: [signature] DIRECTOR ON August 15, 1990
SIGNATURE/TITLE DATE

FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: Haynsworth, Marion, McKay and Guerard ON 8/22/90
FIRM DATE

CERTIFIED BY: Donna K. Williams ON 8/22/90
FOR STATE BUDGET AND CONTROL BOARD DATE

FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's Office

on _____ BY _____
DATE NAME/TITLE

STO/BC-2

001338

1349

REQUEST FOR ASSIGNMENT OF BOND COUNSEL

FROM: The South Carolina Jobs-Economic Development Authority

TO: Grady L. Patterson, Jr., State Treasurer

DATE: August 15, 1990

SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Stand Alone Bond Issue - Trimite Powders, Inc.
York County - #3,500,000

The recommendation of bond counsel proposed by order of preference is as follows:

1. HAYNSWORTH, MARION, MCKAY & GUERARD LAW FIRM
NAME OF FIRM

2. THE MCNAIR LAW FIRM
NAME OF FIRM

SUBMITTED BY: [signature] DIRECTOR ON August 15, 1990
SIGNATURE/TITLE DATE

FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: Haynsworth, Marion, McKay & Guerard ON 8/22/90
FIRM DATE

CERTIFIED BY: Donna K. Williams ON 8/22/90
FOR STATE BUDGET AND CONTROL BOARD DATE

FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's Office

on _____ BY _____
DATE NAME/TITLE

STO/BC-2

001339

1350

REQUEST FOR ASSIGNMENT OF BOND COUNSEL

FROM: The South Carolina Jobs-Economic Development Authority

TO: Grady L. Patterson, Jr., State Treasurer

DATE: August 15, 1990

SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Stand Alone Bond Issue - United Merchants and Manufacturers, Inc. - Union, Georgetown, and Aiken Counties - $10,000,000

The recommendation of bond counsel proposed by order of preference is as follows:

1. HAYNSWORTH, MARION, MCKAY & GUERARD LAW FIRM
NAME OF FIRM

2. THE MCNAIR LAW FIRM
NAME OF FIRM

SUBMITTED BY: [signature] DIRECTOR ON August 15, 1990
SIGNATURE/TITLE DATE

FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: Haynsworth, Marion, McKay & Guerard ON 8/22/90
FIRM DATE

CERTIFIED BY: Donna K. Williams ON 8/22/90
FOR STATE BUDGET AND CONTROL BOARD DATE

FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's Office

on _____ BY _____
DATE NAME/TITLE

STO/BC-2

001340

1351

REQUEST FOR ASSIGNMENT OF BOND COUNSEL

FROM: The South Carolina Jobs-Economic Development Authority

TO: Grady L. Patterson, Jr., State Treasurer

DATE: August 15, 1990

SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Stand Alone Bond Issue - Conco Medical Products Corporation - York County -$10,000,000

The recommendation of bond counsel proposed by order of preference is as follows:

1. HAYNSWORTH, MARION, MCKAY & GUERARD LAW FIRM
   NAME OF FIRM

2. THE MCNAIR LAW FIRM
   NAME OF FIRM

SUBMITTED BY: [signature] DIRECTOR ON August 15, 1990
SIGNATURE/TITLE DATE

FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: Haynsworth, Marion, McKay & Guerard ON 8/22/90
FIRM DATE

CERTIFIED BY: Joanne K. Williams ON 8/22/90
FOR STATE BUDGET AND CONTROL BOARD DATE

FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's Office

on _____ BY _____
DATE NAME/TITLE

STO/BC-2

EXHIBIT

AUG 2 2 1990 7

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 2 2 1990 8

STATE BUDGET & CONTROL BOARD
REGULAR SESSION

STATE BUDGET AND CONTROL BOARD
MEETING OF August 22, 1990

ITEM NUMBER 3

AGENCY: Jobs-Economic Development Authority

SUBJECT: Ceiling Allocation Requests

The Jobs-Economic Development Authority requests that an allocation of a portion of the State Ceiling be made for each of the following projects. Approval of the private sale or public offering of the bonds will be requested at the September 12 meeting. These ceiling allocations will expire September 30.

(a) Name of Project: Pfizer Specialty Minerals, Inc.
Location: Richland County
Allocation Amount: $5,500,000

(b) Name of Project: Trimite Powders, Inc.
Location: Spartanburg County
Allocation Amount: $3,500,000

(c) Name of Project: United Merchants & Manufacturers, Inc.
Location: Buffalo, Conway, Union
Allocation Amount: $10,000,000

(d) Name of Project: Conco Medical Products Corporation
Location: York County
Allocation Amount: $10,000,000

The status report on the state ceiling as August 15, 1990, shows that, of the $175,000,000 pool total, $122,000,000 has been allocated and $53,600,000 is available.

BOARD ACTION REQUESTED:

Allocate a portion of the state ceiling to the following Jobs-Economic Development Authority projects:

(a) $ 5,500,000, Pfizer Specialty Minerals, Inc.
(b) $ 3,500,000, Trimite Powders, Inc.
(c) $10,000,000, United Merchants & Manufacturers, Inc.
(d) $10,000,000, Conco Medical Products Corporation

ATTACHMENTS:

Petitions

001341

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1990 STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION

A.	State Government Pool (40%)	70,240,000
	Total, State Government Pool (40%)	**70,240,000**
B.	Local Pool (60%)	105,360,000
	Total, Local Pool (60%)	**105,360,000**
		175,600,000
	Certified State Ceiling (01/03/89)	**175,600,000**

* * * * * * * * * * * * * * * *

1990 STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION

Date of B&C Board Allocation	Governmental Unit	Name of Project	Pool Total	Amount of Pool Allocated	Balance of Pool Available	Amount Certified for Issue	Issue Date
01/03/90	**STATE GOVERNMENT POOL**		**70,240,000**				
07/16/90	State Education Assistance Authority			-25,000,000			
07/16/90	State Housing Finance & Development Authority			-45,200,000			
	Total, State Government Pool		70,240,000	-70,200,000	40,000	0	
01/03/90	**LOCAL POOL**		**105,360,000**				
01/16/90	Greenville County	Findley Adhesives		-4,200,000		4,200,000	01/19/90
01/29/90	Laurens County	Teknor Apex		-8,000,000		8,000,000	05/22/90
02/13/90	York County	Bowater, Inc.		-6,900,000		6,900,000	03/01/90
02/13/90	Anderson County	Culp Woven Velvets		-4,000,000		4,000,000	03/05/90
03/27/90	Spartanburg County	Cherokee Textiles		-2,100,000		2,100,000	05/10/90
06/18/90	Anderson County	Electric City Printing Company		-5,000,000			
06/27/90	Anderson County	Orian Rugs, Inc.		-3,500,000			
07/16/90	Anderson County,	Federal Paper Board Co., Inc.		-5,000,000		5,000,000	08/16/90
07/16/90	Greenville County	Ellcon National, Inc.		-6,500,000			
08/14/90	JEDA	Chambers Oakridge Landfill		-6,600,000			
	Total, Local Pool		105,360,000	-51,800,000	53,560,000	30,200,000	
	GRAND TOTAL		**175,600,000**	**-122,000,000**	**53,600,000**	**30,200,000**	

001342

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AUG 16 1990
9:08 A.M.
1084

TRANSMITTAL FORM, REVENUE BONDS

Date: August 16, 1990
Submitted for BCB Meeting on:
August 22, 1990

TO: William A. McInnis, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:

Haynsworth, Marion, McKay & Guerard	PO Drawer 7157
Name of Law Firm	**Street Address/Box Number**
Columbia, SC 29202	(803) 765-1818
City, State, Zip Code	**Telephone Area Code and Number**

RE:

$5,500,000	Economic Development Revenue Bonds
Amount of Issue	**Type of Bonds or Notes**
South Carolina Jobs-Economic Development Authority	September 30,1990
Issuing Authority Name	**Projected Issue Date**

Project Name: Pfizer Specialty Minerals, Inc. Project
Project Description:
Acquisition of land, building and equipment to be used for the manufacture of precipitated calcium carbonate for consumption in the manufacture of paper products.

Employment as result of project: 10-12 jobs within 12 months

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
X Yes ($ 5,500,000) ___ No	___ Yes ($ _____) X No	___ Yes (_____) X No
Amount	Amount	Date

DOCUMENTS ENCLOSED:
(ALL required for State law approval; A and C only for ceiling allocation only.)

A. X Petition (executed original and two copies)
B. ___ Resolution or ordinance (executed copy)
C. ___ Inducement Resolution or comparable preliminary approval (executed copy)
D. ___ Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR ___ Audited financial statements for three most recent years
E. ___ Department of Health and Environmental Control certificate IF REQUIRED
F. ___ Budget and Control Board Resolution and Public Notice (original)
[Plus _____ copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

Bond Counsel: Samuel W. Howell, IV
Typed Name

By: _____
Signature

EXHIBIT
AUG 22 1990 8
STATE BUDGET & CONTROL BOARD
001343

OED 1/86

1355

HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre – Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
(803) 240-3200

1201 Main Street
AT&T Building—Suite 2400
Post Office Drawer 7157
Columbia, South Carolina 29202
(803) 765-1818
Telecopier (803) 765-2399

Two Prioleau Street
Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

August 15, 1990

HAND DELIVERED

Ms Donna Williams
Secretary
State Budget and Control Board
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $5,500,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Pfizer Specialty Minerals, Inc. Project)

Dear Donna:

I appreciate your alerting me to the change in the meeting schedule for the Budget and Control Board. Enclosed please find an agenda package requesting a volume cap allocation only for the above-captioned issue. The Petition has not been executed by the Chairman and Executive Director of JEDA; I anticipate having those no later than next Monday morning. When I receive the fully executed Petition I will forward it on to you for your file. Copies of the inducement resolution are at JEDA's offices; I will forward a copy for your files in the next several days.

This issue is subject to the September 30 expiration date contained in current federal tax law for small issue private activity bonds. Therefore the issue is scheduled to close by that date. JEDA anticipates having all necessary documentation to present to the Board for this issue for State law approval at the September 12 meeting. Please keep me posted on any changes that may occur with that meeting date.

I will attend the Board's meeting to answer any questions that may arise with respect to project. In the meantime, if there is anything further you need from me in connection with this matter please do not hesitate to give me a call.

1356

With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

SWH/lt
cc: The Honorable Elliott E. Franks, III
William A. Holby, Esq.
Mr John R. Scallan
Mr Charlton Whipple

1357

PETITION

TO

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

RE: NOT EXCEEDING $5,500,000 SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1990 (PFIZER SPECIALTY MINERALS, INC. PROJECT)

EX PARTE:
BOARD OF DIRECTORS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

EXHIBIT

AUG 22 1990 8

STATE BUDGET & CONTROL BOARD

001346

1358

TO: The Honorable Carroll A. Campbell, Jr., Governor
The Honorable Grady L. Patterson, Jr., State Treasurer
The Honorable Earle E. Morris, Jr., Comptroller General
The Honorable James M. Waddell, Jr., Chairman Senate Finance Committee
The Honorable Robert N. McLellan, Chairman House Ways and Means Committee

Constituting the State Budget and Control Board of the State of South Carolina

Your Petitioner, the Board of Directors of the South Carolina Jobs-Economic Development Authority (the Governing Board), respectfully prays:

1. South Carolina Jobs-Economic Development Authority (the Issuer) proposes to finance costs of acquisition of approximately one acre of land located off Coalyard Road at the paper mill site of Union Camp Fine Paper Division in Eastover, South Carolina and the construction thereon of an approximately 6,000 square foot building and the equipping thereof (the Project), for Pfizer Specialty Minerals, Inc. , a Delaware corporation (the Borrower), all of which will constitute facilities for the manufacture of precipitated calcium carbonate for consumption in the manufacture of paper products by authorizing the issuance of not exceeding $5,500,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Pfizer Specialty Minerals, Inc. Project) (the Bonds) pursuant to Chapter 43 of Title 41 of the Code of Laws of South Carolina 1976, as amended (the Enabling Statute).

2. The Issuer hereby finds that it is anticipated that the Project will benefit the general public welfare of the State of

1359

South Carolina, and Richland County in particular, by providing employment for those engaged in construction of the Project, and by providing additional permanent employment for approximately 10 to 12 people within 12 months from completion of the Project from Richland County and adjacent areas when the Project is placed in full operation, with the resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized by the Issuer bears a reasonable relationship to the principal amount of the Bonds.

3. Pursuant to the provisions of Act No. 117 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1987 and regulations promulgated thereunder, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling applicable to the State of South Carolina under Section 146 of the Internal Revenue Code of 1986, as amended.

4. The undersigned certifies that approval of this Project was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the Governing Board respectfully prays:

That the State Budget and Control Board accept the filing of the Petition presented herewith and that $5,500,000 of the State

EXHIBIT 001348
AUG 2 2 1990 8
STATE BUDGET & CONTROL BOARD

1360

ceiling on private activity bonds for calendar year 1990 be allocated to the Bonds.

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

(SEAL)

By: Robert L Mobley
Chairman, Board of Directors

ATTEST:

Executive Director,

1361

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY AND PFIZER SPECIALTY MINERALS, INCORPORATED, WHEREBY UNDER CERTAIN CONDITIONS THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY WILL ISSUE APPROXIMATELY $7,000,000 OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS OR NOTES PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED, AND AUTHORIZING APPLICATION UPON CERTAIN CONDITIONS TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority"), acting by and through its Board of Directors, is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina (1976), as amended (the "Act"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in Secion 41-43-160 of the Act in order to promote and develop the business and economic wealth of the State of South Carolina, encourage and assist in the location of new business enterprises in the State of South Carolina and in the rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities and capital equipment produced within the State of South Carolina, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State of South Carolina; and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds, as defined in the Act to include notes, payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any program authorized by the Act; and

WHEREAS, Pfizer Specialty Minerals, Incorporated, a Delaware corporation (the "Borrower"), has applied to the Authority to issue approximately $7,000,000 of its economic development revenue bonds or notes in order to defray the cost of acquiring by construction, a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of producing precipitated calcium carbonate (PCC) for consumption in the manufacturing of paper

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products (the "Project") to be located in Richland County, South Carolina and the Authority wishes to induce the Borrower to acquire and construct the Project within the State of South Carolina; and

WHEREAS, it is in the public interest, for public benefit and in furtherance of the public purposes of the Authority that its Board of Directors provide preliminary approval of the issuance of economic development revenue bonds for the aforesaid purposes; and

WHEREAS, it is deemed advisable by the Authority to file with the State Budget and Control Board of South Carolina, in compliance with Section 41-43-110 of the Act, the Petition of the Authority requesting approval by the State Budget and Control Board for the issuance of the note or bonds at public or private sale upon receipt by the Authority from the Borrower of evidence satisfactory to the Authority of the economic feasibility of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Authority as follows:

Section 1. It is hereby found, determined and declared as follows:

(a) The Borrower is a responsible party engaged in the business of producing precipitated calcium carbonate (PCC) for consumption in the manufacturing of paper products, and the Project is located in Richland County, South Carolina.

(b) The Borrower has demonstrated to the Authority that the assistance of the Authority by the issuance of its economic development revenue bonds or notes will result in the creation or maintenance of employment for those engaged in construction of the Project, and by providing additional permanent employment for approximately 10-12 people from Richland County and adjacent areas when the Project is placed in full operation with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized herein bears a reasonable relationship to the principal amount of the Bonds (as described below).

(c) The principal amount of the Bonds bears a reasonable relationship to the amount of private funds committed to the Project.

(d) The size and scope of the Project is such that a definite benefit to the economy of the State of South Carolina, and Richland County in particular, is reasonably expected to result therefrom.

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Section 2. Subject to such approval by the State Budget and Control Board and the governing board of Richland County, South Carolina as required by law, the Board of Directors of the Authority preliminarily approves the issuance and sale of economic development revenue bonds or notes of the Authority pursuant to Section 41-43-110 of the Act in a principal amount of not exceeding $7,000,000 (the "Bonds") for the purpose of providing financing to the Borrower for the acquisition and construction of the Project.

Section 3. The issuance and sale of the Bonds shall be upon such terms and conditions as may be mutually agreed upon by the Authority, the Borrower and the purchaser of the Bonds and shall be subject to completion of proceedings for issuance, sale and delivery of the Bonds satisfactory to the Authority. The provisions, terms and conditions of the agreements to be entered into in connection with the issuance of the Bonds by the Authority, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds, other details of any loan agreement relating to the Bonds, and findings required by the Act shall be prescribed by subsequent resolution of the Authority and shall be reasonable and proper, taking into account such factors as the type of program involved, the principal amount of the Bonds and the number and type of jobs involved; the public interest shall be adequately protected by the terms thereof.

Section 4. The Chairman of the Board of the Authority is hereby authorized and directed to execute the Inducement Agreement attached hereto in the name and on behalf of the Authority, and the Director of the Authority is hereby authorized and directed to affix thereto the seal of the Authority and to attest the same, and the Director of the Authority is hereby further authorized and directed to deliver said executed Inducement Agreement to the Borrower.

Section 5. It is the intention of the Authority that this resolution shall constitute an official action on the part of the Authority within the meaning of the applicable regulations of the Treasury Department relating to the issuance of tax-exempt revenue bonds.

Section 6. The Bonds shall never constitute an indebtedness of the Authority or the State of South Carolina (the "State") within the meaning of any state constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of the Authority or the State or a charge against the general credit of the Authority or the State or the taxing powers of the State.

Section 7. Upon receipt by the Authority from the Borrower of evidence, which shall be satisfactory to the Authority, of the economic feasibility of the Project, there

EXHIBIT 001352
AUG 22 1990 8
STATE BUDGET & CONTROL BOARD

13614

shall be and is hereby authorized and directed the submission on behalf of the Authority, of a Petition requesting approval by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 41-43-110 of the Act of the issuance of the Bonds through public or private sale, said Petition, which constitutes and is hereby made a part of this authorizing resolution, to be in form acceptable to the State Budget and Control Board.

Section 8. The Chairman of the Board of Directors of the Authority shall be and is hereby authorized and directed to execute said Petition in the name and on behalf of the Authority, and the Director of the Authority shall be and is hereby authorized and directed to affix the seal of Authority to said Petition and to attest the same and thereafter, upon the conditions set forth hereinabove, to submit an executed copy of this resolution to the State Budget and Control Board of South Carolina.

Section 9. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved June 27, 1990.
Date

SOUTH CAROLINA JOBS-ECONOMIC
DEVELOPMENT AUTHORITY

Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 22, 1990

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1990

TO: Jobs-Economic Development Authority
$5,500,000
Economic Development Revenue Bonds, Series 1990
(Pfizer Specialty Minerals, Inc. Project)

In accord with Section 1-11-500 et seq. of the South Carolina Code of Laws, 1976, as amended, the State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1990 only. It will expire on September 30, 1990, if the bonds/notes for which the allocation has been approved have not been issued prior to that time.

Before this tentative allocation becomes final, Code Section 1-11-550 requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.

Grady L. Patterson, Jr.

Attest:

Donna K. Williams, Secretary

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AUG 16 1990
9:08 A.M.
2 of 4

TRANSMITTAL FORM, REVENUE BONDS

Date: August 16, 1990
Submitted for BCB Meeting on:
August 22, 1990

TO: William A. McInnis, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:
Haynsworth, Marion, McKay & Guerard
Name of Law Firm
Columbia, SC 29202
City, State, Zip Code

PO Drawer 7157
Street Address/Box Number
(803) 765-1818
Telephone Area Code and Number

RE: $3,500,000
Amount of Issue
South Carolina Jobs-Economic Development Authority
Issuing Authority Name

Economic Development Revenue Bonds
Type of Bonds or Notes
September 30,1990
Projected Issue Date

Project Name: Trimite Powders Inc. Project
Project Description:
Acquisition of land, building and equipment to be used for the manufacture of solvent free thermosetting powder coatings

Employment as result of project: 22 jobs within 12 months; 24 jobs within 24 months

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
X Yes ($3,500,000) ___ No	__ Yes ($_____) X No	__ Yes (_____) X No
Amount	Amount	Date

DOCUMENTS ENCLOSED:
(ALL required for State law approval; A and C only for ceiling allocation only.)

A. X Petition (executed original and two copies)
B. ___ Resolution or ordinance (executed copy)
C. ___ Inducement Resolution or comparable preliminary approval (executed copy)
D. ___ Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR ___ Audited financial statements for three most recent years
E. ___ Department of Health and Environmental Control certificate IF REQUIRED
F. ___ Budget and Control Board Resolution and Public Notice (original)
[Plus _____ copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

Bond Counsel: Samuel W. Howell, IV
Typed Name
By: _____
Signature

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HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre—Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
(803) 240-3200

1201 Main Street
AT&T Building—Suite 2400
Post Office Drawer 7157
Columbia, South Carolina 29202
(803) 765-1818
Telecopier (803) 765-2399

Two Prioleau Street
Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

August 15, 1990

HAND DELIVERED

EXHIBIT

AUG 22 1990 8

STATE BUDGET & CONTROL BOARD

Ms Donna Williams
Secretary
State Budget and Control Board
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $3,500,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Trimite Powders Inc. Project)

Dear Donna:

I appreciate your alerting me to the change in the meeting schedule for the Budget and Control Board. Enclosed please find an agenda package requesting a volume cap allocation only for the above-captioned issue. The Petition has not been executed by the Chairman and Executive Director of JEDA; I anticipate having those no later than next Monday morning. When I receive the fully executed Petition I will forward it on to you for your file. Copies of the inducement resolution are at JEDA's offices; I will forward a copy for your files in the next several days.

This issue is subject to the September 30 expiration date contained in current federal tax law for small issue private activity bonds. Therefore the issue is scheduled to close by that date. JEDA anticipates having all necessary documentation to present to the Board for this issue for State law approval at the September 12 meeting. Please keep me posted on any changes that may occur with that meeting date.

I will attend the Board's meeting to answer any questions that may arise with respect to project. In the meantime, if there is anything further you need from me in connection with this matter please do not hesitate to give me a call.

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With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

SWH/lt
cc: The Honorable Elliott E. Franks, III
Mr David McRobbie
Mr Charles Kerekes

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PETITION

TO

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

RE: NOT EXCEEDING $3,500,000 SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1990 (TRIMITE POWDERS INC. PROJECT)

EX PARTE:
BOARD OF DIRECTORS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

1370

TO: The Honorable Carroll A. Campbell, Jr., Governor
The Honorable Grady L. Patterson, Jr., State Treasurer
The Honorable Earle E. Morris, Jr., Comptroller General
The Honorable James M. Waddell, Jr., Chairman Senate Finance Committee
The Honorable Robert N. McLellan, Chairman House Ways and Means Committee

Constituting the State Budget and Control Board of the State of South Carolina

Your Petitioner, the Board of Directors of the South Carolina Jobs-Economic Development Authority (the Governing Board), respectfully prays:

1. South Carolina Jobs-Economic Development Authority (the Issuer) proposes to finance costs of acquisition of approximately three acres of land in Spartanburg County, the construction thereon of an approximately 20,000 square foot building and the equipping thereof (the Project), for Trimite Powders Inc. , a South Carolina corporation (the Borrower), all of which will constitute facilities for the manufacture of solvent free thermosetting powder coatings by authorizing the issuance of not exceeding $3,500,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Trimite Powders Inc. Project) (the Bonds) pursuant to Chapter 43 of Title 41 of the Code of Laws of South Carolina 1976, as amended (the Enabling Statute).

2. The Issuer hereby finds that it is anticipated that the Project will benefit the general public welfare of the State of South Carolina, and Spartanburg County in particular, by providing employment for those engaged in construction of the Project, by providing additional permanent employment for approximately 22

1371

people within 12 months and 24 people within 24 months from completion of the Project from Spartanburg County and adjacent areas when the Project is placed in full operation, with the resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized by the Issuer bears a reasonable relationship to the principal amount of the Bonds.

3. Pursuant to the provisions of Act No. 117 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1987 and regulations promulgated thereunder, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling applicable to the State of South Carolina under Section 146 of the Internal Revenue Code of 1986, as amended.

4. The undersigned certifies that approval of this Project was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the Governing Board respectfully prays:

That the State Budget and Control Board accept the filing of the Petition presented herewith and that $3,500,000 of the State

EXHIBIT

AUG 22 1990 8

3 STATE BUDGET & CONTROL BOARD

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ceiling on private activity bonds for calendar year 1990 be allocated to the Bonds.

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

(SEAL)

By: Robert L Mobley
Chairman, Board of Directors

ATTEST:

Executive Director,

1373

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY AND TRIMITE POWDERS INC., WHEREBY UNDER CERTAIN CONDITIONS THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY WILL ISSUE APPROXIMATELY $3,500,000 OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS OR NOTES PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND AUTHORIZING APPLICATION UPON CERTAIN CONDITIONS TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority"), acting by and through its Board of Directors, is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in Section 41-43-160 of the Act in order to promote and develop the business and economic wealth of the State of South Carolina, encourage and assist in the location of new business enterprises in the State of South Carolina and in the rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities and capital equipment produced within the State of South Carolina, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State of South Carolina; and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds, as defined in the Act to include notes, payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any program authorized by the Act; and

WHEREAS, Trimite Powders Inc., a South Carolina corporation, (the "Borrower") has applied to the Authority to issue approximately $3,500,000 of its economic development revenue bonds or notes in order to defray the cost of acquiring by construction or purchase certain land, a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of manufacturing solvent free thermosetting powder coatings constituting a facility for industrial use (the "Project") to be located in Spartanburg County, South Carolina and the Authority wishes to induce the Borrower to acquire and construct the Project within the State of South Carolina; and

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WHEREAS, it is in the public interest, for public benefit and in furtherance of the public purposes of the Authority that its Board of Directors provide preliminary approval of the issuance of economic development revenue bonds for the aforesaid purposes; and

WHEREAS, it is deemed advisable by the Authority to file with the State Budget and Control Board of South Carolina, in compliance with Section 41-43-110 of the Act, the Petition of the Authority requesting approval by the State Budget and Control Board for the issuance of the note or bonds at public or private sale upon receipt by the Authority from the Borrower of evidence satisfactory to the Authority of the economic feasibility of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Authority as follows:

Section 1. It is hereby found, determined and declared as follows:

(a) The Borrower is a responsible party engaged in the business of manufacturing solvent free thermosetting powder coatings, and the Project is located in Spartanburg County, South Carolina.

(b) The Borrower has demonstrated to the Authority that the assistance of the Authority by the issuance of its economic development revenue bonds or notes will result in the creation or maintenance of employment for those engaged in construction of the Project, and by providing additional permanent employment for approximately 12 people from Spartanburg County and adjacent areas when the Project is placed in full operation with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized herein bears a reasonable relationship to the principal amount of the Bonds (as described below).

(c) The principal amount of the Bonds bears a reasonable relationship to the amount of private funds committed to the Project.

(d) The size and scope of the Project is such that a definite benefit to the economy of the State of South Carolina, and Spartanburg County in particular, is reasonably expected to result therefrom.

Section 2. Subject to such approval by the State Budget and Control Board and the governing board of Spartanburg County, South Carolina as required by law, the Board of Directors of the Authority preliminarily approves the issuance and sale of economic

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development revenue bonds or notes of the Authority pursuant to Section 41-43-110 of the Act in a principal amount of not exceeding $3,500,000 (the "Bonds") for the purpose of providing financing to the Borrower for the acquisition and construction of the Project.

Section 3. The issuance and sale of the Bonds shall be upon such terms and conditions as may be mutually agreed upon by the Authority, the Borrower and the purchaser of the Bonds and shall be subject to completion of proceedings for issuance, sale and delivery of the Bonds satisfactory to the Authority. The provisions, terms and conditions of the agreements to be entered into in connection with the issuance of the Bonds by the Authority, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds, other details of any loan agreement relating to the Bonds, and findings required by the Act shall be prescribed by subsequent resolution of the Authority and shall be reasonable and proper, taking into account such factors as the type of program involved, the principal amount of the Bonds and the number and type of jobs involved; the public interest shall be adequately protected by the terms thereof.

Section 4. The Chairman of the Board of the Authority is hereby authorized and directed to execute the Inducement Agreement attached hereto in the name and on behalf of the Authority, and the Director of the Authority is hereby authorized and directed to affix thereto the seal of the Authority and to attest the same, and the Director of the Authority is hereby further authorized and directed to deliver said executed Inducement Agreement to the Borrower.

Section 5. It is the intention of the Authority that this resolution shall constitute an official action on the part of the Authority within the meaning of the applicable regulations of the Treasury Department relating to the issuance of tax-exempt revenue bonds.

Section 6. The Bonds shall never constitute an indebtedness of the Authority or the State of South Carolina (the "State") within the meaning of any state constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of the Authority or the State or a charge against the general credit of the Authority or the State or the taxing powers of the State.

Section 7. Upon receipt by the Authority from the Borrower of evidence, which shall be satisfactory to the Authority, of the economic feasibility of the Project, there shall be and is hereby authorized and directed the submission on behalf of the Authority, of a Petition requesting approval by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 41-43-110 of the Act of the issuance of the Bonds through public or private sale, said Petition, which constitutes and is hereby made

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a part of this authorizing resolution, to be in form acceptable to the State Budget and Control Board.

Section 8. The Chairman of the Board of Directors of the Authority shall be and is hereby authorized and directed to execute said Petition in the name and on behalf of the Authority, and the Director of the Authority shall be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter, upon the conditions set forth hereinabove, to submit an executed copy of this resolution to the State Budget and Control Board of South Carolina.

Section 9. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved August 15, 1990.

SOUTH CAROLINA JOBS-ECONOMIC
DEVELOPMENT AUTHORITY

Robert Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

001365

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STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 22, 1990

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1990

TO: Jobs-Economic Development Authority
$3,500,000
Economic Development Revenue Bonds, Series 1990
(Trimite Powders, Inc. Project)

In accord with Section 1-11-500 et seq. of the South Carolina Code of Laws, 1976, as amended, the State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1990 only. It will expire on September 30, 1990, if the bonds/notes for which the allocation has been approved have not been issued prior to that time.

Before this tentative allocation becomes final, Code Section 1-11-550 requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.

Grady L. Patterson, Jr.

Attest:

Donna K. Williams, Secretary

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AUG 16 1990
9:08 A.M.
3 of 4 LE

TRANSMITTAL FORM, REVENUE BONDS

Date: August 16, 1990
Submitted for BCB Meeting on:
August 22, 1990

TO: William A. McInnis, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:
Haynsworth, Marion, McKay & Guerard
Name of Law Firm
Columbia, SC 29202
City, State, Zip Code

PO Drawer 7157
Street Address/Box Number
(803) 765-1818
Telephone Area Code and Number

RE: $10,000,000
Amount of Issue
South Carolina Jobs-Economic Development Authority
Issuing Authority Name

Economic Development Revenue Bonds
Type of Bonds or Notes
September 30,1990
Projected Issue Date

Project Name: United Merchants and Manufacturers, Inc. Project
Project Description:
Acquisition of equipment to be used for spinning, weaving and finishing in the manufacture of textiles.

Employment as result of project: Retain 1,205 jobs

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
X Yes ($ 10,000,000 Amount) ___ No	__ Yes ($ _____ Amount) X No	__ Yes (_____ Date) X No

DOCUMENTS ENCLOSED:
(ALL required for State law approval; A and C only for ceiling allocation only.)

A. X Petition (executed original and two copies)
B. ___ Resolution or ordinance (executed copy)
C. ___ Inducement Resolution or comparable preliminary approval (executed copy)
D. ___ Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR ___ Audited financial statements for three most recent years
E. ___ Department of Health and Environmental Control certificate IF REQUIRED
F. ___ Budget and Control Board Resolution and Public Notice (original)
[Plus _____ copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT
8

Bond Counsel: Samuel W. Howell, IV
Typed Name

AUG 22 1990
STATE BUDGET & CONTROL BOARD

By: _____
Signature

001367

OED 1/86

1379

SEP 6 1990

HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre – Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
(803) 240-3200

1201 Main Street
AT&T Building—Suite 2400
Post Office Drawer 7157
Columbia, South Carolina 29202
(803) 765-1818
Telecopier (803) 765-2399

Two Prioleau Street
Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

September 5, 1990

HAND DELIVERED

Ms. Donna Williams
State of South Carolina
Budget & Control Board
Post Office Box 12444
Wade Hampton Office Building
6th Floor
Columbia, South Carolina 29211

RE: $10,000,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (United Merchants and Manufacturers, Inc. Project)

Dear Donna:

As we discussed on the telephone today, United Merchants and Manufacturers, Inc. appears to be unable to put together their bond financing in time to accommodate a September 30 closing. Although the company will proceed to try to arrange financing, if and when that is accomplished we will then have to address the availability of tax-exempt financing through JEDA under the then current federal tax laws. As a consequence, on behalf of JEDA I am hereby notifying you that you can consider the $10,000,000 volume cap allocation made to this project by the Budget & Control Board on August 22 as relinquished to the Board for reallocation as it sees fit. Please let me know if there is anything further you need from me in connection with this matter. With kindest personal regards, I remain,

Very truly yours,

Sam

Samuel W. Howell, IV

SWH:ss
cc: The Honorable Elliott E. Franks, III

001368

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HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre – Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
(803) 240-3200

1201 Main Street
AT&T Building—Suite 2400
Post Office Drawer 7157
Columbia, South Carolina 29202
(803) 765-1818
Telecopier (803) 765-2399

Two Prioleau Street
Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

August 15, 1990

HAND DELIVERED

Ms Donna Williams
Secretary
State Budget and Control Board
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $10,000,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (United Merchants and Manufactureres, Inc. Project)

Dear Donna:

I appreciate your alerting me to the change in the meeting schedule for the Budget and Control Board. Enclosed please find an agenda package requesting a volume cap allocation only for the above-captioned issue. The Petition has not been executed by the Chairman and Executive Director of JEDA; I anticipate having those no later than next Monday morning. When I receive the fully executed Petition I will forward it on to you for your file. Copies of the inducement resolution are at JEDA's offices; I will forward a copy for your files in the next several days.

This issue is subject to the September 30 expiration date contained in current federal tax law for small issue private activity bonds. Therefore the issue is scheduled to close by that date. JEDA anticipates having all necessary documentation to present to the Board for this issue for State law approval at the September 12 meeting. Please keep me posted on any changes that may occur with that meeting date.

I will attend the Board's meeting to answer any questions that may arise with respect to project. In the meantime, if there is anything further you need from me in connection with this matter please do not hesitate to give me a call.

1381

With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

SWH/lt
cc: The Honorable Elliott E. Franks, III
Mr Victor Danko

1382

EXHIBIT

AUG 2 2 1990 8

STATE BUDGET & CONTROL BOARD

PETITION

TO

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

RE: NOT EXCEEDING $10,000,000 SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1990 (UNITED MERCHANTS AND MANUFACTURERS, INC. PROJECT)

EX PARTE:

BOARD OF DIRECTORS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

1383

TO: The Honorable Carroll A. Campbell, Jr., Governor
The Honorable Grady L. Patterson, Jr., State Treasurer
The Honorable Earle E. Morris, Jr., Comptroller General
The Honorable James M. Waddell, Jr., Chairman Senate Finance Committee
The Honorable Robert N. McLellan, Chairman House Ways and Means Committee

Constituting the State Budget and Control Board of the State of South Carolina

Your Petitioner, the Board of Directors of the South Carolina Jobs-Economic Development Authority (the Governing Board), respectfully prays:

1. South Carolina Jobs-Economic Development Authority (the Issuer) proposes to finance costs of acquisition of equipment to be used in the existing textile mills located in Buffalo, Union County; Union, Union County; and Conway, Horry County (the Project), for United Merchants and Manufacturers, Inc. (or a subsidiary or affiliate thereof) (the Borrower), all of which will constitute facilities for spinning, weaving and finishing operations in the manufacture of textiles by authorizing the issuance of not exceeding $10,000,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (United Merchants and Manufacturers, Inc. Project) (the Bonds) pursuant to Chapter 43 of Title 41 of the Code of Laws of South Carolina 1976, as amended (the Enabling Statute).

2. The Issuer hereby finds that it is anticipated that the Project will benefit the general public welfare of the State of South Carolina, and Buffalo and Union, Union County, and Conway, Horry County, in particular, by providing employment for those engaged in construction of the Project, by retaining 1,205

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employees from Buffalo and Union, Union County, and Conway, Horry County and adjacent areas, and the number of jobs resulting from the assistance authorized by the Issuer bears a reasonable relationship to the principal amount of the Bonds.

3. Pursuant to the provisions of Act No. 117 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1987 and regulations promulgated thereunder, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling applicable to the State of South Carolina under Section 146 of the Internal Revenue Code of 1986, as amended.

4. The undersigned certifies that approval of this Project was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the Governing Board respectfully prays:

That the State Budget and Control Board accept the filing of the Petition presented herewith and that $10,000,000 of the State ceiling on private activity bonds for calendar year 1990 be allocated to the Bonds.

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

(SEAL)

By: Robert L. Mobley
Chairman, Board of Directors

ATTEST:

Executive Director,

1386

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY AND UNITED MERCHANTS AND MANUFACTURERS, INC., WHEREBY UNDER CERTAIN CONDITIONS THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY WILL ISSUE APPROXIMATELY $10,000,000 OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS OR NOTES PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND AUTHORIZING APPLICATION UPON CERTAIN CONDITIONS TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority"), acting by and through its Board of Directors, is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in Section 41-43-160 of the Act in order to promote and develop the business and economic wealth of the State of South Carolina, encourage and assist in the location of new business enterprises in the State of South Carolina and in the rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities and capital equipment produced within the State of South Carolina, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State of South Carolina; and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds, as defined in the Act to include notes, payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any program authorized by the Act; and

WHEREAS, United Merchants and Manufacturers, Inc., a South Carolina corporation, (the "Borrower") has applied to the Authority to issue approximately $10,000,000 of its economic development revenue bonds or notes in order to defray the cost of acquiring by construction or purchase certain land, a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of spinning, weaving and finishing operations constituting a facility for manufacturing textiles (the "Project") to be located in Union and Horry Counties, South Carolina and the Authority wishes to induce the Borrower to acquire and construct the Project within the State of South Carolina; and

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WHEREAS, it is in the public interest, for public benefit and in furtherance of the public purposes of the Authority that its Board of Directors provide preliminary approval of the issuance of economic development revenue bonds for the aforesaid purposes; and

WHEREAS, it is deemed advisable by the Authority to file with the State Budget and Control Board of South Carolina, in compliance with Section 41-43-110 of the Act, the Petition of the Authority requesting approval by the State Budget and Control Board for the issuance of the note or bonds at public or private sale upon receipt by the Authority from the Borrower of evidence satisfactory to the Authority of the economic feasibility of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Authority as follows:

Section 1. It is hereby found, determined and declared as follows:

(a) The Borrower is a responsible party engaged in the business of manufacturing textiles, and the Project is located in Union and Horry Counties, South Carolina.

(b) The Borrower has demonstrated to the Authority that the assistance of the Authority by the issuance of its economic development revenue bonds or notes will result in the creation or maintenance of employment for those engaged in construction of the Project, and by maintaining permanent employment for approximately 1,205 people from Union and Horry Counties and adjacent areas with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized herein bears a reasonable relationship to the principal amount of the Bonds (as described below).

(c) The principal amount of the Bonds bears a reasonable relationship to the amount of private funds committed to the Project.

(d) The size and scope of the Project is such that a definite benefit to the economy of the State of South Carolina, and Union and Horry Counties in particular, is reasonably expected to result therefrom.

Section 2. Subject to such approval by the State Budget and Control Board and the governing boards of Union County and Horry County, South Carolina as required by law, the Board of Directors of the Authority preliminarily approves the issuance and sale of economic development revenue bonds or notes of the Authority pursuant to Section 41-43-110 of the Act in a principal amount of

not exceeding $10,000,000 (the "Bonds") for the purpose of providing financing to the Borrower for the acquisition and construction of the Project.

Section 3. The issuance and sale of the Bonds shall be upon such terms and conditions as may be mutually agreed upon by the Authority, the Borrower and the purchaser of the Bonds and shall be subject to completion of proceedings for issuance, sale and delivery of the Bonds satisfactory to the Authority. The provisions, terms and conditions of the agreements to be entered into in connection with the issuance of the Bonds by the Authority, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds, other details of any loan agreement relating to the Bonds, and findings required by the Act shall be prescribed by subsequent resolution of the Authority and shall be reasonable and proper, taking into account such factors as the type of program involved, the principal amount of the Bonds and the number and type of jobs involved; the public interest shall be adequately protected by the terms thereof.

Section 4. The Chairman of the Board of the Authority is hereby authorized and directed to execute the Inducement Agreement attached hereto in the name and on behalf of the Authority, and the Director of the Authority is hereby authorized and directed to affix thereto the seal of the Authority and to attest the same, and the Director of the Authority is hereby further authorized and directed to deliver said executed Inducement Agreement to the Borrower.

Section 5. It is the intention of the Authority that this resolution shall constitute an official action on the part of the Authority within the meaning of the applicable regulations of the Treasury Department relating to the issuance of tax-exempt revenue bonds.

Section 6. The Bonds shall never constitute an indebtedness of the Authority or the State of South Carolina (the "State") within the meaning of any state constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of the Authority or the State or a charge against the general credit of the Authority or the State or the taxing powers of the State.

Section 7. Upon receipt by the Authority from the Borrower of evidence, which shall be satisfactory to the Authority, of the economic feasibility of the Project, there shall be and is hereby authorized and directed the submission on behalf of the Authority, of a Petition requesting approval by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 41-43-110 of the Act of the issuance of the Bonds through public or private sale, said Petition, which constitutes and is hereby made a part of this authorizing resolution, to be in form acceptable to

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the State Budget and Control Board.

Section 8. The Chairman of the Board of Directors of the Authority shall be and is hereby authorized and directed to execute said Petition in the name and on behalf of the Authority, and the Director of the Authority shall be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter, upon the conditions set forth hereinabove, to submit an executed copy of this resolution to the State Budget and Control Board of South Carolina.

Section 9. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved August 15, 1990.

SOUTH CAROLINA JOBS-ECONOMIC
DEVELOPMENT AUTHORITY

Robert Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

EXHIBIT

AUG 22 1990 8

STATE BUDGET & CONTROL BOARD

1390

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 22, 1990

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1990

TO: Jobs-Economic Development Authority
$10,000,000
Economic Development Revenue Bonds, Series 1990
(United Merchants and Manufacturers, Inc. Project)

In accord with Section 1-11-500 et seq. of the South Carolina Code of Laws, 1976, as amended, the State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1990 only. It will expire on September 30, 1990, if the bonds/notes for which the allocation has been approved have not been issued prior to that time.

Before this tentative allocation becomes final, Code Section 1-11-550 requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.

Grady L. Patterson, Jr.

Attest:

Donna K. Williams, Secretary

001379

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AUG 16 1990
9:08 A.M.
4 of 4 LF

TRANSMITTAL FORM, REVENUE BONDS

Date: August 16, 1990
Submitted for BCB Meeting on:
August 22, 1990

TO: William A. McInnis, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:
Haynsworth, Marion, McKay & Guerard
Name of Law Firm
Columbia, SC 29202
City, State, Zip Code

PO Drawer 7157
Street Address/Box Number
(803) 765-1818
Telephone Area Code and Number

RE: $10,000,000
Amount of Issue
South Carolina Jobs-Economic Development Authority
Issuing Authority Name

Economic Development Revenue Bonds
Type of Bonds or Notes
September 30,1990
Projected Issue Date

Project Name: Conco Medical Products Corp. Project
Project Description:
Acquisition of land, building and equipment to be used for the manufacture of medical textile products.

Employment as result of project: 80 jobs within 12 months; 100 jobs within 24 months

CEILING ALLOCATION REQUIRED	**REFUNDING INVOLVED**	**PROJECT APPROVED PREVIOUSLY**
X Yes ($ 10,000,000) Amount ___ No	__ Yes ($ _____) Amount X No	__ Yes (_____) Date X No

DOCUMENTS ENCLOSED:
(ALL required for State law approval; A and C only for ceiling allocation only.)

A. X Petition (executed original and two copies)
B. ___ Resolution or ordinance (executed copy)
C. ___ Inducement Resolution or comparable preliminary approval (executed copy)
D. ___ Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR ___ Audited financial statements for three most recent years
E. ___ Department of Health and Environmental Control certificate IF REQUIRED
F. ___ Budget and Control Board Resolution and Public Notice (original)
[Plus _____ copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

Bond Counsel: Samuel W. Howell, IV
Typed Name
By: _____
Signature

001380

OED 1/86

1392

HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre —Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
(803) 240-3200

1201 Main Street
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Post Office Drawer 7157
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(803) 765-1818
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Two Prioleau Street
Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

August 15, 1990

HAND DELIVERED

Ms Donna Williams
Secretary
State Budget and Control Board
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $10,000,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Conco Medical Products Corp. Project)

Dear Donna:

I appreciate your alerting me to the change in the meeting schedule for the Budget and Control Board. Enclosed please find an agenda package requesting a volume cap allocation only for the above-captioned issue. The Petition has not been executed by the Chairman and Executive Director of JEDA; I anticipate having those no later than next Monday morning. When I receive the fully executed Petition I will forward it on to you for your file. Copies of the inducement resolution are at JEDA's offices; I will forward a copy for your files in the next several days.

This issue is subject to the September 30 expiration date contained in current federal tax law for small issue private activity bonds. Therefore the issue is scheduled to close by that date. JEDA anticipates having all necessary documentation to present to the Board for this issue for State law approval at the September 12 meeting. Please keep me posted on any changes that may occur with that meeting date.

I will attend the Board's meeting to answer any questions that may arise with respect to project. In the meantime, if there is anything further you need from me in connection with this matter please do not hesitate to give me a call.

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With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

SWH/lt
cc: The Honorable Elliott E. Franks, III
Mr Peter T. Moore
April C. Lucas, Esq.

1394

EXHIBIT

AUG 2 2 1990 8

STATE BUDGET & CONTROL BOARD

PETITION

TO

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

RE: NOT EXCEEDING $10,000,000 SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1990 (CONCO MEDICAL PRODUCTS CORP. PROJECT)

EX PARTE:
BOARD OF DIRECTORS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

1395

TO: The Honorable Carroll A. Campbell, Jr., Governor
The Honorable Grady L. Patterson, Jr., State Treasurer
The Honorable Earle E. Morris, Jr., Comptroller General
The Honorable James M. Waddell, Jr., Chairman Senate Finance Committee
The Honorable Robert N. McLellan, Chairman House Ways and Means Committee

Constituting the State Budget and Control Board of the State of South Carolina

Your Petitioner, the Board of Directors of the South Carolina Jobs-Economic Development Authority (the Governing Board), respectfully prays:

1. South Carolina Jobs-Economic Development Authority (the Issuer) proposes to finance costs of acquisition of approximately 18 acres of land located in TechPark in York County, the construction thereon of an approximately 140,000 square foot building and the equipping thereof (the Project), for Conco Medical Products Corp. (or its assignee or subsidiary), a South Carolina corporation (the Borrower), all of which will constitute facilities for the manufacture of medical textile products by authorizing the issuance of not exceeding $10,000,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1990 (Conco Medical Products Corp. Project) (the Bonds) pursuant to Chapter 43 of Title 41 of the Code of Laws of South Carolina 1976, as amended (the Enabling Statute).

2. The Issuer hereby finds that it is anticipated that the Project will benefit the general public welfare of the State of South Carolina, and York County in particular, by providing employment for those engaged in construction of the Project, by providing additional permanent employment for approximately 80

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people within 12 months and 100 people within 24 months from completion of the Project from York County and adjacent areas when the Project is placed in full operation, with the resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized by the Issuer bears a reasonable relationship to the principal amount of the Bonds.

3. Pursuant to the provisions of Act No. 117 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1987 and regulations promulgated thereunder, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling applicable to the State of South Carolina under Section 146 of the Internal Revenue Code of 1986, as amended.

4. The undersigned certifies that approval of this Project was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the Governing Board respectfully prays:

That the State Budget and Control Board accept the filing of the Petition presented herewith and that $10,000,000 of the State

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ceiling on private activity bonds for calendar year 1990 be allocated to the Bonds.

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

(SEAL)

By: Robert L. Mobley
Chairman, Board of Directors

ATTEST:
Executive Director,

EXHIBIT
AUG 2 2 1990 8
STATE BUDGET & CONTROL BOARD

1398

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY AND CONCO MEDICAL PRODUCTS CORP., WHEREBY UNDER CERTAIN CONDITIONS THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY WILL ISSUE APPROXIMATELY $10,000,000 OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS OR NOTES PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND AUTHORIZING APPLICATION UPON CERTAIN CONDITIONS TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority"), acting by and through its Board of Directors, is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in Section 41-43-160 of the Act in order to promote and develop the business and economic wealth of the State of South Carolina, encourage and assist in the location of new business enterprises in the State of South Carolina and in the rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities and capital equipment produced within the State of South Carolina, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State of South Carolina; and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds, as defined in the Act to include notes, payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any program authorized by the Act; and

WHEREAS, Conco Medical Products Corp., a South Carolina corporation, (the "Borrower") has applied to the Authority to issue approximately $10,000,000 of its economic development revenue bonds or notes in order to defray the cost of acquiring by construction or purchase certain land, a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of manufacturing textile products constituting a facility for industrial use (the "Project") to be located in the City of Rock Hill, York County, South Carolina and the Authority wishes to induce the Borrower to acquire and construct the Project within the State of South Carolina; and

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WHEREAS, it is in the public interest, for public benefit and in furtherance of the public purposes of the Authority that its Board of Directors provide preliminary approval of the issuance of economic development revenue bonds for the aforesaid purposes; and

WHEREAS, it is deemed advisable by the Authority to file with the State Budget and Control Board of South Carolina, in compliance with Section 41-43-110 of the Act, the Petition of the Authority requesting approval by the State Budget and Control Board for the issuance of the note or bonds at public or private sale upon receipt by the Authority from the Borrower of evidence satisfactory to the Authority of the economic feasibility of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Authority as follows:

Section 1. It is hereby found, determined and declared as follows:

(a) The Borrower is a responsible party engaged in the business of manufacturing textile products, and the Project is located in the City of Rock Hill, York County, South Carolina.

(b) The Borrower has demonstrated to the Authority that the assistance of the Authority by the issuance of its economic development revenue bonds or notes will result in the creation or maintenance of employment for those engaged in construction of the Project, and by providing additional permanent employment for approximately 80 people from York County and adjacent areas when the Project is placed in full operation with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized herein bears a reasonable relationship to the principal amount of the Bonds (as described below).

(c) The principal amount of the Bonds bears a reasonable relationship to the amount of private funds committed to the Project.

(d) The size and scope of the Project is such that a definite benefit to the economy of the State of South Carolina, and York County in particular, is reasonably expected to result therefrom.

Section 2. Subject to such approval by the State Budget and Control Board and the governing board of either the City of Rock Hill or York County, South Carolina as required by law, the Board of Directors of the Authority preliminarily approves the issuance and sale of economic development revenue bonds or notes of the

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Authority pursuant to Section 41-43-110 of the Act in a principal amount of not exceeding $10,000,000 (the "Bonds") for the purpose of providing financing to the Borrower for the acquisition and construction of the Project.

Section 3. The issuance and sale of the Bonds shall be upon such terms and conditions as may be mutually agreed upon by the Authority, the Borrower and the purchaser of the Bonds and shall be subject to completion of proceedings for issuance, sale and delivery of the Bonds satisfactory to the Authority. The provisions, terms and conditions of the agreements to be entered into in connection with the issuance of the Bonds by the Authority, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds, other details of any loan agreement relating to the Bonds, and findings required by the Act shall be prescribed by subsequent resolution of the Authority and shall be reasonable and proper, taking into account such factors as the type of program involved, the principal amount of the Bonds and the number and type of jobs involved; the public interest shall be adequately protected by the terms thereof.

Section 4. The Chairman of the Board of the Authority is hereby authorized and directed to execute the Inducement Agreement attached hereto in the name and on behalf of the Authority, and the Director of the Authority is hereby authorized and directed to affix thereto the seal of the Authority and to attest the same, and the Director of the Authority is hereby further authorized and directed to deliver said executed Inducement Agreement to the Borrower.

Section 5. It is the intention of the Authority that this resolution shall constitute an official action on the part of the Authority within the meaning of the applicable regulations of the Treasury Department relating to the issuance of tax-exempt revenue bonds.

Section 6. The Bonds shall never constitute an indebtedness of the Authority or the State of South Carolina (the "State") within the meaning of any state constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of the Authority or the State or a charge against the general credit of the Authority or the State or the taxing powers of the State.

Section 7. Upon receipt by the Authority from the Borrower of evidence, which shall be satisfactory to the Authority, of the economic feasibility of the Project, there shall be and is hereby authorized and directed the submission on behalf of the Authority, of a Petition requesting approval by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 41-43-110 of the Act of the issuance of the Bonds through public or private sale, said Petition, which constitutes and is hereby made

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a part of this authorizing resolution, to be in form acceptable to the State Budget and Control Board.

Section 8. The Chairman of the Board of Directors of the Authority shall be and is hereby authorized and directed to execute said Petition in the name and on behalf of the Authority, and the Director of the Authority shall be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter, upon the conditions set forth hereinabove, to submit an executed copy of this resolution to the State Budget and Control Board of South Carolina.

Section 9. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved August 15, 1990.

SOUTH CAROLINA JOBS-ECONOMIC
DEVELOPMENT AUTHORITY

Robert L. Mobley

Robert Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III

Elliott E. Franks, III
Director

1402

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

August 22, 1990

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1990

TO: Jobs-Economic Development Authority
$10,000,000
Economic Development Revenue Bonds, Series 1990
(Conco Medical Products Corporation Project)

In accord with Section 1-11-500 et seq. of the South Carolina Code of Laws, 1976, as amended, the State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1990 only. It will expire on September 30, 1990, if the bonds/notes for which the allocation has been approved have not been issued prior to that time.

Before this tentative allocation becomes final, Code Section 1-11-550 requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.

Grady L. Patterson, Jr.

Attest:

Donna K. Williams, Secretary

EXHIBIT

AUG 2 2 1990 8

STATE BUDGET & CONTROL BOARD

001391

1403

EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

AUG 22 1990 9

For meeting scheduled for: August 22, 1990 STATE BUDGET & CONTROL BOARD

___ *Blue Agenda*
_X_ *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Stephen C. Osborne

2. *Subject:* Military Leave for State Employees

3. *Summary Background Information:*

Section 8-7-90 of the South Carolina Code of Laws provides that all officers and employees of the State who are members of the National Guard or Reserves are entitled to an aggregate of fifteen work days with pay in one year for military training or other duties. The statute also provides "In the event any such person is called upon to serve during an emergency he is entitled to such leave of absence for not exceeding thirty additional days."

The current Middle East situation may result in employees in the National Guard and Reserves being called to active military duty. In this event, a policy determination is requested as to whether this duty is considered an emergency.

4. *What is Board asked to do?*

To define whether the current Middle East situation is considered an emergency for the purpose of granting additional paid military leave to employees of the State.

5. *What is recommendation of the Board Division involved?*

To define the current Middle East situation as an emergency thereby granting additional paid military leave to employees of the State.

6. *Recommendation of other office (as required)?*

(a) Office Name _____ *(b) Authorized Signature* _____

7. *Supporting Documents:*

List Those Attached	*List Those Not Attached But Available from Submitter*
Section 8-7-90 of the Code of Laws of South Carolina, as amended.	

001392

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ACT 587

(H.4630, R-725)

TO AMEND SECTION 8-7-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEAVES OF ABSENCE AUTHORIZED FOR PUBLIC OFFICERS AND EMPLOYEES FOR CERTAIN NATIONAL GUARD OR RESERVE MILITARY SERVICE, SO AS TO FURTHER PROVIDE FOR THE TERMS AND CONDITIONS OF THESE AUTHORIZED LEAVES OF ABSENCE, TO REVISE THE TYPES OF SERVICE OR TRAINING FOR WHICH THESE LEAVES OF ABSENCE ARE AUTHORIZED, AND TO PROVIDE FOR THE MANNER IN WHICH THESE PROVISIONS MUST BE CONSTRUED.

Be it enacted by the General Assembly of the State of South Carolina:

Leaves of absence further provided for

SECTION 1. Section 8-7-90 of the 1976 Code is amended to read:

"Section 8-7-90. All officers and employees of the State or a political subdivision of this State, who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, or the United States Coast Guard Reserve are entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating, for one or more periods not exceeding an aggregate of fifteen regularly scheduled work days in any one year during which they may engage in training or any other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. Saturdays, Sundays, and state holidays may not be included in the fifteen-day aggregate unless the particular Saturday, Sunday, or holiday to be included is a regularly scheduled work day for the officer or employee involved. In the event any such person is called upon to serve during an emergency he is entitled to such leave of absence for not exceeding thirty additional days.

As used in this section, 'in any one year' means either a calendar year or, in the case of members required to perform active duty for training or other duties within or on a fiscal year basis, the fiscal year of the National Guard or reserve component issuing the orders.

The provisions of this section must be construed liberally to encourage and allow full participation in all aspects of the National Guard and reserve programs of the

1405

armed forces of the United States, and to allow state officers and employees who are enlisted or commissioned members of the National Guard or reserve components to excel in military and emergency preparedness and service by taking full advantage of all career enhancing assignments and training opportunities."

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

(Signed by the Governor June 11, 1990)

EXHIBIT

AUG 2 2 1990 9

STATE BUDGET & CONTROL BOARD

1406

EXHIBIT

AUG 2 2 1990 10

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF August 22, 1990 ITEM NUMBER 4

AGENCY: State Fire Marshal

SUBJECT: State Fire Academy

Staff will discuss the status of the current State Fire Academy, training requirements, and future needs.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

001395

1407

EXHIBIT

AUG 2 2 1990 10

STATE BUDGET & CONTROL BOARD

BRIEFING

on the

RELOCATION

of the

SOUTH CAROLINA FIRE ACADEMY

DIVISION OF STATE FIRE MARSHAL

STATE BUDGET AND CONTROL BOARD

JESSE A. COLES, JR., Ph.D.
Executive Director

August 22, 1990

001396

BUDGET AND CONTROL BOARD BRIEFING
INTERNAL AGENDA

3 Minutes	<u>Opening Remarks</u> - Paraphrase Fire Article - Enabling Legislation - Mission of S. C. Fire Academy	Randy
3 Minutes	<u>General Information</u> - Mandates - Fire Service Demographics - History	Jim
4 Minutes	<u>Current Status</u> - Problems at Current Academy - Status of Contamination - Curriculum and Instruction - Students/Operating Budget Graph	
4 Minutes	<u>Benefits</u> - Economic Development - Property Loss - I.S.O. Schedule - Improved Training/Safety - Multi-Agency Utilization	
3 Minutes	<u>Needs</u> - Status of Land - Proposed South Carolina Fire Academy Programming	
1 Minute	- Closing and Comments	

Total - 18 Minutes

EXHIBIT
AUG 22 1990 10
STATE BUDGET & CONTROL BOARD

001397

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EXECUTIVE VERSION

EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

001398

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FIRE! FIRE!

Thousands of times each year. the word, "FIRE!" reverberates in the hallways of homes and businesses in South Carolina. When this alarm is heard, South Carolinians come face to face with the reality of one of the most dreaded causes of death and disfigurement known to man. It is <u>also</u> one of the <u>most</u> <u>costly</u>.

Fire, as a threat and as a reality, has many costs: deaths, injuries, hospital bills, property losses, lost tax revenues, impact on social services organizations, plus the costs of maintaining fire departments with trained firefighters, fire insurance premiums and providing built-in fire protection systems. WHO PAYS FOR ALL OF THIS? Consider the impact on the state and local government tax base if we had to pay <u>just</u> the cost of salaries and benefits for the 85% volunteer firefighters in this state--approximately15,000 of them. The amount would exceed $350 million, an amount representing approximately 10 percent of the state budget.

Generally, the fire service is taken for granted. We don't really know who they are in our community or what they are all about, but we do expect them to be there when called. In most instances of an emergency nature, the fire department is called <u>FIRST</u>. And, when they are called, we expect them to respond immediately and perform in a valiant and dauntless way. The effectiveness of a fire department in reducing life and property losses depends to a large extent on (1) how soon the firefighters arrive on the scene, and (2) what they do with their equipment after they arrive. While it is important that the equipment at the scene be adequate to the task, it is equally important that there are enough firefighters and that they are properly trained to use the equipment in a competent manner.

For 200 years, the fire service has been the backbone and the heart and soul of local communities. They are a time-honored tradition--unsung heroes. They are a brotherhood of service with a network that can be depended upon in an emergency. We do not know why a person decides to voluntarily place his or her life on the line to protect fellow citizens, but we are certainly grateful for those who do. South Carolina has over 18,000 public firefighters in 650 fire departments; 15,000 of whom are volunteers. Additionally, another 7,000 serve in industrial fire brigades. The number one need facing this state's fire service today (25,000 of them) is <u>TRAINING</u>.

The South Carolina Fire Academy is charged by legislative mandate to provide training to the firefighters of this state--paid, volunteer, and industrial. The training offered at the Academy must be highly diversified to meet the many needs of firefighters today. Federal legislation places more and more requirements on training and safety. Program restructuring at the Academy has accommodated many of the demands; however, environmental and facilities problems preclude any future expansion at the present facility. The answer to the problems would be relocation of the Academy to a site away from a populated area where infringement of neighbors would not be a problem, centrally located for accessibility to users, and where there is enough acreage to provide ideal training facilities and environmentally safe grounds.

001399

EXHIBIT 10

AUG 22 1990

STATE BUDGET & CONTROL BOARD

CHAPTER 10

SOUTH CAROLINA FIRE ACADEMY

SEC.

23-10-10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

23-10-10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

The Division of State Fire Marshal of the Budget and Control Board shall have sole responsibility for the operation of the South Carolina Fire Academy (Academy). The Academy is operated for the express purpose of upgrading the state's fire service, personnel - paid, volunteer, and industrial .....

1412

MISSION STATEMENT

THE MISSION OF THE SOUTH CAROLINA FIRE ACADEMY IS TO DEVELOP AN INSTRUCTIONAL DELIVERY SYSTEM THROUGH WHICH A STANDARDIZED STATEWIDE FIREFIGHTER TRAINING CURRICULUM IS DEVELOPED AND IMPLEMENTED TO TRAIN A MAXIMUM NUMBER OF CAREER, VOLUNTEER, AND INDUSTRIAL FIRE SERVICE PERSONNEL TO:

1. DEVELOP THE SKILLS NECESSARY TO COMMAND AND CONTROL EMERGENCY OPERATIONS INVOLVING FIRE, RESCUE, AND HAZARDOUS MATERIALS INCIDENTS.

2. DEVELOP THE MANAGERIAL AND LEADERSHIP SKILLS FOR ALL LEVELS OF FIRE OFFICERS.

3. DEVELOP SKILLS IN FIRE DEPARTMENT SUPPORT FUNCTIONS TO INCLUDE PUBLIC FIRE EDUCATION, FIRE PREVENTION, INSPECTIONS, AND FIRE INVESTIGATIONS.

001401

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SOUTH CAROLINA FIRE ACADEMY
MANDATES

1979 — Act No. 190 Section 23-10-10
Responsibility for career, volunteer and industrial fire training

1981 — OSHA SUBPART L (1910.156 CFR)
Mandates all firefighters to receive basic fire training and special hazards training

1989 — Sara Title III (1910.120 CFR)
Mandates all firefighters to receive hazardous materials training

Early '70s — Appendix R - Nuclear Regulatory Commission
Mandates training requirements for nuclear fire brigades

001402

1 4 1 4

State of South Carolina
Department of Labor
3600 Forest Drive • P.O. Box 11329 • Columbia, S.C. 29211-1329
(803) 734-9600 • FAX 734-9716
Virgil W. Duffie, Jr. • Commissioner

Information Memorandum: 90-X-82(Revised)

TO: All OSH Directors, Supervisors and Field Personnel

FROM: William M. Lybrand, Director of OSH

SUBJECT: Quality of Training for Firemen Under Section 1910.156(c)(3)

DATE: July 18, 1990

Purpose.

This memorandum clarifies the South Carolina Department of Labor, Division of Occupational Safety and Health's position on Subarticle 6, Section 1910.156 (c)(3) of our Rules and Regulations, regarding the quality of training for all firemen.

Background.

There has been confusion as to the quality of training that must be afforded to firemen. In a discussion with personnel of the South Carolina State Fire Marshall Office, it was learned that there are approximately 300 certified training instructors in this State. These certified instructors are qualified to teach the entry level "basic firefighter" course of 57 hours offered by the South Carolina Fire Academy. An additional discussion was held with S.C. Fire Academy personnel regarding requirements for private industrial firemen.

Interpretation.

The quality of training provided to all firemen covered under Section 1910.156 shall be the basic firefighter entry level course of 57 hours for public sector firemen (those firemen who are members of any state, county, city or voluntary fire brigade or department), and a 24 to 57 hour course, depending on the equipment and procedures used and the associated fire hazards existing at the workplace, for private industrial firemen (those firemen who only fight fires at their place of employment) as offered by the South Carolina Fire Academy, or equivalent courses developed and approved by a recognized fire training school with at least the same training capabilities as the S.C. Fire Academy.

1415

The fire school conducting the training shall issue to each fireman successfully completing the required course a written certification of structural fire fighting capability. The certificates for public sector firemen and private industrial firemen should be worded to indicate which type of training was completed. In addition, all such courses shall be taught by certified training instructors who shall have written certification by the S.C. Fire Academy or by a similar recognized fire training school of at least the same training capabilities as the S.C. Fire Academy. Classes may be conducted at any convenient location, including individual fire stations, technical schools, plant sites, and the S.C. Fire Academy, but with such training conducted by certified instructors only.

Effective Date.

This memorandum is effective upon receipt and will remain in effect until cancelled or superseded.

1416

FIRE SERVICE DEMOGRAPHICS

No. of Departments	650
No. of Public Firefighters	18,000
85% are Volunteers/15,000 15% are Paid/3,000	
Industrial Brigades	7,000
Rescue Squads/EMS	5,000
Total	30,000

001405

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SOUTH CAROLINA FIRE ACADEMY
HISTORY

1968	STATEWIDE FIREMEN TRAINING PROGRAM ESTABLISHED UNDER STATE BOARD OF TECHNICAL AND COMPREHENSIVE EDUCATION (TEC)
1974	SOUTH CAROLINA FIRE ACADEMY CONSTRUCTED ON 7 ACRES AT COST OF $400,243 AND MIDLANDS TECHNICAL COLLEGE ASSUMED RESPONSIBILITY FOR FIREMEN TRAINING
1981	INADEQUATE FACILITIES/DRILL GROUNDS AND POTENTIAL ENVIRONMENTAL PROBLEMS POINTED OUT IN A REPORT, "S. C. FIRE ACADEMY NEEDS ASSESSMENT"
1983	ENGINEERING REPORT ON DHEC SAMPLES SHOW HEAVY METAL AND OIL/GREASE ANALYSIS
1984	ONGOING ENVIRONMENTAL PROBLEMS; OIL/WATER SEPARATOR INSTALLED
1985	CONSENT ORDER ISSUED BY DHEC AND ACKNOWLEDGED BY ACADEMY
1986	ACADEMY TRANSFERRED TO DIVISION OF STATE FIRE MARSHAL, BUDGET AND CONTROL BOARD
1987	ACADEMY URGED BY DHEC TO SUBMIT PLAN FOR REMEDIATION; SEARCH FOR SITE TO RELOCATE ACADEMY BEGUN
1988	FUNDING OF $179,350 APPROVED IN SUPPLEMENTAL APPROPRIATIONS BILL FOR FIRST PHASE OF CLEAN-UP; PROJECT UNDER AUSPICES OF DIVISION OF GENERAL SERVICES
	A & E FUNDS OF $350,000 APPROVED
1989	WORK BEGUN ON CLEAN-UP PROJECT
	SEARCH CONTINUED FOR RELOCATION SITE
1990	REVISED REPORT ISSUED ON CLEAN-UP PROJECT; ESTIMATED REMEDIATION COST OF $305,000

001406

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PROBLEMS WITH PRESENT FACILITY

(A) INADEQUATE BUILDINGS AND UNSAFE TRAINING FACILITIES PRECLUDE ANY EXPANSION AT COLUMBIA CAMPUS AND JEOPARDIZE SAFETY OF STUDENTS; PRESENT BURN BUILDING DETERIORATING, HAS HAD SEVERE SPALLING IN SEVERAL ROOMS;

(B) INSUFFICIENT ACREAGE TO PROVIDE BUFFER ZONE AND SPACE FOR FIRE GROUND TRAINING ACTIVITIES;

(C) OIL/WATER SEPARATOR IS "LOW-TECH", EFFLUENT GOES UNDERGROUND AND COULD CREATE DANGEROUS GAS POCKETS;

(D) PRESENTLY FACILITIES LOCATED IN CLOSE PROXIMITY TO EACH OTHER, SAFETY IS STRONG CONCERN WHEN TWO OR MORE CLASSES ARE BEING HELD AROUND FACILITIES SIMULTANEOUSLY;

(E) PRESENT LOCATION, LACK OF DORMITORIES AND SPECIALIZED TRAINING FACILITIES CANNOT PROVIDE TRAINING FOR THE DIVERSE NEEDS OF PAID, VOLUNTEER AND INDUSTRIAL FIRE FIGHTING CONSTITUENCY; I.E., HAZARDOUS MATERIALS, NUCLEAR REACTOR PERSONNEL;

(F) NO PARKING FOR APPARATUS; BAYS ARE USED FOR STORAGE, ETC;

(G) NO RESTROOM FACILITIES ON TRAINING GROUNDS, AND ONLY ONE RESTROOM FOR FEMALES IN ENTIRE FACILITY;

(H) PAVED AREA SURROUNDING FACILITIES DETERIORATING, CREATING LARGE POT HOLES, RESURFACING HAS BEEN DONE 2-3 TIMES BEFORE, PROBLEM CONTINUES;

(I) STRAW PALLETS USED FOR FUEL IN BURN BUILDING ARE POTENTIALLY DANGEROUS AND UNCONTROLLABLE;

(J) PORTABLE FIRE EXTINGUISHER TRAINING NOT POSSIBLE ON MANY DAYS BECAUSE WIND CARRIES SODIUM BICARBONATE TO NEIGHBORING PARKING LOTS; CREATES COMPLAINTS FROM NEIGHBORING BUSINESSES;

(K) PRESENT FLAMMABLE LIQUID PROPS REQUIRE HIGH DEGREE OF MAINTENANCE BECAUSE THESE EVENTUALLY BURN DOWN AND HAVE TO BE REBUILT;

(L) ONGOING ENVIRONMENTAL PROBLEMS, THE MOST RECENT BEING A NOTICE FROM DHEC THAT PERMISSION MUST BE SECURED FROM THE AIRPORT AND FUNDS EXPENDED TO ERECT PIPING TO CARRY DISCHARGE WATER TO THE AIRPORT LAKE; COMPLAINTS FROM NEIGHBORING BUSINESSES THAT FALL-OUT FROM BURNING CONTINUES TO BE A PROBLEM;

1 4 1 9

SOUTH CAROLINA FIRE ACADEMY
CONTAMINATION STATUS

95% COMPLETE WITH PHASE I OF CLEAN-UP PROJECT ($179,350)

REPORT SUBMITTED FOR REMEDIATION AT A COST OF $305,000

FUNDS WERE REQUESTED AND DENIED IN FY 90/91 BUDGET

001408

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CURRICULUM

PRESENT SUBJECT AREAS	-	12	FIRE TRAINING PROGRAMS BASIC AND DRIVER/OPERATOR
FUTURE SUBJECT AREAS	-	10	PROGRAMS PER YEAR FOR THREE (3) YEARS Leadership, Management, Tactics, Incident Command, Specialized Training, Hazardous Materials, Fire Prevention, Public Education

INSTRUCTORS

ACADEMY CERTIFIED (Fire Dept. Personnel) - TRAIN THE TRAINER	300
ADJUNCT	350
TOTAL	650

INSPECTORS

CERTIFIED FIRE INSPECTORS 1062

Carry out duties and responsibilities of the State Fire Marshal according to State Statute No. 23-9-30

001409

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

April 6, 1990

RECEIVED
APR 09 1990
DIVISION OF
STATE FIRE MARSHAL

Honorable James M. Waddell, Jr.
Chairman, Senate Finance Committee
Room 111, Gressette Building
Columbia, South Carolina 29202

Dear Senator Waddell:

As you know for some time the Budget and Control Board has expressed concerns about discrepancies in the findings of various inspectors associated with the fire codes which have resulted in a number of appeals to the Budget and Control Board relative to fire and life safety. At its last meeting, the Board requested that the Division of the State Fire Marshal develop methods to train inspectors and enhance the consistent application of fire and life safety code enforcement. The Division has developed a continuing education program for certified inspectors which I believe holds great promise in addressing this issue.

Attached please find a program description and a funding request to implement this program. We would greatly appreciate the consideration of the Senate Finance Committee in addressing this matter and making available the resources to implement this program beginning early in the next fiscal year.

Thank you very much for your cooperation. Should your committee wish further elaboration or discussion of this matter, we will be very pleased to meet with you at your request.

Sincerely,

Sam Griswold

J. Samuel Griswold, Ph.D.
Deputy Executive Director

JSG:hc

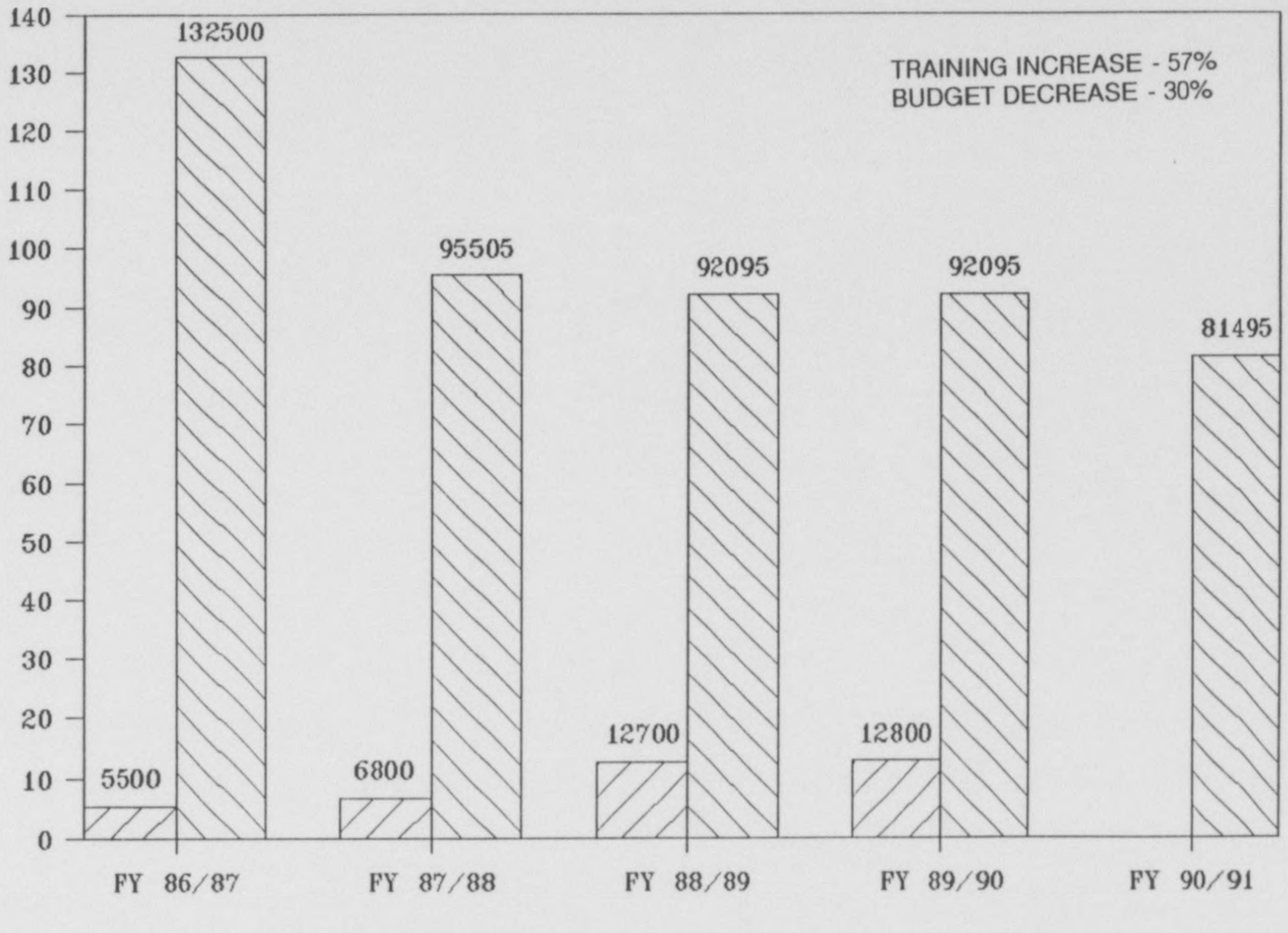
Enclosure

cc: Dr. Jesse A. Coles, Jr.
Mr. Richard S. Campbell

001410

1422

TRAINING VS. OPERATING BUDGET



001411

1423

BENEFITS
OF A NEW
SOUTH CAROLINA FIRE ACADEMY

- Economic Development - To protect the current and future industrial development in the state

- Property Loss - To lower the $720,000,000 in property loss each year

- Insurance Rates - Better trained fire departaments are an important factor for lower fire insurance premiums for state citizens.

- Improved Firefighter Training/Safety - Better training for firefighters result in more efficient, safer operations.

- Multi-Agency Utilization - A number of state and county agencies currently utilize the Academy for meeting training needs.

- Training for Private Industry - The Academy currently conducts fire training for private industry and generates revenue to assist with the funding of the public fire program.

001412

1424

RESULTS
OF A
MAJOR FIRE
IN INDUSTRY

43% - NEVER RETURN TO BUSINESS

28% - OUT OF BUSINESS WITHIN THREE (3) YEARS

29% - SUFFER UNINSURABLE LOSSES

** PROVIDED BY FACTORY MUTUAL

001413

1425

PERSONAL/PROPERTY LOSS
IN SOUTH CAROLINA
DUE TO FIRE

$720,000,000 PER YEAR

175 CIVILIANS KILLED PER YEAR

2 FIREFIGHTERS KILLED PER YEAR

2,700 INJURIES PER YEAR

HUGO

$2 - 4 BILLION IN LOSSES

26 CIVILIANS KILLED

001414

1426

ISO RATING SCHEDULE
Example

Homeowners
$100,000.00, Brick Veneer
$250.00 Deductable

ISO Class	Yearly Fire Insurance Premium
10 =	797
9 =	639
8 =	474
7 =	397
6 =	390
5 =	364
4 =	361
3 =	340
2 =	

A CLASSIFICATION REDUCTION FROM 9 TO A CLASS 7 RESULTS IN A $242.00 SAVINGS

Note: This example based on an <u>average</u> rating schedule in South Carolina.

001415

1427

IMPROVED/SAFER FIREFIGHTER TRAINING

DEVELOP MORE PROGRAMS

PROVIDE PROFESSIONAL DEVELOPMENT FOR INSTRUCTIONAL CADRE

001416

1428

MULTI-AGENCY UTILIZATION

D.H.E.C.

S.L.E.D.

Highway Patrol

Wildlife and Marine Resources

Criminal Justice Academy

Corrections

Richland County Sheriffs Department

Lexington County Sheriffs Department

001417

1429

*INDUSTRIAL REVENUE PROJECTIONS

FY 90-91

GROSS	$400,000.00
EXPENSES	200,000.00
NET	$200,000.00

FY 91-92

GROSS	$475,000.00
EXPENSES	285,400.00
NET	$189,600.00

FY 92-93

GROSS	$550,000.00
EXPENSES	300,000.00
NET	$250,000.00

FY 95/96

GROSS	$900,000.00
EXPENSES	450,000.00
NET	$450,000.00

PROCEEDS FROM INDUSTRIAL REVENUE

1. PUBLIC FIRE PROGRAMS
2. MAINTENANCE OF TRAINING PROJECTS AND SCENARIOS
3. FIRE PREVENTION/PUBLIC FIRE EDUCATION

* BASED ON PRELIMINARY PROGRAM AND CONSTRUCTION OF RECOMMENDED TRAINING FACILITIES

001418

1430

PROJECTED
COST AND CONSTRUCTION DATA
NEW SOUTH CAROLINA FIRE ACADEMY

1. Administration Building
2. Vehicle Maintenance and Support Building
3. Fire Station/Student Accommodations
4. Fire Research Laboratory
5. High–Rise Training Building
6. Fire Extinguishment Training Pads
7. Rescue Training Facility
8. Hazardous Materials Training
9. Outdoor Classrooms
10. Site Development
11. Site Utilities
12. Environmental Protection Systems
13. Equipment and Furnishings
14. Conference Center
15. Land Cost
16. Contingencies
17. Fees

TOTAL $11,880,000

** Figures provided by Construction and Planning Section, Division of General Service

001419

1431

APPENDIX

1432

TONY D. HENDRICK
CHIEF

Conway Fire Department
P. O. Drawer 1075
Conway, S. C. 29526

(803) 248-9121
248-5938

August 7, 1990

RECEIVED
AUG 9 1990
Budget and Control Board
Office of the Executive Director

J. Samuel Griswold, Ph.D.
Deputy Executive Director
Budget and Control Board
P.O. Box 12444
Columbia, South Carolina 29211

Dear Dr. Griswold,

I represent the Sixth Congressional District on the State Fire Commission, which includes the entire Pee Dee Region of our State. Every firefighter, fire chief, the Pee Dee Firefighters Association, Horry-Georgetown County Fire Chief's Association, State Fire Chief's Association, State Firemen's Association, and the State Fire Commission have united together toward the relocation and the building of a new State Fire Academy, and a permanent funding source for the Academy, Commission, and the Division of State Fire Marshal.

I understand that the Budget and Control Board will meet later this month to decide on land acquisition for the academy. We, the fire service, are counting on you to convey our united and very strong concerns about this matter to the Board, each and every time the issue is discussed.

The fire service, 18,000+ strong, has never been this united on any issue that I am aware of in my 20 years in the business. The present academy and the continuous annual budget reductions are no longer acceptable to the fire service.

Please make every possible effort to support our views to the Budget and Control Board, and let us know what we can do individually or collectively to accomplish our goal.

Thank you in advance for your cooperation in this matter.

Sincerely,

Tony Hendrick

Tony D. Hendrick
State Fire Commissioner

TDH/sm

001421

1433

Horry - Georgetown County Fire Chief's Association

August 9, 1990

RECEIVED
AUG 13 1990
Budget and Control Board
Office of the Executive Director

J. Samuel Griswold, Ph.D.
Deputy Executive Director
Budget and Control Board
P.O. Box 12444
Columbia, SC 29211

Dear Dr. Griswold:

At the August 8, 1990, meeting of the Horry-Georgetown Fire Chiefs' Association, our Membership voted to join the Pee Dee Firefighters' Association, State Fire Chiefs' Association, State Firemen's Association, and the State Fire Commission in support of the relocation and the building of a new State Fire Academy, and a permanent funding source for the Academy, Commission, and the Division of State Fire Marshal.

We understand that the Budget and Control Board will meet later this month to decide on land acquisition for the Academy. We, the Fire Service, are counting on you to convey our united and very strong concerns about this matter to the Board, each and every time the issue is discussed.

The Fire Service, 18,000+ strong, has never been this united on any issue that I am aware of in my 25 years in the business. The present Academy and the continuous annual budge reductions are no longer acceptable to the Fire Service.

Please make every possible effort to support our views to the Budget and Control board, and let us know what we can do individually or collectively to accomplish our goal.

Thank you in advance for your cooperation in this matter.

Sincerely,

James T. Smith, Jr.
President
Horry-Georgetown Fire Chiefs' Association

JTS/ss

Post Office Box 48 • Murrells Inlet, South Carolina 29576
(803) 651-5143 • FAX: (803) 651-8726

001422

1 4 3 1 4

JOINT COUNCIL OF SOUTH CAROLINA
FIRE SERVICE ASSOCIATIONS

AUGUST 16, 1990

DR. J. SAMUEL GRISWOLD, DEPUTY EXECUTIVE DIRECTOR
BUDGET & CONTROL BOARD
P. O. BOX 12444
COLUMBIA, SC 29211

DEAR DR. GRISWOLD:

THANK YOU FOR YOUR RESPONSE TO THE JOINT COUNCIL'S LETTER OF MAY 16, 1990, CONCERNING THE COMBINING OF THE FIRE MARSHAL'S FACILITIES WITH THOSE OF THE PROPOSED NEW FIRE ACADEMY.

AFTER PRESENTING YOUR RECOMMENDATIONS TO THE JOINT COUNCIL AND CONSULTING WITH THE STATE FIRE MARSHAL, THE MEMBERS OF THE JOINT COUNCIL VOTED TO SUPPORT THE FIRE ACADEMY RELOCATION WITHOUT CONSOLIDATING THE FIRE MARSHAL'S OFFICE INTO THE NEW FACILITY.

THANK YOU FOR YOUR INSIGHT INTO THIS MATTER.

THE FIRE SERVICE LOOKS FORWARD TO THE BUDGET & CONTROL BOARD'S SUPPORT IN RELOCATING THE FIRE ACADEMY AND FUNDING OF THE PROJECT SO THAT FIREFIGHTERS, INDUSTRY FIRE BRIGADE MEMBERS, AND OTHER STATE AGENCIES CAN RECEIVE THE TRAINING NECESSARY TO FULFILL THEIR RESPONSIBILITIES IN AS SKILLFUL AND AS SAFE MANNER POSSIBLE.

RESPECTFULLY,

JACK ABRAHAM, CHAIRMAN
JOINT COUNCIL OF SOUTH CAROLINA
FIRE SERVICE ASSOCIATIONS

RECEIVED
AUG 20 1990
Budget and Control Board
Office of the Executive Director

CLEMSON
UNIVERSITY

Jack Abraham

FIRE CHIEF
CLEMSON UNIVERSITY FIRE DEPARTMENT
EMERGENCY MEDICAL SERVICE
PERIMETER ROAD
CLEMSON, S.C. 29634-5410
803/656-2322

JACK ABRAHAM, CHAIRMAN
106 BERKLEY COURT
CLEMSON, SC 29631

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EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

GENERAL INFO.

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FIRE! FIRE!

Thousands of times each year. the word, "FIRE!" reverberates in the hallways of homes and businesses in South Carolina. When this alarm is heard, South Carolinians come face to face with the reality of one of the most dreaded causes of death and disfigurement known to man. It is also one of the most costly.

Fire, as a threat and as a reality, has many costs: deaths, injuries, hospital bills, property losses, lost tax revenues, impact on social services organizations, plus the costs of maintaining fire departments with trained firefighters, fire insurance premiums and providing built-in fire protection systems. WHO PAYS FOR ALL OF THIS? Consider the impact on the state and local government tax base if we had to pay just the cost of salaries and benefits for the 85% volunteer firefighters in this state--approximately15,000 of them. The amount would exceed $350 million, an amount representing approximately 10 percent of the state budget.

Generally, the fire service is taken for granted. We don't really know who they are in our community or what they are all about, but we do expect them to be there when called. In most instances of an emergency nature, the fire department is called FIRST. And, when they are called, we expect them to respond immediately and perform in a valiant and dauntless way. The effectiveness of a fire department in reducing life and property losses depends to a large extent on (1) how soon the firefighters arrive on the scene, and (2) what they do with their equipment after they arrive. While it is important that the equipment at the scene be adequate to the task, it is equally important that there are enough firefighters and that they are properly trained to use the equipment in a competent manner.

For 200 years, the fire service has been the backbone and the heart and soul of local communities. They are a time-honored tradition--unsung heroes. They are a brotherhood of service with a network that can be depended upon in an emergency. We do not know why a person decides to voluntarily place his or her life on the line to protect fellow citizens, but we are certainly grateful for those who do. South Carolina has over 18,000 public firefighters in 650 fire departments; 15,000 of whom are volunteers. Additionally, another 7,000 serve in industrial fire brigades. The number one need facing this state's fire service today (25,000 of them) is TRAINING.

The South Carolina Fire Academy is charged by legislative mandate to provide training to the firefighters of this state--paid, volunteer, and industrial. The training offered at the Academy must be highly diversified to meet the many needs of firefighters today. Federal legislation places more and more requirements on training and safety. Program restructuring at the Academy has accommodated many of the demands; however, environmental and facilities problems preclude any future expansion at the present facility. The answer to the problems would be relocation of the Academy to a site away from a populated area where infringement of neighbors would not be a problem, centrally located for accessibility to users, and where there is enough acreage to provide ideal training facilities and environmentally safe grounds.

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STATE BUDGET & CONTROL BOARD

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CHAPTER 10

SOUTH CAROLINA FIRE ACADEMY

SEC.
23-10-10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

23-10-10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

The Division of State Fire Marshal of the Budget and Control Board shall have sole responsibility for the operation of the South Carolina Fire Academy (Academy). The Academy is operated for the express purpose of upgrading the state's fire service, personnel - paid, volunteer, and industrial .....

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CHAPTER 10

South Carolina Fire Academy

SEC.
23–10–10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

§ 23–10–10. Operation of South Carolina Fire Academy; Fire Academy advisory committee created; membership.

The Division of State Fire Marshal of the Budget and Control Board shall have sole responsibility for the operation of the South Carolina Fire Academy (Academy). The Academy is operated for the express purpose of upgrading the state's fire service personnel-paid, volunteer, and industrial. All buildings, facilities, equipment, property, and instructional materials which are now or become a part of the Academy shall remain assigned to the Academy and may not be integrated with any other local or state agency, association, department, or technical education center, without the consent of the State Fire Marshal of the Budget and Control Board.

There is created the South Carolina Fire Academy Advisory Committee which shall advise and assist the State Fire Marshal in developing a comprehensive training program based upon the needs of the fire service in this State. Membership on the committee shall include:

(A) the chairman and appointed members of the Fire School Committee of the South Carolina State Firemen's Association. The chairman of the Fire School Committee shall also serve as the chairman of the South Carolina Fire Academy Advisory Committee.

(B) one member from the South Carolina Fire Chief's Association appointed by the president.

(C) one member from the South Carolina Fire Inspectors Association appointed by the president.

(D) one member from the South Carolina Society of Fire Service Instructors Association appointed by the president.

(E) one member from the Professional Firefighters Association appointed by the president.

(F) one member from the South Carolina Chapter of International Association of Arson Investigators appointed by the president.

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(G) the director of the South Carolina Fire Academy who shall serve as secretary without voting privileges. Membership from the South Carolina Fire Academy is limited to the director only.

(H) one industrial fire protection representative appointed by the president of the South Carolina Chapter of the American Society of Safety Engineers.

(I) the executive director of the South Carolina State Firemen's Association who shall serve as a member ex officio without voting privileges.

(J) the State Fire Marshal as ex officio without voting privileges.

(K) one member from higher education having experience and training in curriculum development appointed by the State Fire Commission.

(L) one member from the State Fire Commission appointed by the chairman.

HISTORY: 1979 Act No. 190 § 10; 1986 Act No. 347, § 5.

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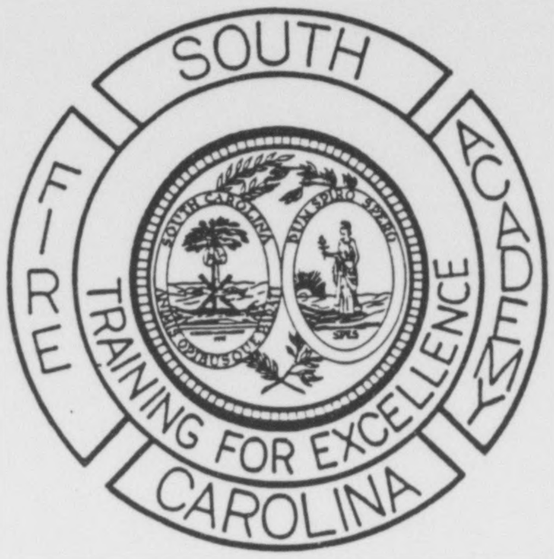

MISSION STATEMENT

THE MISSION OF THE SOUTH CAROLINA FIRE ACADEMY IS TO DEVELOP AN INSTRUCTIONAL DELIVERY SYSTEM THROUGH WHICH A STANDARDIZED STATEWIDE FIREFIGHTER TRAINING CURRICULUM IS DEVELOPED AND IMPLEMENTED TO TRAIN A MAXIMUM NUMBER OF CAREER, VOLUNTEER, AND INDUSTRIAL FIRE SERVICE PERSONNEL TO:

1. DEVELOP THE SKILLS NECESSARY TO COMMAND AND CONTROL EMERGENCY OPERATIONS INVOLVING FIRE, RESCUE, AND HAZARDOUS MATERIALS INCIDENTS.

2. DEVELOP THE MANAGERIAL AND LEADERSHIP SKILLS FOR ALL LEVELS OF FIRE OFFICERS.

3. DEVELOP SKILLS IN FIRE DEPARTMENT SUPPORT FUNCTIONS TO INCLUDE PUBLIC FIRE EDUCATION, FIRE PREVENTION, INSPECTIONS, AND FIRE INVESTIGATIONS.

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Part III

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Occupational Safety and Health Administration

29 CFR Part 1910

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include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.

(5) *Specialist employees.* Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

(6) *Training.* Training shall be based on the duties and function to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident. Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following paragraphs:

(i) *First responder awareness level.* First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

(A) An understanding of what hazardous materials are, and the risks associated with them in an incident.

(B) An understanding of the potential outcomes associated with an emergency created when hazardous materials are present.

(C) The ability to recognize the presence of hazardous materials in an emergency.

(D) The ability to identify the hazardous materials, if possible.

(E) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the U.S. Department of Transportation's Emergency Response Guidebook.

(F) The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

(ii) *First responder operations level.* First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

(A) Knowledge of the basic hazard and risk assessment techniques.

(B) Know how to select and use proper personal protective equipment provided to the first responder operational level.

(C) An understanding of basic hazardous materials terms.

(D) Know how to perform basic control, containment and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit.

(E) Know how to implement basic decontamination procedures.

(F) An understanding of the relevant standard operating procedures and termination procedures.

(iii) *Hazardous materials technician.* Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch or otherwise stop the release of a hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(A) Know how to implement the employer's emergency response plan.

(B) Know the classification, identification and verification of known and unknown materials by using field survey instruments and equipment.

(C) Be able to function within an assigned role in the Incident Command System.

(D) Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.

(E) Understand hazard and risk assessment techniques.

(F) Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.

(G) Understand and implement decontamination procedures.

(H) Understand termination procedures.

(I) Understand basic chemical and toxicological terminology and behavior.

(iv) *Hazardous materials specialist.* Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with Federal, state, local and other government authorities in regards to site activities. Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

(A) Know how to implement the local emergency response plan.

(B) Understand classification, identification and verification of known and unknown materials by using advanced survey instruments and equipment.

(C) Know of the state emergency response plan.

(D) Be able to select and use proper specialized chemical personal protective equipment provided to the hazardous materials specialist.

(E) Understand in-depth hazard and risk techniques.

(F) Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available.

(G) Be able to determine and implement decontamination procedures.

(H) Have the ability to develop a site safety and control plan.

(I) Understand chemical, radiological and toxicological terminology and behavior.

(v) *On scene incident commander.* Incident commanders, who will assume control of the incident scene beyond the

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APPENDIX R—FIRE PROTECTION PROGRAM FOR NUCLEAR POWER FACILITIES OPERATING PRIOR TO JANUARY 1, 1979

[¶ 7483]

I. Introduction and Scope

This Appendix applies to licensed nuclear power electric generating stations that were operating prior to January 1, 1979, except to the extent set forth in paragraph 50.48(b) of this part. With respect to certain generic issues for such facilities it sets forth fire protection features required to satisfy Criterion 3 of Appendix A to this part.[1]

Criterion 3 of Appendix A to this part specifies that "Structures, systems, and components important to safety shall be designed and located to minimize, consistent with other safety requirements, the probability and effect of fires and explosions."

When considering the effects of fire, those systems associated with achieving and maintaining safe shutdown conditions assume major importance to safety because damage to them can lead to core damage resulting from loss of coolant through boiloff.

The phrases "important to safety," or "safety-related," will be used throughout this Appendix R as applying to all safety functions. The phrase "safe shutdown" will be used throughout this Appendix R as applying to both hot and cold shutdown functions.

Because fire may affect safe shutdown systems and because the loss of function of systems used to mitigate the consequences of design basis accidents under postfire conditions does not per se impact public safety, the need to limit fire damage to systems required to achieve and maintain safe shutdown conditions is greater than the need to limit fire damage to those systems required to mitigate the consequences of design basis accidents. Three levels of fire damage limits are established according to the safety functions of the structure, system, or component:

The most stringent fire damage limit shall apply for those systems that fall into more than one category. Redundant systems used to mitigate the consequences of other design basis accidents but not necessary for safe shutdown may be lost to a single exposure fire. However, protection shall be provided so that a fire within only one such system will not damage the redundant system.

[1] Clarification and guidance with respect to permissible alternatives to satisfy Appendix A to BTP APCSB 9.5-1 has been provided in four other NRC documents:

"Supplementary Guidance on Information Needed for Fire Protection Evaluation," dated October 21, 1976;

"Sample Technical Specification," dated May 12, 1977;

"Nuclear Plant Fire Protection Functional Responsibilities, Administrative Control and Quality Assurance," dated June 14, 1977;

"Manpower Requirements for Operating Reactors," dated May 11, 1978.

A Fire Protection Safety Evaluation Report that has been issued for each operating plant states how these guidelines were applied to each facility and identifies open fire protection issues that will be resolved when the facility satisfies the appropriate requirements of Appendix R to Part 50.

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2. Except as provided for in paragraph G.3 of this section, where cables or equipment, including associated non-safety circuits that could prevent operation or cause maloperation due to hot shorts, open circuits, or shorts to ground to redundant trains of systems necessary to achieve and maintain hot shutdown conditions are located within the same fire area outside of primary containment, one of the following means of ensuring that one of the redundant trains is free of fire damage shall be provided:

a. Separation of cables and equipment and associated non-safety circuits of redundant trains by a fire barrier having a 3-hour rating. Structural steel forming a part of or supporting such fire barriers shall be protected to provide fire resistance equivalent to that required of the barrier;

b. Separation of cables and equipment and associated non-safety circuits of redundant trains by a horizontal distance of more than 20 feet with no intervening combustible or fire hazards. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire area; or

c. Enclosure of cable and equipment and associated non-safety circuits of one redundant train in a fire barrier having a 1-hour rating. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire area;

Inside noninerted containments one of the fire protection means specified above or one of the following fire protection means shall be provided:

d. Separation of cables and equipment and associated non-safety circuits of redundant trains by a horizontal distance of more than 20 feet with no intervening combustibles or fire hazards;

e. Installation of fire detectors and an automatic fire suppression system in the fire area; or

f. Separation of cables and equipment and associated non-safety circuits of redundant trains by a noncombustible radiant energy shield.

3. Alternative or dedicated shutdown capability and its associated circuits,[6] independent of cables, systems or components in the area, room or zone under consideration, shall be provided:

a. Where the protection of systems whose function is required for hot shutdown does not satisfy the requirement of paragraph G.2 of this section; or

b. Where redundant trains of systems required for hot shutdown located in the same fire area may be subject to damage from fire suppression activities or from the rupture or inadvertent operation of fire suppression systems.

In addition, fire detection and a fixed fire suppression system shall be installed in the area, room, or zone under consideration.

H. *Fire Brigade*

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A site fire brigade trained and equipped for fire fighting shall be established to ensure adequate manual fire fighting capability for all areas of the plant containing structures, systems, or components important to safety. The fire brigade shall be at least five members on each shift. The brigade leader and at least two brigade members shall have sufficient training in or knowledge of plant safety-related systems to understand the effects of fire and fire suppressants on safe shutdown capability. The qualification of fire brigade members shall include an annual physical examination to determine

[6] Alternative shutdown capability is provided by rerouting, relocating or modificating of existing systems; dedicated shutdown capability is provided by installing new structures and systems for the function of post-fire shutdown.

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their ability to perform strenuous fire fighting activities. The shift supervisor shall not be a member of the fire brigade. The brigade leader shall be competent to assess the potential safety consequences of a fire and advise control room personnel. Such competence by the brigade leader may be evidenced by possession of an operator's license or equivalent knowledge of plant safety-related systems.

The minimum equipment provided for the brigade shall consist of personal protective equipment such as turnout coats, boots, gloves, hard hats, emergency communications equipment, portable lights, portable ventilation equipment, and portable extinguishers. Self-contained breathing apparatus using full-face positive-pressure masks approved by NIOSH (National Institute for Occupational Safety and Health—approval formerly given by the U. S. Bureau of Mines) shall be provided for fire brigade, damage control, and control room personnel. At least 10 masks shall be available for fire brigade personnel. Control room personnel may be furnished breathing air by a manifold system piped from a storage reservoir if practical. Service or rated operating life shall be a minimum of one-half hour for the self-contained units.

At least a 1-hour supply of breathing air in extra bottles shall be located on the plant site for each unit of self-contained breathing apparatus. In addition, an onsite 6-hour supply of reserve air shall be provided and arranged to permit quick and complete replenishment of exhausted air supply bottles as they are returned. If compressors are used as a source of breathing air, only units approved for breathing air shall be used and the compressors shall be operable assuming a loss of offsite power. Special care must be taken to locate the compressor in areas free of dust and contaminants.

I. *Fire Brigade Training*

The fire brigade training program shall ensure that the capability to fight potential fires is established and maintained. The program shall consist of an initial classroom instruction program followed by periodic classroom instruction, fire fighting practice, and fire drills.

1. *Instruction*

a. The initial classroom instruction shall include:

(1) Indoctrination of the plant fire fighting plan with specific identification of each individual's responsibilities.

(2) Identification of the type and location of fire hazards and associated types of fires that could occur in the plant.

(3) The toxic and corrosive characteristics of expected products of combustion.

(4) Identification of the location of fire fighting equipment for each fire area and familiarization with the layout of the plant, including access and egress routes to each area.

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(5) The proper use of available fire fighting equipment and the correct method of fighting each type of fire. The types of fires covered should include fires in energized electrical equipment, fires in cables and cable trays, hydrogen fires, fires involving flammable and combustible liquids or hazardous process chemicals, fires resulting from construction or modifications (welding), and record file fires.

(6) The proper use of communication, lighting, ventilation, and emergency breathing equipment.

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(7) The proper method for fighting fires inside buildings and confined spaces.

(8) The direction and coordination of the fire fighting activities (fire brigade leaders only).

(9) Detailed review of fire fighting strategies and procedures.

(10) Review of the latest plant modifications and corresponding changes in fire fighting plans.

Note.—Items (9) and (10) may be deleted from the training of no more than two of the non-operations personnel who may be assigned to the fire brigade.

b. The instruction shall be provided by qualified individuals who are knowledgeable, experienced, and suitably trained in fighting the types of fires that could occur in the plant and in using the types of equipment available in the nuclear power plant.

c. Instruction shall be provided to all fire brigade members and fire brigade leaders.

d. Regular planned meetings shall be held at least every 3 months for all brigade members to review changes in the fire protection program and other subjects as necessary.

e. Periodic refresher training sessions shall be held to repeat the classroom instruction program for all brigade members over a two-year period. These sessions may be concurrent with the regular planned meetings.

2. *Practice*

Practice sessions shall be held for each shift fire brigade on the proper method of fighting the various types of fires that could occur in a nuclear power plant. These sessions shall provide brigade members with experience in actual fire extinguishment and the use of emergency breathing apparatus under strenuous conditions encountered in fire fighting. These practice sessions shall be provided at least once per year for each fire brigade member.

3. *Drills*

a. Fire brigade drills shall be performed in the plant so that the fire brigade can practice as a team.

b. Drills shall be performed at regular intervals not to exceed 3 months for each shift fire brigade. Each fire brigade member should participate in each drill, but must participate in at least two drills per year.

A sufficient number of these drills, but not less than one for each shift fire brigade per year, shall be unannounced to determine the fire fighting readiness of the plant fire brigade, brigade leader, and fire protection systems and equipment. Persons planning and authorizing an unannounced drill shall ensure that the responding shift fire brigade members are not aware that a drill is being planned until it is begun. Unannounced drills shall not be scheduled closer than four weeks.

At least one drill per year shall be performed on a "back shift" for each shift fire brigade.

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c. The drills shall be preplanned to establish the training objectives of the drill and shall be critiqued to determine how well the training objectives have been met. Unannounced drills shall be planned and critiqued by members of the management staff responsible for plant safety and fire protection. Performance deficiencies of a fire brigade or of individual fire brigade members shall be remedied by scheduling additional training for the brigade or members.

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Unsatisfactory drill performance shall be followed by a repeat drill within 30 days.

d. At 3-year intervals, a randomly selected unannounced drill must be critiqued by qualified individuals independent of the licensee's staff. A copy of the written report from these individuals must be available for NRC review and shall be retained as a record as specified in § III.I.4 of this appendix.

e. Drills shall as a minimum include the following:

(1) Assessment of fire alarm effectiveness, time required to notify and assemble fire brigade, and selection, placement and use of equipment, and fire fighting strategies.

(2) Assessment of each brigade member's knowledge of his or her role in the fire fighting strategy for the area assumed to contain the fire. Assessment of the brigade member's conformance with established plant fire fighting procedures and use of fire fighting equipment, including self-contained emergency breathing apparatus, communication equipment, and ventilation equipment, to the extent practicable.

(3) The simulated use of fire fighting equipment required to cope with the situation and type of fire selected for the drill. The area and type of fire chosen for the drill should differ from those used in the previous drill so that brigade members are trained in fighting fires in various plant areas. The situation selected should simulate the size and arrangement of a fire that could reasonably occur in the area selected, allowing for fire development due to the time required to respond, to obtain equipment, and organize for the fire, assuming loss of automatic suppression capability.

(4) Assessment of brigade leader's direction of the fire fighting effort as to thoroughness, accuracy, and effectiveness.

4. *Records*

Individual records of training provided to each fire brigade member, including drill critiques, shall be maintained for at least 3 years to ensure that each member receives training in all parts of the training program. These records of training shall be available for NRC review. Retraining or broadened training for fire fighting within buildings shall be scheduled for all those brigade members whose performance records show deficiencies.

J. *Emergency Lighting*

Emergency lighting units with at least an 8-hour battery power supply shall be provided in all areas needed for operation of safe shutdown equipment and in access and egress routes thereto.

K. *Administrative Controls*

Administrative controls shall be established to minimize fire hazards in areas containing structures, systems, and components important to safety. These controls shall establish procedures to:

1. Govern the handling and limitation of the use of ordinary combustible materials, combustible and flammable gases and liquids, high efficiency particulate air and charcoal filters, dry ion exchange resins, or other combustible supplies in safety-related areas.

2. Prohibit the storage of combustibles in safety-related areas or establish designated storage areas with appropriate fire protection.

3. Govern the handling of and limit transient fire loads such as combustible and flammable liquids, wood and plastic products, or other combustible materials in buildings containing safety-related systems or equipment during

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all phases of operating, and especially during maintenance, modification, or refueling operations.

4. Designate the onsite staff member responsible for the inplant fire protection review of proposed work activities to identify potential transient fire hazards and specify required additional fire protection in the work activity procedure.

5. Govern the use of ignition sources by use of a flame permit system to control welding, flame cutting, brazing, or soldering operations. A separate permit shall be issued for each area where work is to be done. If work continues over more than one shift, the permit shall be valid for not more than 24 hours when the plant is operating or for the duration of a particular job during plant shutdown.

6. Control the removal from the area of all waste, debris, scrap, oil spills, or other combustibles resulting from the work activity immediately following completion of the activity, or at the end of each work shift, whichever comes first.

7. Maintain the periodic housekeeping inspections to ensure continued compliance with these administrative controls.

8. Control the use of specific combustibles in safety-related areas. All wood used in safety-related areas during maintenance, modification, or refueling operations (such as lay-down blocks or scaffolding) shall be treated with a flame retardant. Equipment or supplies (such as new fuel) shipped in untreated combustible packing containers may be unpacked in safety-related areas if required for valid operating reasons. However, all combustible materials shall be removed from the area immediately following the unpacking. Such transient combustible material, unless stored in approved containers, shall not be left unattended during lunch breaks, shift changes, or other similar periods. Loose combustible packing material such as wood or paper excelsior, or polyethylene sheeting shall be placed in metal containers with tight-fitting self-closing metal covers.

9. Control actions to be taken by an individual discovering a fire. For example, notification of control room, attempt to extinguish fire, and actuation of local fire suppression systems.

10. Control actions to be taken by the control room operator to determine the need for brigade assistance upon report of a fire or receipt of alarm on control room annunciator panel, for example, announcing location of fire over PA system, sounding fire alarms, and notifying the shift supervisor and the fire brigade leader of the type, size, and location of the fire.

11. Control actions to be taken by the fire brigade after notification by the control room operator of a fire, for example, assembling in a designated location, receiving directions from the fire brigade leader, and discharging specific fire fighting responsibilities including selection and transportation of fire fighting equipment to fire location, selection of protective equipment, operating instructions for use of fire suppression systems, and use of preplanned strategies for fighting fires in specific areas.

12. Define the strategies for fighting fires in all safety-related areas and areas presenting a hazard to safety-related equipment. These strategies shall designate:

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a. Fire hazards in each area covered by the specific prefire plans.

b. Fire extinguishants best suited for controlling the fires associated with the fire hazards in that area and the nearest location of these extinguishants.

c. Most favorable direction from which to attack a fire in each area in view of the ventilation direction, access hallways, stairs, and doors that

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are most likely to be free of fire, and the best station or elevation for fighting the fire. All access and egress routes that involve locked doors should be specifically identified in the procedure with the appropriate precautions and methods for access specified.

d. Plant systems that should be managed to reduce the damage potential during a local fire and the location of local and remote controls for such management (e.g., any hydraulic or electrical systems in the zone covered by the specific fire fighting procedure that could increase the hazards in the area because of overpressurization or electrical hazards).

e. Vital heat-sensitive system components that need to be kept cool while fighting a local fire. Particularly hazardous combustibles that need cooling should be designated.

f. Organization of fire fighting brigades and the assignment of special duties according to job title so that all fire fighting functions are covered by any complete shift personnel complement. These duties include command control of the brigade, transporting fire suppression and support equipment to the fire scenes, applying the extinguishant to the fire, communication with the control room, and coordination with outside fire departments.

g. Potential radiological and toxic hazards in fire zones.

h. Ventilation system operation that ensures desired plant air distribution when the ventilation flow is modified for fire containment or smoke clearing operations.

i. Operations requiring control room and shift engineer coordination or authorization.

j. Instructions for plant operators and general plant personnel during fire.

L. *Alternative and Dedicated Shutdown Capability*

1. Alternative or dedicated shutdown capability provided for a specific fire area shall be able to (a) achieve and maintain subcritical reactivity conditions in the reactor; (b) maintain reactor coolant inventory; (c) achieve and maintain hot standby[1] conditions for a PWR (hot shutdown[1] for a BWR); (d) achieve cold shutdown conditions within 72 hours; and (e) maintain cold shutdown conditions thereafter. During the postfire shutdown, the reactor coolant system process variables shall be maintained within those predicted for a loss of normal a. c. power, and the fission product boundary integrity shall not be affected; i. e., there shall be no fuel clad damage, rupture or any primary coolant boundary to rupture of the containment boundary.

2. The performance goals for the shutdown functions shall be:

a. The reactivity control function shall be capable of achieving and maintaining cold shutdown reactivity conditions.

b. The reactor coolant makeup function shall be capable of maintaining the reactor coolant level above the top of the core for BWRs and be within the level indication in the pressurizer for PWRs.

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c. The reactor heat removal function shall be capable of achieving and maintaing decay heat removal.

d. The process monitoring function shall be capable of providing direct readings of the process variables necessary to perform and control the above functions.

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[1] As defined in the Standard Technical Specifications.

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1450

FIRE SERVICE DEMOGRAPHICS

No. of Departments	650
No. of Public Firefighters	18,000
85% are Volunteers/15,000 15% are Paid/3,000	
Industrial Brigades	7,000
Rescue Squads/EMS	5,000
Total	30,000

HISTORY

1968 Statewide Firemen's Training Program created under the State Board of Technical and Comprehensive Education (TEC)

1971 TEC made available 10 acres of land for the development of a central training facility.

1974 South Carolina Fire Academy, consisting of a classroom building, a drill tower and a fire building, was built on 7 acres at a cost of $400,243. Midlands TEC assumed responsibility for firefighter training.

1976 Land, buildings and equipment were turned over to the Academy to be supervised by State TEC.

Grant request proposal made to National Fire Prevention and Control Administration for funding to develop organizational design for fire service education and training. First phase of the study was presented to Governor Edwards in 1977.

1979 The second phase of the study included the development of a 5-year plan, entitled "South Carolina Statewide Fire Education and Training Plan." The plan was completed and presented to Governor Edwards in 1979. S.C. Fire Academy assigned legislatively to the State TEC.

1981 A report, "South Carolina Fire Academy Needs Assessment," set forth the priorities of the five-year plan. Inadequate classroom, storage and training grounds were evident at that time and pointed to future environmental problems. The signs of strain at that time allowed for no future expansion even if physical plant deficiencies could be corrected.

State Tec asks the Fire Service to pay budget cuts for the State Tec Office and 16 State Colleges out of an additional $260,000 received in appropriated funds.

1982 Request was made to DHEC to use 50 55-gallons of paint thinner to burn for training purposes. It should be noted that the Academy, because of budgetary problems, had been using donated paint thinner for several years. This would be the basis for the future environmental problems that would develop.

1983 Engineering report issued in April on samples taken by DHEC determined that characteristics of waste water showed heavy metal and oil/grease analysis and strongly advised the Academy to seek the services of an engineering firm to study the problem.

Response: Engineer would be chosen to estimate cost to solve problem and efforts would be made to locate funding source for project.

001440

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Wilbur Smith and Associates were selected at a cost of $3650 to perform tests and prepare specifications for treatment equipment.

The Adjutant General was requested to provide National Guard Engineers for grading to better control water/oil run-off during training fires. Request put on waiting list.

Drawings submitted by Wilbur Smith and associates on proposed oil/water separator.

DHEC issued permit to construct in August.

Specifications were reviewed by DHEC, Wilbur Smith Associates with National Pollutant Discharge Elimination System (NPDES) and permit was granted in December.

Estimated cost of project ($20,000) submitted to TEC to request funds from Budget and Control Board.

1984 Estimated cost of construction submitted by Wilbur Smith and Associates:

Phase I - Installation of oil/water separator and components - $30,000
Phase II - cost of spill containment berms and fire-pit drainage system - $15,000 Total: $45,000

Request was made to Budget and Control Board by TEC for funding from Civil Contingency Fund; response was that fund had insufficient funds (only $39,812) and another funding source should be sought.

NPDES permit received and letter sent to DHEC so noting but explaining that funding was denied; Academy could cover purchase of oil/separator but had no funds to install.

Request to City of Cayce to run waste water into sewage system was denied.

In May of 1984, Academy was again advised by DHEC that they were in violation and oil/water separator must be installed as per conditions in the construction permit issued in 1983 and that it should be operating by September 1, 1984. Further enforcement penalties were threatened.

Purchase of alternate units (gravity) were investigated but denied by Wilbur Smith and Associates as not being effective.

Separator purchased and installed in November.

Because September 1, 1984 compliance date had not been met, DHEC issued a "Show Cause" hearing which was subsequently cancelled as

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result of successful installation of the separator.

1985

In April, additional environmental problems on training grounds were pointed out. Separator would not handle volume of 150 gpm to meet DHEC requirements or the 15 parts per million as per the specs. DHEC noted a problem with standing oil left on drill fields after flammable liquids were burned for training--possible pollution of ground water as a result. DHEC recommended that area around pits be covered with asphalt or concrete. Remediation would require (1) removing dirt from around burn pits and replacing with topsoil to a depth of 15 feet which would require grading, and (2) concrete 200' x 100' and install drainage line that would run into holding pit at a cost of $13,500 if Academy did the work.

At that time, there was concern that Wilbur Smith had issued incorrect specifications for separator construction and possible legal action should be taken.

Samples taken at a later date (June) showed reduced reading but still not within acceptable range.

June - Academy requested funding from TEC for projects based on: (a) full effectiveness of water quality control not determined; (b) DHEC fears of groundwater contamination. DHEC proposed to drill and test and if positive, approximately $46,000 would be needed for grading, installing lines, etc.

July - monitoring wells were installed by DHEC and violative organics were found; meeting was scheduled to plan.

October 11, 1985, a Consent Order was issued by DHEC.

October 17 each point in order was acknowledged by Academy to TEC; concern was also expressed that the oil/water separator was not operating properly.

October 31, Office of Attorney General requested to give counsel.

Academy notified DHEC of conformance with final inspection request of 12/18/84.

1986

DHEC restricts use of foam in training activities.

TEC requests Preliminary Hydrogeologic study by Soil and Materials Engineers, (S&ME) for $6,362.50

Wilbur Smith and Associates are contacted concerning poor performance of oil/water separator and the system they designed and which was approved by DHEC.

Report is issued by S&ME and is forwarded by Attorney General's Office to DHEC; S&ME submits proposal ($29,500) to address recommendations made in preliminary report.

1454

TEC requests funds from Budget and Control Board

1986 July 1 South Carolina Fire Academy was transferred under Division of State Fire Marshal of the Budget and Control.

After consultation with Attorney General's Office, a Settlement Agreement was signed, contingent upon funds being appropriated by General Assembly. Academy requests 90-day extension to involve appropriate officials at Budget and Control Board.

1987 Negotiations continue and DHEC urges Academy to submit plan for accomplishment of remediation; a search for land for relocation of Academy is begun.

A request for $70,000 for test is placed on the June 22, 1987 agenda of the Budget and Control Board.

1988 Settlement agreement between DHEC and Academy outlining that a plan be submitted for an approvable, comprehensive work plan for remedial activities with complete construction by December 1, 1988.

Request for proposals issued and Charles T. Main, Inc., selected to conduct hydrogeological study for initial phase of Academy clean-up.

Funding of $179,350 was approved in Supplemental Appropriations Bill as line item in DHEC budget for Fire Academy project.

TEC advises that black noxious smoke from burning operation at Academy is causing problems; suggested a reduced schedule of burning activities.

DHEC approves Charles Main proposal and requests that project be transferred to Division of General Services; total of $179,350 transferred.

Architectural and Engineering (A&E) funds of $350,000 were approved for relocation of the Academy.

1989 Contract between Charles Main and Division of General Services executed with notice to begin work immediately. Work schedule submitted beginning 3/89 and continuing to 6/89, ending with a groundwater analysis. Later, a revised schedule was submitted. Estimated cost for clean-up was not available. Money would not be available until 90-91 budget. On August 22, 1989, lab tests were sent to DHEC. A "Preliminary Site Assessment of South Carolina Fire Academy" report was submitted and reviewed by involved parties. DHEC requested that specific items be addressed within 30 days.

Search was begun for land suitable for relocation of Academy. No suitable tract located through the State Land Inventory Search. Division of General Services advised Division to locate suitable site.

1455

1990 Charles T. Main submitted a revised report. Estimated remediation cost was $305,000.

1990 Negotiations begin to secure property that has been identified as an ideal location for a Statewide Firefighting facility: 200-acre site north of Columbia, remote enough to ensure the protection from environmental concerns, yet accessible to downtown Columbia and firefighters statewide. Site meets <u>all</u> fire training facility criteria. Contracts signed; work begun.

A number of meetings held to provide the close coordination needs by Division of State Fire Marshal, Division of General Services, South Carolina Electric and Gas Co. (owners of the land), Architects, and others.

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EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

CURRENT STATUS

001445

1457

EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

PROBLEMS WITH PRESENT FACILITY

(A) INADEQUATE BUILDINGS AND UNSAFE TRAINING FACILITIES PRECLUDE ANY EXPANSION AT COLUMBIA CAMPUS AND JEOPARDIZE SAFETY OF STUDENTS; PRESENT BURN BUILDING DETERIORATING, HAS HAD SEVERE SPALLING IN SEVERAL ROOMS;

(B) INSUFFICIENT ACREAGE TO PROVIDE BUFFER ZONE AND SPACE FOR FIRE GROUND TRAINING ACTIVITIES;

(C) OIL/WATER SEPARATOR IS "LOW-TECH", EFFLUENT GOES UNDERGROUND AND COULD CREATE DANGEROUS GAS POCKETS;

(D) PRESENTLY FACILITIES LOCATED IN CLOSE PROXIMITY TO EACH OTHER, SAFETY IS STRONG CONCERN WHEN TWO OR MORE CLASSES ARE BEING HELD AROUND FACILITIES SIMULTANEOUSLY;

(E) PRESENT LOCATION, LACK OF DORMITORIES AND SPECIALIZED TRAINING FACILITIES CANNOT PROVIDE TRAINING FOR THE DIVERSE NEEDS OF PAID, VOLUNTEER AND INDUSTRIAL FIRE FIGHTING CONSTITUENCY; I.E., HAZARDOUS MATERIALS, NUCLEAR REACTOR PERSONNEL;

(F) NO PARKING FOR APPARATUS; BAYS ARE USED FOR STORAGE, ETC;

(G) NO RESTROOM FACILITIES ON TRAINING GROUNDS, AND ONLY ONE RESTROOM FOR FEMALES IN ENTIRE FACILITY;

(H) PAVED AREA SURROUNDING FACILITIES DETERIORATING, CREATING LARGE POT HOLES, RESURFACING HAS BEEN DONE 2-3 TIMES BEFORE, PROBLEM CONTINUES;

(I) STRAW PALLETS USED FOR FUEL IN BURN BUILDING ARE POTENTIALLY DANGEROUS AND UNCONTROLLABLE;

(J) PORTABLE FIRE EXTINGUISHER TRAINING NOT POSSIBLE ON MANY DAYS BECAUSE WIND CARRIES SODIUM BICARBONATE TO NEIGHBORING PARKING LOTS; CREATES COMPLAINTS FROM NEIGHBORING BUSINESSES;

(K) PRESENT FLAMMABLE LIQUID PROPS REQUIRE HIGH DEGREE OF MAINTENANCE BECAUSE THESE EVENTUALLY BURN DOWN AND HAVE TO BE REBUILT;

(L) ONGOING ENVIRONMENTAL PROBLEMS, THE MOST RECENT BEING A NOTICE FROM DHEC THAT PERMISSION MUST BE SECURED FROM THE AIRPORT AND FUNDS EXPENDED TO ERECT PIPING TO CARRY DISCHARGE WATER TO THE AIRPORT LAKE; COMPLAINTS FROM NEIGHBORING BUSINESSES THAT FALL-OUT FROM BURNING CONTINUES TO BE A PROBLEM;

1458

SOUTH CAROLINA FIRE ACADEMY
CONTAMINATION STATUS

95% COMPLETE WITH PHASE I OF CLEAN-UP PROJECT ($179,350)

REPORT SUMBITTED FOR REMEDIATION AT A COST OF $305,000

FUNDS WERE REQUESTED AND DENIED IN FY 90/91 BUDGET

1459

CURRICULUM

PRESENT SUBJECT AREAS	-	12	FIRE TRAINING PROGRAMS BASIC AND DRIVER/OPERATOR
FUTURE SUBJECT AREAS	-	10	PROGRAMS PER YEAR FOR THREE (3) YEARS LEADERSHIP, MANAGEMENT, TACTICS, INCIDENT COMMAND, SPECIALIZED TRAINING, HAZARDOUS MATERIALS, FIRE PREVENTION, PUBLIC EDUCATION

INSTRUCTORS

ACADEMY CERTIFIED (FIRE DEPT. PERSONNEL) - TRAIN THE TRAINER	300
ADJUNCT	350
TOTAL	650

INSPECTORS

CERTIFIED FIRE INSPECTORS 1062

CARRY OUT DUTIES AND RESPONSIBILITIES OF THE STATE FIRE MARSHAL ACCORDING TO STATE STATUTE No. 23-9-30

1460

CURRICULUM DEVELOPMENT

The Academy has a strong need to develop and deliver courses above those presently in our delivery system in order to properly meet the States Fire Services Training and Education requirements and to fulfill the Academy's Legislative mission.

- 30 New courses are planned to be developed over the next three years. (10 new courses per year)

- 11 courses will be developed this fiscal year; they are:

OFFICER LEVEL COURSES

1 - Managing Company Tactical Operations - Preparation

2 - Managing Company Tactical Operations - Decision Making

3 - Managing Company Tactical Operations - Tactics

4 - Managing Company Tactical Operations - Simulation

5 - Incident Command System

PUMP OPERATOR/FIRE APPARATUS DRIVER OPERATOR LEVEL COURSES

6 - Mobile Water Supply

BASIC FIREFIGHTER LEVEL

Update and revise existing courses in firefighter area:

7 - Orientation to the Fire Service

* 8 - Basic FireFighter

9 - Structural FireFighting

CODE ENFORCEMENT INSPECTOR LEVEL

10 - Fire Marshal Recertification Course.

* Presently have 1,000 certified inspectors in system. See memo requesting additional funds in FY 89-90 meets S.C. Department of Labor's minimum standard for Interior Firefighter.

SPECIALIZED

11 - *Hazardous Materials First Responder

* Meets S.C. Department of Labor's minimum requirement for Hazardous Materials First Responder Level

Examples of Course that Academy is unable to deliver partially or completely due to lack of facilities:

- Confined Space Rescue
- Hazardous Materials Training above First Responder Level
- Emergency Vehicle Driver Training
- Pump Operations - Drafting Operations, Pumper Testing and Certification
- Water Rescue
- Inspector level Course for Automatic Sprinkler Systems, Fire Detection Alarm Devices.
- Certain types of flammable liquid and foam operations training

1462

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

April 6, 1990

RECEIVED
APR 09 1990
DIVISION OF
STATE FIRE MARSHAL

Honorable James M. Waddell, Jr.
Chairman, Senate Finance Committee
Room 111, Gressette Building
Columbia, South Carolina 29202

Dear Senator Waddell:

As you know for some time the Budget and Control Board has expressed concerns about discrepancies in the findings of various inspectors associated with the fire codes which have resulted in a number of appeals to the Budget and Control Board relative to fire and life safety. At its last meeting, the Board requested that the Division of the State Fire Marshal develop methods to train inspectors and enhance the consistent application of fire and life safety code enforcement. The Division has developed a continuing education program for certified inspectors which I believe holds great promise in addressing this issue.

Attached please find a program description and a funding request to implement this program. We would greatly appreciate the consideration of the Senate Finance Committee in addressing this matter and making available the resources to implement this program beginning early in the next fiscal year.

Thank you very much for your cooperation. Should your committee wish further elaboration or discussion of this matter, we will be very pleased to meet with you at your request.

Sincerely,

Sam Griswold

J. Samuel Griswold, Ph.D.
Deputy Executive Director

JSG:hc

Enclosure

cc: Dr. Jesse A. Coles, Jr.
Mr. Richard S. Campbell

14613

STATE FIRE MARSHAL CERTIFICATION PROGRAM

PROGRAM DESCRIPTION

Under authority of State Statute 23-9-30, the current State Fire Marshal Certification Program was initiated. This course, that provides a comprehensive uniform program of education and training in fire codes interpretation, application, and enforcement to state and local governmental entities, will be expanded and further enhanced. The present program consists of State adopted portions of the Standard Building Code (Chapters 1-11), Standard Fire Prevention Code, State Fire Marshal Rules and Regulations, and referenced National Fire Protection Association standards. Presently 663 local fire inspectors are certified through this statewide training and education program.

BENEFITS DERIVED

This program will provide more consistency in interpretation and application of fire and life safety codes among local and state fire inspectors, building codes officials, architects and engineers. Increased professional development and training, frequent communication in codes updates and interpretations, and inspector recertification will result in increased protection from death, injury, and property loss for the citizens of the State.

FUNDING

Personal Services (Available funding not sufficient for the higher level service offering)	$48,937
OPERATING	
Contractual Services Printing $1,000 Software Development $5,000 Curriculum Devel Consultants $5,000	$11,000
Supplies Postage $4,500 Supplies $2,000 Tech Manuals $3,000	$ 9,500
Travel	$ 8,000
TOTAL	$28,500
NON-RECURRING	
Equipment Personal Computer $2,500 Furniture $4,000	$ 6,500
TOTAL	$ 6,500
GRAND TOTAL	$83,937

1464

INSTRUCTIONAL DELIVERY SYSTEM

THE ACADEMY OPERATES ON A TRAIN-THE-TRAINER CONCEPT WITH 18 FULL-TIME FACULTY WHICH OPERATES THE 7 OFFICES AND TRAINS AND SUPERVISES 650 INSTRUCTORS TO TEACH APPROXIMATELY 750 COURSES WHICH TRAINS ABOUT 12,000 STUDENTS ANNUALLY.

THE KEY TO THE DELIVERY SYSTEM IS THE ADJUNCT INSTRUCTOR. THE BETTER TRAINED AND PREPARED THAT PERSON IS THE MORE PRODUCTIVE THE ENTIRE CURRICULUM DELIVERY AND ULTIMATELY PERFORMANCE WILL BECOME.

TYPES OF TRAINING INSTRUCTORS WILL RECEIVE AT NEW FACILITY

- TRAIN-THE-TRAINER CONCEPT WILL BE ENHANCED - NEW FACILITIES UTILIZED TO TRAIN A LARGE NUMBER OF INSTRUCTORS TO TEACH IN THEIR LOCAL JURISDICTIONS.

- ADVANCED TRAINING ON PROPS AND FACILITIES.

- ENHANCED AUDIO-VISUAL AND INSTRUCTIONAL SUPPORT TO INCREASE INSTRUCTOR CAPABILITY.

14615

TRAINING VS. OPERATING BUDGET

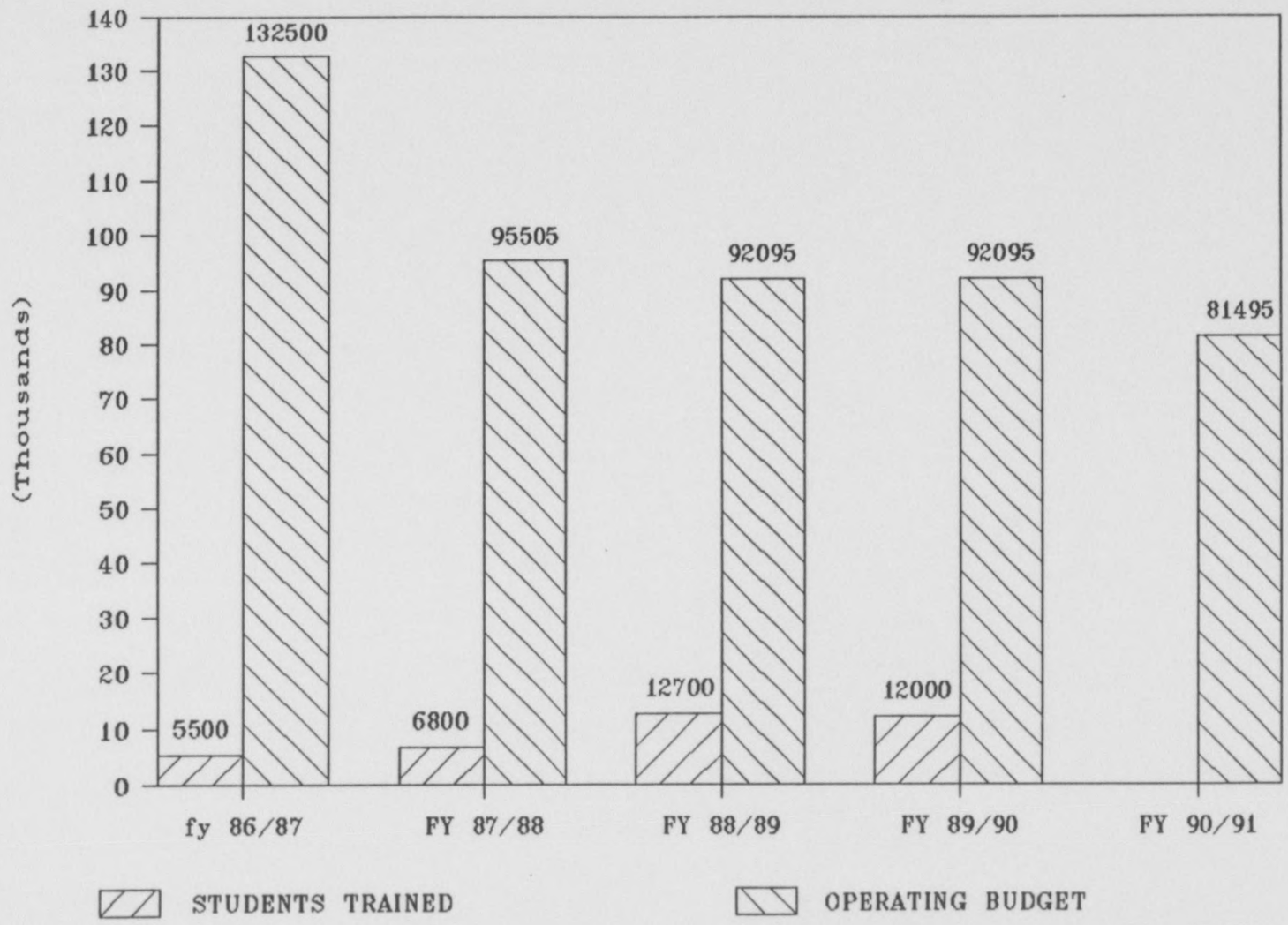

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EXHIBIT

AUG 2 2 1990 10

STATE BUDGET & CONTROL BOARD

BENEFITS

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EXHIBIT

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STATE BUDGET & CONTROL BOARD

BENEFITS OF A NEW SOUTH CAROLINA FIRE ACADEMY

- Economic Development - To protect the current and future industrial development in the state

- Property Loss - To lower the $720,000,000 in property loss each year

- Insurance Rates - Better trained fire departaments are an important factor for lower fire insurance premiums for state citizens.

- Improved Firefighter Training/Safety - Better training for firefighters result in more efficient, safer operations.

- Multi-Agency Utilization - A number of state and county agencies currently utilize the Academy for meeting training needs.

1468

RESULTS
OF A
MAJOR FIRE
IN INDUSTRY

43% - NEVER RETURN TO BUSINESS

28% - OUT OF BUSINESS WITHIN THREE (3) YEARS

29% - SUFFER UNINSURABLE LOSSES

** PROVIDED BY FACTORY MUTUAL

1469

PERSONAL/PROPERTY LOSS
IN SOUTH CAROLINA
DUE TO FIRE

$720,000,000 PER YEAR

175 CIVILIANS KILLED PER YEAR

2 FIREFIGHTERS KILLED PER YEAR

2,700 INJURIES PER YEAR

HUGO

$2 - 4 BILLION IN LOSSES

26 CIVILIANS KILLED

1470

INSURANCE SERVICES OFFICE

The Insurance Service Office, based in New York, determines individual property fire insurance rates. The Fire Suppression Rating Schedule objectively reviews those features of available public fire protection that have a significant influence on minimizing damage once a fire has occurred.

It is recognized that most communities have a rating schedule which can vary from the better class 2 to a general class 10. Many communities have adopted or implemented programs for enforcing codes, educating the public regarding fire safety matters, and investigating fires and to seek the prosecution of those responsible where arson is the cause. It is important that such programs be maintained and strengthened where such exist, and that such programs be implemented where they do not exist so as to positively impact on the identified fire problems of the community.

In order to develop a Public Protection Classification other than a class 10 the following minimum facilities must be available:

A). Organization - The fire department shall be organized on a permanent basis under applicable State or Local laws.

B). Membership - The department shall have sufficient membership to assure the response of at least 4 members to fires in structures.

C). Training - Training for active members shall be conducted monthly.

D). Apparatus - There shall be at least one piece of apparatus meeting the general criteria of National Fire Protection Association (NFPA) Standard 1901, Automotive Fire Apparatus.

E). Alarm Notification -

F). Housing -

1471

ISO RATING SCHEDULE
Example

Homeowners
$100,000.00, Brick Veneer
$250.00 Deductable

ISO Class	Yearly Fire Insurance Premium
10 =	797
9 =	639
8 =	474
7 =	397
6 =	390
5 =	364
4 =	361
3 =	340
2 =	

A CLASSIFICATION REDUCTION FROM 9 TO A CLASS 7 RESULTS IN A $242.00 SAVINGS

Note: This example based on an <u>average</u> rating schedule in South Carolina.

1472

IMPROVED/SAFER FIREFIGHTER
TRAINING

DEVELOP MORE PROGRAMS

PROVIDE PROFESSIONAL DEVELOPMENT FOR
INSTRUCTIONAL CADRE

1473

MULTI-AGENCY UTILIZATION

D.H.E.C.

S.L.E.D.

Highway Patrol

Wildlife and Marine Resources

Criminal Justice Academy

Corrections

Richland County Sheriffs Department

Lexington County Sheriffs Department

001462

14714

EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

NEEDS

001463

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EXHIBIT

AUG 2 2 1990 1 0

STATE BUDGET & CONTROL BOARD

PROJECTED
COST AND CONSTRUCTION DATA
NEW SOUTH CAROLINA FIRE ACADEMY

1.	Administration Building	$1,500,000
2.	Vehicle Maintenance and Support Building	480,000
3.	Fire Station/Student Accommodations	945,000
4.	Fire Research Laboratory	630,000
5.	High-Rise Training Building	500,000
6.	Fire Extinguishment Training Pads	1,000,000
7.	Rescue Training Facility	100,000
8.	Hazardous Materials Training	250,000
9.	Outdoor Classrooms	50,000
10.	Site Development	800,000
11.	Site Utilities	400,000
12.	Environmental Protection Systems	1,200,000
13.	Equipment and Furnishings	750,000
14.	Conference Center (Budget and Control Board Use Statewide)	825,000
15.	Land Cost	550,000
16.	Contingencies	1,000,000
17.	Fees	900,000
	TOTAL	$11,880,000

** Figures provided by Construction and Planning Section, Division of General Services

001464

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PROJECTED
COST AND CONSTRUCTION DATA
NEW SOUTH CAROLINA FIRE ACADEMY

1. Administration Building
2. Vehicle Maintenance and Support Building
3. Fire Station/Student Accommodations
4. Fire Research Laboratory
5. High–Rise Training Building
6. Fire Extinguishment Training Pads
7. Rescue Training Facility
8. Hazardous Materials Training
9. Outdoor Classrooms
10. Site Development
11. Site Utilities
12. Environmental Protection Systems
13. Equipment and Furnishings
14. Conference Center (Budget and Control Board for Statewide Use)
15. Land Cost
16. Contingencies
17. Fees

TOTAL $11,880,000

** Figures provided by Construction and Planning Section, Division of General Service

001465

1477

SOUTH CAROLINA FIRE ACADEMY RELOCATION
S.C. DIVISION OF GENERAL SERVICES
Columbia, South Carolina

PRELIMINARY PROGRAM AND BUDGET ALLOCATION

FACILITIES	ESTIMATED COST

Fire academy office and administrative functions, classroom facilities, kitchen, cafetorium, fitness, a/v, restroom, utility and storage areas are estimated to occupy approximately 20,000 sq. ft., based on the Mississippi State Fire Academy as a model. Minimum construction budget for a two story, 20,000 sq. ft. building with 12-ft. story height of type similar to a college student union run at $65.00 psf. Add $10.00 psf to cover the cost of furnishings and equipment:

1. Administration Building:
   20,000 sq. ft. @ $75.00 psf — 1,500,000.00

Vehicle, apparatus and equipment storage, maintenance and maintenance training facilities, instructor's offices and support functions will require approximately 10,000 sq. ft. in a two story building with 10-ft. story height, and approximately 2,000 sq. ft. of vehicle maintenance bays in a one story portion with 20-ft. story height and 14 x 14 ft. overhead doors. Minimum cost is budgeted at $40. psf:

2. Vehicle Maintenance & Support Building:
   12,000 sq. ft. @ $40.00 psf — 480,000.00

Prototypical one story fire station w/ 20-ft. story height in vehicle areas and 10-ft. story height in student accomodation facilities for 50 trainees or recruits for comprehensive and/or extended training programs with day room, kitchen and dining areas, vending, laundry, support and light recreation facilities. Budget is estimated at $60.00 psf plus $10.00 psf for furnishings:

3. Prototypical Fire Station/Student Accomodations
   13,500 sq. ft. @ $70.00 psf — 945,000.00

Fire research laboratory and hot drill training facility with 10 and 12-ft. story heights simulating residential and commercial training and research scenarios utilizing environmentally safe, computer controlled, propane simulation technology and high-velocity exhaust systems for trainee and instructor safety. Ground water protected brick masonry and concrete building budget is $50.00 psf for a 4,000 sq. ft. facility with $43,000 budgeted for steel sheilding systems, computer controlled propane simulation systems, smoke and ventilation systems and other training controls, accessories, equipment and support facilities:

4. Fire Research Laboratory — 630,000.00
   (Includes Computer Simulation System @ $330,000)

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High-rise drill building, 5 stories with 12-ft. story heights, rooftop helicoptor pad, stairwells, standpipe and sprinkler systems, ground water protection, balconies, overhangs and a variety of window types, of brick masonry and concrete construction. (Facility will also be used by SCLED and the S.C. Criminal Justice Academy.):

5. High-Rise Training Building:
   5-40' X 50' stories @ $50.00psf 500,000.00

Concrete slab fire ground extinguishing training pads, ground water protected and modular in design with water-flow shielded, slip-jointed training props simulating a variety of scenarios for fire extinguishing training with chemical extinguishers, foam and water hoses, including several flammable liquid and gas systems controlled at each pad through fuel supply manifolds with above ground water and fuel piping and open concrete drainage flume systems:

6. Fire Extinguishing Training Pads:
   4 pads @ $250,000 each 1,000,000.00

Confined space, ditch collapse and underground rescue training facility and props:

7. Rescue Training Facility:
   Water tank, pipe, culverts, etc. 100,000.00

Hazardous materials handling and training facilities and props for derailments and a several potential leak, spill and break scenarios, with ground water protection, support and storage facilities. (Facilities may also be used by DHEC.):

8. Hazardous Materials/Derailment Training & Support Facility:
   Pad, track, tanker car, etc. 250,000.00

Roofed outside classrooms, 25'x30', with 12'x25'storage attached for dry chemical bags, classroom and extinguishing equipment:

9. Outdoor classroom buildings w/ slab (2 Required) 50,000.00

Clearing, grading, paving, storm drainage, grassing and landscaping, signals, driver training ground for a 80 acre campus with a 120 acre buffer:

10. Site Development:
    80 acres @ $10,000 per acre 800,000.00

Fuel storage facilities, fuel piping, fire and domestic water pumping, piping and resevoirs, sanitary sewer, electrical distribution and telephone systems. (Resevoir may also be used for diver training by the Fire Service, Criminal Justice and S.C. Wildlife Department.):

11. Site Utilities:
    80 acres @ $5,000 per acre 400,000.00

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1479

State-of-the-art environmental and ground water protection and contaminant containment systems including oil separators, settling ponds, underlayments, etc., to serve the various training facilities as mentioned above:

12. Environmental and Ground Water Protection Systems:
80 acres @ $15,000.00 per acre 1,200,000.00

Budget allowance for sundry and miscellaneous furnishings, items of apparatus and equipment required for fully implementing the S.C. Fire Academy facilities and mission:

13. Allowance for Equipment and Furnishings:
Trucks, Apparatus, Furniture, Etc. 750,000.00

Conference center for use by the fire academy, firefighter organizations and all state agencies and organizations for a variety of purposes to include meeting rooms, kitchen and dining facilities with accomodating 100 people for dinners, seminars, conferences, meetings, etc.:

14. Conference Center:
15,000 sq. ft. @ $55.00 psf 825,000.00

15. Land Cost 550,000.00

16. Contingencies 1,000,000.00

17. Fees 900,000.00

TOTAL $11,880,000.00

A/E FEES

Basic Fee	5.5%
Complex Project	1.0%
Site and Environmental	0.5%
Program	0.5%
	7.5%

$9,430,000.00 (.075) (.35) = $247,537.00 (Design Development and Programming)

1480

CONSTRUCTION*
TIME-TABLE

March, 1991	-	Bond Bill Approved
July, 1991	-	Select Builder
September, 1991	-	Begin Construction
September, 1992	-	Occupy New Academy

*Assumes Top Priority in Bond Bills; Information provided by Construction and Planning, Division of General Services.

1481

BUDGET NEEDS FOR NEW FIRE ACADEMY

	CURRENT ALLOTMENTS	REQUESTED INCREASE	REVISED ALLOTMENTS
Personal Services 158	363,730	231,970	595,700
171	72,124	120,000	192,124
TOTAL	435,854	351,970	787,824
Contractural Services 200	33,244	20,000	53,244
Supplies and Materials 300	5,999	30,000	35,999
Fixed Charges 400	1,985	49,600	51,585
Travel 500	26,773	20,000	46,773
Equipment 600	8,794	75,000	83,794
Light/Power/ Heat 2300	11,000	15,000	26,000
Transportation 2400	3,300	4,000	7,300
Library Materials 0618	1,000	-0-	1,000
TOTAL BUDGET	527,949	565,570	1,093,519

1482

Personal Services

2 -	Grade 23 Equipment Specialist at 18,172 ea.	- $ 36,344.00
3 -	Grade 36 Regional Coordinators at 28,119 ea.	- 84,356.00
1 -	Grade 36 Inspector Certification Coordinator at 28,119	- 28,119.00
1 -	Grade 20 Admin. Spec. B at 14,936	- 14,936.00
1/2 -	Grade 22 Admin. Spec. C Current Salary at 8,215	- 8,215.00
2 -	Grade 36 Curriculum Coordinators at 30,000	- 60,000.00
	TOTAL	$231,970.00

A. The Equipment Specialists are needed to assist with the increasing amount of equipment which is in need of repair as a result of 300% increase in training programs while no new equipment has been purchased.

B. The 3 Regional Coordinators are needed for placement in the Hartsville and Greenwood Regional Offices which are presently operated by part-time coordinators. Each of these two offices coordinated 22% of the entire Academy statewide course offerings during the past fiscal year. The other Regional Coordinator is needed in the Greenville area to assist the current Regional Coordinator. The Greenville Regional Office is responsible for training 35% of the state's fire service and also coordinated in excess of $100,000 of industrial training during the past fiscal year. The additional Regional Coordinator would relieve the excess workload and increase the industrial revenue.

C. The Inspector Certification Coordinator is necessary to manage the 1062 Certified inspectors who are trained to carry out the rules, regulations, and codes enforced by the State Fire Marshal. This individual would also provide professional development and communication to these certified inspectors. Presently, these inspectors are not receiving any additional training and the entire system is managed by a supervisor who does not have the necessary time needed to produce an effective program.

D. The Administrative Specialist B is needed to assist the Inspector Certification Coordinator with computer time and administrative support to maintain current certified inspectors and provide additional resources to the inspector program.

E. The money for one half of the current Administrative Specialist C's salary should come from appropriated sources. The present arrangement of taking the other one half of this salary from revenue sources causes an unnecessary drain on the revenue account. This person does not perform functions associated with the revenue program.

F. The Curriculum Coordinators are necessary to manage the 35 new programs under development by the Academy for the next 2 - 3 years.

1483

Temporary Positions $120,000

A $120,000 increase is needed to reach an additional 30% of the career and volunteer fire service. Presently only 20% of the state's fire service is being exposed to fire training programs designed to meet the minimum OSHA regulations. The money would be divided as follows:

A. $66,000 - Direct delivery programs offered to students at their own fire departments.

B. $ 5,000 - Instructor Orientation Workshops to teach specific Train-the-Trainer programs.

C. $ 6,000 - Instructor Training Course to train instructors how to teach all Academy programs through Direct Delivery and Train-the-Trainer.

D. $ 4,000 - Professional Development for all instructors to meet the Instructor Recertification guidelines.

E. $35,000 - For administrative support at each of the seven Regional Offices located around the state.

F. $ 4,000 - For special instructional projects such as the Instructor Improvement Conferences and Regional Fire Schools.

Contractual Services $ 20,000

During FY 91/92, the Academy will develop a total of 10 new fire training programs. Each program will cost $2,000 to develop the entire course package. These programs consist of leadership training, management training, and specialized technical skill training related directly to firefighting. Once developed, these programs will be taught statewide through the Train-the-Trainer concept. Without these programs being offered, the fire service cannot be expected to meet the increasing needs being placed on the local departments.

Supplies and Materials $ 30,000

The South Carolina Fire Academy needs to upgrade the inventory of supplies such as fire hose and extinguishers which has not been purchased due to budget cuts in prior years. Extra slide sets are needed to furnish Train-the-Trainer instructors with slides to teach the various programs.

1484

Fixed Charges $ 49,600

$24,600 The South Carolina Fire Academy does not have money in the present budget to pay rent for the seven (7) regional offices or copier leases utilized by these offices.

$25,000 The Academy urgently needs to lease a new fire truck to replace the 1974 model which is over 16 years old and has approximated $8,000 to $10,000 per year spent on repairs. The truck requires too much maintenance and fails on the day the class begins which causes the class to be postponed.

Travel $ 20,000

The increase in travel is necessary to provide for instructor evaluations for the Instructor Recertification Program, increased professional development programs for Adjunct and Academy Certified Instructors and full-time faculty. The increase is also necessary because of the increase in motor vehicle costs by the Division of Motor Vehicle Management.

Equipment $ 75,000

The South Carolina Fire Academy has not replaced fire service tools, nozzles, and appliances utilized in training programs in 10 years. The present equipment is not repairable.

Additionally, new equipment will need to be purchased to provide the necessary resources to teach new programs such as automobile extrication, high level rescue, mobile water supply. The Academy presently does not possess any of this equipment.

Electricity $ 15,000

The South Carolina Fire Academy does not have enough money in the present budget to pay for the electricity used in the administrative building or training grounds.

Transportation $ 4,000

This increase is necessary for the high demand for fuel and oil for the fire apparatus utilized at the Academy for the Interior Firefighting program which is attended by all students participating in the OSHA required program.

1485

Non-Recurring Funds $850,000

Equipment

1 - 1500 GPM Fire Truck $250,000

During FY 91/92, the Academy will relocate to a new facility capable of Training firefighters in the correct procedures for multi-engine company operators. It is necessary to purchase an additional fire truck to accomplish this objective. All structure fires are extinguished with multi-engines and firefighters must be trained accordingly.

1 - 95 Ft. Aerial Ladder $600,000

The Academy must train career and volunteer fire departments in the use of aerial devices. Presently the Academy does not posses an aerial truck and can offer no training in their operation. There are approximately 60 aerial trucks in operation in South Carolina at this time. Training is presently being provided by fire equipment sales personnel.

TOTAL $850,000

1486

*INDUSTRIAL REVENUE PROJECTIONS

FY 90-91

GROSS	$400,000.00
EXPENSES	200,000.00
NET	$200,000.00

FY 91-92

GROSS	$475,000.00
EXPENSES	285,400.00
NET	$189,600.00

FY 92-93

GROSS	$550,000.00
EXPENSES	300,000.00
NET	$250,000.00

FY 95/96

GROSS	$900,000.00
EXPENSES	450,000.00
NET	$450,000.00

PROCEEDS FROM INDUSTRIAL REVENUE

1. PUBLIC FIRE PROGRAMS
2. MAINTENANCE OF TRAINING PROJECTS AND SCENARIOS
3. FIRE PREVENTION/PUBLIC FIRE EDUCATION

* BASED ON PRELIMINARY PROGRAM AND CONSTRUCTION OF RECOMMENDED TRAINING FACILITIES

1487

THE END

1488