

MINUTES OF BUDGET AND CONTROL BOARD MEETING

MARCH 31 1975

On March 31, 1975, the following Budget and Control Board members were polled by telephone and asked to approve a Resolution for the issuing of \$5,000,000.00 of State Highway Bond Anticipation Notes.

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

Attempts were made to reach Senator Rembert C. Dennis and Mr. F. Julian LeaMond but these efforts were unsuccessful.

Those members contacted unanimously approved the Resolution which called for the issuing of a note in the amount of \$1,250,000.00 to each of four local banks. These notes carry the date of March 31, 1975, and are slated to mature on or before May 1, 1975.

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A RESOLUTION
AUTHORIZING THE ISSUANCE OF FIVE MILLION DOLLARS (\$5,000,000)
BOND ANTICIPATION NOTES OF THE STATE OF SOUTH CAROLINA IN ANTI-
CIPATION OF STATE HIGHWAY BONDS OF THE STATE OF SOUTH CAROLINA.

BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF
THE STATE OF SOUTH CAROLINA:

SECTION 1.

As an incident to the adoption of this Resolution and
the issuance of the Bond Anticipation Notes herein authorized,
the State Budget and Control Board of the State of South
Carolina (the State Board) finds:

1. By the provisions of Sections 15.1 through 15.22,
inclusive, of Act No. 1575 of the Acts of the General Assembly
of the State of South Carolina for the year 1972, as amended
(Act 1575), the Governor and the State Treasurer of South
Carolina, when requested by the State Board, are duly autho-
rized and empowered to issue State Highway Bonds for Highway
Construction (as such term is defined in Section 15.2 of
Act 1575).

For the payment of the principal of and interest on
the State Highway Bonds issued pursuant to Act 1575, there
are to be pledged the full faith, credit and taxing power
of the State of South Carolina, and in addition thereto and
subject to the limitations set forth in Act 1575, all of
the moneys derived from the Sources of Revenue (as such term
is defined in Section 15.2 of Act 1575).

SECTION 2.

Heretofore, as of March 25, 1975, the State Board sold
State Highway Bonds in the aggregate principal amount of
\$20,000,000, whose proceeds are to be used for Highway
Construction. Such bonds are scheduled for delivery on
or before May 1, 1975.

SECTION 3.

It has now been made to appear that the State Highway Department must immediately obtain \$5,000,000 to meet costs already incurred on contracts previously let and for work already performed.

SECTION 4.

By reason of the foregoing, it has been decided that the Bond Anticipation Notes in the principal amount of \$5,000,000 shall be issued in anticipation of the delivery of the \$20,000,000 State Highway Bonds.

The State Board is authorized by Act No. 116 of the Acts of the General Assembly of the State of South Carolina for the year 1965, as amended (Act 116), to issue Bond Anticipation Notes in anticipation of receiving the proceeds of the \$20,000,000 State Highway Bonds.

SECTION 5.

Negotiations have been conducted by the State Treasurer pursuant to the authorization of the State Board with a group of South Carolina banks consisting of: Bankers Trust of South Carolina, The Citizens and Southern National Bank of South Carolina, First National Bank of South Carolina and The South Carolina National Bank, which have resulted in agreement on the part of the banks to purchase \$5,000,000 Bond Anticipation Notes of the State of South Carolina, to be dated March 31, 1975, to mature April 30, 1975, and to bear interest at the rate of 4.25% per annum, payable on the maturity or earlier redemption of the Notes and to be subject to redemption at the option of the State of South Carolina at any time upon twenty-four (24) hours written notice to the respective named payees of the Notes.

SECTION 6.

Accordingly, it is the purpose of this Resolution to:

- (a) Authorize the Governor and State Treasurer to effect the issuance of the Bond Anticipation Notes above referred to;
- (b) Direct the use of the proceeds of the Bond Anticipation Notes for Highway Construction; and
- (c) Prescribe that sufficient proceeds of the \$20,000,000 State Highway Bonds be applied to the payment of the Bond Anticipation Notes.

SECTION 7.

It is hereby determined that temporary financing pursuant to Act 116, to the extent of \$5,000,000, in anticipation of the delivery of the State Highway Bonds above referred to, shall be immediately undertaken in accordance with the recitals hereinabove set forth, and that the approval of the State Board shall be given to the proposed action to effect such temporary borrowing.

SECTION 8.

That there shall be issued by the State of South Carolina Bond Anticipation Notes of the State of South Carolina, in the aggregate principal amount of \$5,000,000 which shall bear date March 31, 1975, and shall be expressed to mature on April 30, 1975, unless sooner redeemed. The Notes shall be subject to redemption at any time prior to maturity upon twenty-four (24) hours written notice to the respective named payees thereof.

SECTION 9.

The said Notes shall be in the denomination of \$1,250,000 each, shall be numbered from 1 to 4, inclusive, and shall be payable, both principal and interest, at the principal office of the named payee of each Note.

SECTION 10.

The said Notes shall bear interest from date at the rate of 4.25% per annum, payable upon the stated maturity or earlier redemption of said Notes.

SECTION 11.

The said Notes shall be executed on behalf of the State of South Carolina by the Governor and by the State Treasurer, and the Great Seal of the State of South Carolina shall be impressed thereon, and the same shall be attested by the Secretary of State.

SECTION 12.

The said Notes shall be substantially in the form attached hereto as EXHIBIT "A".

SECTION 13.

For the payment of the principal of and interest on the said Notes, as the same shall fall due, the full faith, credit and taxing power of the State of South Carolina shall be pledged, and in addition thereto so much of the principal proceeds of the State Highway Bonds above referred to, as are necessary therefor, are hereby pledged, and the State Treasurer, upon receipt of the proceeds of said State Highway Bonds be, and is hereby, authorized and directed to apply such proceeds to such payment in accordance with the provisions of Act 116.

SECTION 14.

The said Bond Anticipation Notes shall be forthwith prepared, executed in the manner hereinabove set forth, and thereafter delivered to the purchasers thereof, upon receipt of the purchase price therefor. The proceeds shall be paid to the State Treasurer and applied for Highway Construction.

SECTION 15.

In adopting this Resolution, making provision for the issuance of the Bond Anticipation Notes in the amount heretofore stated, the State Board has found and hereby certifies that all conditions, acts and things required for the issuance of the \$20,000,000 State Highway Bonds to have happened and do exist and that such State Highway Bonds can be validly issued and delivered.

SECTION 16.

A certified copy of this Resolution shall be transmitted to each of the Governor and the State Treasurer, as a means of authorizing the issuance of said Notes and apprising them of the action taken by the State Board as above set forth.

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
BOND ANTICIPATION NOTE
(ISSUED PURSUANT TO ACT NO. 116 OF THE ACTS OF 1965, AS AMENDED)

No. _____ \$1,250,000

KNOW ALL MEN BY THESE PRESENTS That the STATE OF SOUTH CAROLINA hereby acknowledges itself indebted, and for value received, promises to pay to

or order, the sum of

ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000)

at the principal office of the named payee hereof, in the City of Columbia, State of South Carolina, on the 30th day of April, 1975, and to pay interest on said principal sum from the date hereof, at the rate of 4.25% per annum, payable upon the maturity or earlier redemption of this Note. This Note is subject to redemption at the option of the State of South Carolina at any time upon twenty-four (24) hours written notice.

Both the principal of and interest on this Note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

THIS NOTE is one of an issue of Bond Anticipation Notes, aggregating \$5,000,000, issued by the State of South Carolina, pursuant to the authorizations of Act No. 116 of the Acts of the General Assembly of the State of South Carolina for the year 1965, as amended, in anticipation of the receipt of the proceeds to be derived from the sale of \$20,000,000 State Highway Bonds of the State of South Carolina to be issued pursuant to the statutory authorization set forth in the resolution authorizing the issuance of this Note. For the payment of the principal of and interest on this Note, the full faith, credit and taxing power of the State of South Carolina are pledged and in addition, the proceeds to be derived from the State Highway Bonds, in anticipation of which this Note is issued.

THIS NOTE and the interest hereon are exempt from all State, County, Municipal, School District, and all other taxes or assessments of the State of South Carolina, direct or indirect, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, or to be performed precedent to or in the issuance of this Note, do exist, have happened, and have been performed in regular and due time, form and manner.

IN WITNESS WHEREOF, the STATE OF SOUTH CAROLINA has caused this Note to be signed by the Governor of South Carolina and by the State Treasurer of South Carolina, and the Great Seal of the State to be impressed hereon, and attested by the Secretary of State of South Carolina, and this Note to be dated the 31st day of March, A. D. 1975.

STATE OF SOUTH CAROLINA

BY _____
Governor

(SEAL)

BY _____
State Treasurer

Attest:

Secretary of State

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